

MINUTE BOOK XXXIII PAGES 56-66
TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES
May 09, 2024

The regular meeting of the Town of Troutman Town Council was held in the Troutman Town Hall, 400 North Eastway Drive, North Carolina on Thursday, May 9, 2024 at 7:00 p.m. with Mayor Teross W. Young, Jr., presiding.

Councilmembers Present: W. Paul Henkel, Jerry R. Oxsher, Nicholas D. Jaroszynski,

Councilmembers Absent: Edward R. Nau, Felina L. Harris

Staff Present: Kimberly Davis, Town Clerk; Andrew Ventresca, Interim Planning Director; Justin Mundy, Finance Director; Josh Watson, Police Chief; Lou Borek, Human Resources Director; Jessica Davidson; Gary Thomas, Town Attorney; Travis Goldstein, Senior Systems Administrator; Ron Wyatt, Town Manager was present at the meeting but left around 7:15 due to an emergency

Press Present: Debbie Page, Iredell Free News

I. MAYOR TEROSS W. YOUNG CALLED THE MEETING TO ORDER

MAYOR YOUNG WELCOMED VISITORS AND GUESTS

INVOCATION – Delivered by Councilmember Henkel

PLEDGE OF ALLEGIANCE

ADJUSTMENTS TO AND ADOPTION OF THE AGENDA ()**

** Add: as Item VII. Closed Session Pursuant to 143-318.11(a)(3) to consult with an attorney.

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Henkel, and unanimously carried, approved adoption of the May 9, 2024 Town Council meeting agenda as amended.

II. CONSENT AGENDA: *Consent Agenda Items are considered to be routine by the Town Council and will be approved with one motion. There will be no separate discussion on these items unless the Mayor or a Council member so requests, in which event the item will be removed from the Consent Agenda and considered as the first item under New Business.*

1. Consider Approval of Regular Meeting Minutes of March 14, 202
2. Consider Approval of Budget Workshop Minutes of April 08, 2024
3. Consider Approval of Agenda Briefing Meeting Minutes of April 08, 2024
4. Consider Closed Session Meeting Minutes of April 08, 2024
5. Consider Closed Session Meeting Minutes of April 11, 2024

6. Consider Approval of DRB-24-02; Building Elevation as Recommended by the Design Review Board to Include Materials and Colors for the Doryian Senior Apartments to be Located on the Corner of Lytton Street and Talley Street
7. Annexation Request AX-24-04, (Non-Contiguous), Applicant: William & Samantha Deal; 2.02 (+/-) acres; PIN(s) 4740-68-8959; 774 South Main Street
 - a. Adoption of Resolution 07-24 Titled: "*Resolution Directing The Clerk To Investigate A Petition Received Under Article 4A of G.S. 160A*"
 - b. Approval of Certificate of Sufficiency
 - c. Adoption of Resolution 08-24 Titled: "*Resolution Fixing Date of Public Hearing On Question of Non-Contiguous Annexation Pursuant to Article 4A Of G.S. 160A*" (**Setting Public Hearing Date of June 13, 2024**)
8. Annexation Request AX-24-05 (Non-Contiguous), Applicant: Gerardo Cruz; 1.227 (+/-) acres; PIN(s) 4721-95-7529 & 4721-95-7792; 466 & 470 E. Monbo Road
 - a. Adoption of Resolution 09-24 Titled: "*Resolution Directing The Clerk To Investigate A Petition Received Under Article 4A of G.S. 160A*"
 - b. Approval of Certificate of Sufficiency
 - c. Adoption of Resolution 10-24 Titled: "*Resolution Fixing Date Of Public Hearing On Question of Non-Contiguous Annexation Pursuant to Article 4A Of G.S. 160A*" (**Setting Public Hearing Date of June 13, 2024**)
9. Consider Resolution 11-24 Titled: "*Resolution Awarding A Service Firearm To Retiring Officer Of The Troutman Police Department*"
10. Consider Approval of Audit Contract with Thompson, Price, Scott & Adams for FY 2025
11. **Consider Authorizing ~~Town Manager~~ Mayor Young to Sign a Sanitation Service Contract with Waste Pro

Councilmember Jaroszynski suggesting to modify Item 11 stating that per the Waste Pro contract, he believes it is the Mayor's position to sign. Following a review of the signature page, the following motion was made.

Upon motion by Councilmember Henkel, seconded by Councilmember Jaroszynski, and unanimously carried, the Consent Agenda was approved as amended above.

(Copied in full, Resolution 07-24 is filed in resolution book IV, Page 7)

(Copied in full, Resolution 08-24 is filed in resolution book IV, Page 8)

(Copied in full, Resolution 09-24 is filed in resolution book IV, Page 9)

(Copied in full, Resolution 10-24 is filed in resolution book IV, Page 10)

(Copied in full, Resolution 11-24 is filed in resolution book IV, Page 11)

(Copied in full, Resolutions 07-24 thru 11-24 is attached to these minutes and is filed on CD Titled: "Town Council Supporting Documents" dated May 6th, and 9th, 2024 in CD Book #1 Titled: "Town Council Supporting Documents" along with the certificates of sufficiency's, audit contract and sanitation service contract)

III. PRESENTATION(S) / RECOGNITION(S):

12. Recognition of South Iredell Marine Corps JROTC In Honor of Winning 1st Place Overall in the Daniel Boone Invitational Drill Meet and Placing 1st Overall in the Armed Category and 2nd Overall in the Unarmed Category in the Regionals, (Mayor Young)

Town Manager Wyatt stated that the South Iredell Marine Corps JROTC had not shown up, therefore he asked that the item be removed and the Certificate will be taken and presented to the NCO (Non-Commissioned Officer) in Charge.

13. Presentation of the 2024 “Town of Troutman Citizen of the Year” to Donna Lambert, (Mayor Young)

Before presenting the “Citizen of the Year” plaque to Donna Lambert, Mayor Young read aloud what was written about Ms. Lambert from the nomination form that described her selfless actions in helping people in our community; serving as President of Help Ministries and overseeing approximately 40 volunteers who serve around 225 people every week.

In thanking the Council for the recognition Ms. Lambert spoke about Troutman Help Ministries stating that there are people in the community who do not know about the organization and as the community grows, so do their needs. Alternate locations have been explored in preparation of growth. She stated that she has a lot of good volunteers and community organizations that help, such as Lowe’s and Food Lion. Ms. Lambert announced that she is working on organizing a community event and asked that people look on the Troutman Locals site on Facebook for announcements of continued needs. She commented that schools are getting ready to end the year, and so are breakfast and lunch for the kids, and if you want your heart blessed, reach out to her to volunteer with the team delivering to those in need and see the children. Ms. Lambert shared that they have a lunch box program, a Samaritans program, wood program, and that they are reviving ‘Neighbors Loving Neighbors’ where small projects are done for people in the community.

14. Presentation of the 2024 “Organization of the Year” to Lowes Home Improvement, (Mayor Young)

Before presenting the plaque for “Organization of the Year” Mayor Young read aloud what was written in the 2 nominations presented about Lowe’s Home Improvement that described how fortunate the Town is for the support, volunteerism, and donations provided to the Town in 2023 for programs/projects, such as fully funding the renovation of the volleyball courts, participation in parades, helping with the Girl Scout Pet Pantry project, K9 Unit kennels and dog houses, lights for the Walk of Hero’s, and American flag donations. They participate in Trails & Treats, have donated grass seed, helped with the maintenance of ballfields at the Middle School, donated plants for the South Iredell High School prom, donated a trailer for the DARE program, as well as countless donations to citizens and organizations. Jake Rollins, the Store Manager, who was unable to attend, won Manager/Store of the Year for 2023. We cannot thank Lowe’s enough for all the contributions made to the Troutman Community, the Town, non-profits, etc., making our Town a great place to live and work.

Mike Chapin and Emily Cannady accepted the plaque on behalf on Lowe's. Mr. Chapin thanked the Council and the Town for the recognition and partnership stating that they really appreciate the honor, and that it aligns with their core values of Lowe's giving back to the community and being involved.

Mayor Young expressed appreciation of our Citizen and Organization of the Year commenting that they are examples of individuals and organizations that the Town appreciates having here in the Town, thanking them both for what they do for our community.

15. Recognition of Johnathan Lyon as "Town of Troutman Employee of the Month" for April, (Ron Wyatt, Town Manager / Josh Watson, Police Chief)

Police Chief Josh Watson proudly recognized School Resource Officer (SRO) Jonathan Lyon as "Employee of the Month" for April. Officer Lyon has been with the department for 3½ years starting in the patrol division and is currently assigned the the SRO Unit and serves as SRO for the Troutman Elementary School. Chief Watson stated that since his assignment, there is not a week that goes by that he does not receive a compliment from a parent, administrator, and even students about the positive things he is doing at the school and with the students by interacting, laughing, even dancing with the kids. He stated that his nomination was also based on Officer Lyon's time off when he attends all sporting events of the kids which shows dedication to the students. Officer Lyon created a "Pride Award" that he presents at the end of the year. He goes above and beyond to engage with the students, gain their trust, and guide them in a positive way. Chief Watson presented Officer Lyon with a Certificate of Recognition.

Mayor Young expressed appreciation to Officer Lyon for all that he does and for what he does for the children in the school. He also expresses appreciation to the whole department and what they do every day stating that it does not go unnoticed. He requested that Chief Wastons share his sentiments with the rest of his force.

IV. NEW BUSINESS

16. Request for Demolition of an Abandoned Residential Structure Located at 135 Ruffin Loop, Troutman, North Carolina, 28166 (HC-22-09), (Shane Harris, Code Enforcement Officer)

a. Call for a Public Hearing

Mayor Young Opened the Public Hearing

Code Enforcement Officer Shane Harris presented Housing Code Case: HC-22-09 to the Council for consideration of demolition. In a PowerPoint presentation, he presented a brief history of the process that took place prior to this Hearing stating that the case has been open since June 6, 2022; a notice of hearing was sent to property owner Erin Wood on February 6, 2024 for a schelduled meeting to be held February 21st at Town Hall to present the Findings of which the property owner was not present. The Findings were

sent to the owner on February 27th giving the owner until March 28th to respond to the Findings. Again there was no response from the property owner. Therefore, Mr. Harris requested to demolish the home. A location map and photo's of the interior and exterior of the dilapidated home were presented in the PowerPoint as Mr. Harris explained the violations stating that there are other violations and issues per the Minimum Housing Code. He shared that the estimated repair cost would exceed \$40,000 and the tax value is \$45,000. Therefore, the repair cost exceeds 50% of the present value and thereby qualifies for condemnation.

Mayor Young Closed the Public Hearing

(Public Hearing Sign-In Sheet is attached to these minutes)

b. Approval of Ordinance 10-24 Titled: “*An Ordinance To Extend The Corporate Limits Of The Town Of Troutman, North Carolina (Contiguous)*”

Upon motion by Councilmember Henkel, seconded by Councilmember Jaroszynski, and unanimously carried, Ordinance 10-24 Titled: “*An Ordinance Requesting The Demolition Of An Abandoned Residential Structure Located At 135 Ruffin Loop, Troutman, North Carolina, 28166*” was approved.

Mr. Harris stated that he would have to get an estimate on the cost of an asbestos test before demolition can occur and will provide the Council with that cost.

(Copied in full, Ordinance 10-24 is filed in Ordinance Book 10, Page 101)

(Copied in full, Ordinance 10-24 and findings are attached to these minutes and is filed on CD Titled: “Town Council Supporting Documents” dated May 6th and 9th, 2024 in CD Book #1 Titled: “Town Council Supporting Documents” along with staff report, and Public Hearing Notice)

17. Text Amendment TA-24-02: Amend Article 6.4.3 Campaign Signs of the Troutman UDO Article 6.4.3 Campaign Signs, (*Andrew Ventresca, Interim Planning Director*)

a. Call for a Public Hearing

Mayor Young Opened the Public Hearing

Interim Planning Director Andrew Ventresca presented text amendment TA-24-02 stating that the request is to amend UDO Article 6.4.3 Campaign Signs to align language with the NCGS 136-32 that allow Campaign signs to be placed in the North Carolina Department of Transportation (NCDOT) right-of-way (ROW) during an election period and limiting the size allowed in the ROW to 6 sq. ft. (2x3). He explained that currently the Town's UDO allows Campaign Signs up to 32 sq. ft. on US Hwy 21, Wagner Street, Old Mountain Road, and Talley Street. This amendment will bring the UDO into compliance with the state statute. In a PowerPoint presentation, he shared a paragraph from the state statues that states the time frame in which these signs are allowed to exist is basically 30 days before the beginning of the one stop early voting (primary or main election) and requires them to be removed within 10 days after the election. Therefore, he is recommending the following:

Remove Article 6.4.3 Campaign Signs; and **Replace** Article 6.4.3 Campaign Signs as as follows:

- The maximum sign area is 6 square feet.
- Must be located to maintain sight distances and sight triangles at intersections.
- May be allowed in the right-of-way, except for right-of-way immediately adjacent to Town-owned property.
- May be installed up to 30 days prior to early voting.
- Shall be removed within 10 days after the election.
- Will follow all regulations as outlined in NCGS 136-32.

Mr. Ventresca stated that the Planning Board unanimously recommends approval of the request.

No others spoke in favor of or against the request.

Mayor Young Closed the Public Hearing

(Public Hearing Sign-In Sheet is attached to these minutes)

b. Approved Adoption of Ordinance 11-24 Titled: “*An Ordinance Amending The Town Of Troutman Unified Development Ordinance*”

Upon motion by Councilmember Henkel, seconded by Councilmember Oxsher, and unanimously carried, approved Ordinance 11-24 Titled: “*An Ordinance Amending The Town Of Troutman Unified Development Ordinance*”

c. Approval of Statement of Consistency

Upon motion by Councilmember Henkel, seconded by Councilmember Jaroszynski, and unanimously carried, approved that the TA-24-02 is consistent with the 2018 Strategic Plan and the Unified Development Ordinance and reasonable and in the public interest as it is consistent the goals of the Troutman Strategic Plan.

(Copied in full, Ordinance 11-24 is filed in Ordinance Book 10, Pages 102)

(Copied in full, Ordinance 11-24, is attached to these minutes and is filed on CD Titled: “Town Council Supporting Documents” dated May 6th and 9th, 2024 in CD Book #1 Titled: “Town Council Supporting Documents” along with the staff report, public hearing notice)

18. Text Amendment TA-24-03: Amend Articles 3.4.3 Accessory Structures (Residential) and 3.4.3.1 Accessory Structures (Commercial) of the Troutman UDO, addressing fencing aesthetics

a. Call for a Public Hearing

Mayor Young Opened the Public Hearing

Interim Planning Director Andrew Ventresca presented TA-24-03 stating that the request is to amend UDO Article 3.4.3 and 3.4.3.1 addressing accessory structures allowed in residential and commercial districts. He stated the staff is recommending language be added to each section addressing how fences are constructed, specifically which side of the fence faces the public. He stated that prior to the UDO rewrite (pre 2018) there was language that was inadvertently left out of the new ordinance. The Town has received complaint calls regarding some fences that were recently constructed that prompted staff to look into the situation. He stated that the recommendation is as follows:

Add (M) to Article 3.4.3 (Residential Accessory Structures); and **Add (G)** to Article 3.4.3.1 (Commercial Accessory Structures) as follows:

“Fences shall be constructed with the finished side facing the adjacent property or street.”

The Planning Board unanimously recommended approval.

No others spoke in favor of or against the request.

Mayor Young Closed the Public Hearing

(Public Hearing Sign-In Sheet is attached to these minutes)

b. Approval of Ordinance 12-24 Titled: “An Ordinance Amending The Town Of Troutman Unified Development Ordinance”

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Henkel, and unanimously carried, Ordinance 12-24 Titled: “An Ordinance Amending The Town Of Troutman Unified Development Ordinance” was approved as presented.

c. Approval of Statement of Consistency

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Henkel, and unanimously carried, that the text amendment is consistent with the 2018 Strategic Plan and the Unified Development Ordinance and is reasonable and in the public interest as it is consistent with the goals of the Troutman Strategic Plan.

(Copied in full, Ordinance 12-24 is filed in Ordinance Book 10, Page 103)

(Copied in full, Ordinance 12-24, is attached to these minutes and is filed on CD Titled: “Town Council Supporting Documents” dated May 6th and 9th, 2024 in CD Book #1 Titled: “Town Council Supporting Documents” along with the staff report, and Public Hearing Notice)

PUBLIC COMMENTS

The public is invited to address the Town Council with comments or concerns. Public comment is limited to three (3) minutes per individual. Speakers are required to sign in at the podium and are required to adhere to Town Policy #51 Titled: “Policy Governing Comments from the Public at Town Meetings”

(For Live Streaming, go to the link on the home page of the Town Website at www.troutmannnc.gov)

- Dale Lamb, resident of York Road off Massey Street voiced a complaint regarding traffic parking in the road, blocking traffic on Massey.
- Sharon Parks, with Republic Services, formally Benfield Sanitation Service (BSS) addressed the Council apologizing stating that she is use to Public Comments at the beginning of a meeting and was originally told there was going to be a discussion on the Solid Waste contract tonight and then a few hours before the meeting, she was informed it was going to be on the consent agenda. She stated that there may have been some miscommunication on the pricing when they first took over BSS and through the current RFP process. Ms. Parks commented that she was hoping to ask the Council to table the vote tonight to engage with the Council to go over the pricing during the time of acquisition and through the RFP process so they would receive a fair opportunity in the decision. She commented that any consideration the Council could give her would be greatly appreciated.
- Jimmy Amico, owner of Madd Money Garage addressed Council regarding the Code Violation of the mural painted on the building of his business. He stated that he wrote a letter to the Town saying that he would come into compliance by April 30th, weather permitting with a letter attached from a painting contractor describing what it would take to paint over the mural such as the season of the year and temperatures. Since April 30th it has just now become consistently above 30 degrees stating that he was not ignoring the situation; there was no opportunity before April 30th to paint. In addressing a letter he received from the Town, Mr. Amico stated that the fines will continue until the violation has been resolved, he requested that the Council suspend the fines until such time the situation can be resolved.
- Jeremy Shaw, owner of Cedar Stump Pub addressed Council regarding the outdoor seating area, deck, and stage at the back of his business that is located on Town property stating that he received a call from Town Manager Wyatt to remove everything interfering with the property and property line by June. He provided a brief history of how the outside area came about during COVID-19. Mr. Shaw informed Council that he spoke with Dr. Patel and his wife Jodi, owners of the property who had thought the property was theirs, stating that they are willing to purchase that area of land if the Town is willing to sell. Mr. Shaw requested to be put on the Council's agenda next month (June) to formally speak to the Council for their consideration of purchasing that small area of land.

(Copied in full, a map of the area that is infringing and a letter from property owner Jodi Patel, landlord, and property owner inquiring if the Town would be willing to sell a portion of the property is filled on CD Titled: "Town Council Supporting Documents" dated May 6th and 9th, 2024 in CD Book #1 Titled: "Town Council Supporting Documents")

VI. ELECTED / OFFICIALS / STAFF REPORTS AND COMMENTS

Elected Reports and Comments

Mayor Young - Addressed Public Comments...

- Addressed Jeremy Shaw's public comments stating we will get with Mr. Wyatt and get back with him about getting on June's agenda and how we can work through the issue.

- Stated that the request from Jimmy Amico is a conversation that can be followed up with him after the meeting.
- Addressed Ms. Parks concerning the Solid Waste contract stating that the process Council understood from the RFP is what they acted on. He stated that he could get with Manager Wyatt who had to leave due to an emergency, to inform him of your concerns and maybe provide a response back.
- Commented that the Town will take his concern regarding the issue of parking on the street into consideration. Code Enforcement Officer Harris stated that he is aware of Mr. Lamb's concern and at one time there was a boat and trailer parked there, he was able to get them moved due to a town ordinance but, the ordinance does not say anything about vehicles being parked there. He acknowledged the safety issue with large trucks trying to turn out of Brookside onto Massey, but his hands are tied because parking on that street is not prohibited in the Town ordinances. Councilmember Henkel commented that staff could look at the situation, maybe continue discussions with Mr. Lamb, and bring back suggestions to the Council.

Councilmember Henkel

- Commented that he hopes that with discussions between the Town Manager and Mr. Shaw, things will work out and if possible, the Council will hear a presentation in June.

Councilmember Jaroszynski

- Expressed appreciation to the citizens who came to share their concerns and for sharing with the Council what is taking place in the community. He commented that he looks forward to seeing an agenda item regarding the request from Mr. Shaw to let the Council know what is going on and to help with the businesses here that invest in the community.
- Commented that he shares the concern of Mr. Lamb regarding the safety of parking along the road.
- Recognized Troutman Police Department for assisting with the Peace Officer Memorial at Beulah Baptist stating that it was great to see our local Police in attendance and representing the Town at that state-wide gathering for the fallen officers all over the state.

Councilmember Oxsher

- Thanked the public for their attendance and for sharing their concerns stating that too many times this room is empty. He welcomed Mr. Lamb to the community and for bringing the concern to the Council's attention.
- Commented that he is about 85% that he will not be at Council's meeting next month.
- Congratulated the Citizen and Organization of the Year.

Mayor Young

- Expressed congratulations and appreciation to the Citizen and Organization of the Year commenting that they are truly great examples of what it means to be part of Troutman.
- Stated that the last couple of weeks, the Law Enforcement in our community (including Charlotte, Mooresville, Statesville, and Gastonia) have faced difficulties and asked that they be kept in our thoughts and prayers.

- Expressed thanks and appreciation to Jonathan Lyon (Employee of the Month) for all he has done in the school system.
- Thanked the citizens for the feedback they provided tonight, and we look forward to responding to those requests stating that it doesn't always mean it will be what you want, but we will try to get you a response; their request does not fall on deaf ears. He commented that these Council members have difficult decisions to make.

Staff Reports and Comments:

Andrew Ventresca, Interim Planning Director

- Recognized Lynne Hair stating that he appreciates all she did for this Town in the 3 years she served as Planning Director. He commented that she served the Town well, and was not only a boss but a now a lifelong friend.
- Stated that the walls are starting to go up on the Tractor Supply and Food Lion Store at Exit 42 and that he hopes the influx of rooftops that Troutman has got in the last several years continue to bring these service and retail industries to Troutman.
- Informed Council that CRTPO has started a monthly community spotlight program where they select one municipality out of their 27 municipality region to present something positive from the region. They selecting Troutman to share the Mobility Plan adopted last year at the CRTPO meeting next week.
- Shared that at the Council's June meeting, there will be 3 rezoning and 1 text amendment for consideration.

**** VII. CLOSED SESSION PURSUANT TO 143-318.11(A)(3) TO CONSULT WITH AN ATTORNEY.**

Mayor Young called for a Closed Session pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(3) to consult with an attorney.

Along with Mayor Young and Town Council, Kimberly Davis, Town Clerk; Jessica Davidson; and Gary Thomas, Town Attorney joined the Closed Session.

Upon motion by Councilmember Henkel, seconded by Councilmember Jaroszynski, and unanimously carried, approved to hold a Closed Session to consult with attorney.

Mayor Young Opened the Closed Session

****MINUTES OF CLOSED SESSION HAVE BEEN SEALED UNTIL SUCH TIME PUBLIC INSPECTION WILL NO LONGER FRUSTRATE THE PURPOSE OF THE CLOSED SESSION***

Closing of Closed Session and Reconvene Open Session

Upon motion by Councilmember Jerry Oxsher, seconded by Councilmember Eddie Nau, and unanimously carried, approved to reconvene open session.

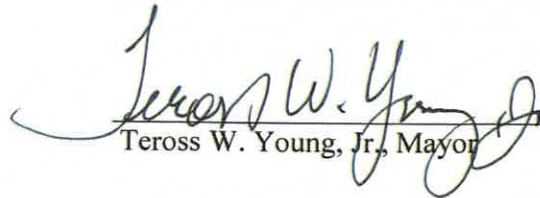
Action taken as a result of the Closed Session:

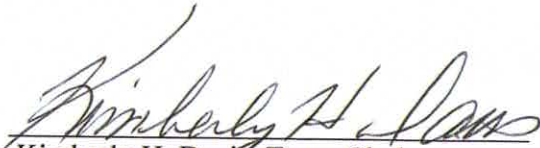
None

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Henkel, and unanimously carried, approved to reconvene open session.

VII. VIII. ADJOURNMENT

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Henkel, and unanimously carried, approved to adjourn the May 9, 2024 Town Council meeting at 9:05 pm.


Teross W. Young, Jr., Mayor


Kimberly H. Davis, Town Clerk

(**) Adjustments to the Agenda

