Town of Indian Trail
Minutes of Town Council Regular Meeting
August 11, 2015
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 Clerk Kelley Southward, Town Attorney's Associate Attorney Mr. M. Aaron Lay, Finance Director Marsha Sutton, Revenue Collector Alicia Massey, Director of Engineering and Public Works Scott Kaufhold , Planning Director Rox Burhans, Senior Planner Gretchen Coperine, Director of Community & Economic Development Kelly Barnhardt, Director of Parks & Recreation Jason Tryon, Human Resource Manager Carey Warner and Communications Coordinator Mike Parks.

CALL MEETING TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Alvarez called the meeting to order at 6:30 PM and led everyone in the Pledge of Allegiance to the Flag.

ADDITIONS AND DELETIONS

There were no Additions/Deletions to the Agenda forthcoming.

MOTION TO APPROVE AGENDA

Councilman King moved to approve the agenda, as presented, which carried by way of a unanimous vote of the Council. Mayor Alvarez noted that all Council members were present.

PRESENTATIONS

a. **July 4th Parade Awards from Heritage Funeral Home**

Representatives of Heritage Funeral Home presented the following awards:
R.S Chemical Solutions was awarded "Most Unique Parade Float";
ASAP Communications received award for "Most Red, White and Blue";
Extreme Ice was awarded "Most Spirit" for their entry;
A sweet young lady named Morgan received an award for "Best Individual/Most Creative Theme"; and
The Town of Hemby Bridge received the award for "Most Patriotic".

b. **Presentation on Municipal Complex**

Mr. Fivas, Town Manager, began by introducing two new staff members: Town Clerk Kelley Southward and Communications Coordinator Mike Parks.

Mr. Fivas gave a presentation regarding the proposed Municipal Complex. He noted that discussion of this project began in 2002 and gave the history through 2008 when the project was unofficially put on hold. In May 2014, Council began to discuss the need for a new Town Hall once again. There was a series of comprehensive public meetings that wrapped up last November. Creech & Associates were selected by council as the architects for the project and Edifice was selected as the Construction Manager at Risk. He explained reasons for both moving forward and not moving forward with this project.

Part of Edifice's job was to go to the open market and bid-out each trade of construction separately so that we get the best total cost. The direct costs for the sub-bids are $5,743,277 then there is a contingency for other items such as general liability at 3% which brings us to the GMP of $7,983,312. The Town has done a good job at saving for this project; there is approximately $4 million in reserves. It is proposed to take an installment loan out for $4.75 million to pay for the remainder. The payback for the loan will become a part of the Capital Projects outstanding debt service; which is $1.73 million annually. The first year's annual payment installment (due in 2017) on the $4.75 million loan will be about $429,000. This means that every year there will be approximately $600,000 left to make the payments on the other Capital Projects. There is no tax increase anticipated for the proposed Town Hall/Community Center.

Mayor Alvarez opened the floor to Council. Mayor Pro Tem Cohn was given the floor. Mayor Pro Tem Cohn stated that he feels this is all just smoke and mirrors; he believes a tax increase to be inevitable to pay for the proposed Town Hall/Community Center. He said that Council was told that the parks would cost $8.5 million but they are going to cost a lot more. He would like to see Indian Trail have a new Town Hall/Community Center as he believes Indian Trail deserves the best. However, he does not want to see taxes increased. He,

like many others moved to Indian Trail for three reasons: 1) less traffic; 2) great schools; and 3) low taxes. Mayor Pro Tem Cohn believes that this matter should have gone before the citizens for a referendum vote. He said that it especially irritates him when people run for office on the premise that they are against a new Town Hall and get elected and change their stand on the matter once they are in office. He said that less than 1% of the people will use the Town Hall. Mayor Pro Tem Cohn opined that Indian Trail has the greatest employees and wants the employees to know that his opinion of this matter has nothing to do with them. People will accuse him of not being progressive; that he does not want the Town to move forward. However, Mr. Fivas just said that we are the 8th fastest growing city in the country so, we are moving forward regardless. He said that 160 people signed a petition against this project but that was never discussed. He believes more money needs to be spent on our infrastructure. Our roads are in need of improvements; the Monroe Road project has been pushed back to 2024. He wants to be able to make it home from Charlotte in 20 minutes from 485 not 2 hours, which is what it will be if our roads don't get some attention.

Councilman Daniels was recognized by Mayor Alvarez. Councilman Daniels said he agrees that roads are very important. One remedy from a municipal level to get assistance with the roads, especially with the state roads in and surrounding our Town, is for local elected officials to attend County and State level meetings to share comments regarding our needs. Councilman Daniels said he would like to see more of our elected officials at these meetings.

PUBLIC COMMENTS

Mayor Alvarez reviewed the public comment rules.

Ms. Elaine Rosoff, Council Member for the Town of Wesley Chapel, addressed the Council noting that Wesley Chapel built a new town hall and its first park simultaneously. Although Wesley Chapel is much smaller than Indian Trail and they did not have to acquire a loan for their new town hall she believes that the benefits that they have received would be mirrored here. She opined that more citizens will attend meetings and get involved if a new Town Hall is constructed. Other organizations such as HOAs will use the venue if they do not have a suitable location of their own to meet.

Ms. Laurel Colton of 6025 Indian Brook Dr. thanked the Council for the opportunity to share why she believes a new town hall is good for Indian Trail. She was curious if everyone was aware that Indian Trail is ranked 9th in the state for most affordable housing and 5th as the best place for families to raise children. The Centralina Council of Governments recently awarded Indian Trail the Region of Excellence award for improving quality of life. A new Town Hall is necessary to accommodate the growth of citizens in our community. She thanked Council for their vision and courage to proceed.

Ms. Shirley Howe of 6205 Clearwater Dr. addressed the Board about tonight's agenda and other issues. She said that she has been attending Town Council meetings for many years and has never seen an agenda as lengthy as this evenings agenda. She said that many recent Regular Meetings have been cancelled due to the lack of agenda items. Early morning special meetings have been called to pursue

your goals with a guarantee of no resistance from the public. According to the agenda, three meetings are slated to be cancelled. Again, denying the public their opportunity to make public comments. She hopes that the meeting cancellations are not due to the upcoming election. Mrs. Howe reminded the Council of items that need attention: 1) park security; there was a lighting issue at last year's trunk or treat; has anyone spoken with Lt. Coble about security issues? Why are you just getting electronic gates at Crooked Creek Park when it's been opened for several months? 2) The ordinances form two yeas ago changing neighborhood requests for all non-HOA developments-there were four council members that agreed to fast-forward certain items but years later nothing has been accomplished. 3) What is the status of securing a new CPA firm? She urged Council to place the matter of building a new Town Hall on the November ballot.

Ms. Kim Shilling of 2001 Sedgewick Rd. addressed the Council. She said that she, like many other citizens, moved to Indian Trail with a vision of low taxes, schools that were not crowded, roads that were easily traveled and a town government that displays fiscal responsibility, ethics and integrity. Unfortunately, this vision has all but become true. Instead, the majority of Council appears as though they plan to put another major financial burden on the citizens without allowing the citizens to have a voice. The Monroe Widening Project is now being pushed to 2024 while the roads are worsening each day. The majority of Council is putting citizens at risk by raising taxes to pay for the unwarranted and unwanted spending. And, at risk of harm by continuing to neglect the roads and very dangerous traffic hazards in this town. To burden citizens with multi-million dollar debt without a bond referendum is unethical and lacks integrity. In addition, to be clearly stated for the record, Ms. Shilling said that "we as residents and voters did not approve for or were not asked to approve for a municipal complex as part of the park land we were clearly shown and were told we were voting for upwards of 200 acres of park land that included a community center on a 14-acre parcel. To move forward with building a municipal complex is, in my opinion, illegal and not what the voters approved. Unless this Council is telling us residents that the council purposefully and willfully lied to us. In either case, we are once again being shown how the majority of council is unethical and has lack of integrity. As an eleven-year Navy Veteran, I envision this Council give back to the residents of Indian Trail, their voice and constitutional right to decide what effects their Town and not to be dictated to, thank you."

Mr. Glenn Hall of 4000 Cloudview Lane was next to address Council regarding the newly proposed Town Hall. He thanked the Council for their prudence in spending tax-payer's money and what has been accomplished in this Town. You want clarity and transparency; life is going to continue. Mr. Hall said that he has been here for eight years and his taxes have increased. Taxes will increase but you don't want them increasing from waste, disparaging use or corruption. So, you have to manage these things and that is why we elect a Council. Council manages these things for us and if they aren't managing thing like citizens want them managed then voters can change who is elected to do the managing with a vote. Indian Trail is growing because it is a great place to live and raise your family. You cannot stunt or cap growth if you are going to have a nice community/town. The people being drawn to our community are used to certain things. Folks that are indigenous to the area might not want these different commodities; they have to voice their wishes to Council. The Town is growing and we want it to grow properly just like we want our taxes and other public funds to be handled properly.

Mr. Gary Evans of 4800 Mossy Cup Lane had general comments for Council. He said that he is very concerned that Council members continue to turn a deaf ear to a reckless spending spree. We have many unfinished projects such as sidewalks, the widening of Old Monroe Road and the parks. It is his

understanding that we do not have the funds to complete the parks as originally proposed. Two weeks ago he and his wife took their neighbor's children to Crooked Creek Park. He was disappointed in the unfinished landscape, lack of maintenance and lack of recreational facilities for family activities. In his opinion, if more than five or six families were to occupy this area, it would be over-crowded and cause problems. Also, with the dog park incomplete, there were several large dogs in the area for children and dog waste in the wood chips. This is a huge liability waiting to happen, in his opinion. Recently, there was an incident at Carolina Courts and Chestnut Park due to a lack of parking and insufficient parking signs. He believes that this incident could've been avoided if communications had been better. Mr. Evans said he agrees that we perhaps need a larger Town Hall but does not agree that we should spend $8.5 million on a municipal complex. He recently spoke with 53 Town residents; three of which were not even aware that we had a Town Hall. Forty-six of those people had no idea a new Town Hall was being proposed. Progress is good for everyone but controlled progress is even better. At some point the tax payers will be footing the bill so they should have a vote in how we proceed with a new municipal complex.

Dr. Shamir Ally of 1008 Nut Grove Lane addressed the Council regarding the proposed municipal complex. Dr. Ally said it is natural law that anything that doesn't grow will die. He urged Council not to make the same mistake that was made with the purchase of the Blythe building. With the amount of money spent on that building we could've had a new town hall and not be in this current predicament. The people coming into Indian Trail are a custom to a certain quality of life. We live in a democracy system; we elect the Council to make decisions on our behalf so that there is no need for every decision to go to a vote of the people. If the Council doesn't do a good job then the people will vote the members out; this is democracy. Some people will want the new town hall, some won't. Regardless, a new town hall will bring a sense of pride to the community. He urged the Council to find way to keep taxes low.

Mr. Jan Brown of 6727 Long Nook Lane also addressed Council on the matter of the new proposed town hall. Mr. Brown helped to start the ABC store and has been and still is involved with Town boards/committees. The purchase of the Blythe building was not accurate for the Town's growth. The proposed municipal complex is a good investment and it is what this town needs; it is an asset, not a liability. He urged Council to move forward and approve the new Town Hall.

Ms. Maureen Mulhall of 533 Raintree Drive (also representing Extreme Ice of 4705 Indian Trail Fairview Road) also expressed favor of a new Town Hall during her address to Council. Currently, Extreme Ice is serving as overflow to organizations who cannot be accommodated by the Civic building. They have two rooms where they allow HOA/POAs, civic organizations and other groups to meet. The Town Manager noted that half of the requests for the civic building are denied, which means Extreme Ice is getting those groups. She said there are so many great things that people come here for and a new Town Hall will draw more business. She encouraged Council to take action necessary to move forward with the proposed municipal complex.

MUNICIPAL COMPLEX

a. Council consideration of approval of GMP and Capital Project Ordinance for Municipal Complex.

Councilman Savoie moved that Town Council approves the low bids from each trade listed on bid attachments, approves the total Guaranteed Maximum Price

of $7,983,312; that Town staff prepare and execute the related previously approved agreements with Edifice at the appropriate time, and approves the related Capital Project Ordinance; the motion carried by a vote of four (4) to one (1) with Mayor Pro Tem Cohn voting in opposition.

b. Council consideration of approval of Resolution of the Town of Indian Trail Approving a Financing Agreement and Deed of Trust and the Delivery Thereof and Providing for Certain Other Related Matters.

Mr. Fivas relayed that bids were received from financial institutions and the low bidder has provided an interest rate of 2.51% for 15 years.

Councilman Daniels moved to approve Agenda Item #6b-the Resolution of the Town of Indian Trail Approving a Financing Agreement and Deed of Trust and the Delivery Thereof and Providing for Certain Other Related Matters; the motion carried by a vote of four (4) to one (1) with Mayor Pro Tem Cohn voting in opposition.

c. Council consideration of approval of formation of Adhoc Committee to design and develop a Veterans Memorial Park area and Town Square.

Councilman Drehs said that Mr. Paul Belk, Sr. Vice Commander of the local VFW, is in the audience tonight and he would love for him to serve on this adhoc committee. Councilman Daniels recommended Councilmen Drehs and King for the adhoc committee as one served in the Marines and one served in the Army.

Councilman Daniels moved that an adhoc committee be formed with initial members being Mr. Paul Belk, Councilman David Drehs and Councilman Chris King for the purpose of designing and developing a Veterans Memorial Park area and Town Square at the Municipal Complex; the motion carried by way of a unanimous vote.

BOARD/COMMITTEE APPOINTMENTS

a. Jan Brown-Planning Board Appointment-Full Seat- 7-1-2015 to 6-30-2018
b. Cathi Higgins-Planning Board Appointment-Full Seat- 7-1-2015 to 6-30-2018
c. Sidney Sandy-Planning Board Appointment-Full Seat- 7-1-2015 to 6-30-2018
d. Tripp Melton-Board of Adjustment-Full Seat- 7-1-2015 to 6-30-2018
e. Chris Chopelas-Board of Adjustment- Full Seat- 7-1-2015 to 6-30-2018
f. Patrick O'Connor-Board of Adjustment-Alternate Seat- 7-1-2015 to 6-30-2018

Councilman Savoie moved to approve the above six appointments for the terms specified: Jan Brown, Cathi Higgins, & Sidney Sandy be appointed as Full-Seat members of the Planning Board and Tripp Melton (Full Seat), Chris Chopelas (Full Seat) & Patrick O'Connor (Alt Seat) to the Board of Adjustment. The motion to approve the appointments carried by a unanimous vote.

LAW ENFORCEMENT UPDATE

Deputy Josh Rushing gave the monthly report to the Council. There were 1,546 self-initiated activities; 1,114 calls for service; 92 motor vehicle crashes worked by the I-Cars; there was a response time of 11 minutes/55 seconds and 301 reports were taken. Several incidents were highlighted.

CONSENT AGENDA

a. Approval of June 23rd, 2015 draft minutes
b. Approval of July 16th, 2015 draft minutes
c. Approval of Budget Amendments
d. Approval of Crooked Creek Circle Plat
e. Approval of Storm Water System Inventory & Mapping Agreement
f. Approval of Facility Construction Extension for Waste Pro
g. Approval of Retention Process Amendments
h. Approval of Union County Agreement for Sidewalk Construction and Replacement
i. Approval of 2014 Stormwater Maintenance Contract Renewal
j. Approval of Month End June 2015
k. Approval of Month End July 2015
l. Approval of Annual Tax Settlement
m. Approval of Order of Collection
n. Approval of Delinquent Tax & Fees
o. Approval of Revised 2015 Council Meeting Calendar
p. Approval of Alley, Williams, Carmen & King Agreement and Capital Project Ordinance for Unionville-Indian Trail Road Sidewalk Project

Councilman Drehs moved to approve the Consent Agenda, as presented. The motion carried unanimously.

PUBLIC HEARINGS

a. CZ 2015-002 Bonterra Phases 5-7: Proposed rezoning to the Single Family Residential-5 Conditioned Zoning District to support incorporation of 30-additional acres into the Bonterra subdivision as well as modifications to existing Phases 4 and 5. Applicant: The Walton Group.

A thorough presentation of this matter was given by Gretchen Coperine, Senior Planner for the Town of Indian Trail. To summarize, the current developer of the Bonterra subdivision seeks to add approximately 33 acres to the overall site plan while reducing the number of dwelling units from 1,395 to 1,315. These two changes would ultimately reduce the density of the project to 2.7 units per acre. Additional road improvements including two left turn ingresses from Faith Church Road into the development will be incorporated with these changes.

Consistency findings include consistency with Land Use and Houseing Goals #1, 2, & 5 and Mobility & Transportation Goal #3. **THE STAFF AND PLANNING BOARD REPORTS INCLUDING THE CONSISTENCY FINDINGS ARE ATTACHED HERETO AND MADE PART OF THESE MINUTES.**

Councilman Daniels asked if the HOA had any input on this requested rezoning. Ms. Coperine noted that the HOA for Bonterra had submitted a letter stating that they were in support of the integration.

Councilman Drehs recapped for clarification noting that the proposal is to add an additional 33 acres to the project and reduce the number of dwellings thereby reducing density. Ms. Coperine confirmed that this summarization was correct. Councilman Drehs said it appears to be "a win-win" for Indian Trail.

Upon query from Mayor Pro Tem Cohn, Ms. Coperine noted that the additional 33 acres was not included in the original conceptual plan. Rather, it is an addition to the original Master Plan and that is why this rezoning process is necessary. An adequate zoning that is consistent with what is in Bonterra needs to be assigned. She reiterated that the original plan was approved for 1,395 dwelling units but part of this current request is to reduce that total number to 1,315.

Mayor Alvarez opened the public hearing and noted that the same rules apply as those he reviewed for general public comments.

Mr. John Ross of Eagle Engineering, 213 an Bureau Ave, Indian Trail, was the first speaker to address the Council. He felt that the two public meetings were well attended and that the discussions were good. There were three reoccurring themes: schools, transportation and buffering from adjoining properties. As noted in the presentation this evening, 30-feet of buffering will be added on the Bonterra property which, equates to 105 feet of buffering between structures of the adjacent property. They have reached out to Union County schools and discussed a proposed project with them. Union County Schools have been aware of the original proposed 1,395 units in Bonterra since the early 2000's. Mr. Ross said that they believe the incorporation of the 33 acres into Bonterra is a good fit for the project and for Indian Trail. They are pleased that staff and the Planning Board have found consistency with the Town's Comprehensive Plan and that the Planning Board has unanimously recommended approval. The Council had no questions for Mr. Ross.

Mr. Andy Rathke of Walton Development, 10735 Taylor Blvd, Charlotte addressed Council. He relayed that the 33 acres were presented to them in the middle f developing Phase 3. They felt it was a good opportunity to not only incorporate more property in the development but to create additional ingress/egress into the neighborhood. The fact that density is not increasing as a

result of the additional acreage is a wonderful thing for the community. He appreciates everything that the Planning staff and Planning Board have done to guide them through this conditional zoning process over the past year and would greatly appreciate Council's support of these changes.

Mr. Jim Beck, Traffic Engineering Consultant of 5950 Fairview Road, Charlotte addressed Council regarding the 2013 TIA and 2015 Memo to that TIA that he drafted for this project. He clarified that even though the number of units are slated to be reduced, they did not scale down the traffic improvements. Rather, the 2015 Memo still accounts for the original 1,395 units. This is true for both the original ingress/egress on Faith Church Road as well as the proposed additional ingress/egress. Council did not have any questions for Mr. Beck.

Mr. Ed Eshenbeiu of 1107 Phar Lap Drive in the Bonterra subdivision addressed Council. Mr. Eshenbeiu said that he is very pleased; the developer has done a beautiful job with the subdivision. However, with approximately 770 units left to build he is concerned with the stress that construction equipment is putting on the residential streets. The streets are private so the expense of repairing and maintaining the residential streets falls on the property owners. Mr. Eshenbeiu frequently rides his bicycle through the development and can plainly see the stress/wear and tear that the construction equipment has caused. He asked if a construction road/entrance could be added to keep the stress off the private residential streets. Councilman Daniels asked if Mr. Eshenbeiu has presented this concern to his HOA Board. Mr. Eshenbeiu said that he has a difference of opinion with the HOA and feels that he is not able to approach them with this matter. He said that other residents agree with him.

Mr. Ross was again recognized and said that they too are concerned about the condition of the private residential streets. He said that Phases 1 and 2 have private roads. Phases 3 and above are actually public roads (or will be). Walton Development has posted a maintenance bond (beginning with Phase3 and above) for the repairs necessary due to the construction equipment. The Town holds this bond. As the roads are conveyed to the Town, they will, as a joint effort between the Town, Contractor/Developer and HOA, do an assessment of the roads prior to construction equipment use and after so that they as the developer can make repairs prior to conveyance. He could not recall the exact amount of the bond but the cost was estimated by an engineer and should be sufficient to cover repair costs should they default in making the repairs. Mr. Eshenbeiu was satisfied with this response. Mayor Pro Tem Cohn asked for clarification noting that the bond began with Phase 3; so what about Phases 1 and 2? Mr. Ross said that they were not involved in Phases 1 and 2 but there is an agreement in place to make repairs on the streets in those two phases.

Councilman Drehs moved to approve the consistency findings as read by staff; the motion carried unanimously.

Councilman King moved to approve CZ2015-002, as presented (Bontera Phases5-7 to rezone to the Single Family Residential-5 conditioned zoning district to support the incorporation of 33 additional acres into the Bonterra subdivision as well as modifications to existing Phases 4 and 5, as presented, and approve the corresponding Ordinance #0150811-219). The motion carried by way of a unanimous vote.

BUSINESS ITEMS

a. Council consideration of approval of Second Reading of CZ2011-002M 123 Associates Amendment: A request to amend conditional rezoning number CZ2011-002M at 123 Associates Lane to permit auto repair uses in the Regional Business District (RBD-Conditioned). Applicant: Jerry Roach.

   Councilman Drehs moved to approve the 2nd reading of CZ011-002M; the motion carried unanimously.

b. Council consideration of approval of Second Reading of ZM 2015-001 Hwy 74 Property: Proposed zoning map amendment for Parcel No. : 07-105-005 located on US-74, south of Smith Farm Road. Proposal is to change the zoning from Single Family Residential-1 (SF-1) and Residential R-20 (former Union County Zoning) to the Regional Business District. Applicant: Town of Indian Trail.

   Councilman King moved to approve the 2nd reading of ZM 2015-001; the motion carried unanimously.

c. Council consideration of approval of 5-year Strategic Transportation Plan

   Town Manager Joe Fivas clarified that he is actually presenting a 3-year Strategic Transportation Plan this evening. **Council had a hard copy of the Power Point presentation, which is attached hereto and made part of these minutes.** Mr. Fivas highlighted several features of the plan. There are some grant funds available through the Charlotte Regional Transportation Organization that the re-design at the intersection of Sardis Church Road and Unionville Indian Trail Road may be eligible for. The project will likely score higher if it is shovel-ready. Staff suggests that once the plan is finalized, quickly getting it into a shovel-ready situation and apply for the grant. Mr. Fivas is hopeful that construction on the Sardis Church Road Sidewalk and Rogers Road Sidewalk will begin this fall. Collectively these two projects yield approximately two miles of sidewalks. This year, Indian Trail Road will have a certain portion widened and the bridge will be replaced. The construction of the Poplin Road roundabout is slated to begin this year as well.

   Mr. Fivas sought feedback and/or additions/deletions from Council. There were no comments or changes forthcoming. *Councilman King moved to approve the*

3-year Strategic Transportation Plan; the motion carried by a unanimous vote of Council.

d. Council consideration of approval of Downtown Implementation Plan

Mr. Fivas relayed that the Economic Development Advisory Committee (EDAC) recently toured the area and took note of what other communities have done; what has worked well and things that have not been as successful. The EDAC believes that quality of life is what separates successful cities and towns from declining communities. A downtown or neighborhood commercial district is the visual representation for your community's heritage. During the EDAC August meeting it was felt that something mirroring Baxter Village would help bring an economic boom here. They have put together a framework of what they feel Indian Trail should be looking to implement in our downtown area. **The EDAC proposed Downtown Implementation Plan is attached hereto and made a part of these minutes**. Mr. Fivas noted that several EDAC members were present in the audience if Council had any questions. The EDAC would like to know if Council wishes for them to proceed in moving forward with this plan. They do not want to spend their time on this matter if it is not consistent with Council's desires for Indian Trail's downtown area. If revitalization of our downtown area is a matter that is important to council the EDAC will begin researching what it will take to get started.

Councilman Drehs opined that revitalization of Indian Trail's downtown should be a priority. Councilmen King, Daniels and Savoie were all very much in support of the EDAC moving forward with this project. Mr. Fivas noted that the EDAC is ready to take action to move this project forward; they don't just want to talk about it and make plans that never get acted upon. Councilman King said he would like to see dirt moving next year.

To that end, Councilman King moved to approve the Downtown Implementation Plan and discussion ensued. Mayor Pro Tem Cohn said he likes the plan proposed for the downtown but was curious as to how much this project would cost and what exactly would be done. He is in favor of bettering the Town but felt that the town needs to be cautious in spending taxpayer's money and if we make a promise to improve an area then it needs to get done. Councilman Daniels said that cost is always a priority and always something he considers. However, costs don't always have to fall on the taxpayers. If Council is willing to search for investors and apply for grants then the cost burden doesn't have to fall on the taxpayers. *Mayor Alvarez called the question; the motion to approve the Downtown Implementation Plan carried by way of a unanimous vote*.

e. Council consideration of approval of Parks & Recreation Six Month Work Plan

Jason Tryon, Director of Parks and Recreation, gave a presentation on his department's Six Month Work Plan. His presentation included items Business

Items e-n of the agenda. Mr. Tryon reported that it has been a very busy summer throughout the three parks.

Mr. Tryon's six-month plan included accomplishing the Business Items g-n of the agenda. He explained the need for each element and the situation of each element as applicable. It should be noted that Item #f-"Council consideration of approval of Dog Park Policies & Procedures" was not discussed as a part of the six-month plan. Staff requested that this item be tabled this evening.

Mr. Fivas noted that the majority of the items included for purchase were actually included in funds allocated last fiscal year. Staff simply wanted to make certain that Council is still comfortable in moving forward with these elements as we are now ready to purchase and install. The only exception being the purchase of an additional swing at Crooked Creek Park (Item #m); this is a need that has recently been identified. The cost of the additional swing will be approximately $1,900.

Councilman King moved to approve Business Items e, g, h, i, j, k, l, m & n. The motion to approve these items carried by a unanimous vote of Council.

f. Council consideration of approval of Dog Park Policies & Procedures

Councilman Drehs moved to table item Business Item #f; the motion carried unanimously.

g. Council consideration of approval of purchase of storage building for Crooked Creek Park
h. Council consideration of approval of purchase of equipment for recreational area at Crooked Creek Park.
i. Council consideration of approval of purchase of Shade Structures.
j. Council consideration of approval of a revised Master Plan of Crooked Creek Park.
k. Council consideration of approval of purchase of picnic tables and benches.
l. Council consideration of approval of purchase of disc golf equipment.
m. Council consideration of approval of purchase of new swing for Crooked Creek Park playground.
n. Council consideration of approval of purchase of electronic gates for Crooked Creek Park.
(see motion above in Item #e regarding Items g-n)

o. Council consideration of approval of Poplin Road Roundabout Agreement with the NCDOT.

Mr. Fivas noted that some of the neighborhoods in the vicinity contributed funds to this improvement. Action to approve this agreement will allow those funds to be accessed so that NCDOT can begin construction of the roundabout in 2016.

The agreement has been reviewed by legal counsel, who was comfortable with the agreement, as presented. Mayor Pro Tem Cohn asked if Mr. Fivas knew when about in 2016 NCDOT would begin construction. Mr. Fivas said that NCDOT has not provided any time estimate for commencement of the project other than the year. Mayor Pro Tem Cohn said residents in the area would prefer the construction to take place when school is out as it is a heavily traveled area during the school year. NCDOT had relayed to him that they needed to purchase more right-of-way and expected to begin construction this fall. Mr. Fivas noted that DOT will probably let the project for bids this fall and have the project ready to go when asphalt can be laid. Typically, weather temperatures are not favorable to work with asphalt between November and March. Mayor Pro Tem Cohn said it is a very important project because it currently may be the most dangerous intersection in Indian Trail. He will be very pleased to see this improvement completed and if Council can do anything to see the project come to fruition they should do so.

Mayor Pro Tem Cohn moved to approve the Poplin Road Roundabout agreement with NCDOT and the motion carried unanimously.

p. Council consideration of approval of local street construction priority projects.

The Transportation Advisory Committee has recommended that the worst streets identified in the FY 2014/2015 Pavement Condition Analysis be addressed first. Specifically, they've recommended that the Town repave the streets that are rated below a score of 35 on the 0-100 score matrix; there are 12 roads rated below a 35. Engineering staff has split the needed streets into a FY 15/16 category and a FY 16/17 category; 7 of the 12 streets. A map showing this proposal is attached hereto and made a part of these minutes. Staff recommends to prepare bid documents for the following 5 streets to be addressed this fiscal year: Wynnview Road (Beacon Hills neighborhood), Mustang Drive (Brandon Oaks Neighborhood) Carissa Court (Holly Park Neighborhood), Innesbrook Court (Brandon Oaks Neighborhood),and Talbot Court (Colton Ridge Neighborhood).

Mayor Pro Tem Cohn moved to approve Business Item #p-approval of local street construction priority projects, as recommended and presented by staff. The motion carried unanimously.

q. Council consideration of approval of a policy for campaigning during fall Town events.

Upon query from Mayor Alvarez, Mr. Fivas said that this policy is similar to the policy approved in 2013 but that was a different Council and he just wants to be sure that the current Council is agreeable. Staff recommends that Council establish a policy that any person from the public running for elective office may campaign at our Town events. However, the officials must register as a

vendor for the event, and the Town will designate a special area for all campaigning. No campaigning or campaign materials will b allowed outside of these designated areas. Spaces for each candidate will be equal. Upon query from Councilman Daniels Mr. Fivas noted that the biggest changes from two years ago will be the venues and events where this campaigning could take place. The policy is essentially the same. Mr. Fivas said the policy could be formalized and placed on the Town's website.

Councilman Savoie moved to approve the policy for campaigning during fall Town events, as presented by staff. The motion carried with a unanimous vote.

DISCUSSION ITEMS
None forthcoming.

MANAGERS REPORT
Mr. Fivas reported that the Cultural Arts Festival and Pow Wow will be taking place the weekend of September 26th in Chestnut Square Park. We are extremely excited to have the Pow Wow returning to Indian Trail this year and are hopeful that the Chestnut Square Park will be a successful venue.

COUNCIL COMMENTS
1) Councilman Savoie thanked everyone who came out tonight; it was a long agenda. He thanked staff for their continued hard work in compiling and presenting all the information for this evening's meeting.

2) Mayor Pro Tem Cohn thanked Mr. Tryon for all of his efforts and recognized his diligence with respect to the Town's parks. He said that all of staff did a great job this evening. He said that there were a lot of good comments both for and against the new town hall presented this evening. As a Council member he totally agrees that Indian Trail is great place to live. Again, believes this is due to our low taxes, great schools and less traffic. We are a growing city. Dr. Ally said if we are not growing then we are dying; a statement to which he agrees. Someone else said that Indian Trail is the eighth fastest growing city in the nation for our size. We are winning doing what we've done but now we are trying to change things. It would be in our best interest to keep low taxes, low traffic and keep good schools. Keep development going without spending tax payers money without their consent. He believes the Town to be on a fast-track of spending tax payers money. He would've liked to have received more public input on this. He believes that Extreme Ice and Carolina Courts are both really great for our Town. They bring business to our Town but that's different than a Town Hall. He believes that less than 1% of people will use a Town Hall.

3) Councilman King thanked everyone for a great meeting.

4) Councilman Daniels thanked everyone for coming out this evening. He thanked Mr. Fivas, Town staff, Creech Associates and Edifice for all their hard work over the last 14 months while we've been working on this municipal complex. He noted that one person during public comments opined that the Council was doing something illegal by not allowing a bond referendum vote on the municipal complex. He wanted to clarify that in the State Constitution, Article 5, Section 4, makes a point to the legality of non-voter debt to fund Capital Projects; which allows local governments to make capital purchases and approve capital projects without a vote of the people. It's in the State Constitution that Council has not done anything illegal by moving forward with this project without a vote of residents.

Finally, Councilman Daniels said that sometime in the past Mayor Alvarez and Mayor Pro Tem Cohn had both made statements that if the municipal complex was approved they would get behind and support the project; he asked if they were prepared to back their statements up this evening.

5) Councilman Drehs pointed out that on the Consent Agenda was the approval of the Tax Settlement. It should be noted that the tax collection rate for 2014 property taxes is 99.07% and that the stormwater fees collection rate is 98.73%; which is a phenomenal job! It was noted that Alicia Massey, Revenue Collector, had left the meeting. Councilman Drehs asked that she be told that she is doing a great job and thanks for the hard work. On another note, Councilman Drehs was saddened to share that he recently attended the funeral of a 16-year old girl that died as a result of a car accident that occurred as a result of under-aged drinking. He said there is a website that every parent should visit www.talkaboutitnc.gov. They recommend speaking to your children about drinking at age 8. He urged everyone to go home and hug their children and talk to them about this important issue; he does not want to have to attend anymore of these funerals. He thanked everyone for coming out.

6) Mayor Alvarez said he would stand by his original thoughts that the decision to move forward with the municipal complex should be on a referendum but Council has passed it and moved forward without a vote of the taxpayers. In no way shape or form will he attempt to sabotage anything. You get behind something once it has been approved and you make it the very best that you can otherwise you are wasting even more of the taxpayer's money. Council approved it and he is going to be behind it and make sure it is done right and is the very best for this Town. Mr. Daniels thanked Mayor Alvarez. Mayor Alvarez reminded everyone that kids will be starting back to school in a couple weeks and urged everyone to be cautious of school buses and bus stops. He thanked everyone for coming this evening and thanked Council for a productive and respectful meeting.

CLOSED SESSION
None.

ADJOURN
At approximately 9:15 PM Councilman Daniels moved to adjourn the meeting and the motioned carried unanimously.

APPROVED:

_____
Michael L. Alvarez, Mayor

Attest: _____
Kelley Southward, Town Clerk

DRAFT