



Town of Indian Trail
Minutes of Town Council
June 24, 2014
Civic Building
06:30 P.M.

The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: David Cohn, Gordon B. Daniels, David W. Drehs, Christopher King, and Gary M. Savoie.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Director of Engineering and Public Works Scott Kaufhold , Finance Director Marsha Sutton, Planning Director Shelley DeHart, Director of Community & Economic Development Kelly Barnhardt, Assistant Director of Parks & Recreation Jason Tryon , and Communications Coordinator Lindsey Edmonds.

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

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

ADDITIONS AND DELETIONS

None

MOTION TO APPROVE AGENDA

Gary M. Savoie made a motion to approve the agenda.
Council voted unanimously in favor of the motion.

PRESENTATIONS

None

PUBLIC COMMENTS

Mayor Alvarez read an email he received for public comments. **(COPY OF THE EMAIL CAN BE FOUND IN THE CLERK'S OFFICE IN THE OFFICIAL PACKET).**

Cathi Higgins, 3004 Clover Hill Road, Indian Trail, NC referred to the apartments already approved by Council and stated that the many residents requested Council to disapprove the Plyler Road apartments she requested that Council Members who voted to approve reconsider their votes. Ms. Higgins requested that those Council Members who received campaign donations to recuse themselves and provided the donations given.

Shirley Howe, 6205 Clearwater Drive, Indian Trail, NC addressed the rezoning and the last meeting when this matter was brought before Council. Ms. Howe stated that many people came forward to oppose this project and were ignored.

Jan Barley, 1919 Windmere Drive, Indian Trail, NC spoke regarding the proposed apartment complex, stating that it will not provide new jobs, will increase traffic and crowding in schools.

Art Spurr, 4100 Woodcreek Court, Indian Trail, NC recommends the Council Members that received donations from the developer of the Plyler Road apartment's recuse themselves. He stated that we need the roads before the project, schools are overcrowded, more law enforcement and fire protection needed, water and sewage strains. He suggested making it commercial to bring in jobs and revenue.

Michael Faulkenberry, 519 Picketts Circle, Indian Trail, NC commented on the Planning Board field trip to Berkshire and Ballantyne and inquired if those communities had a train run through the middle of them. He inquired where the tax revenue is from the Theatre. Mr. Faulkenberry inquired where the additional \$2,900,000 for parks is coming from. He addressed the design of Old Monroe Road stating people should have input not just Council.

Dan Jenka, 1009 Cranston Crossings Place, Indian Trail, NC stated his property is adjacent to the proposed apartments, he signed the petition and feels the traffic impact analysis is useless. He requested Council reconsider and listen to the people speaking tonight.

John Killman, Silver Glen Lane, Indian Trail, NC advised he lives across the street from the project, stated he emailed Council with 51 local neighbor's signature on the petition. He requested Council help him understand with such a large opposition why this is a good idea.

Sandy Simpson, 1835 Hammond Drive, Stallings, NC stated that although she's not a resident of Indian Trail, requested Council be a good neighbor. Stallings has stopped approving new projects because of the school overcrowding; you are becoming part of the problem. She addressed some of the redistricting statistics and issues.

Lars Knapp, 655 Powder Horn, Indian Trail, NC stated that the people who will rent these apartments are doing so because of the schools and as a result of the influx of these new students how will that address the overcrowding issues. He provided statistics of current school attendees.

Jerry Morse, 271 Unionville Indian Trail Road, Indian Trail, NC read an email he sent to Council pertaining to his opposition to the apartment complex because of infrastructure, redistricting and public services. He thanked Council Members Drehs and Cohn for voting no and feels that Council Member Daniels and Savoie have a conflict of interest and read an explanation of what conflict of interest is.

Samantha Towns, 104 Pine Lake Drive, Indian Trail, NC advised that the 2013 election in Indian Trail brought a difference to the Town and stated they were elected to represent the citizens and their arrogance is appalling and now they are ignoring the citizen's opposition to this project.

Glen Hall, 4000 Cloudview Lane, Indian Trail, NC has been a resident of 6 years and stated that all of the problems discussed this evening will not go away if we don't build the apartments. He feels it will attract young professionals if you provide upscale apartments in this area. He requests that the builders hold up to the promises they make to provide a positive environment.

Laurel Carlton, 6025 Indian Brook, Indian Trail, NC stated that this is a low density development problem, common sense tells you that you need new development in a town. Children need good schools and positive environment and feels a benefit will come as a result of this apartment complex.

CONSENT AGENDA

- A) Approval of purchase of public works vehicle **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- B) Approval of purchase of public works equipment **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- C) Approval of Subordination Agreement **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- D) Approval of Certificate of Corporate Resolution for Letter of Credit **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Keith explains change in subordination agreement

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

APPOINTMENTS

Mr. Fivas explained the process, advising there are 3 positions available and 3 people applying for the Transportation Committee and one for the Alliance of South Charlotte Communities.

David Cohn made a motion to approve the appointment of Jocelyn Sams, Jorge Aponte, and Shamir Ally to the Transportation Advisory Committee and Darlene Luther to the Alliance of South Charlotte Communities. Council voted unanimously in favor of the motion.

PUBLIC HEARINGS

None

BUSINESS ITEMS

- a) Council consideration of approval of second reading of CZ2013-009 Plyler Road Community

Gary M. Savoie made a motion to approve the second reading of Ordinance approving CZ2013-009.

Mr. Cohn stated he has listened to public comments for the last few meetings and that his heart breaks for the people who live here and adjacent to the project. We have already approved 1000 apartments before this project and you will have to deal with the traffic and he apologized for that. What this Council is telling you is that it doesn't matter what you want it matters what the Developer wants.

Mr. Daniels stated tonight is not about, in his opinion this project, it's about infrastructure but how are we going to pay for it. It is paid for by tax revenue and we're trying to increase our tax base with these projects. His reasons why the project is good are because it will add value and tax base. He believes the comments on donations to his campaign are uncalled for.

Mayor Alvarez stated that the people have spoken and it's your job to represent these people. It doesn't matter what you want or what you think is better it's your obligation to hear them.

Motion Passed 3 - 2 with David Cohn and David W. Drehs opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

- B) Council consideration of approval of creation of Economic Development Advisory Committee (EDAC) Bylaws

Mr. Fivas explained the goal and role of this committee.

David W. Drehs made a motion to approve the Economic Development Advisory Committee (EDAC) Bylaws **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council voted unanimously in favor of the motion.

C) Council consideration of amendment to the Indian Trail Appointment Policy

Mr. Fivas explained that the amendment states that if an alternate has been seated for at least 12 months and if the Board or Committee recommends that alternate be promoted to a full position, the Council *shall* make this appointment.

Gary M. Savoie made a motion to approve the amendment to the Indian Trail Appointment Policy. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council voted unanimously in favor of the motion.

DISCUSSION ITEMS

A) Discussion on Five- Year Transportation Plan & Public Process

Mr. Fivas stated that we would like to run this by the Transportation Committee for recommendation before we present it to the public, we have modified the process and wanted to change to get public opinion in July and August, ensuring Council is aware of the time changes. This is important so we can prioritize what, how and when things need to be done. Several comments he has recently received pertains to the Chestnut Parkway, Council has asked staff to pursue Phase II which is the completion from Old Monroe Road to Gribble Road. Mr. Fivas advised this will take a few months to initiate and asked if Council would prefer this be completed or have staff do some preliminary work on getting some of the Chestnut Parkway discussions started with some of the next steps. He assured Council no funds would be expended without their approval. He summarized the questions: 1) the plan/process do you want us to look deeper into the Chestnut Parkway

Mr. Drehs stated he lives 1/2 mile off Chestnut Parkway and feels there's nothing more important to this side of town and would like to encourage staff to do whatever they can to move that process along.

Mr. King agreed - it's critical to all traffic issues on Indian Trail Road to move forward.

By consensus Council agreed.

David W. Drehs made a motion to approve directing the staff to take whatever actions necessary to expedite the Chestnut Parkway and expedite getting as much public comment on the Transportation Plan and implement as quickly as possible.

Council voted unanimously in favor of the motion.

B) Discussion on Old Monroe Road Intersection Designs

Mr. Savoie requested to push this to set up a time with Town Engineers and Town Officials to make sure we have a good understanding of what this means with the intersections on Old Monroe Road that was presented by NCDOT. By consensus Council agreed.

Mr. Fivas clarified - Council wants another meeting with professionals sitting down around table looking at screens and figure out what's best. Do you want input from the community on this?

Mr. King feels it's imperative to have professionals explain this to him and to have the public let us know what they are thinking as these super streets concern him.

C) Discussion on Law Enforcement Assessment

Mr. Cohn advised that he collected references on two companies to determine which one to hire for our study. Both received great references, the last referral he received was for Berkshire. Council discussed this topic amongst them.

Christopher King made a motion to approve PERF as the consultant for this analysis.
Motion Passed 4 - 1 with David Cohn opposing.

Mr. Fivas explained the next steps are to put together an agreement to be brought back to Council to drill down on the particulars.

MANAGERS REPORT

Mr. Fivas reminded everyone about the Independence Day Parade, advising if you're interested in having a float in the parade contact our staff. He inquired if there is some interest in having a Town Council entry in the parade, he will contact you tomorrow.

At the last meeting the Council requested we look at the RFQ for architects, that is out and proceeding as requested.

He passed out copies pertaining to disabled accessibility in parks, stating our staff has reached out and had some conversations to ensure that we can handle as many as their needs as possible.

COUNCIL COMMENTS

Mayor Alvarez thanked everyone for coming out and apologized for them not being listened to. Let's hope and pray that all goes well. He reminded everyone about the parade, let's remember its purpose and don't forget to thank those that served.

Mr. Savoie had no comments.

Mr. Daniels thanked everyone coming out this evening, wished a safe journey going home and to have a great Fourth of July.

Mr. King advised he will be going on vacation the week of July 7th and will not be at the meeting on July 8th if there's something that needs to be addressed perhaps we can have a special meeting.

Mr. Cohn had no comments.

Mr. Drehs passed out a publication about handicapped accessible playgrounds. He is going to pursue this; he will try to not use bond or park money. He feels we have a spot in our new park to put this thing. He contacted miracle fields, and will get together with people to assist in creating it.

CLOSED SESSION

None

ADJOURN

Gordon B. Daniels made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED:

Michael L. Alvarez, Mayor

Attest: _____
Peggy Piontek, Town Clerk