

**TOWN OF TROUTMAN
400 NORTH EASTWAY DRIVE
TROUTMAN, NORTH CAROLINA**

TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES

February 06, 2023 – 4:00 P.M. – Troutman Town Hall

Presiding: Mayor Teross W. Young, Jr.

Council Members Present: W. Paul Henkel; Edward R. Nau; Jerry R. Oxsher; George W. Harris; Felina L. Harris

Council Members Absent: None

Staff Present: Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Lynne Hair, Planning Director; Justin Mundy, Finance Director; Josh Watson, Police Chief; Gary Thomas, Town Attorney; Michael Barker, IT

Press Present: Debbie Page, Iredell Free News

Others: None

I. MAYOR YOUNG CALLED THE JANUARY 09, 2023 AGENDA BRIEFING MEETING TO ORDER

Adjustments to and Adoption of the Agenda Briefing Agenda

Addition:

****Discuss Remote Participation under Item II. B. 1(a)**

*Upon motion by Councilmember Eddie Nau, seconded by Councilmember George Harris, and unanimously carried, approved the February 06, 2023 Agenda Briefing Agenda as amended.

II. GENERAL BUSINESS

A. Mayor and Council Items (During this time elected officials have the opportunity to make reports, comments, and/or ask questions of staff)

1. Mayor and Council Comments/Discussions

Councilmember Eddie Nau

- Reported that he, Councilmember George Harris, and Town Manager Wyatt spent time in Raleigh last week meeting with Senator Vickie Sawyer and Representatives Grey Mills, Jeff McNeely and Mitchell Setzer who were all very responsive to town needs as discussed. He stated that they met with lobbyist for the Town as well.

Councilmember George Harris

- Commented that he feels that the trip to Raleigh was worthwhile for the Town.

- Stated that he attended (via zoom) the Top 10 Primer on Land Use, Planning, and Zoning for Local Officials sponsored by the UNC-School of Government.
- In referencing the incident that happened in Memphis, he expressed support for the Police Department and for any additional police training that Police Chief Watson deems necessary.

Councilmember Jerry Oxsher

- Briefly commented on the balloon that was shot down over the ocean and the humor expressed in a social media post by Mooresville Police Department.

Councilmember Paul Henkel

- Thanked Town Manager Wyatt, Councilmembers Eddie Nau, and George Harris for taking time to meet with the representatives and lobbyist in Raleigh commenting that he is looking forward to positive results.

Mayor Young

- Expressed thanks to all for taking the time to visit with the legislators in Raleigh and that he also has spent some time there. He stated that additional Councilmembers will have other opportunities to spend time with our legislators and other members of legislation. Mayor Young stated it is always good/beneficial to get to know them.

B. Staff Items: (At this time staff was provided the opportunity to make reports, comments, and/or ask questions)

(Councilmember Felina Harris arrived at 4:10 pm)

1. Items for Discussion

a. Unified Development Ordinance (UDO) Text Amendment(s) Discussion

• Language for Stricter Rules for Mobile Food Trucks

Planning Director Hair addressed adding the proposed language of “box truck” to 2. (d) for the purpose of clarity, and addressed that off-site signage for the purpose of advertising is not allowed per the Town’s UDO. Following a discussion regarding fees, Council directed Staff to compare the Towns current permit fees with other surrounding communities. A discussion was held regarding the period of time a mobile food truck would be allowed per temporary permit to park in the same location (recommending 3 months in one year) moving from the permitted site nightly. If a food service business owns a food truck, the truck can operate on that same property but cannot be located in the front yard. Councilmember Paul Henkel asked that staff research other municipalities permitting fees. Ms. Hair stated that with budget discussions coming up, staff will be reviewing all development fees and suggested that this fee be reviewed at that time. Mayor Young suggested that staff consider possible exemption(s) in permitting food trucks that attend events at the Fairgrounds. Ms. Hair clarified that signage is not allowed unless painted or applied directly on the food truck. Council was in agreement for staff to proceed with a proposed UDO text amendment for their consideration.

- **On-Street Parking and Construction Standards for On-Street Parking**

Councilmember Paul Henkel asked for clarification regarding what is being asked for regarding on-street parking and who is asking/pushing it. Ms. Hair, Planning Director stated that she does not know that anyone is really pushing for it, but she does get requests from builders to be able to utilize on-street parking in certain situations, mainly for high-density development (mixed-use and multi-family). She provided several examples such as Barium's Village Core and along Home Improvement Blvd., and the apartments located by the Charter School. She explained that on-street parking tends to be used as a calming device to slow down traffic. Ms. Hair explained that the Town's Unified Development Ordinance (UDO) and Construction Standards does not provide language that would allow on-street parking. Therefore, Staff is seeking Council's interest in language being prepared for consideration. In response to a statement made by Councilmember Paul Henkel regarding the on-street parking being temporary, Ms. Hair stated that it would be permanent parallel parking with striped spaces; not temporary having a cross-section with a median in the middle. She explained that Council will also have to consider that the paving width would be maintained by the Town. She explained that on-street parking would be by request of the builder and considered on a case-by-case basis as an option. There are other cross-section options already in the ordinance for streets. Ms. Hair stated that the cross-section would be drafted for the Town's construction standards and the language for the UDO would be conditional. Police Chief Watson stated that he is unaware of any known hazards or issues regarding on-street parking. Manager Wyatt explained that it would not be retroactive for current town streets. Council was in agreement with Staff proceeding with a proposed UDO text amendment for their consideration.

- ****Discuss Remote Participation by Council at Official Meetings**

Town Manager Wyatt explained that the County Commissioners allow remote participation on a regular basis; however, if a commissioner misses more than two (2) meetings in a calendar year it takes the vote of the rest of the Commissioners to allow that member to participate remotely (by phone or zoom) additional times.

Attorney Gary Thomas advised that the General Statutes state that for the purpose of a quorum and the vote you have to be present. He explained that the commissioners' policy states that they can vote, but the vote does not count if it is the deciding vote. Manager Wyatt stated that in speaking with one of the County Commissioners, the vote does count but if someone complains, they have 30 days by state statute to file a grievance challenging that vote and the grievance would be heard at the commissioner's next meeting. With remote participation, there has to be a quorum physically present, but in a closed session, a person could not vote by remote means. Attorney Thomas stated that it is now a General Statute (under 166c) that only under a State of Emergency can you have remote participation. Mayor Young requested that a draft policy be prepared for Council to review next month at Agenda Briefing. Attorney Thomas stated that he had previously prepared a policy/modification that he will resend to Council.

(Copied in full, staff reports are filed on CD titled: "Town Council Supporting Documents" dated February 6th and 9th, 2023 in CD Book #1 titled: "Town Council Supporting Documents")

2. Staff Comments

Town Manager Ron Wyatt

- Spoke regarding the visit to Raleigh commenting that the legislators invited them back encouraging future visits by any and all Council members.
- Commented that the Valentine Photo Booth Event held on Sunday, February 5th at Town Hall was a huge success.
- In response to Councilmember George Harris, he commented that Law Enforcement in general continues to come under national scrutiny for isolated incidents. The Troutman Police Department is performing to the best of our knowledge and is receiving positive feedback from the community which is in direct correlation with the training Chief Watson is providing.
- Reminded Council to register or contact the Town Clerk for registration to attend the Essentials of Transportation and Land Use Education Series "Nuts and Bolts" to be held on Feb 22nd, 9 am -12 pm at the Charles Mack Center in Mooresville.
- Stated that the Parks & Rec. maintenance crew work continues on the ballfield dugout structures and covers.
- Stated that the Planning House should be painted and the vinyl trim installed by Thursday. The windows will also be replaced.
- Mentioned that the Town has received the permit from the county to move forward with the Wagner Street building.
- Upon request of Councilmember Eddie Nau, Manager Wyatt provided an update regarding the electronic sign. Attorney Gary Thomas advised that the owner of the company has been served with a lawsuit and has to around February 20th to file a response. Town Manager Wyatt informed Council that a new remote sign has been ordered and will be installed following delivery which will take approximately 6-8 weeks.
- Informed Council that training classes for the Town's Planning and Zoning Board members and possibly separate training for Board of Adjustment members will be provided sometime in the Spring as opportunities come available. Council will be invited to attend the sessions as well. Councilmember Paul Henkel asked that staff impress upon the two Boards how important the training is and that they are expected to attend.

3. Overview of Town Council's Upcoming Regular January 12, 2023 Meeting Agenda Items Scheduled to be Presented, (Wyatt)

Consent Agenda Items:

Items 1-3. Minutes to be approved.

No discussion was held.

Item 4. Consider Approval of Budget Amendment(s)

• **Building Reuse Grant Expenditure to CR Onsrud**

Town Manager Wyatt reminded Council that the Town filed for the Building Reuse Grant on behalf of CR Onsrud, Inc. The grant is issued by the state to municipalities only. CR Onsrud has already received the funds and the budget amendment is simply an accounting procedure.

• **Proceeds from the Sale of the Police Trailer and PD Activities**

Police Chief Watson explained that the trailer came from a highway safety grant and is being used for storage and only gets moved once a year for National Night Out. He stated that the weight on the trailer is heavier than what most of the department's vehicles can pull. Town Manager Wyatt explained that it is not practical to keep.

Item 5. Approval of Ordinance 03-23 Titled: “American Rescue Plan Act Of 2021: Coronavirus State And Local Fiscal Recovery Funds”

Justin Mundy, Finance Director stated that the Ordinance is to allow the Town to use/spend the allocated funds received in the amount of \$882,473 which is currently in the Town's ARP Fund bank account. He explained that since the funds received are under the \$10 million restricted threshold; the Town was allowed to use the funds toward salary expenditures. The Town can now transfer the funds out of the ARP account.

Item 6. Approval of Ordinance 04-23 Titled: “Ordinance Amending The Town of Troutman Code of Ordinances Chapter 10-Environment, Article II-Noise, Division 1-Generally, and Division 2- Amplified Sound – Adding Language That Provides For The Ability To Regulate And Measure Noise Disturbances”

Town Manager Wyatt commented that the Town really does not get a lot of complaints, but passing this ordinance, allows the police to measure the noise using a decimal meter. He explained that his concern is that the noise has to reach a certain level to register and be illegal; it also has to be continuous for the noise to be measured. Attorney Thomas stated that decimal readings are substantial readings. Discussion was held regarding Article II, Division 1, d (6) addressing businesses with existing noise violations, in an effort to provide an adequate amount of time to bring those outstanding violations into compliance with the ordinance. Council was in agreement to a period of 5 years to become compliant.

Presentation(s):

Item 7. Recognition of Iredell County Cheer Classis Champions - Troutman Middle School “Bobcats” Cheerleading Team

No discussion was held.

Item 8. Recognition of Mark Jewett as “Employee of the Month”

Manager Wyatt explained that recognition of “Employee of the Month” is a new program the Town is starting. An employee “potluck” meal will be held the Friday before the week of the Council meeting where the employee of the month is announced. He explained that the employee will not only be recognized at the Council meeting but will receive 4 hours to be taken off within the next month.

Old Business Items:

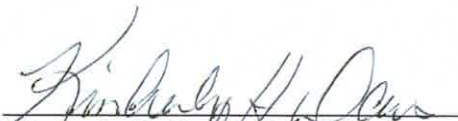
Item 8. Annexation Request AX-22-08; and Item 9. Rezoning Request CZ-RM-22-09 (Shinn Farms); Applicants: John and Robert Shinn; PIN(s) 4760034830, 4750953208, and 4760131733 (Weathers Creek Road) and PIN(s) 4750924960 (773 Houston Road), Total acreage: 276.26 (+/-), (Items 8 & 9 - Deferred Items from Council's January Meeting)

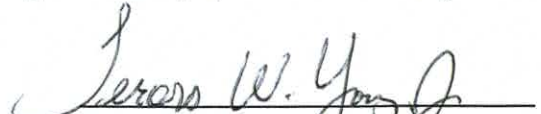
A discussion was held regarding the order in which to hold the Public Hearings for the annexation and rezoning. Attorney Thomas stated that Council could open the Public Hearing for the annexation and delay the vote; then open and hold the Public Hearing for the rezoning followed by a delay of the vote for rezoning going back to first consider the annexation.

Town Manager Wyatt informed Council that the developer has property they want to donate to the Town for a pocket park but it will be up to Council to accept the property or refuse it.

III ADJOURNMENT

*Upon motion by Councilmember George Harris, seconded by Councilmember Paul Henkel, and unanimously carried, approved to adjourn the Agenda Briefing of February 6, 2023. Time of adjournment: 5:50 p.m.


Kimberly H. Davis, Town Clerk


Teross W. Young, Jr., Mayor



- (*) Motion(s)
- (**) Adjustment(s)