



Town of Indian Trail
Minutes of Town Council
October 8, 2013
Civic Building
6:30 P.M.

The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: Robert Allen, David Cohn, Christopher King, Darlene Luther, and David Waddell.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Director of Community & Economic Development Kelly Barnhardt, Planning Director Shelley DeHart, Director of Engineering and Public Works Scott Kaufhold , and Finance Director Marsha Sutton.

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order and led in the Pledge of Allegiance and announced the Cultural Arts Festival.

ADDITIONS AND DELETIONS

David Waddell made a motion to approve switching item 8b Chestnut Parkway Extension to 8c Change order for Chestnut Square and vice versa.
Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Robert Allen made a motion to approve the agenda.
Council voted unanimously in favor of the motion.

PRESENTATIONS

a. Mayor for a Day Proclamation

Mayor Alvarez read and presented the Proclamation to Will Henely. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

b. National Planning Month Proclamation

Mayor Alvarez read the Proclamation and presented to the Planning Board Members in attendance, Patti Cowan and Larry Miller. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

PUBLIC COMMENTS

Peter Brown, 2005 Sandbox Circle, Indian Trail, NC spoke regarding the park asking Council to consider the needs for the disabled community, by ensuring accessibility and amenities are available for them.

CONSENT AGENDA

- a. Approval of draft minutes for September 24, 2013
- b. Budget Amendments **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- c. Annexation # 138:
 - * A resolution directing the Town Clerk to investigate the sufficiency of the proposed voluntary annexation petition **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
 - * A Certificate of Sufficiency **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
 - * A resolution setting the public hearing date for the annexation to November 12, 2013 **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- d. Establish Public Hearing for Traffic Calming for Spanish Moss on

November 12, 2013

Robert Allen made a motion to approve the Consent Agenda
Motion Passed 4 - 1 with David Waddell opposing.

PUBLIC HEARINGS

None

BUSINESS ITEMS

- a. Council consideration of approval of Crooked Creek Park bid and Amendment of Capital Project Ordinance.

Mr. Fivas provided some history on this matter, advising that the bids came in lower than anticipated and recommended the lowest bidder Sossamon Construction. Mr. Fivas explained what the base bid included. He informed Council there were 11 bid alternates providing his recommendation for approving alternates 5, 6, 7, 9 and 10 and an explanation as to why these are recommended for approval and why the other ones are not recommended for approval at this time. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council had a lengthy discussion about ensuring the park is Handicap accessible, they were all in agreement in the importance of this park being accessible to everyone.

Robert Allen made a motion to approve the Sossamon Construction bid for \$4,373,000.00 and bid alternatives for 5,6,7,9 & 10.

Mr. Waddell inquired what is the total dollar amount of the bid alternatives, after a brief discussion he was advised approximately \$380,000.

Motion Passed 4 - 1 with David Waddell opposing.

Robert Allen made a motion to approve the Capital Project Ordinance for Crooked Creek Park. Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Mr. Fivas informed Council that we have sold \$6 million dollars in bonds. If this Ordinance is approved, the Council will have \$2.5 million dollars of bond money left for future phases, or the Council can repay the other funds in the Capital Projects Ordinance.

- c. Council consideration of approval of Change Order for JD Goodrum

contract and approval of Capital Project Ordinance for Chestnut Square Park - this item was changed to item b as a result of a motion made in additions and deletions.

Mr. Fivas explained this is for the landscaping on Chestnut Parkway and Shady Bluff Road this was put into the contract item to be discussed next, we bid them as alternatives they came in higher but the initial contractor for the park was the lowest bid. If this is approved, the landscaping would be done by a different contractor than the one doing the actual parkway.

Christopher King made a motion to approve Business Item 8c the change order for JD Goodrum contract and approval of Capital Project Ordinance for Chestnut Square Park.

Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Darlene Luther made a motion to approve Business item (c) Capital Project Improvement Ordinance.

Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

b. Council consideration of approval of Chestnut Parkway Extension bid and Amendment of Capital Project Ordinance for Chestnut Square Park - this item was changed to item c as a result of a motion made in additions and deletions.

After Mayor Alvarez read this matter into the record, Mr. Fivas explained that this item should read "approval of Chestnut Parkway Extension bid". Mayor Alvarez stated let the record stand corrected.

Mr. Fivas stated this is the next leg of the Chestnut Parkway; this would get us fully in line from Matthews Indian Trail Road to US 74. The low bid was Devere Construction in the amount of \$1,425,254.00. This gets the Parkway completed with acceleration lanes on US 74 per NCDOT, changes necessary in median, Union County Public Works required us to move a sewer line. This contract also opens up Shady Bluff Drive, so you can get to Indian Trail Road from the Parkway. Mr. Fivas stated that we will not do a permanent change on Shady Bluff Road, we will simply do an overlay and try to widen it out a little bit; with the hopes that future development will be required to include widening it out and install curb and gutter. It will provide additional access from Indian Trail Road to the Chestnut Square area.

Christopher King made a motion to approve the Chestnut Parkway Extension bid.

Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Christopher King made a motion to approve Capital Project Ordinance for Chestnut Parkway Extension.

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

d. Council consideration of Traffic Calming Policy revisions

Mr. Fivas explained the issues for the Traffic Calming Policy discussed at the last meeting to simplify it and we received technical suggestions from local regional locations. Currently in the process we have requests for calming, but the revisions to this policy will affect any new requests received after this date. We are not changing the rules on requests we are currently in possession of. Mr. Fivas explained some of the broad changes in this policy as compared to the current policy.

Mayor Alvarez inquired who determines where these devices are needed and although analysis is part of it, but how much consideration is being given to actual issues that law enforcement is receiving on those streets.

Robert Allen made a motion to approve Traffic Calming Policy revisions.

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

e. Council consideration of Approval of agreement with Woolpert to assist with Town PARTF Grant application

Mr. Fivas explained that since Woolpert has a lot of our information and have been successful with these projects in the past, along with other skills we lack, he feels it's worth having Woolpert assist us and get it out the door. This contract would be in the amount of \$6,150. The next part of this discussion is what do you want to have added? The result of a conversation with the State PARTF Grant agency suggested we get as many users that will use it in different ways. Obviously the Dog Park is one, the trail head for Carolina Thread Trail might enable us to get additional grants available, a disc golf course, and a spray ground next to our playground area. We will have to have public participation process to show support for it.

Robert Allen made a motion to approve agreement with Woolpert to assist with Town PARTF Grant application.

Motion Passed 4 - 1 with David Waddell opposing. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Darlene Luther made a motion to approve submitting amendments to the current Crooked Creek Park phase to include a Dog Park, additional walking/biking trails, disc golf course, trail head for Thread Trail and a spray ground.

Motion Passed 4 - 1 with David Waddell opposing.

DISCUSSION ITEMS

a. Discussion of changes of responsibilities for Park, Tree & Greenway Committee

Mr. Fivas stated at the last Park, Tree & Greenway Committee meeting there was a conversation to expand the duties of this Committee. One of the weaknesses are what some of the issues we will have such as facility use, pavilions to rent out, agreements to be worked through, potential tournaments, donations, etc. and we should consider changing the name of the Park, Tree & Greenway Committee to include recreation and amending their membership to have some specific appointments that are considered for recreational services. There has also been some discussion of some arts and culture and do we need to have a citizen body giving feedback, discussion, direction trying to help staff and keep a lot of those issues from Council having to worry about. The general consensus from Council was to have staff research this item and bring it back for another meeting.

b. Discussion of update on Bell Tower Report

Mr. Fivas reviewed this item from the last meeting and explained the location of a wayfinding sign with the bell would be located across the street from Lilly's Auction House and the functions of each sign design. One sign is digital which can be used to announce events and the other is not. Mr. Fivas inquired if Council was interested in moving forward and if so, which sign would be preferred. After a brief discussion, by consensus, Council decided it's a good idea but they need more information including the cost.

c. Discussion of Monroe Bypass Project

Mr. Fivas advised that the State will soon have their record of decision for the Monroe Bypass. The Council has voiced support of this item in the past and if Council wants to get educated one way is to potentially bring in the Chamber of Commerce and local businesses to determine if there is a financial impact on the community.

Council had a lengthy discussion about this topic ranging from support, to who should or should not be invited to provide input.

Christopher King made a motion to approve to put NCDOT and supporters of the Monroe Bypass Project on an agenda

Motion Passed 4 - 1 with David Waddell opposing.

MANAGERS REPORT

Mr. Fivas advised that he received a memo that NCDOT is no longer accepting local streets into their system. He wanted Council to be aware that several smaller communities are calling us for guidance. The direction was to hear what other communities have to say and then put it on an agenda for further discussion.

Our Law enforcement assessment RFP has gone out to 11 difference consultants and we have not received any feedback we will contact them and determine who will be supplying documents.

COUNCIL COMMENTS

Mr. King had no comments.

Mr. Cohn discussed the Porter Ridge game ending, he addressed the comments made by Mr. Allen earlier stating that he is offended by Mr. Allen's comments.

Mr. Waddell advised he is not an environmentalist but he spoke with a representative from Department of Natural Resources about the Heel Splitters and provided the information he received on their importance to the audience. They are considered a warning of certain water pollutants and toxicity.

Mayor Alvarez would like to continue to look into handicapped accessibility of parks and playground equipment. He would appreciate it if Council would get a copy of sign ordinance, look at ways to improve it and make it a little friendlier to businesses as he gets a lot of comments about it. He thanked everyone for their support of Will Henely, showing community and helping someone when they are down, putting politics aside, if you can join in the 5k walk. He would like more information on the Rogers Road project. Mr. Fivas advised they are working on Chestnut Road and will be in the area soon. As for the Traffic Calming Policy, he would like statistics from law enforcement on decisions. He supports the Bypass but not necessarily SELC but in the 2,000 page report they provide there might be one comment that makes sense, he feels it's his duty to go through all the pages to find something that might make sense then he needs to do that and allow for the opposing viewpoint.

Ms. Luther stated that if majority of Council is saying we want the Bypass, we're not here to hear both sides we are here to move forward and get that road built. The SELC say they are an environmental group, they are just an antigrowth group, and they oppose everything, every road and have lawsuits against everybody. We want growth, jobs and to firm my point we need to facilitate this and move forward. If you want more information, feel free to have a

community meeting and get that information. The purpose of the Council is to educate the Council to do their business and if people want to sit in and listen.

Mr. Allen stated we're here to do the business of the Town, not float a weather balloon and take a poll we need to make a decision and keep moving it forward.

CLOSED SESSION

None

ADJOURN

Robert Allen made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED:

Michael L. Alvarez, Mayor

Attest

Peggy Piontek, Town Clerk

