



Town of Indian Trail
Minutes of Regular Council Mtg.
June 9, 2009
Civic Building
6:00 P.M.

The following members of the governing body were present:

Mayor: John J. Quinn

Council Members: Gary D'Onofrio, Jeff Goodall, Shirley Howe, John Hullinger, and Dan Schallenkamp.

Staff Members: Town Attorney Keith Merritt, 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, Senior Planner Katie Reeves, Interim Town Clerk Trena Sims, Adam McLamb Engineering, Junior Planner Jonathon Edwards, Junior Planner Craig Thomas, and Luke Fawcett, GIS Specialist.

Press: Marty Minchin of the Charlotte Observer

INTERVIEWS OF COMMITTEE APPLICANTS

Ms. DeHart stated that there are vacancies on the boards as follows: one alternate seat on the Public Safety Committee, one alternate seat on the Transportation Committee, two regular

seats for the Board of Adjustment and two regular seats for the Planning Board.

The Council asked all applicants 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?

Sherry Whitley (PS)

Answers:

1. She is an average person and input from a normal citizen can make a difference. She feels people need to be educated about domestic violence. She is a domestic violence survivor and would like to see this issue worked on a little more in our area.
2. She is a domestic violence survivor and knows what goes on in the court system regarding this issue. She has been involved in her neighborhood issues with juveniles. She feels people need to be educated on how the juvenile issues work in the court system.
3. She feels an effort is being made to make sure we have enough officers, but response times are not good and that needs to be worked on.
4. It would depend; it would have to be something she felt she was knowledgeable about.
5. Traffic and she feels there is an increase of violent crime in Indian Trail; step up consequences.
6. It would depend.

Gary Evans (PS)

Answers:

1. Attended first leadership meeting at Indian Trail and his interest was peaked in the area. He is a former law enforcement officer and could provide positive input.
2. He is a former police officer, a member of the Fraternal Order of the Elks and a past president of the Wincrest neighborhood watch, past president of the HOA, he coordinated the National Night Out for Wincrest, coordinated their Spring Fling and he is a partner in a local business in Indian Trail.
3. The Town has done well with the large population influx, but there is a lot more to achieve.
4. Possibly.
5. A better communication flow for the people of Indian Trail. Perhaps a blog of some sort so people could communicate instantly with the residents.
6. Sure, any way he can be helpful.

Lisa Kawyn (PS)

Answers:

1. She has lived here for a while, she has a child and with all the change in Town and she is a child protective services investigator. She works to keep children safe and works with the community. Maybe she can help educate the citizens on how to keep children safe.

2. Her twelve years of working at social services in the county. She knows a lot resources and she works hand in hand with law enforcement.
3. She recently read where Council had approved sidewalks along Unionville-Indian Trail Road and putting the light there; that is a positive. She likes the way Council has worked with law enforcement also.
4. Sure.
5. Progression is good, but she would not like to see if go too far. Maybe change how far we keep progressing.
6. Yes.

CALL MEETING TO ORDER

Mayor Quinn called the meeting to order.

VOTE ON COMMITTEE POSITIONS

Council voted to fill the Public Safety Committee alternate.

Mayor Quinn announced a meeting will be held on June 11, 2009 at 6:00 pm to listen to presentations regarding the recruitment of a Town Manager and discussion of the same.

The votes were tallied with Lisa Kawyn being appointed to the alternate seat of the Public Safety Committee; Gary Evans appointed to the alternate seat of the Transportation Committee; Gary Vaughn and Kathy Broom both reappointed to be regular members on the Planning Board; John Eigenbrode and Steve Ambrosio both reappointed to be regular members on the Board of Adjustment.

Ms. DeHart stated that all the appointees will be sworn in at the next Town Council meeting.

PRESENTATIONS

Streetscape Banners - Kathy Broom
(This item deleted under Additions and Deletions)

ADDITIONS AND DELETIONS

Gary D'Onofrio made a motion remove item 4a.
Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion move item 11d to right after the Consent Agenda to 9aa.
Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Dan Schallenkamp made a motion to approve the Agenda as modified.
Council voted unanimously in favor of the motion.

PUBLIC COMMENTS

Mayor Quinn stated that public comments section is usually for 15 minutes which allows for five speakers to speak for three minutes each. Nine people signed up to speak tonight, he asked for Council to approve letting them each speak for three minutes each.

John Hullinger made a motion allow all those that signed up to speak a 3 minutes maximum.

Council voted unanimously in favor of the motion.

Dr. Carlton Aldrich, 2303 Fripp Lane, congratulated Council on the recent decision to allow citizens to vote on liquor by the drink referendum.

Jan Brown, 6727 Long Nook Lane, thanked the Council for passing the budget and spending the money in a prudent manner. He also complimented the Council on the choice of Interim Town Manager.

Jerry Wigen, 10004 Fenwick Drive, he is the chairman for Indian Trail Citizens for Progress. He commented on the publicity regarding the dissention among the elected officials regarding recent decisions made by Council. He request that the Council work together in a positive and productive manner. He thanked them for adopting a budget that does not raise taxes and gives the Town the biggest one time increase in patrol deputies. He also thanked them for choosing their Interim Town Manager.

Severin Jacobson, 3905 Waters Reach Trail, thanked staff for their smooth work on the budget process and thanked Council for choosing Ms. Piontek as Interim Town Manager.

Dennis Gay, 4705 Pioneer Lane, commented on Orr Road. He is asking for positive consideration on decision about this road.

Juanita Woods, 5103 Darby Drive, would like to receive information on how to proceed with creating a neighborhood watch for her area. They do not have an HOA. There are problems with high grass and garbage nuisance matters; she would like to be proud of her neighborhood.

Charles Parker, not a resident but is investor in Indian Trail, commented on Orr Road and his hope that a resolution can be made.

Darlene Luther, 6973 Honey Tree Lane, addressed the Council regarding the need for beautification of Indian Trail, in particular Indian Trail Road.

Scott Luther, 6973 Honey Tree Lane, complimented Union County Sheriff's Office on the job they do, but he would like to see an Indian Trail police department.

CONSENT AGENDA

- a. Approval of Record Retention Schedule (**A COPY OF THE RECORD RETENTION SCHEDULE CAN BE FOUND ON FILE IN THE CLERK'S OFFICE**)
- b. Tax Report - Month End Tax Report for May 2009.
- c. Approval of Minutes from April 13, 14 & 15, 2009
- d. Budget Amendments:
 - a. Reallocate funds within Powell Bill allotment
 - b. Reallocate funds within Department - Stormwater
 - c. Reallocate funds within Department - Stormwater
 - d. Reallocate funds within Department - Stormwater
 - e. Reallocate funds within Department - Stormwater
 - f. Reallocate funds to pay for the trailer used for Farmers Marker
 - g. Reallocate funds to for Public Safety Appreciation Dinner
 - h. Reallocate funds within Department - Engineering
 - i. Reallocate funds within Department - Stormwater
 - j. Reallocate funds within Department – Engineering**(COPIES OF ALL BUDGET AMENDMENTS CAN BE FOUND ON FILE IN THE FINANCE DEPARTMENT)**

Jeff Goodall made a motion to approve Consent Agenda.
Council voted unanimously in favor of the motion.

OLD BUSINESS

LAND DEVELOPMENT STANDARDS

Mr. Kaufhold presented a request to amend the land development standards as recommended by the transportation Advisory Committee, specifically Orr Road. Orr Road is a 1700' state maintained road which runs parallel to the railroad tracks and intersects with Wesley Chapel Stouts Rd. It sits entirely within the railroad right of way. Several land development projects along this road have been proposed then abandoned due in part to the requirement for a closed storm drainage system. The existing topographic conditions make it extremely difficult to build a closed storm drainage system which is required by current Town standards, there is not an option for a ditch system. The Town and NCDOT agree that a closed storm drain system is not feasible at this location. Not all findings could be made to allow for a variance in this case.

The TRC (Technical Review Committee) has discussed and recommends the proposed road typical section "Orr Road" which calls for roadside ditches in lieu of a closed storm drainage system for inclusion into the Town's Land Development Standards. This would apply to Orr

Road only. This typical section does not alleviate the requirement for designing and constructing an adequate open ditch drainage system to properly convey runoff.

Whichever project comes up on Orr Road they would still have to develop a stormwater project to allow for water to runoff effectively. Mr. Kaufhold explained that some of the reasons projects along this road may have been abandoned because of this problem.

Mr. Merritt advised that he did not believe there would be liability for this option at this point and time. Ms. DeHart stated that currently there are two other projects, one with an active application, waiting on the outcome of this Land Development Standard. Development is occurring on Orr Road.

Councilmember Schallenkamp commented that this has been discussed several times at the Transportation Advisory Committee. As part of the project the applicant would have to go to CSX to get their blessing, if this is approved and the railroad could repossess the land at their discretion.

Jeff Goodall made a motion adopt the Orr Road Typical Section into the Land Development Standards.

Council voted unanimously in favor of the motion. **(A COPY CAN BE FOUND ON FILE IN THE ENGINEERING DEPARTMENT)**

RECORDINGS AT CLOSED SESSION MEETINGS

Mr. Merritt stated this Resolution draft is being brought before pursuant to Council's request at the last meeting. Mayor Quinn believes the Resolution seems to read as though recording devices are addressed in the statutes. Mr. Merritt clarified that he believes the statutes are silent in regards to recording devices in closed session. However, materials from the School of Government it appears that the official recording should be the only recording that is made.

Shirley Howe made a motion to approve the Resolution regarding use of recording in closed sessions.

Council discussed the purpose of possessing a recording device in closed session and concern of confidentiality of information while it should remain confidential.

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

UPDATE ON LAW ENFORCEMENT VEHICLES

Ms. Sutton informed Council that she and Ms. Piontek met with Sheriff Office representatives regarding the deputy vehicles that were placed in the budget. The Town was under the impression that we would get the vehicles back that we were paying the up front cost on; however, Sheriff Cathey has informed the Town that we would not get the vehicles back. Part of the arrangement was that the County would keep the vehicles. After much discussion, there was

agreement to continue under the current contract which states that the Town would pay for the officers and it would include a car for each officer. This means we would not front the \$120,000 for vehicles, however, the savings is around \$100,000. She is recommending that the \$100,000 be held in reserve in the event Council decides to add officers. During the referenced meeting, it was determined that they need a three to four month lead time to recruit and train officers; so a new officer will come on board until October or November. This would mean additional savings. The contract for the additional five officers is still being negotiated between the County attorney and our attorney; it is back to business as usual with the amount for the positions being the same, but there may be minor changes as to costs. Ms. Sutton is conveying full disclosure to all parties involved in the contract.

There was additional brief discussion of why the proposed change to the contract came into play.

DISCUSSION & POSSIBLE ACTION

RECYCLE BINS

Ms. Sutton brought before Council a request for Council direction on whether or not to go forward with providing citizens with a 2nd recycle bin. She has had conversation with Mr. O'Neal and the residents take a single stream recycling approach, where they put everything in the bin and his workers have to spend too much time sorting through the recycle bins to ensure the recyclability.

Mr. O'Neal asked if the Council could make a decision on whether to provide the residents with a 2nd bin, which would cost an additional \$50,000-\$60,000 a year; that is \$.50 per bin per household per month. She gave an example alternative, that next year Charlotte will be using a garbage cart for single stream recycling; Mr. O'Neal only has a couple of trucks capable of this and he would have to purchase additional trucks or perhaps a new service provider. She has tried to come up with possible alternatives; perhaps this would be a task for the new Town Manager. She has requested that Mr. O'Neal advise the citizens to use paper bags or bundle their newspapers with string; he felt his men could do this.

Ms. Sutton needs direction on whether to purchase or lease bins and suggest to the citizens to put the newspaper in paper bag. This information would be included in the next town newsletter.

Council discussed the options and it was suggested to only give the 2nd bin to those that request one; perhaps some type of promotional offering of twine could be done, and also the Town needs to make sure that the recycle information sheet is accurate; for example, it says magazines are acceptable and they are not. It was also suggested that an RFP for this service to be done and perhaps require the garbage calls to be taken care of along with the pick up. Ms. Sutton recommended going with educating the citizens and agrees a RFP should be done when the contract is concluded in July 2012. Councilmember Schallenkamp believes that until such time we work with our current local vendor, who has been willing to resolve this with no cost to the taxpayer; the provider can also provide other services if the Town so desires.

There was question as to whether one Council can tie the hands of the subsequent Council in regards to the five year garbage service contract. Mr. Merritt stated that Councils can enter into contracts that are longer than the term of the Council; it is not illegal. In regards to policy, one Council cannot necessarily bind another, but for a contract like this, it is acceptable. General discussion continued.

Ms. Sutton stated her understanding from the discussion is to research the costs of the recycle bins, continue with the educational process by putting information in the newsletter and on the website and the RFP would be last thing and perhaps this last item could be put off until the new manager is hired.

Mayor Quinn suggested that before the next contract is executed, perhaps the Town could ask citizens what additional service they may like included.

LETTER TO NORTH CAROLINA TURNPIKE AUTHORITY ON MONROE CONNECTOR/BYPASS

Mr. Kaufhold presented a draft letter proposed to be sent to the NC Turnpike Authority addressing concerns of proposed Route DSA D, Indian Trail cannot support. The Town has had the opportunity to bring these points of concern before the TCC. The letter is well documented with the impacts the proposed chosen route will have on Indian Trail. He briefly went over letter.

Councilmember Goodall asked that #3 be changed to address specifically what the Councils of Indian Trail and Stallings have done, for example passage of the Resolution which supported Segment 18. The NCDOT representative that came to our meeting supported Segment 18 also; could this put in the letter? He would also like to cc Representative Blackwood and Senator Goodall on this letter.

Mr. Merritt stated that it is public record so he feels that information could be incorporated.

Councilmember Howe stated that the NC Turnpike Authority representative previously informed her that they take more concern from letters from individuals than from Towns.

Comments from individuals will be included in the information sent to NC Turnpike Authority. The Turnpike Authority has met with Bonterra residents, who were very active in their opposition, to discuss the project. Overall the neighborhood is supportive of the project, but has objected to some of the design adjacent to their subdivision.

Mr. Kaufhold stated that in light of Barry Moose's comments at the TCC regarding the interchange at Unionville Indian Trail Road and Secrest Short Cut Road, the grand cul-de-sacs that are proposed in this area; that interchange configuration is due partially some new federal requirements of controlled access limits and if they use a different type of bridge, single point urban interchange, it would solve a lot of this, but it would increase costs. Barry Moose seemed to be more supportive of this even though it is more expensive.

Councilmember Goodall questioned whether it would be prudent to include the statement in #1: "The businesses within Old Hickory average 12 employees per acre" as this does not seem like a large number to be of influence. Councilmember Schallenkamp commented that this was a 225 acre development and would amount to quite a few jobs.

Mayor Quinn stated he would be proud to sign the letter with the recommended changes.

NEW BUSINESS:

PUBLIC HEARINGS:

ZT 2009-003 CHAPTER 530 AMENDMENT

Ms. DeHart brought before Council the request to amend Chapter 530 of the UDO. This proposal is to add Indoor Firearms Shooting Range to the Use Table within the Light and Heavy Industrial District. It would require a Special Use Permit if located adjacent to residential zone or a residential use. A review of the ordinance was interpreted to be silent on this issue. In researching other jurisdictions, some classify this proposed use as a Sports and Recreation, some are silent, most allowed by right in Light or Heavy Industrial and some classified as indoor sport center allowed in Business Districts.

Staff recommends to allow within Light Industrial and Heavy Industrial by right unless located adjacent to residential which would then be allowed upon approval of SUP. Further modify Use Table to specifically exclude firearms shoot ranges for Sports & Recreation Facility.

The Planning Board heard this issue on May 19, 2009. Their discussion center around the issue of noise and safety, the Board further requested the amendment be modified to only allow the use by SUP. After the Board made the required findings, they recommend approval as modified to the Council.

The findings the Planning Board made are:

- 1) The proposed amendment is consistent with the following goals:
 - 1.3.2 of the Comprehensive Plan - Land Use; the proposed amendment of Section 530 (G) will assist in the avoidance of potential land use conflicts between neighboring properties because it places the ability to establish the use within a zone which would not conflict with neighboring properties.
- 2) The granting of this amendment is in the best interest of the public because the intent is to provide an opportunity to establish a use that will serve as a recreational or training facility within a zone for minimal impact to adjacent properties.

Mayor Quinn opened and closed the public comments section of the public hearing as no one had signed up to speak. An attendee stated that she would like to make a statement but did not sign up. The Council agreed to let her speak. Mayor Quinn reopened the public comments and reminded those present that during the public hearing Council listens to the publics' viewpoint, but does not answer questions.

Arlene Jones, 3004 Thorndale Road, stated that there are federal regulations on noise and does the Town have a policy on noise.

Ms. DeHart provided her research information regarding noise and safety. Regulations associated with indoor firing ranges are within OSHA, which does address the issue of noise as well as lead poisoning because of the ammunition. If the shooting range does not sell firearms, there is no other agency to regulate them. She reiterated the Planning Board recommendation of requiring an SUP for this matter. The Town does not have a noise ordinance, however the proposed zoning districts consist of the most intense uses that are found in any jurisdiction; such as manufacturing or production type of uses. The Town currently has an indoor firing range and the town's code enforcement record for that address reveals no complaints.

Ms. DeHart checked with other municipalities and there are special regulations regarding construction or safety features, as there are no state agencies to regulate. There is a national organization for shooting ranges which they do have criteria and even a star rating; but this is a voluntary program. In talking with the owner of the Matthews facility, Ms. DeHart stated that it is their liability in their operations to insure safety. A map showing the LI and HI zoning districts was provided.

Special requirements can be made through the SUP process or actually amend the ordinance to have a section on how these types of facilities are constructed to a minimum; otherwise the Town would not have the authority to mandate how they are constructed.

Council discussed the need to insure the safety of the public with this type of facility and perhaps the need to have ordinances in place so the Town may have some regulatory authority.

Mayor Quinn closed the public comments section for this matter.

Ms. DeHart stated that during the SUP process, all adjacent property owners are notified and invited to give public testimony to potential impacts. The SUP process would also allow the Board of Adjustment to require any type of special analysis needed for them to make their determination. With regard to building standards, there is a national firearm shooting range association with a star program that is voluntary and the NRA has a certification program in which the facility could be built to their standard; this could be a requirement imposed in the ordinance.

Council continued discussion of potential safety concerns continued.

Gary D'Onofrio made a motion table matter until next month's meeting to allow for additional time for research.

Motion Passed 3 - 2 with Jeff Goodall, and John Hullinger opposing.

Ms. DeHart for clarification, informed the Council they have the opportunity to direct staff to research further and send back to the Planning Board for their re-evaluation and bring back their recommendation to Council. Councilmember D'Onofrio believes it is not necessary to delay

items and bring this back to Council and bypass Planning Board as they have already approved it.

ZT 2009-002 SIGN ORDINANCE AMENDMENT

Ms. DeHart stated this is a request to amend Division 900 Sign Ordinance, of the Unified Development Ordinance (UDO) for the purpose of correcting and clarifying various chapters within this section. It is specific to the Temporary Sign Section and the Administration of the Institutional and Commercial Use Sign Allocation Table. The Planning Board heard this item at its May 19, 2009 meeting. The first issue to address is within Chapter 960 - Temporary Signs. In the Indian Trail Zoning Ordinance prior to the UDO there was a section that allowed non profit organizations and government advertise their special events through the use of banners without obtaining a permit. It was Section 163(m) of the zoning ordinance which specifically read: Temporary special event signs and banners for government, religious, charitable, civic, fraternal, or similar non-profit or not for profit organizations provided that: (1) Signs shall be erected no sooner than fourteen days prior and removed no later than three days after the event; (2) No such sign shall exceed thirty-two square feet; (3) No such sign shall be illuminated; (4) In no case may any such sign impede the view or travel of any motorists or pedestrians. This section was inadvertently left out of the UDO. With the proposed reinstatement of this ordinance, staff request that it be modified to state the following: Said banner may be attached to building facade or secured to freestanding post. In no case may the banners be attached to utility poles, traffic control signs, tree or other surface located within a public right-of-way.

Other proposed amendments are in the Institutional Use Table Chapter 1030 D the purpose of the amendment is to: 1) Authorizing a maximum of three signs which would include a freestanding or Ground sign; 2) Separating the Use of Day Care Facility from Government Buildings; 3) Change the sign area allocation calculation consistent with the Commercial Use Table.

The Commercial Use Sign Table - Chapter 1030.040 E was also amended to allow for projecting signs. They are defined already elsewhere in the sign ordinance; correct the maximum number of signs to three; section also amended to allow for subdivision type signs for planned office or industrial parks such as Old Hickory. Internal illuminated signs located within the Village Center or the Downtown Master Plan was prohibited. This regulation did not take into account the existing buildings built or approved prior to UDO adoption. It is proposed to amend this regulation indicating all buildings approved after June 1, 2009. Bulletin board signs were also discussed, specifically electronic reader board signs; the Planning Board opted to amend the definition to state only manual changeable copy bulletin boards are allowed at this time.

Ms. DeHart stated the Planning Board made the required findings and voted to recommend as modified. She read the findings into the record as follows:

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

1.3.2 of the Comprehensive Plan - Land Use; the proposed amendment of Division 900 Sign Ordinance establishes sign standards will assist in the avoidance of potential land use conflicts between neighboring properties.

2. The granting of this amendment is in the best interest of the public because the intent is to provide sign standards that will reduce the potential for land use conflicts while providing the opportunity to advertise businesses for economic development.

With the Planning Board transmittal, staff recommends that the Council receives the Planning Board transmittal of approval as proposed and modified, accept public testimony and motion to confirm the findings as read into record.

Mayor Quinn opened and closed the public comment section of the public hearing as no one had signed up to speak.

Councilmember Goodall clarified that the use of internally illuminated signs locate within Village Center or the Downtown Master Plan was prohibited is being changed. Ms. DeHart confirmed that this would stand except the modification as indicated would exempt any buildings that were approved prior to June 9, 2009. There are various ways to illuminated signs, but this specifically addressed the internally illuminated signs. The style of a lot of sign programs in the Downtown is to prohibit internally illuminated signs and to require exterior lighting that is a hook type of lighting outside of the sign. There are also other many options that give a more appealing look for signs, the Downtown Subcommittee is currently working on sign guidelines and this may come back before Council.

Council held further general discussion of this topic.

Dan Schallenkamp made a motion confirm the findings as read into the record and approve ZT 2009-002 as transmitted by the Planning Board and to change 960-060 B to read "or be internally illuminated".

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

COMMUNICATION WITH EMPLOYEES

Mr. Merritt read aloud a resolution regarding communication with town staff for Council consideration.

Councilmember Howe stated that the Council majority feels this resolution is a necessary move for the well being of town employees and cited the incidents that generated the need for this resolution.

Shirley Howe made a motion adopt resolution regarding Communication with Employees as presented.

Councilmember Hullinger feels this resolution is an embarrassment to the Town and he will not vote for it.

Councilmember Schallenkamp feels this is an unusual circumstance and puts this in the unprofessional category bordering on harassment; he related his personal interaction with the Mayor.

Councilmember Goodall stated this began with negative articles after the appointment of the Interim Town Manager and it's the duty of the Mayor to at least support the rulings of the Council even if he doesn't agree.

Mayor Quinn passed the gavel to Councilmember Hullinger.

Mayor Quinn gave a brief history of the matter. The former town manager told him there were complaints from a couple of employees about him being around Town Hall too much and one accused him of wanting to run his insurance business there. He feels he has been unjustly accused and when he has requested credible evidence of this, none has been provided.

Councilmember Hullinger handed the gavel back to the Mayor.

Councilmember D'Onofrio felt that at one time he and the Mayor had a working relationship, but this situation needs to be resolved.

Councilmember Howe feels that allegations the Mayor made about certain employees were not true.

Mayor Quinn stated these allegations should be backed up with evidence. He feels the staff does a great job in most situations, but there are some situations that he does not agree with and he has a right to say so. He feels some of the decisions that have been made by the Council lately have nothing to do with public interest, and he has the right to speak up for the public.

Motion Passed 4 - 1 with John Hullinger opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THESE MINUTES)**

MANAGERS REPORT

Mrs. Piontek requested the Council members let her know what day would be convenient for them to have their computers hooked up. She will be setting up possible dates for meeting; there is usually no second meeting for the months of July and August.

She made Council aware that the "Tea Party" protest has applied for parade entry, and questioned if there would be any objection to their participating; it's believed they are peaceful demonstrators. Mr. Merritt stated that that he isn't sure the Town has the authority to exclude the float, especially if the Town has allowed other political organizations to participate in the past, considering there are no rules regulating what is acceptable; the Town may need to look at this issue for the future in regard to parade entries and also for protest. After further discussion, the Town Manager and the Town Attorney were directed to confer and see if there is any rationale by which these folks should or should not be allowed to participate in the parade.

There was discussion as to whether the Town had heard anything from Family Circle Magazine and whether we were still in the running for Top Ten. Mayor Quinn has been in contact with them, but is not sure that we are still in the running.

Mayor Quinn stated that he had informed staff that he would be out of town; his packet was delivered and it should not have been. He questioned why staff needed to come to his home to hook up the printer. Ms. Piontek stated that IT agreed to go each members home to insure the equipment was operating property. Mayor Quinn would prefer they not come to his house.

Ms. Piontek informed Council that CSX called to confirm they will shut down railroad for the July 4th Parade.

PLANNING REPORT

Mrs. DeHart provided Council with an update on the Town sign showed some samples and gave costs estimates for each. The intent of the sign is to provide information on Town Events and reach as many people as possible. She has concerns that a sign with a reader board located on Indian Trail Road may not be the best option for informing the residents/businesses, as there is mostly through traffic and it would reach those that don't come down this road. An option for Council consideration is to perhaps establish a part time public relations person or either use a firm to get the word out. Ms. DeHart would like to consider alternative options in lieu of a sign for discussion at the next Council meeting.

ENGINEERS REPORT

Mr. Kaufhold stated that Duke Power has commissioned the Utilities Commission for a street light rate increase. Eagle Engineering will be doing a site survey at the Holly Park cul-de-sac design for us and it should be available in a couple of weeks. The Town will acquire the parcel and then convey back to the HOA whatever portion is left.

At the TCC meeting it was brought out that in regards to the stimulus projects, North Carolina is the first state to meet the milestones. The first three projects that have been awarded are on schedule and everything's coming in about 20% under budget so there are savings realized there. Transportation staff will re-evaluate the next round of projects. The North Carolina Turnpike Authority asked if the Town would consider accepting the preferred alignment with certain mitigations. They are also requesting a letter from the Town asking them to consider a single point urban interchange. Another letter is requested from Council to the MPO requesting the Chestnut Connector be officially placed back on the thoroughfare plan. It has also been requested that a resolution from both Stallings and Indian Trail be sent to MPO to keep the planning and design moving forward.

COUNCIL COMMENTS

Mayor Quinn commented on his disappointment concerning decision to not draft a letter of support for the Bob Mayberry dealership. He also stated that regarding a statement that Ms.

Howe made whereby she said she would always stick up for staff, he feels there is a time to stick up for staff, but he was elected to represent the taxpayers.

Councilmember Howe replied that the taxpayer and the staff are two different items altogether. She also commented on the Mayor's bashing of councilmembers on the segment and on letters to the editor in the local paper.

Councilmember D'Onofrio stated that in regard to the letter of support for Bob Mayberry it was a difficult decision; he does want the company to survive and expanded on the reason for his decision. He suggested investing in a beeper or buzzer device to let speakers know when their time is up so as not to sidetrack the speaker.

Councilmember Schallenkamp commented that the resolution passed was for procedural clarity on how the Mayor deals with staff. He has been approached by citizens who feel there is a need for an animal control ordinance within the Town and suggested that the Public Safety Committee discuss.

Councilmember Hullinger and Councilmember Goodall had no further comments.

CLOSED SESSION

ADJOURN

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

APPROVED:

John J. Quinn, Mayor

Attest:

Trena Sims, Interim Town Clerk