

MAYOR
Michael L. Alvarez

MAYOR PRO TEM
David Cohn



TOWN COUNCIL
Gordon B. Daniels
David W. Drehs
Christopher M. King
Gary M. Savoie

Indian Trail Town Council Meeting
January 13, 2015
Civic Building
Immediately following the
Committee Appreciation Event

1. **CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**
2. **ADDITIONS AND DELETIONS** **action**
3. **MOTION TO APPROVE AGENDA**
4. **PRESENTATIONS**
None
5. **PUBLIC COMMENTS**
6. **LAW ENFORCEMENT UPDATE**
7. **CONSENT AGENDA** **action**
 - a. [Approval of December 9, 2014 draft minutes](#)
 - b. [Approval of revised October 14, 2014 minutes](#)
 - c. [Approval of MSLO for Cranston Crossing Place and Rhode Island Court](#)
 - d. [Approval of December 2014 Tax Report](#)
 - e. [Approval of returned check fee](#)
 - f. [Approval of Budget Amendments](#)
 - g. [Approval of tax refunds over \\$500.00](#)
 - h. [Approval of A-C4957B Supplemental Agreement](#)
8. **PUBLIC HEARINGS** **action**
None

9. BUSINESS ITEMS

None

10. DISCUSSION ITEMS

None

11. MANAGERS REPORT

12. COUNCIL COMMENTS

13. CLOSED SESSION

action

14. ADJOURN

action

To speak concerning an item on the Agenda, please print your name and address on the sign up sheet on the table prior to the meeting. Each speaker will be limited to 3 minutes.

AS A COURTESY, PLEASE TURN CELL PHONES OFF WHILE MEETING IS IN PROGRESS

The Town of Indian Trail is committed to providing all citizens with the opportunity to participate fully in the public meeting process. Any person with a disability who needs an auxiliary aid or service in order to participate in this meeting may contact the Town Clerk at least 48 hours prior to the meeting. The e-mail address is townclerk@admin.indiantrail.org; the phone number is 704-821-5401



Town of Indian Trail
Minutes of Town Council
December 9, 2014
Civic Building
6:30 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 Attorney Keith Merritt, Town Clerk Peggy Piontek, Senior Planner Rox Burhans , Director of Community & Economic Development Kelly Barnhardt, Finance Director Marsha Sutton, Human Resources Director Carey Warner, Director of Engineering and Public Works Scott Kaufhold , Interim Planning Director Rox Burhans, 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 led in the Pledge of Allegiance. He announced that ZT2014-004 is not on the agenda because of error on the part of Charlotte Observer, also the Economic Development Advisory Committee Update has been cancelled.

ADDITIONS AND DELETIONS

David W. Drehs made a motion to approve to move Closed Session from item 7 to item 3a
Council voted unanimously in favor of the motion.

Mayor Alvarez announced that all Council Members are present.

Gordon B. Daniels made a motion to approve deleting item 4 Presentation of the Economic Development Advisory Committee Update.
Council voted unanimously in favor of the motion.

Mr. Cohn inquired why are we going into closed session now, Council had a brief discussion about this.

David W. Drehs made a motion to approve having closed session in Cultural Arts Center.

MOTION TO APPROVE AGENDA

Christopher King made a motion to approve the agenda modified.
Motion Passed 4 - 1 with David Cohn opposing.

CLOSED SESSION

Christopher King made a motion to enter closed session:

NCGS 143-318.11(a)(3) Consult with attorney to protect attorney-client privilege

NCGS 143-318.11(a)(6) To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee. To hear or investigate a complaint, charge, or grievance by or against a public officer or employee.

Council voted unanimously in favor of the motion.

Gary M. Savoie made a motion to approve coming out of closed session.
Council voted unanimously in favor of the motion.

Mr. Drehs rescinded motion to go to Cultural Arts Center.

Gary M. Savoie made a motion to approve suspending the rules to the agenda to add a line item and have Mayor Alvarez read a letter.

Motion Passed 4 - 1 with David Cohn opposing.

Mayor Alvarez read the letter of confidence:

“At the November 25th Town Council Meeting a letter was read which portrayed some staff members in a negative light. The Town Council has reviewed and investigated the issues presented in the letter with the Town Manager. The Mayor and Town Council should have been more diligent in enforcing the current Town Council public comment rules. Regarding references to specific persons the Town Council apologizes to the Town Manager, Finance Director, Human Resource Director and the Community and Economic Development Director for the missteps. The Town Council will amend our Public Comment Policy and adequately train our Elected Officials to make sure similar events do not occur in the future. Moving forward we have confidence in the Town Manager, his leadership team and his other employees to continue to move Indian Trail forward into the future.”

Mr. Cohn stated that he vehemently disagreed with the letter. In his opinion, at the last meeting there was nothing done that was illegal and was done in a professional manner. He apologized to Ms. Cook and the others that sent letters to the Council indicating they agreed with Ms. Cook on what her letter said. He stated this isn't right, he is tired of decisions being made before meetings. It's not right and will make the problem worse and if there are more employees let us know. Because it's a free country to say what you want to say and how you want to say it. If by going over the time limit was the only thing done wrong, he's sorry to the Town of Indian Trail, and hopes we get to the bottom of it and hopes those that do work for the town voice their opinion. He would like to see a nonpartisan come and speak to the staff to determine what's wrong or right, it's another sweeping under the rug, and is sorry it happened.

Mayor Alvarez agreed with Mr. Cohn stating he has worked with many people, it's unfortunate but when accusations came out whether real or fictitious in each and every case they were independently investigated to vindicate whichever side deserved it. Apologizing for going over the policy this Council put in place undermines the authority of this Council and how seriously you might be taken in the future. It is 38,000 people's town, not 5.

Mr. Daniels provided his professional background stating people have different manager styles that agree with some and disagree with others. People come and go for different reasons. He was offended with the timing and environment that the letter was read; there could have been another venue that the letter could have been read. We spent 2.5 hours in closed session it was voted to be read 4-1. We are an employment at will State and in his opinion the Council has a certain responsibility according to the charter to hire the Town Manager and Town Attorney. Employee issues are up to the Town Manager and in his opinion he has no problem with the content or purpose that the letter was meant for.

Mr. Cohn explained the content of letter stating he most regretted that they went into Closed Session and heard from only one side without any rebuttal from the person who wrote the letter. In his opinion it was not done fairly.

Gary M. Savoie made a motion to approve the Council accept the letter.
Motion Passed 4 - 1 with David Cohn opposing.

PRESENTATIONS - This matter was deleted as a result of a motion made under Additions and Deletions

a. Economic Development Advisory Committee Update

COMMITTEE APPOINTMENT

a. Economic Development Advisory Committee - Andy Morrison

David W. Drehs made a motion to appoint Andy Morrison for the Economic Development Advisory Committee.

Council voted unanimously in favor of the motion.

CONSTRUCTION MANAGEMENT AT RISK

a. Overview

Ms. Barnhardt introduced Mr. Greene from Creech Associates. Mr. Green explained the duties and methods in delivering a project with a Construction Manager @ Risk. Ms. Barnhardt introduced Choate Construction.

b. Interview #1

Choate

Mayor Alvarez excused himself for a couple of minutes and passed the gavel to Mayor Pro Tem Cohn.

Scott Harris Vice President of Choate Construction introduced his associates. They provided some company background, experience and photographs of past projects with client references. They reviewed site analysis, building information modeling advising their focus is on sustainability, quality control, and the advantages of and how they execute the plan in preconstruction and construction. **(A COPY OF THE PRESENTATION CAN BE FOUND IN THE OFFICIAL PACKET IN THE CLERK'S OFFICE).**

Mayor Alvarez returned to the meeting during the presentation.

Council asked several questions, topics included: results of going off task of budget, hiring of Veterans, 3 things that appeal to them for this building.

c. Interview #2

Gary Creed, Chief Operating Officer of Edifice introduced Mike Carlisto, Andy Aldridge, David Andrews, Chuck Jacobs as the Project Team, providing a corporate overview with necessary features and project experience in community rooms, offices, Council Chambers. The presentation included several local and nonlocal projects they worked on, a Construction Manager@ Risk required General Statues compliance requirements, preconstruction cost control, encouragement of local participation, HUB program, communications, community, post project requirements and why Council should choose Edifice. **(A COPY OF THE PRESENTATION CAN BE FOUND IN THE OFFICIAL PACKET IN THE CLERK'S OFFICE).**

Council asked several questions, topics included: do they have 3d models and if they hire Veterans.

d. Discussion and consideration of approval

David W. Drehs made a motion to table until the first meeting in January.
Council voted unanimously in favor of the motion.

PUBLIC COMMENTS

Samantha Townes, 104 Pinelake Dr., Indian Trail, NC stated tonight the Council displayed a behavior that some of you knew what was going on while others didn't, asking if we are having a council that is a sub council? Some of you are privy to certain information while others are not. Ms. Towns referenced Ms. Cook's letter stating that she had no recourse except to bring it public. Ms. Towns stated that certain citizens were retaliated against by certain Council Members after making public comments. She advised that Council is not listening to their citizens or staff, suggesting the Town conduct an independent audit. The citizens pay Council, Manager and staff to run the town and feels it would be only fair to have an independent to come in and investigate.

LAW ENFORCEMENT UPDATE

Lieutenant Coble advised that the driver in the school bus crash yesterday was a citizen of Indian Trail. On Thanksgiving Day they responded to a suicide at the Golf Course and the past month they have been wrapping up training on taser recertification, radar, and seminar on first responders. He provided the statistics for calls for the month of November.

CONSENT AGENDA

- a. Approval of November 25, 2014 draft minutes
- b. Approval of 2015 Council Meeting Schedule **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- c. Approval of Sanitary Sewer Extension Agreement **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- d. Approval of Citizen Academy Applications

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

PUBLIC HEARINGS

None

BUSINESS ITEMS

None

DISCUSSION ITEMS

a. Street Maintenance Agreement

Mr. Merritt stated staff was directed to create a draft of an agreement to take over the Bonterra Streets, asking that Council review it and provide him with comments at the next meeting. Council had a brief discussion on it.

David Cohn made a motion to approve the Street Maintenance Agreement contingent upon Bonterra Homeowners Association reviewing and giving their acceptance and the acceptance of the Powell Bill Funding. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Council voted unanimously in favor of the motion.

MANAGERS REPORT

Mr. Fivas wanted to shout out to staff and deputies for pulling off a wonderful parade and tree lighting, it was well attended. Everyone needs to understand that on the personnel issues the Council doesn't have the ability to address these issues, everything is taken seriously and it is his hope that there are solutions and we find a place to address anything that comes out in the future. He thanked staff and guests for staying late. The 19 and 20th meeting might be rescheduled. There is no second meeting in December. He wished everyone a happy holiday

COUNCIL COMMENTS

Mr. Drehs thanked everyone for their support of the Miracle Field/League, staff and deputies on great job of parade he wished everyone a safe and happy holiday.

Mr. Cohn stated in connection with tonight he's sorry that we're not interested in determining if anyone had done anything, it would make him happy to discover that nothing stated in that letter was done. He noted that the Clerk was asked to leave the Closed Session he thought it was odd. He believes we need a bigger rug, perhaps a wall to wall carpet to sweep things under it because the list is getting longer. What are we going to do if we get more letters, that's why we need a bigger rug? We have people scared to say anything, he hopes if there are more that they come out and if not he hopes nothing else becomes of it. His experience with the Town Manager working with him in past and today I'm disappointed, Sheriff's contract he was disappointed on how that came out and how it was handled. We need to clear things up and have the Town start finding the answers instead of covering things up. Merry Christmas

Mayor Alvarez wished everyone happy holidays and apologized for the delay with a long Closed Session and is grateful to those who stayed. The staff and deputies did a great job with the parade. He appreciates the commitment of the deputy's working on the holidays. He asked everyone to remember those who won't be home with their families who are out defending us so we can have long winded Closed Session meetings. Go to the funding page for Mr. McManus to help him, I knew him, he was a nice man. He was an amazing, kind person; keep his family in your prayers as well. Mr. Cohn it was real concerning when you get a call from a

Council Member that says: you don't want to put anything on the agenda that says something is broken in the town. Can't fix it unless you know it's broken, there's nothing wrong with things being broken but you have got to meet the demons face head on and fix what's wrong. If it's broken, you're human; it's what you do after it that determines your ethics. Happy Holidays

Mr. Daniels looked at the calendar and tomorrow is December 10th, a year went by since Councilman Savoie and he were sworn in, and wow it went fast. I guess the next 3 will go just as fast and I hope we can accomplish some good things for this Town in the next 3 years. This is our last meeting for 2014 he thanked everyone for hanging out tonight, wished everyone happy holidays and happy new year.

Mr. Savoie thanked everyone for coming out tonight, especially as late as it is. He thanked staff leaders in Indian Trail, the Town Manager for all they have done; all the wonderful projects that we've seen. He thanked those who are responsible for having the right policies in place to protect the employees and hope the employees do use them and he looks forward to a good new year.

Mr. King said let's go home.

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



TO: Mayor and Town Council
FROM: Peggy Piontek
DATE: January 13, 2015
SUBJECT: Revised October 14, 2014 Regular Meeting Minutes

There is a name correction on Page 2, highlighted in red bold lettering. The approved minutes read Donna Rushing.



Town of Indian Trail
Minutes of Town Council
October 14, 2014
Civic Building
6:30 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.

Absent Members: Director of Community & Economic Development Kelly Barnhardt, and Jason Tryon, Assistant Director of Parks & Recreation.

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, Interim Planning Director Rox Burhans, and Communications Coordinator Lindsey Edmonds .

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order and led in the Pledge of Allegiance

ADDITIONS AND DELETIONS

Gordon B. Daniels made a motion to approve adding Transportation Improvement Fund as item 11c Council voted unanimously in favor of the motion.

MOTION TO APPROVE AGENDA

Christopher King made a motion to approve the agenda as modified. Council voted unanimously in favor of the motion.

PRESENTATIONS

a. Proclamation for Domestic Violence Awareness Month

Mayor Alvarez read the Proclamation **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

b. Proclamation for Breast Cancer Awareness Month

Mayor Alvarez read the Proclamation **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

c. Miracle Field Presentation

Mr. Drehs introduced the Mayor Dennis Raines of Mauldin, South Carolina.

Mayor Raines provided his history of being involved with the Miracle Field Organization and presented a Power Point giving some background on the members of the baseball team. Mayor Raines explained how the league has grown in the last 10 years. Mr. Drehs asked Mayor Raines several questions about the organization in his community and the response he has received from the residents and local businesses.

Mr. Drehs explained how and why he got involved with the Miracle Field Organization, providing a presentation showing the various fields and playgrounds. Mr. Drehs presented to the audience statistics on the number of fields and how many of them are located in North Carolina. Mr. Drehs explained that he is looking for a location to put this field, his preference being within the Crooked Creek Park, but will accept anywhere in Union County that can accommodate their needs. Mr. Drehs explained that they are looking to make land available, and requested Council authorize staff to work with them. He stated that when he originally brought this matter up in August, he misspoke when he said no tax dollars would be used. What he meant was they would get donations to build the fields and playground, but he is aware that tax dollars were spent on purchasing the land for Crooked Creek Park if provided and for staff salaries if they assist us.

COUNCIL CONSIDERATION OF APPROVAL OF SUPPORTING MIRACLE FIELD PROJECT

Mayor Alvarez read the Resolution to support the Miracle League of Indian Trail. Upon conclusion of the reading **Ms. Barbara Rushing Hosaflook** stated that if Council approved the Resolution and if the Miracle Field is built in Indian Trail, her family would donate \$200,000 towards the building of the field.

David Cohn made a motion to approve the Resolution for Miracle League. Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

PUBLIC COMMENTS

Mayor Alvarez recognized James Krum a WWII Veteran who was sitting in the audience.

Two Cadets from Sun Valley JROTC thanked Mayor Alvarez and Indian Trail for the support and donations to assist them in getting to Hawaii. They advised there is a spaghetti dinner fundraiser and invited everyone to attend to enjoy the food and support them, located at the VFW from 4 pm until the food is gone. They have been invited to Hawaii to attend the 70th Pearl Harbor Day Parade from December 4-9.

Carlton Aldridge, 2033 Fripp Lane, Indian Trail, NC expressed his concerns about the safety of the Old Monroe Road when it is widened that it will bottleneck in front of Sun Valley High School and suggested extending it 2/10 of a mile past the intersection.

Todd Elder & Gary Knighton, 2103 Hunters Terrace Drive, Indian Trail, NC representatives of Arbour Glen Homeowners Association expressed concerns about speeding throughout the community, requesting permission for them to place the rubber temporary traffic control devices in their neighborhood.

Scott McGillivray, 4001 Lady's Secret Dive, Indian Trail, NC is President of the Porter Ridge Athletic Association (PRAA), stated that he is proud to be living in Indian Trail now as a result of the additional parks and the attempt to have a Miracle Field. The PRAA is comprised of volunteers; they are landlocked as they play on school property. The fee structure for the parks is fantastic, the problem is it is put together when you are collecting at the front gate, creating a problem for when they are on the fields for practice. He requested that we take another look at the fee structure because they cannot afford to play there.

LAW ENFORCEMENT UPDATE

Lieutenant Coble presented some statistics for the month of September and some of the highlights of training and activities by the UCSO, an IRS scam that is currently being conducted in Union County, and response calls and arrests made by the Deputy's.

CONSENT AGENDA

- a. Approval of September 9, 2014 draft minutes
- b. Approval of September 16, 2014 draft minutes
- c. Approval of September 23, 2014 draft minutes
- d. Approval of Board/Committee Expense Policy **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- e. Approval of Budget Amendments **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

f. Approval of ROTC Funding Request

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

PUBLIC HEARINGS

None

BUSINESS ITEMS

a. Consideration of approval of Creech & Associates Agreement for Architectural Services

Mr. Fivas explained that there are several public meetings scheduled for the Town Hall/Community Center; this agreement is for Creech & Associates to come up with a master plan and design of what it would look like. It's limited to \$195, 000.00, with a sunset date of December 31, 2014; it also provides Council with the ability to terminate the agreement if you decide not to go forward.

Christopher King made a motion to approve Business item 10a approval of Creech & Associates Agreement for Architectural Services **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
Council voted unanimously in favor of the motion.

Mr. Fivas informed Council that we will need a motion to approve the Budget Amendment for this agreement.

Gary M. Savoie made a motion to approve budget amendment.
Council voted unanimously in favor of the motion. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

Mr. Fivas presented a design of two possible ideas for the Town Hall/ Community Center stating that he is not looking for any comments, this is what is being presented to the public.

b. Consideration of approval of Resolution requesting NCDOT to make Wesley Chapel Stouts Road a full movement intersection

Mr. Savoie explained there was to be a business development across the Sun Valley High School, but because of the Michigan Left a major grocery store would pull out of the deal if not a full movement intersection resulting in the loss of jobs and tax revenue for the town. He met with NCDOT and they agreed to the full movement intersection, and are requesting Council's approval of this Resolution and to have staff create a letter to NCDOT stating same. There was discussion amongst Council pertaining to the future plans to move Sun Valley High School away from Old Monroe Road. Mr. Savoie read the Resolution.

Gary M. Savoie made a motion to approve the Resolution to support a full movement intersection of Wesley Chapel Stouts Road.

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

Gary M. Savoie made a motion to approve having staff send final letter directing NCDOT on the movements on Old Monroe Road.

Council voted unanimously in favor of the motion.

c. Consideration of 2014 Asphalt Patching Contract - Award Recommendation

Mr. Fivas explained that the contractor that was awarded the bid was not able to provide the bonding documents that were necessary. Mr. Kaufhold and legal counsel went to the next lowest bidder and they dropped their bid down to the previous price that was approved by Council. If awarded they will begin construction within the next few days.

David W. Drehs made a motion to approve the 2014 Asphalt Patching Contract

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

DISCUSSION ITEMS

a. Discussion on Chestnut Parkway & Blythe Extension options

Mr. Fivas provided a brief update on Phase I of Chestnut Parkway, pending weather it will be completed by the end of the month. Everything in the contract has gone well and free of any issues. This travel way will be opened and we anticipate having a ribbon cutting for it. We are looking at our options of restricting tractor trailer trucks on this road. Staff feels the Blythe Drive extension would assist in reducing traffic issues.

Future phases of Chestnut Parkway, we are looking at the alignment of Chestnut Parkway from Gribble Road to Old Monroe Road. Mr. Savoie has been diligently working with NCDOT on section C which is Gribble Road to Mathews Indian Trail Road overpass. Mr. Fivas explained this project was not ranking very high, but with Mr. Savoie and our staff working with NCDOT they put this project on their list of projects to work for. Since then, it has scored well in the competitive process and we are optimistic that the overpass could be funded sometime in the near future.

b. Discussion on establishing a Budget and Strategic Development Workshop

Mr. Fivas explained there are many issues going on in the town resulting in the need for discussion. He suggests doing this workshop earlier, in December, so that if we need another meeting in January we can have one. By consensus Council agreed to have one in December.

c. Transportation Improvement Fund- this item was added as a result of a motion made in Additions & Deletions

Mr. Daniels stated he spent some time with the Finance Director reviewing budget items and suggested to Council that they remove the two cents from the Transportation Fund and put it in the Capital Reserve Fund with a specific line item for Transportation. He also suggested that Council might consider putting one cent for transportation and one cent for law enforcement. Council had a lengthy discussion on this topic.

Mr. Fivas clarified that staff will put together a presentation and documents for Council so they have a clear understanding of the two funds.

MANAGERS REPORT

None

COUNCIL COMMENTS

Mr. Cohn had no comments.

Mr. Daniels commented on the EDAC meeting, he attended and urged others to attend. No member made any comments about Indian Trail revenue base. He thanked everyone for coming and get home safely.

Mr. King had no comments

Mr. Drehs thanked everyone for coming out and listening to the Miracle Field presentation.

Mayor Alvarez invited everyone to the spaghetti dinner for the SVJROTC; advised that SPCC and he has expanded on the Bully Project which will appear in tomorrow's paper, will kick off on October 29th and invited Council to join and assist; requested Council to consider the local athletic associations by making it accessible or less expensive for them to use the fields; he thanked Mr. Daniels for asking for the ROTC donation; he asked Councils approval to have staff put together a thank you to Mayor Raines for coming here tonight; he recommended that a social media ethics policy be considered by Council; he requested that Council not talk at each other and to treat each other with respect.

Mr. Savoie thanked everyone for coming out, he thanked David Drehs and volunteers for Miracle League, he thanked staff for doing a good job.

CLOSED SESSION

None

ADJOURN

Christopher King made a motion to adjourn
Council voted unanimously in favor of the motion.

APPROVED:

Michael L. Alvarez, Mayor

Attest: _____
Peggy Piontek, Town Clerk

DRAFT



Town of Indian Trail

Memo

TO: Mayor and Town Council

FROM: Scott J. Kaufhold, P.E., Director of Engineering and Public Works

COUNCIL DATE: January 13, 2014

SUBJECT: Municipal Speed Limit Ordinance for Cranston Crossing Subdivision

General Information:

In order for the State to install Speed Limit signs on their roads, they require an ordinance from the Town stating such. The State is requesting a speed limit of twenty-five miles per hour (25 mph) on Cranston Crossing subdivision roads.

Cranston Crossing Place (SR 3323)

Rhode Island Court (SR 3324)

Staff recommends approval of the agreement.

Required actions:

Council Approval

Attachment:

Municipal Speed Limit Ordinance
NCDOT Letter
Map of Roads

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1068732

Division: 10 County: UNION

Municipality: INDIAN TRAIL

Type: Municipal Speed Zones

Road: SR 3324

Car: 25 MPH

Truck: 25 MPH

Description: Subdivisionwide - between SR 3323 (Cranston Crossing Place) and 0.03 miles southwest of SR 3323 (Cranston Crossing Subdivision)

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: Adam Egan Title: PTE Date: 12/5/14

Region: Patricia Porter Title: PTE Date: 12/5/14

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1068731

Division: 10 County: UNION

Municipality: INDIAN TRAIL

Type: Municipal Speed Zones

Road: SR 3323

Car: 25 MPH

Truck: 25 MPH

Description: Subdivisionwide - Between SR 1373 (Plyler Road) and 0.27 miles southeast of SR 1373 (Cranston Crossing Subdivision).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: Ann Egan Title: DTB Date: 12/5/14

Region: Janet Title: RTU Date: 12/5/14



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

DECEMBER 9, 2014

ANTHONY J. TATA
SECRETARY

Ms. Peggy Piontek
Town of Indian Trail
PO Box 2430
Indian Trail, NC 28079

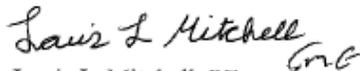
Dear Ms. Piontek:

Attached is a Municipal Speed Limit Ordinance enacting a speed zone on Cranston Crossing Place (SR 3323) between Plyler Road (SR 1373) and 0.27 miles southeast of Plyler Road in Indian Trail. Also attached is a Municipal Speed Limit Ordinance enacting a speed zone on Rhode Island Ct (SR 3324) between Cranston Crossing Place (SR 3323) and 0.03 miles southwest of Cranston Crossing Place in Indian Trail.

If you are in agreement please have the ordinances executed by the proper city officials and returned to this office for further handling. PLEASE DO NOT ALTER OR ADD TO THIS ORDINANCE.

If you have any questions or concerns, please contact Mohamed Elnagheeb at 704-983-4419.

Sincerely,

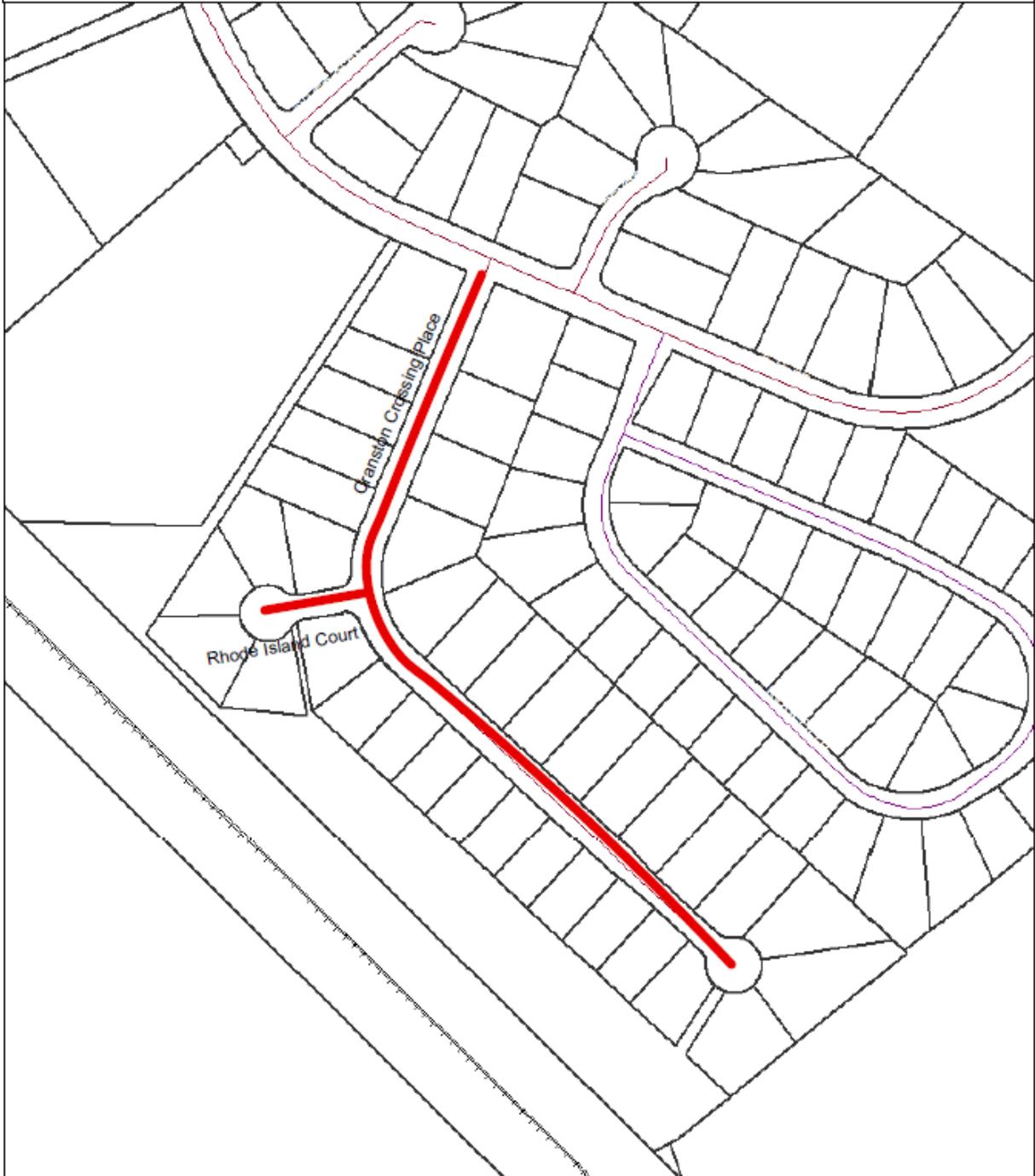

Louis L. Mitchell, PE
Division Engineer

LLM/lhj

Cc: Sean Epperson, PE

Cranston Crossing

MSLO





STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

DECEMBER 9, 2014

ANTHONY J. TATA
SECRETARY

Ms. Peggy Piontek
Town of Indian Trail
PO Box 2430
Indian Trail, NC 28079

Dear Ms. Piontek:

Attached is a Municipal Speed Limit Ordinance enacting a speed zone on Cranston Crossing Place (SR 3323) between Plyler Road (SR 1373) and 0.27 miles southeast of Plyler Road in Indian Trail. Also attached is a Municipal Speed Limit Ordinance enacting a speed zone on Rhode Island Ct (SR 3324) between Cranston Crossing Place (SR 3323) and 0.03 miles southwest of Cranston Crossing Place in Indian Trail.

If you are in agreement please have the ordinances executed by the proper city officials and returned to this office for further handling. PLEASE DO NOT ALTER OR ADD TO THIS ORDINANCE.

If you have any questions or concerns, please contact Mohamed Elnagheeb at 704-983-4419.

Sincerely,

Louis L. Mitchell
LMC

Louis L. Mitchell, PE
Division Engineer

LLM/lhj

Cc: Sean Epperson, PE

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1068732

Division: 10 County: UNION

Municipality: INDIAN TRAIL

Type: Municipal Speed Zones

Road: SR 3324

Car: 25 MPH

Truck: 25 MPH

Description: Subdivisionwide - between SR 3323 (Cranston Crossing Place) and 0.03 miles southwest of SR 3323 (Cranston Crossing Subdivision)

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my

hand and the municipal seal this _____ day

of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: Adam Egan

Title: DTE

Date: 12/5/14

Region: Patricia

Title: RE

Date: 12/5/14

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Joe Fivas
CC: Marsha Sutton, Alicia Massey
DATE: January 13, 2015
SUBJECT: Month End December 2014



According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Attached is the month end report for December 2014 collections. The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments and NC Debt Setoff.

Description	Count	Principal			Future	Penalty	Total
		Arrears/Other	Fiscal 2014	Fiscal 2015			
Billing	31390	0.00	7,291,017.74	0.00	0.00		7,291,017.74
Payments	25277	16,412.78-	0.00	6,241,877.13-	0.00	0.00	6,258,289.91-
Reversals	6	0.00	1,375.26	0.00	0.00	0.00	1,375.26
Adjustments	1555	0.00	1,908.51-	0.00	0.00	0.00	1,908.51-
Apply Over	0	0.00	0.00	0.00	0.00	0.00	0.00
Rev Appl Ovr	0	0.00	0.00	0.00	0.00	0.00	0.00
Penalty	0					0.00	0.00
Totals	<u>58228</u>	<u>16,412.78-</u>	<u>7,290,484.49</u>	<u>6,241,877.13-</u>	<u>0.00</u>	<u>0.00</u>	<u>1,032,194.58</u>

Town of Indian Trail

Memo

TO: Mayor and Town Council
FROM: Joe Fivas
CC: Marsha Sutton, Alicia Massey
DATE: January 13, 2015
SUBJECT: Returned Check Fee Release



The tax office received a payment on a tax account for which the check was returned and the returned check fee was assessed. The taxpayer contacted the tax office and informed them immediately that a clerical error had been made on his part and a new check was presented and posted for payment.

I request, in accordance with GS 105-357(b)(2), that the returned check fee of \$103.12 be released and any associated accrued interest on the fee.



TO: Mayor and Town Council
FROM: Joe Fivas
CC: Marsha Sutton
DATE: January 13, 2015
SUBJECT: Budget Amendments for January 13th Meeting

Please find attached budget amendments processed through January 8, 2015. Please feel free to call, email, come in or ask any questions you may have regarding these matters.



TO: Mayor and Town Council
FROM: Joe Fivas
CC: Marsha Sutton, Alicia Massey
DATE: January 13, 2015
SUBJECT: Tax Refunds greater than \$500

Please find below a list of tax refunds greater than \$500.00

1. Mooney, Daniel - \$821.53 refunded to taxpayer attorney paid.
2. Svarishchuk, Natalya - \$532.67 refunded to taxpayer attorney paid.
3. Williams IV, George - \$545.74 refunded to taxpayer attorney paid.
4. Dormady, Steve - \$581.24 refunded to taxpayer Mortgage Company paid.
5. FS Development Inc. - \$2,213.58 refunded to taxpayer attorney paid.

If you need any clarification on any of these items, please feel free to contact Marsha Sutton or Alicia Massey at (704) 821-5401.



Town of Indian Trail

Memo

TO: Mayor and Town Council

FROM: Scott J. Kaufhold, P.E., Director of Engineering and Public Works

COUNCIL DATE: January 13, 2015

SUBJECT: C-4957B Supplemental Agreement Revision

General Information:

The revised C-4957B Supplemental Agreement extends the project completion date to November 2015.

Due to recent legislative changes, NCDOT is no longer required to include e-verify provisions in their municipal agreements. Therefore, the agreement approved by Council, was revised to exclude the e-verify provisions and resent to the Municipality for signatures.

Staff recommends approval of the revised agreement.

Required actions:

Council Approval

Attachment:

Revised NCDOT Supplemental Agreement

NORTH CAROLINA
UNION COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 11/6/2014

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: C-4957 B

AND

WBS ELEMENTS: PE 44057.1.2

ROW _____

TOWN OF INDIAN TRAIL

CON 44057.3.2

OTHER FUNDING:

FEDERAL-AID #: CMS-1008(17)

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$0

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the Town of Indian Trail, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and the Municipality on 9/9/2009, entered into a certain Project Agreement for the original scope: To provide pedestrian linkage for residents of several subdivisions to Sardis Elementary School, this project includes approximately 8750 linear feet of sidewalk located on the south side of Unionville-Indian Trail Road and approximately 2250 linear feet of sidewalk located on the north side of Sardis Road, programmed under Project C-4957 B; and,

WHEREAS, the Department has agreed to allow additional time to complete the Project; and,

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

RESPONSIBILITIES

The Municipality shall complete the Project within three years of authorization of construction funds, or by November 14, 2015.

TITLE VI

The Municipality shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs and activities of any recipient of Federal assistance.

Except as hereinabove provided, the Agreement heretofore executed by the North Carolina Department of Transportation and Town of Indian Trail on 9/9/2009, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the North Carolina Department of Transportation and the Town of Indian Trail by authority duly given.

L.S. ATTEST:

TOWN OF INDIAN TRAIL

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ (Governing Board) of the Town of Indian Trail as attested to by the signature of _____, Clerk of the _____ (Governing Board) on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

Town of Indian Trail

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)