

**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**  
**February 10, 2015**  
**Civic Building**  
**6:30 p.m.**

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1. **CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE**
  2. **ADDITIONS AND DELETIONS** **action**
  3. **MOTION TO APPROVE AGENDA**
  4. **PRESENTATIONS**
    - a. Town Services Update
  5. **PUBLIC COMMENTS**
  6. **LAW ENFORCEMENT UPDATE**
  7. **PARC COMMITTEE APPLICATION**
    - a. Approval of application of Gabriel Ortiz for the PARC Committee
  8. **CONSENT AGENDA** **action**
    - a. Approval of January 27, 2015 draft minutes
    - b. Approval of advertisement of delinquent taxes
    - c. Approval of January 2015 month end tax report
    - d. Approval of concession agreement
    - e. Approval of proposed 2015-2016 Budget Schedule
    - f. Approval of Multi-Jurisdictional Hazard Mitigation Plan Resolution
    - g. Approval of LGC 203
  9. **PUBLIC HEARINGS** **action**

*NONE*

**10. BUSINESS ITEMS**

- a. Council consideration and approval of 2015 Stormwater Maintenance Contract
- b. Council consideration of approval of Construction Manager @ Risk Agreements and discussion of initial cost estimates.

**11. DISCUSSION ITEMS**

- a. Discussion on list of accounts with Town assets that are interest bearing. What are balances, interest rate and terms – long term plan for accounts, interest paid per FY 2013-2014 – list of any interest used – *this matter was requested by Mayor Alvarez*
- b. Discussion on NCDOT US-74 intersection improvements

**12. MANAGERS REPORT**

**13. COUNCIL COMMENTS**

**14. CLOSED SESSION**

**action**

**15. ADJOURN**

**action**

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**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](mailto:townclerk@admin.indiantrail.org); the phone number is 704-821-5401*



**Town of Indian Trail**  
**Minutes of Town Council**  
**February 10, 2015**  
**Civic Building**  
**06:30 P.M.**

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The following members of the governing body were present:

Mayor: Michael L. Alvarez

Council Members: David Cohn, Gordon B. Daniels, David W. Drehs, Gary M. Savoie, and Christopher King.

Staff Members: Town Manager Joe Fivas, Town Clerk Peggy Piontek, Town Attorney Keith Merritt, Director of Community & Economic Development Kelly Barnhardt, Director of Engineering and Public Works Scott Kaufhold , 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**

*None*

**MOTION TO APPROVE AGENDA**

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

## **PRESENTATIONS**

### a. Town Services Update

Due to technological difficulties Mr. Fivas asked to have this item postponed, by consensus Council agreed.

## **PUBLIC COMMENTS**

Susana Szarko 5101 West Street, Indian Trail, NC informed Council there is a problem on the unpaved section of 2nd Avenue and West Street. Ms. Szarko stated that she sent letters to Town Hall in 2013, 2014 and now decided to come in person. The problem at first was people driving by, parking there, abandoning vehicles, discarding trash, this week tree stumps were discarded there making it impossible for trash collection. Part of the street is considered private with public access which enables the public to use it but no one to monitor it. She requested assistance from the Town to clean up the debris and monitor the area.

Mr. Jan Brown, 6727 Long Nook Lane, Indian Trail, NC thanked the Town for the nice job on road repairs on Rogers Road and Brandon Oaks Pkwy.

Shirley Howe, 6205 Clearwater Drive, Indian Trail, NC advised that Public Comment is the only opportunity we have to express our concerns in 3 minutes, assuming Council is listening and taking the expressed concerns of citizens under consideration and investigate if necessary. She referred to the last meeting when a Councilman made a comment pertaining to his desire to hear positive public comments in 2015. Ms. Howe compiled and read a lengthy list of items that have been either removed from previous agendas and not returned or addressed in public comments that he considered negative and she has painfully waited for resolution on and turned into a positive. Upon completion of her reading of the list she reminded the Council of the possible tax increases from the County and stated that when he does his job he will earn the respect of the people and might begin to hear some very positive comments.

Tai Huunh, 4410 Edgeview Drive, Indian Trail, NC on behalf of the Union County Early College Program extended an invitation to the Council and community to the career fair at South Piedmont Community College and Relay for Life at Sun Valley High School on May 1, 2015.

Michael Faulkenberry, 519 Picketts Circle, Indian Trail, NC referred to his public comments on January 27th, advising that what can be unethical is not necessarily illegal. He stated in the past two Council members were directors of the Indian Trail Business Association, during an interview when one was asked if that was on the up and up, the response was yes he had contacted the UNC School of Government. Mr. Faulkenberry stated he has contacted the School of Government on numerous occasions and when they answer your questions, it is their opinion they provide. He pointed out that just because you think its right doesn't mean it is. Mr. Faulkenberry referred to a matter in 2012 when Lieutenant Coble was unable to

speaking during public comments and a different situation when certain Council Members not standing during a ceremony recognizing Lieutenant Coble, inquiring if the Council Members who are veterans feel that is respectful.

Mr. Senatari, owner of Starz Burgers stated he is happy to be in the town and provide healthy food. He did not know that he was not allowed to have signage on the road and would like to know if there is any way to solve this signage problem. He has exhausted all other avenues for advertising, but would like to get local residents to know he's there.

Mark Wireman sent an email the Mayor read. **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

### **LAW ENFORCEMENT UPDATE**

Lieutenant Coble referred to the information he presented to Council at the last meeting, provided statistics on calls, accidents, response times and crimes for the Month of January, stating it was slightly higher than December. He advised that the speed limit has been lowered to 25 MPH on Matthews Indian Trail Road.

### **PARC COMMITTEE APPLICATION**

- a. Approval of application of Gabriel Ortiz for the PARC Committee

Mr. Fivas advised that we provided Council with the application of Gabriel Ortiz; he met with Mr. Fish who recommended approval.

David W. Drehs made a motion to approve the application of Gabriel Ortiz for the PARC Committee. Council voted unanimously in favor of the motion.

### **CONSENT AGENDA**

- a. Approval of January 27, 2015 draft minutes
- b. Approval of advertisement of delinquent taxes
- c. Approval of January 2015 month end tax report **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- d. Approval of concession agreement
- e. Approval of proposed 2015-2016 Budget Schedule **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- f. Approval of Multi-Jurisdictional Hazard Mitigation Plan Resolution **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**
- g. Approval of LGC 203 **(COPY ATTACHED HERETO AND MADE A PART OF THE RECORD)**

David Cohn made a motion to approve the Consent Agenda.

Council voted unanimously in favor of the motion.

## **PUBLIC HEARINGS**

*NONE*

## **BUSINESS ITEMS**

a. Council consideration and approval of 2015 Stormwater Maintenance Contract

Mr. Fivas advised that we update the ongoing Stormwater Maintenance Contract which is about to expire and this is to renew it so we can continue to do projects.

Christopher King made a motion to approve the 2015 Stormwater Maintenance Contract.

Council voted unanimously in favor of the motion.

b. Council consideration of approval of Construction Manager @ Risk Agreements and discussion of initial cost estimates.

Mr. Fivas provided the history, possible cost and size of the project, several financing options, the development process and timeline and what the next steps might be. He informed Council that they will not be making any major financial decisions with the exception of paying for construction documents, which we will own. Council had a lengthy discussion on this matter, topics included: this could attract new businesses, digest the costs and act financially prudent, putting this on the November ballot and letting the residents decide, possible selection of option 2, having public hearings to let the residents speak, need the Law Enforcement Study first before agreeing to spend more funds. **(A COPY OF THE POWER POINT IS ATTACHED HERETO AND MADE A PART OF THE MINUTES)**

Mr. Fivas addressed Mayor Alvarez's matter (Discussion Item 10a) during this presentation, stating that The LGC 203 report which is approved by Council biannually was on tonight's Consent Agenda. Mayor Alvarez's inquiries were: list of accounts with Town assets that are interest bearing; what are the balances; interest rate and terms; long term plan for accounts; interest paid per FY 2013-2014; list of any interest used; it helps us to make a decision to put towards this verses how much money to hold back. Mr. Fivas replied that the LGC 203 approved tonight provides you with all of that information.

Gary M. Savoie made a motion to approve moving with cost option 2, to let staff run with that and return to Council with the appropriate materials needed.

Mr. King added a caveat that he will not make any final decision until the Law Enforcement Study comes back. Mr. Drehs wants a public hearing where they can address all options before he makes a final decision.

Council voted unanimously in favor of the motion.

Mr. Fivas clarified that Creech & Associates will begin their design development construction drawings, will have a public hearing at the next meeting to get some more input, to decide whether to continue or switch options.

### **DISCUSSION ITEMS**

- a. Discussion on list of accounts with Town assets that are interest bearing. What are balances, interest rate and terms - long term plan for accounts, interest paid per FY 2013-2014 - list of any interest used.

This matter was addressed in item b of the Business Items.

- b. Discussion on NCDOT US-74 intersection improvements

Mr. Fivas advised they are doing new intersections, putting the drawings together, have reached out and want to know if we would be interested in doing any signs, landscaping or removal of poles. NCDOT would like to know that now while they are creating the drawings. Mr. Fivas inquired if Council wants to look at cost options for esthetic upgrades on 74.

Mr. Savoie requested staff get cost estimates and renderings and present to Council, by consensus Council agreed.

### **MANAGERS REPORT**

Mr. Fivas stated that we are waiting on the Law Enforcement report from PERF. He addressed the person in public comments pertaining to 2nd Ave, stating we are aware of your situation; we don't know where the branches came from and appreciate your coming in tonight. He introduced Citizen Academy members and Gretchen Coperine our new Planner. Mr. Fivas announced that Rox Burhans has been promoted to the position of Planning Director. He advised Council that there are not many agenda items for the next meeting, so there's a possibility it would be a brief meeting or we delay it. We're not looking for a decision but if nothing changes we'll reach out to you.

### **COUNCIL COMMENTS**

Mayor Alvarez encouraged everyone to reach out to the Early College program and encourage our youth for education. He will start removing people from Public Comments if you call someone out and Council you cannot comment their opinion is wrong. He suggested to Mr. Fivas if there is a possibility of a Veterans Memorial in front of the new Town Hall, there are several veterans that have come up with renderings and maybe we can give them the opportunity to present them.

Mr. Cohn spoke about Dean Smith, explaining he was more than a coach, he was a mentor, he lead the civil rights movement, he did so much more than coach a basketball team. In his death it's not the number of games he won or the players he coached but how he taught a person.

Mr. Drehs encouraged all the citizens to pull the slide of the Town Hall item that you didn't see tonight, come to the meeting and let us know what you think. He officially thanked the EMT and Fire Department for caring for his mother-in-law.

Mr. Daniels congratulated Kelly Barnhardt on her achievement of the 40 Under 40 Distinction by Charlotte Business Journal, Rox Burhans for his promotion and welcomed Gretchen Coperine. Thanked everyone for coming out tonight telling them to get home safely.

Mr. King stated out of respect for the Carolina Coach he wore a Carolina blue tie in honor of Dean Smith.

Mr. Savoie thanked everyone for coming, told Gretchen Coperine welcome aboard, congratulated Rox Burhans and thanked staff for their hard work.

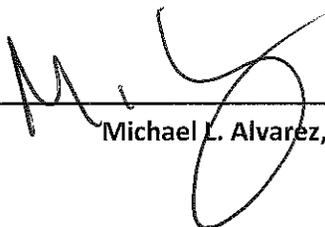
**CLOSED SESSION**

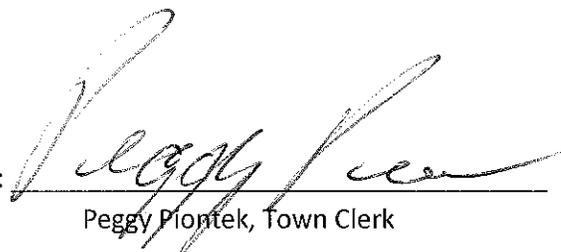
*None*

**ADJOURN**

Gordon B. Daniels 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