



**Town of Indian Trail**  
**Minutes of Town Council**

**May 24, 2011**

**Civic Building**

**6:30 P.M.**

The following members of the governing body were present:

Mayor: John J. Quinn

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

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Planning Director Shelley DeHart, Town Engineer Scott Kaufhold, Finance Director Marsha Sutton, Economic Development Coordinator, Kelly Barnhart, Events Coordinator Rebecca Jones, and Human Resources Miriam Lowery.

Press/Media: Jillian Leamy of the Enquirer Journal.

**CALL MEETING TO ORDER**

Mayor Quinn called the meeting to order and announced the movie in the park this Friday.

**ADDITIONS AND DELETIONS**

Jeffrey Goodall made a motion to approve deleting item 7b.  
Council voted unanimously in favor of the motion.

## **MOTION TO APPROVE AGENDA**

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

## **PUBLIC COMMENTS**

Jonathon Baer, 5517 Rogers Road, Indian Trail, NC feels that recent events are proving the apparent necessity to have a Constitutional Sheriff's Office. It is Council's duty to ensure that Indian Trail residents have the best possible defense as evidenced by Sheriff Cathey and his duly sworn deputy's.

Rich Demizzo, 1409 Aringill Lane, Indian Trail, NC felt the Council should be aware of the lack of people following traffic laws in Callonwood subdivision. He requested Council consider putting speed bumps in the subdivision.

## **PRESENTATIONS**

### **a. Presbyterian Hospital of Matthews annual update**

Shelia McNulty & Brenda Schooley from Presbyterian Hospital in Matthews provided an update of the hospital facilities and services they provide. The 2015 Strategic Plan was presented as well, with vision elements to include safety, quality, authentic personalized relationship, voice and choice, easy for me and affordability. The presentation included a list of the many awards the hospital has received.

### **b. Partnerships for Progress - Maurice Ewing**

Mr. Ewing presented an economic development strategic plan, topics included: process started in Dec/Jan and provided public input so far, community meetings were held in May in Monroe, Indian Trail, Marshville and Waxhaw, providing economic development priorities, strong interest in free program, regular communications preferred, and the schedule of economic development strategic plan was reviewed. Mr. Ewing referred to Indian Trail's citizen survey conducted this year. He indicated that there may come a day when the County will come to Indian Trail for assistance with incentives. He presented a client review to Council, advising there is more activity in Indian Trail than any other town in Union County. He explained the current four projects that they are working on. Mr. Ewing advised they are considering a 200 acre Industrial Park in Indian Trail near Radiator Specialty. He advised they have been involved with 11 expansion projects in Indian Trail.

## **CONSENT AGENDA**

- a. Approval of April 26, 2011 minutes
- b. Approval of May 10, 2011 minutes

John Hullinger made a motion to approve the Consent Agenda.  
Council voted unanimously in favor of the motion.

## **PUBLIC HEARINGS**

### **a. FISCAL YEAR 2011-2012 BUDGET**

Mr. Fivas reviewed the process of the budget to this time and welcomed feedback from the community on it. This Public Hearing concludes all the legal requirements needed to complete before the adoption of the budget, which is solely at the Council's discretion.

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

Mr. Hullinger commented that this is the second year with no law enforcement increase; he's disappointed and feels we are way behind. He would like to see at least the positions the Sheriff's office requested 1 detective and 2 traffic deputies. Mr. Hullinger would like to see a 4 or 6 man Traffic Division team. He believes it's a band aid approach to throw \$10,000 at neighborhood traffic enforcement rather than two full time deputies. He will not support the budget unless we have at least the minimum recommended by our law enforcement provider.

### ***Council took and returned from a brief break.***

John Hullinger made a motion to approve adding one detective and two traffic enforcement deputies into the budget.

Motion Failed 4 - 1 with Robert Allen, Gary D'Onofrio, Jeffrey Goodall, and Darlene Luther opposing.

Mr. D'Onofrio inquired if there were additional funds left in the budget for law enforcement because we did not incur a significant increase. Mr. Fivas replied that we didn't have the new annual rate from the County; we did leave additional funds to anticipate for about a 5% increase which is a little over \$60,000 and since there was no increase that remains still. The contract amount per patrol deputy this year is \$72,203, a sergeant is \$87,861 and a Lieutenant is \$96,583 annually. Mr. D'Onofrio replied he would make a motion to add one deputy with the funds that we have remaining.

Gary D'Onofrio made a motion to approve adding one patrol deputy.

Ms. Luther said she thought the detectives are provided as a benefit and we didn't have to pay for it and doesn't understand why there is a request for one. Lieutenant Coble advised yes that's true, but we now recognize the need to add one because of the caseload and volume on what we have available to offer you so that's why we made that recommendation. Ms. Luther, although not necessarily opposed to the idea, it seems reasonable to inquire when the last time was the County supplied a deputy based on our population which also means an additional revenue supply to the County as well. She presented the thought that we could say "we'll put one in if you put one in". A lengthy discussion pursued amongst Council and Lieutenant Coble.

Motion Failed 3 - 2 with Darlene Luther, Jeffrey Goodall, and Robert Allen opposing.

Jeffrey Goodall made a motion to approve FISCAL YEAR 2011-2012 BUDGET

Mr. D'Onofrio pointed out that a discussion on beautification coming up and asked if it is contemplated in the budget? Mr. Fivas advised there are resources in the Capital Improvement Plan that include the beautification. Depending on what the scope of what is presented, there are infrastructure dollars that could be allocated towards beautification. However there is nothing in the budget that is directly related to what might be presented tonight, but you can always amend the budget.

Mr. Fivas advised that if Council is considering adopting the budget they should review the Budget Ordinance. Ms. Sutton explained what a Budget Ordinance is.

Mr. Goodall amended his motion.

Jeffrey Goodall made a motion to approve the Town of Indian Trail Budget Ordinance for Fiscal Year 2011 to 2012.

Motion Passed 4 - 1 with John Hullinger opposing.

**b. ZT2011-003 VEHICLE SALES USES**

*This item was deleted as a result of a motion made in Item 2 Additions and Deletions*

**BUSINESS ITEMS**

**a. Board and Committee Appointment Policy**

Mr. Fivas explained the policy, advising the major portion that was modified is that Council no longer needs to interview Committee applicants. However, Planning Board, Board of Adjustment and the ABC Board new applicants will still be required to come before Council for an interview. In order to become familiar with Committee applicants, the Council will be provided the applications for them in their packets and are welcome and encouraged to contact the applicants. All of the names will be placed on the agenda and a Council Member must nominate them and a vote will be taken by a show of hands.

Jeffrey Goodall made a motion to approve the Board and Committee Appointment Policy Council voted unanimously in favor of the motion. **(Copy attached hereto and made a part of these minutes.)**

**b. Action Garbage Contract Proposal**

Mr. Fivas advised Council that Action Garbage presented this proposal to the Town with the intent of extending the contract. He wanted to ensure that they saw this proposal as we have had discussions in the past about bidding this service out and he is requesting direction from Council. Council had a

discussion advising Action Garbage of their appreciation for the service to the town.

Vanessa Ward a representative from Action Garbage advised they have been providing this service to the Town for 10 years; they know what the community wants and needs. The proposal before you is based on the requests that they receive from Indian Trail residents, advising that they tried to find ways to save the Town money, but can't do it unless the contract is extended to offset the costs incurred for additional services. She thanked the Council for the opportunity to serve and would appreciate their considering this proposal.

Jeffrey Goodall made a motion to continue our Goals & Initiative strategy to pursue open market bidding for waste services at the appropriate time.

Council voted unanimously in favor of the motion.

## **DISCUSSION ITEMS**

### **a. Discussion of possible referendum priorities**

Mr. Fivas explained at the last meeting Council directed staff to get the potential costs for the build out of Old Monroe Road (OMR), generally address the needs of various streets, sidewalks and beautification issues and to get the potential costs to fully develop the 51-acre park. Mr. Fivas reminded Council they will need to approve the referendum questions by June 28th to meet the November Referendum Board of Election deadline; he provided the timeline that would need to be followed to accomplish this task. Mr. Fivas explained that staff is recommending the Bond Order and Question be written in a general and broad manner as indicated by the Local Government Bond Act, however it is at their discretion to draft it more specifically if they desire. He provided several samples of Bond Orders; refreshed their memory of questions asked in the recent citizen survey taken; he explained that it costs approximately 10-13 Million Dollars to widen a mile of road from 2 lanes to 4 lanes which includes right of way acquisition. He advised that one of the questions could include using \$1,000,000 per year over a 7 year period to address streets, sidewalks, economic development infrastructure and beautification issues, with projects being determined by our Capital Improvement Plan. Mr. Fivas advised that the Park Bond Order and question should also be written generally providing examples, along with the results of the survey for what our citizens would like to see in the park (top six items), informing Council it would cost approximately \$4,500,000 to build out the six amenities and related infrastructure. He provided photographs of walking trails, picnic pavilions, playground equipment, multiuse athletic fields, dog park, splash pads, dog splash pads, and water features all ranging from simple to elaborate in cost and construction. Mr. Fivas concluded with the items of most importance which will need to be foremost in Council minds and resolved: Council will need to decide if you want one, two or three bond referendum questions; these decisions must be made before June 28, 2011; does Council want or need a special meeting to meet deadlines and how many, if any, Public Workshops; based on the number of questions, do you need further financial information regarding the payback period and tax implications for the various questions put forth; and meeting the August deadline of the Board of Elections is imperative to a November Referendum.

Mr. Hullinger stated he is in favor of park bond, he is hesitant on the road bond because to him it is a stop sign to say we've given up asking the State to contribute. He would rather do it as a last resort after exhausting every avenue we have to get State funds.

Mr. Goodall agrees with Mr. Hullinger on the parks, but roads are more complex. He is in favor of pursuing the easy one (parks). He likes what he saw; \$4,500,000 seems right for the six amenities. The only concern is trying to keep the natural beauty of the 51 acres with all the 6 things incorporated and it doesn't look crowded. He cautions everyone to consider the expectations of our citizens. They will expect OMR to happen if it's specific if it's too general he's uncertain if we are addressing the number one concern of the citizens which is congestion.

Mr. D'Onofrio expressed that it's nice letting the citizens put their tax dollars with their requests. He believes you have to do a combination of OMR and generally address various streets, sidewalks and beautification issues, 76% from the survey wants traffic reduced, putting something out there on parks and not roads might send the wrong signal and indicates you don't want to get out there and do it. You need to be smart, you should not have a bond for a section of road that DOT has indicated they will do. In his view the conversations need to continue with DOT and Stallings about the widening of OMR from 485 to Indian Trail Road, it does not make sense to indicate we will bond that section out. He feels there's a way to get it worded to do a portion of OMR and address various streets, sidewalks and beautification issues. Maybe we'll get lucky and DOT says we did part of it, let's go ahead and finish it.

Mr. Allen said he only wants to go to the well once and be done with it. He wants to guarantee we will do this stuff and do it the right way. He feels we should fund the park completely and build it out; also widen OMR it's an opportunity with a multi-municipality initiative. This referendum is an opportunity for the residents to speak up and tell us how they feel. It also provides an opportunity for us to push DOT to release these funds and get it rolling. They have historically liked projects that are multi-jurisdictional. He would like to see it out there, be specific enough for the problem we have now because it would be a shame to see it diverted to some other project and not take care of the congestion problem we have.

Ms. Luther sees OMR important and can't see any other way than supporting it. She explained the multi-municipalities benefit and feels stepping away is typical of what Indian Trail has done in the past and not take the last step. We're not deciding it, we're putting it to a vote, let the citizens decide. We have worked way to hard getting these funds away from the Chestnut Connector which wasn't going to do anyone any good in her opinion. It's within our reach right now and she feels we can't turn away from it. Ms. Luther feels we should fund the whole park and get it done as soon as possible so people can start enjoying it.

Council continued to discuss the topic and Mr. Fivas clarified their direction: For the parks referendum staff will bring back some questions worded by our Bond Counsel along with the tax implications with payback period at our next meeting. On the roads, we will come back with 4 or 5

models using somewhere between 17-20 Million Dollars to allow you to look at how the pay back will go and how to move forward. We will initiate conversations with our Bond Counsel about general wording or trying to do a part of a road (OMR), what ideas they might have seen on this. We will get that to you before the next meeting so that you have time to review it.

Mr. Goodall suggested that Mr. Fivas bring back one question on the park that the Bond Counsel recommends. Mr. Fivas clarified that Council wants it specific to only be used for that large community park or do you want it to be broad? It was directed to make it broad which would include the park.

***Mayor Quinn left the meeting***

**b. Presentation of beautification initiatives for Indian Trail Rd & Highway 74**

Darlene Luther made a motion to table Presentation of beautification initiatives for Indian Trail Road and Highway 74. Council voted unanimously in favor of the motion.

**MANAGER'S REPORT**

*None*

**PLANNING REPORT**

*None*

**ENGINEERS REPORT**

*None*

**COUNCIL COMMENTS**

Ms. Luther, Mr. Allen and Mr. Hullinger had no comments.

Mr. D'Onofrio referred to the number of American lives lost in wars totaling millions, reminding everyone Memorial Day is still a day for bar-b-que and opening of pools as a time to celebrate but also a time to remember the individuals that paid the ultimate sacrifice. He suggested that time get built into schedules this weekend for remembrance and also for recognizing some of our veterans. He acknowledged Mr. Goodall who served 25 years in the US Military and thanked him. He also learned that there is a national moment of silence on Memorial Day that was signed into law by President Bill Clinton.

Mr. Goodall thanked Rebecca Jones for an outstanding Crossing Paths Park Opening event. If you went to the event you saw the fireworks and how well everything was organized, it should have made you proud; it did him and his fellow Council Members. He reminded everyone about the first movie night this Friday at 7:00 pm. inviting everyone to come out and enjoy the new park

**CLOSED SESSION**

Jeffrey Goodall made a motion to enter closed session **143-318-11(a)(6)** 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.

John Hullinger made a motion coming out of Closed Session.

Council voted unanimously in favor of the motion.

**ADJOURN**

John Hullinger made a motion to adjourn

Council voted unanimously in favor of the motion.

APPROVED:

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John J. Quinn, Mayor

Attest:

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Peggy Piontek, Town Clerk