



**Town of Indian Trail**  
**Minutes of Town Council**  
**May 27, 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, and Gary M. Savoie.

Absent Members: Christopher King,

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Planning Director Shelley DeHart, Finance Director Marsha Sutton, Director of Community & Economic Development Kelly Barnhardt, Human Resources Director Carey Warner, Director of Engineering and Public Works Scott Kaufhold , 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, the Pledge of Allegiance was led by Eagle Scout Josh Boyer and members of the Purple Hearts. Mayor Alvarez asked for a moment of silence for those servicemen that did not return. Mayor Alvarez then reminded everyone of the upcoming movie in the park and Family Fun Day; he also announced that Mr. King was not present.

**ADDITIONS AND DELETIONS**

Gordon B. Daniels made a motion to approve deleting item 10c  
After a discussion Mr. Daniels removed his motion.

Gordon B. Daniels made a motion to approve adding 10e discussion of policy procedures to give donations to organizations in the future.  
Council voted unanimously in favor of the motion.

**MOTION TO APPROVE AGENDA**

David W. Drehs made a motion to approve the agenda as modified.  
Council voted unanimously in favor of the motion.

**PRESENTATIONS**

a. Proclamation for Purple Hearts

Mike Stubbs, Commander of Purple Hearts Unit 634, introduced the members of his unit that were present and when they served. He provided a brief overview of this organization and handed out documents and pins.

Mayor Alvarez read the proclamation and presented it to Mr. Stubbs

Mr. Stubbs presented a plaque to the Council

b. Certificate of Recognition for Eagle Scout Josh Boyer

Mayor Alvarez read and presented the Certificate of Recognition to Josh Boyer.

**PUBLIC COMMENTS**

Lars Knapp, 655 Powder Horn, Indian Trail, NC spoke on democracy that the common denominator is education and its importance to its citizens.

Debbie Votta, 101 Post Office Drive, Indian Trail, NC a representative of Generations United, Inc. explained the organization and requested Council consideration on funding.

Shirley Howe, 6205 Clearwater Dr., Indian Trail, explained she was once a member of the Stormwater Committee. She attended the last meeting and discussed the balance of the Stormwater account and why has this not been spent. She asked the Council to investigate this matter and encouraged them to know what is going on.

Scott Luther, 5219 Caufield, Indian Trail, encouraged Council to speak about what they are for, expressing there is good positive possibilities on the property across the street. He suggested they work together and make something happen.

Darlene Luther, 2013 Conver St., Indian Trail, spoke about the Downtown Project, stating that she hopes the Council will see the positives of this project. She said if we have the opportunity to get this project going it's a wonderful opportunity and to go with it.

Amanda Faulkenberry, 519 Picketts Circle, Indian Trail stated that her husband requested the costing of both Chestnut and Crooked Creek Parks and stated the costing effective May 8th. Ms. Faulkenberry inquired where the additional funds are coming from and wanted to know why we can come up with additional funds for parks but not additional law enforcement officers.

Mr. Fivas stated we planned to address those issues in the upcoming Park & Recreation presentation.

#### **LAW ENFORCEMENT UPDATE**

Lieutenant Coble provided a brief overview of the recent incidents the Sheriff's Department in Indian Trail has responded to.

#### **CONSENT AGENDA**

- a. Approval of May 13, 2014 Town Council Special Meeting draft minutes
- b. Approval of May 13, 2014 Town Council draft minutes
- c. Approval of May 19, 2014 Town Council Special Meeting draft minutes
- d. Approval of Resolution authorizing Sole Source Provider **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**.
- e. Approval of Crossing Path Park Rules **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES)**.
- f. Approval of Planning Board request for Endorsement of a letter of opposition of Senate Bill 139 from Council

David W. Drehs made a motion moving item f from the Consent Agenda to discussion item 10f. Council voted unanimously in favor of the motion.

David W. Drehs made a motion to approve the Consent Agenda as modified. Council voted unanimously in favor of the motion.

#### **PUBLIC HEARINGS**

- a. 2014-2015 Fiscal Year Budget

Mr. Fivas briefly provided the history of budget process, explaining this is the second public hearing scheduled for the residents to provide their input.

Mayor Alvarez opened the public comments portion of the hearing.

Shirley Howe, 6205 Clearwater Drive, Indian Trail commented on the donation of the land across the street, as she feels this will affect the budget. She stated that the first one in pays the most for infrastructure, etc. She addressed the fact that several traffic studies failed several years ago and feels the town will be obligated to invest over 2 million dollars for this free property, urging Council to do their due diligence and ask questions and determine how it will be paid for.

State & Local Government Commission recommends changing the audit company any town is using after a period of time and suggests Indian Trail does the same.

Mayor Alvarez closed the public comments portion of the hearing.

Mr. Fivas stated that staff is look for direction from Council if there are any changes or concerns. He advised that what they actually adopt is the ordinance not all 150 pages of the budget. Council discussed the budget, topics included: Chestnut Parkway, neighborhood enhancement and the transportation plan.

Mr. Savoie recommended that Council get all budget questions in to staff so we can get the budget approved. He requested that if a Council Member finds something wrong, please let the rest of us know.

## **BUSINESS ITEMS**

### **Approval of Tinsley & Terry Audit Contract & Rep. Letter**

Mr. Fivas explained this is the annual approval of the audit letter recommended by State for Council approval. Council had a lengthy discussion on length of time we have used this company, public requests for a forensic audit, how they are conducted and the possible repercussions of doing one. Ms. Sutton explained to Council that if they have issues or concerns on any matter, they can request the auditors do a thorough audit on the item of concern and provide them with the results.

David W. Drehs made a motion to approve the Tinsley & Terry Audit Contract & Rep. Letter Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES).**

## **DISCUSSION ITEMS**

### a. **Discussion of questions for next meetings with Law Enforcement analyses.**

Council had a lengthy discussion on this topic resulting in the decision for each of them to compose questions to be asked of the references each company provided. They determined that this is to be done by the first meeting in July.

### b. **Discussion of Citizens Academy**

Mr. Fivas stated we have two scheduled and wanted to get Council's thoughts on when to begin them. Our recommendation is starting sometime this summer. We wanted to have some seats available for new committee members, staff and Council as well. Looking for direction from Council to leave seats open for new, current committee, staff & Council. Mr. Fivas advised staff will create a draft agenda and present it to Council for comments. By consensus Council agreed.

c. Council consider of donating \$1,000 to Union County Drug Court

Mayor Alvarez explained his reasoning for putting this item on the agenda, it is non profit and is completed funded by citizens of county, and it saves 60% of what it costs for jail. Council had a lengthy discussion on this topic.

Gordon B. Daniels made a motion to approve a request letter to the ABC Board asking them to donate \$2,000 to the Union County Drug Court in the name of Indian Trail.

Council voted unanimously in favor of the motion.

d. Discussion on Board and Committee appointments

Mr. Fivas explained the difference in policy between Boards & Committees and do they want to continue with it this way. Does Council want current sitting members to be interviewed? Council decided, by consensus, that they would waive interviews of current members. Council stated they would like to change the policy to enable Alternate Members first right of refusal for Regular Seat openings. They will determine the policy changes and interview dates at the next meeting.

e. Policy & Procedures for donating

Gordon B. Daniels made a motion to approve setting \$5,000 aside for charitable organizations to apply for funds within 3 months on a first come first serve divided equally amongst those that have applied.

*This motion was never recognized, therefore no vote was taken.*

Council had a lengthy discussion on this subject, resulting in requesting the Town Manager to research policies from surrounding municipalities. Mr. Fivas confirmed he would do that so Council could continue the discussion.

f. Approval of Planning Board request for Endorsement of a letter of opposition of  
Senate Bill 139 from Council

Mr. Fivas read the memo and the letter from the Planning Board. Council discussed this matter amongst themselves and staff.

David W. Drehs made a motion to approve Planning Board request for endorsement of the letter. Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE MINUTES).**

**STRATEGIC PLANNING SESSION**

a. Update on Municipal Complex and Town Center

Mr. Fivas stated that staff met with Ty-Par Commercial Real Estate and the owner indicated we would received approximately 4 acres of property, we are waiting on proposed boundary limits, the owner would like the building to be consistent with town center design standards, a deadline for construction to begin and have the town to construct the entrance road and town facility parking. Mr. Fivas recommended we wait for the completed meets and boundary limits to be submitted to the Council before further action. Council had a lengthy discussion on this topic pertaining to cost, building standards and getting an idea of cost estimates from other jurisdictions that have recently built a facility.

**Update on Parks & Recreation**

Ms. Barnhardt provided an overview of the history of the Town's parks explaining the benefits and economic impact on the town and residents.

Staff created a video of the parks and played it for the Council and audience.

Mr. Tryon advised where we are now and what we've done with a slide show of the progress of the parks. He explained about grants we have applied for, received, and anticipates applying for. Mr. Tryon explained the trails, relationship with Carolina Courts, park signs, events, interested users, tournaments, Pow Wow, and youth programming.

Mr. Fivas provided a brief update of information on funding for the parks.

**MANAGERS REPORT**

Mr. Fivas stated that he enjoyed this meeting; we had great dialogue on some issues. If anyone has questions on stormwater the Town Engineer will be happy to assist with them. What's the program for and who benefits, we will bring a 101 program shortly, as we feel it's important. Mr. Fivas reminded everyone there's another movie night and Family Fun Day is coming up. We have a lot of projects, we take pride in doing these 4/5 large projects, have the lowest tax rate and honestly we have a lot to be proud of.

**COUNCIL COMMENTS**

Mr. Daniels thanked everyone for coming out and staying, earlier one resident commented about my concern with other towns that surround us. He referred to his HOA days pertaining to amenities. Sometimes we say things, there's a purpose for everything, if we don't have the amenities here people will go elsewhere or not come to this town. Our purpose is to keep everyone safe and want to make sure we have amenities. I do care about other communities

Mr. Savoie thanked everyone for being here and staff for presentation on parks, finance for preparation of budget.

Mr. Cohn had no comments.

Mayor Alvarez informed Mr. Fivas that the flags in front of the Cultural Arts Center need replacing. Mr. Fivas advised they have been ordered. Mayor Alvarez congratulated Mr. Knap on his acceptance to UNC Chapel Hill.

Mr. Drehs referred to a story on Senator Webb, finalizing that he recommends you give a veteran a job.

**CLOSED SESSION**

*None*

**ADJOURN**

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

**APPROVED:**

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**Michael L. Alvarez, Mayor**

Attest: \_\_\_\_\_  
Peggy Piontek, Town Clerk