

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

TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES

August 9, 2021 – 4:00 P.M. – Troutman Town Hall

Presiding: Mayor Teross W. Young, Jr.

Council Members Present: W. Paul Henkel, Sally P. Williams; George W. Harris; Edward R. Nau; Felina L. Harris

Council Members Absent:

Staff Present: Ronald Wyatt, Town Manager; Danielle Upright, Deputy Town Clerk; Steve Shealy, Finance Director; Gary Thomas, Town Attorney; Emily Watson, Parks and Rec. Director; Lynn Hair, Planning Director; Andrew Ventresca, Associate Planner; Jonathan Wells, Interim Planning Director; Adam Lippard, Public Works Director; Darrin Payne, Interim Police Chief; Michael Barker, IT

Press Present: Debbie Page, Iredell Free News

Others: See attached Sign-In sheet

I. MAYOR YOUNG CALLED THE AUGUST 9, 2021 AGENDA BRIEFING MEETING TO ORDER

• **Adjustment(s) to the Agenda Briefing Agenda**

- Addition under Section II. (A) as Item 2. - Discussion of Municipal Attorney Conference Items, *(Gary Thomas, Town Attorney)*

• **Adoption of the Agenda Briefing Agenda**

*Upon motion by Councilmember Eddie Nau, seconded by Councilmember Sally Williams, and unanimously carried, approved the August 9, 2021 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)

Councilmember George Harris

- Informed Council of a meeting he had with a citizen from New Street requesting that the Town require the developers of "The Meadows" (the old land field property on the corner of Eastway Drive and Winecoff Street) to install a fence due to a safety concern of a 20' cliff/drop off into the creek at the back of the property and metal protruding out from the hill. The fence would also deter trespassers from coming onto his property. Mr. Harris stated that he expressed to the

citizen that the Town could not force the developer to build a fence and that he feels it would be best if possibly the homeowners association install a fence rather than the developer. Mr. Jonathan Wells, Interim Planner stated that a fence was not included as part of the approved site plan, therefore the developers are not required to build it.

- Inquired about a publication in Statesville Record and Landmark of a request by Howard Bryan to release rezoning and subdivision jurisdiction to the Town of Troutman by the Iredell County Commissioners at their August 17th meeting of 1 acre for proposed use of a restaurant. Town Manager Wyatt replied that the property is located on Hwy 21 South in the Exit 42 area. He stated he is not sure why Mr. Bryan went to the County first and not the Town.

Councilmember Sally Williams

- Commented that National Night Out (NNO) sponsored by the Troutman Police Department had a good turnout.

Councilmember Eddie Nau

- Thanked Chief Payne and all participant involved for a successful National Night Out (NNO) stating it was a great event for the community.
- Voiced concerns regarding the following Code Enforcement issues stating that enforcement needs to be stepped up:
 - . Advised that entrances are blocked at night leaving no emergency access and there are still structures up at the Auto Body Shop located on the corner of Barium Lane and Hwy 21. Town Manager Wyatt advised that the Town is aware and that Code Enforcement and Planning Department are addressing several issues.
 - . Truck in parking lot by Kats Patch resting on jacks that has been left for several months has grass growing underneath it and is an eyesore. Requested that the police check into the owner of the vehicle. Interim Police Chief Payne stated that he has sent officers to check on it when it was first left in the parking lot stating that he will follow up. Town Manager Wyatt stated that the truck is on private property and that it was in compliance and properly registered when it was first left there.
 - . Stated that trash is being left in and around the area of the car wash on the corner of Old Mountain Road and Hwy 21. He asked that the issue be addressed. Manager Wyatt stated that the property owner has tried to take amends such as posting "closed for business" signs on the property. No trespassing signs have been posted several times but were stolen and/or vandalized. The property owner pays someone to take care of the facility such as mowing and debris pick-up on a regular basis.
- Requested an updated on the proposed Dunkin Donuts and Burger King. Manager Wyatt stated that permits for Dunkin Donuts have been submitted. The sign design submitted was returned to the sign vendor with remarks regarding Town expectations. Interim Planner Jonathan Wells stated that the sign vendor has made some progress in efforts of meeting the Town's sign ordinance. He also informed Council that he has issued site plan approval for the property.

Councilmember Felina Harris

- In thanking Interim Police Chief Payne for a successful National Night Out (NNO) she expressed how much she had enjoyed the event.
- Inquired as to how the regular meetings with North Carolina Department of Transportation (NCDOT) are coming along and is there any positives coming from those meetings. Town Manager Wyatt responded that he would say it was a very good first meeting and there are some positives coming due to face-to-face meetings here locally where they can see and experience the issues firsthand.

- Expressed interest in educating citizens regarding the Town and local government sometime in the future with possibly holding a Citizens Academy or have interns do informational video's to post on the Town's Facebook page. Mayor Young stated that the Town held several Citizen's Academy's in the past. Initially it was well received, but towards the end it was a struggle to fill the seats. The idea of partnering with the county with their program was once discussed. Councilmember Henkel suggested the possibility of a community forum on Facebook to answer citizen's questions.

Councilmember Paul Henkel

- Requested to join the committee that is meeting with NCDOT if permissible. Manager Wyatt stated that it would be fine to have two Council members and Mayor attend.
- Inquired as to the results of the traffic study at Old Murdock Road and US Hwy 21 in regards to warranting a traffic signal. Manager Wyatt responded that the study is complete and it came back as not meeting criteria. However, the study was done at the end of the school year stating it was not a fair sample because juniors and seniors were not required to attend school due to COVID. NCDOT is willing to come back and repeat the study at a more normal time.

Mayor Young

- Thanked Interim Police Chief Payne for all the hard work with National Night Out (NNO) commenting that he is sorry he was out of Town and unable to attend.
- Asked Interim Chief Payne if there is a plan in place for the upcoming Iredell County Fair. Interim Chief Payne responded that Troutman Police will be sharing responsibility with the Iredell County Sheriff's Office and that he does not foresee any problems other than normal traffic.

***Addition: Discussion of Municipal Attorney Conference Items, (Gary Thomas, Town Attorney)**

For Council's information, Attorney Thomas presented a handout/legislative update that he received at the NC Association of Municipal Attorneys Conference regarding bills in the legislature. He highlighted several bills that are unfunded mandates that could cost Town's a lot of money and that the House wants to be very restricted on Town's and wants to place more financial burdens on Town's and advised that in efforts to stop bills that Council is not in favor of is to contact the state senator. He also pointed out Regulatory requirements related to Land Use and Development such as regulating tree removal, short term rentals, and prohibited service agreements for water service. In conclusion, Attorney Thomas announced that Frayda Bluestein with the School of Government is retiring after 30 years of service. Last week a scholarship was created in her honor called "The Frayda Bluestein Scholarship Fund for the Municipal and County Administration". The last page of the handouts has the scholarship donation information available. Town Manager Wyatt and Mayor Young asked for clarity regarding House Bill (HB) 831-Cities/Prohibited Service Agreements. Attorney Thomas explained that the bill would prohibit the Town from entering into development agreement/contract to provide water service for the purpose of annexation.

(Copied in full, handouts are filed on CD titled; "Town Council Supporting Documents" dated August 9th and 12th, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

1. Discussion Regarding Face Mask in Town Hall

Open discussion was held regarding face mask and COVID protocol. Town Manager Wyatt stated staff currently there are signs in place suggesting that anyone coming into Town Hall to please consider wearing face mask. It is not mandatory. Protocols regarding other government

agencies and the Iredell County school system, other than on school buses, face mask are optional. Everyone is encouraged to be thoughtful and courteous of others. In reference to getting the shots, he stated that it is personal and there differing opinions among staff. He stated he tries to protect every employee but at the same time he is very conscious of everyone that walks into the office to serve the public of their choices when it comes to taking shots. He requested that Council to be respectful of employees' personal preferences as well as cautious in regards to liability. Manager Wyatt recommended his personal opinion of continuing to recommend people to wear face mask for the safety of others and recommend taking the shot and not to mandate a rule for our employees.

Mayor Young also stated that he wants to make sure that our staff is protected and safe and that he personally understands the nuances around people in making that choice but hopefully the Town can have a policy that allows some of that flexibility. He commented that he thinks it is at least incumbent of Council to communicate in writing to people that interact with staff therefore, between Council and staff we can decide on what a policy looks like.

Council members expressed their personal opinions and concerns regarding mask and vaccinations among employees in efforts of providing a safe work place with several voicing strong opinions and others not. All were in agreement that they want a safe and healthy workplace.

Attorney Thomas stated that in North Carolina if an employee catches a disease because of work, the employee's revenue is workers comp and workers comp is denying all COVID claims. The Unemployment Security Commission is denying all claims for unemployment if you are out because of COVID. Councilmember Henkel asked for Attorney Thomas' legal opinion if the Town left vaccination decisions up to staff and some do not get the vaccine would the Town be liable if an employee become ill and/or dies is the Town or Council liable. Attorney Thomas responded at this point no because exclusive remedy is workers comp and workers comp says you cannot collect even for death. Mayor Young suggested that the Town continue to follow the Center of Disease Control (CDC) guidance in strongly recommending wearing mask and getting the vaccine and asked that signage be posted based on the CDC requirements.

B. Staff Comments/Business

1. Monthly Revenue Update, (Steve Shealy, Finance Director)

Finance Director Steve Shealy reported that the Town's sale tax continues to be very robust. The water and sewer billing also was very strong for the month of July. Property tax bills are now going out so those collection totals will be picking up soon, but everything continues to grow. Councilmember Paul Henkel asked where the Town stands in receiving additional funding from the American Rescue Plan. Mr. Shealy replied that the Town has received the first of two payments on July 30th in the amount of \$441,000 plus some odd dollars. Councilmember Henkel asked when the Town expected to receive the remaining funding. Mr. Shealy replied probably next year. The Town will have either two or three years to spend the funds of some type of project. He stated that there are a number of options/projects, one of which is water and sewer infrastructure.

In recognizing the tis is Finance Directors last report to Council, Councilmember George Harris congratulated Mr. Shealy on his retirement stating that the Town will miss him. Mayor Young commented that he appreciates Mr. Shealy's service. Councilmember Henkel commented he

hates to see him go and that his service to the Town has been a positive in that he took the Town's finances up with his expertise. Mr. Shealy expressed appreciation Council's support over the years and for everything that Council has done for the Town over the years it is a different Town from when he first came.

(Copied in full, monthly revenue update is filed on CD titled: Town Council Supporting Documents" dated August 9th and 12th, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

2. Discuss Greenway Banners, (Emily Watson, Parks and Recreation Director)

Emily Watson, Parks and Recreation Director stated that in the Planning Retreat a few months back it was discussed to refresh the greenway banners and the frequency of how often they were changed. Ms. Watson proposed several banner options for a Fall, along with a new Patriotic Banner. Council was in agreement to go with a double sided leaf banner for Fall and a new flag banner. In expressing interest in a Spring banner; Ms. Watson agreed the look into some Spring designs. Ms. Watson explained that the proposed banners are made of a durable marine canvas and that it will not stretch.

Ms. Watson stated that she and Public Works Director Adam Lippard have come up with a schedule that works for his department that is not so labor intensive. The proposed schedule is as follows:

- 2nd week in November through the 2nd week in January - Christmas Wreaths will be displayed;
- 3rd week in January to Memorial Day – Paddle banner;
- Memorial Day to Labor Day – US Flag banner;
- Labor Day to the 2nd week in November – new Fall banner.

(Copied in full, examples of banner designs are filed on CD titled: Town Council Supporting Documents" dated August 9th and 12th, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

3. Discuss Health and Wellness Program, (Watson)

Emily Watson Parks and Recreation Director presented a health and wellness program offered by Planet Fitness (Statesville and/or Mooresville) for employees for a cost of \$17 a month per employee plus one guest per visit for all amenities. The rate for Iredell County Rec. Center is \$30 per employee a month. Town Manager Wyatt explained that there is annual screening and that it would have an impact on the Town insurance rate. Councilmember Sally Williams commented it is a great thing to do and be very economical. Councilmember Paul Henkel agreed but also expressed concerns of how often employees will actually take advantage of the program and inquiring as to how the Town will be protected. Manager Wyatt stated that he does not have a fail proof method other than the honor system. Councilmember Felina Harris stated that the Town could probably get monthly reports from the fitness centers for tracking. Councilmember George Harris suggested a 6 month trial. Councilmembers Eddie Nau and Paul Henkel were in agreement to allow the employee the option to choose between Planet Fitness and Iredell County Rec Center. Manager Wyatt commented that the option could be provided but he feels that there would be more of a value to the employees due the services offered at Planet Fitness. Councilmember Harris stated that hopefully one day the Town will have their own facility.

*Upon motion by Councilmember Paul Henkel, seconded by Councilmember George Harris, and unanimously carried, approved to allocate up to \$30 per employee towards membership at Planet Fitness in either Mooresville or Statesville, or at the Iredell County Rec Center.

4. Discuss and Review Payroll Pro Solutions Proposal, (Ronald Wyatt, Town Manager)

Town Manager Wyatt reviewed with Council the presentation previously presented at Councils Planning Retreat of Payroll Pro Solutions by Larry Powers. He stated that the payroll program is Kronos based and is a platform that is widely used. Manager Wyatt commented that the information received in Councils meeting packets highlight the program features such as clocking in and out, payroll processing, etc. Cost is broken down by functionality on an informational sheet that is also included in the packets. Manager Wyatt highly recommended approval of the program stating that it will be cost saving in the long run.

*Upon motion by Councilmember Paul Henkel, seconded by Councilmember Eddie Nau, and unanimously carried, approved Payroll Pro Solutions contract.

(Copied in full, Payroll Pro Solutions proposal is filed on CD titled: Town Council Supporting Documents" dated August 9th and 12th, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

5. Discuss and Review Public Records Request Policy (Policy #52), (Wyatt)

Town Manager Wyatt recommended Council approve to amend the Town's Public Record Request Policy (Policy #52) removing the \$35.00 per hour fee for custom services and replace it with the rate of the employee's actual hourly rate.

Discussion was held regarding the origination of the policy and issues surrounding past and recent public records request of which fees were charged and not charged. Town Manager Wyatt stated that in seeking out professional advice; the state Public Information Officer (PIO) did say that he could not give legal advice and the state statues are vague; but a flat \$35 fee gave him heartburn. Council discussed setting a time limit on researching for at what timeframe fees should start accruing. Town Manager Wyatt suggested two (2) hours. Attorney Gary Thomas stated in speaking with Frayda Bluestein with the School of Government the normal timeframe of other municipalities that have this charge begin at (4) four hours. Council members were in agreement that a time limit and fee is needed and to wait to consider voting on the policy until Council's Thursday night's meeting requesting that the revised policy be presented for consideration.

(Copied in full, original policy, proposed policy and NCGS is filed on CD titled: Town Council Supporting Documents" dated August 9th and 12th, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

6. Overview of the Upcoming Regular August 12, 2021 Meeting Agenda Items Scheduled to be Presented, (Wyatt)

Town Manager Wyatt briefly reviewed agenda items as presented on the August 12th Town Council meeting agenda:

Consider approval of 4 sets of minutes and a budget amendment to re-appropriate items approved in the prior year's budget under Consent Agenda.

There are 3 introductions of new employees listed: Andrew Ventresca the Town's new Associate Planner and 2 new Police Officers-Hunter Riddle and Rex Eure as well as one addition of Lynne Hair, the Town's new Planning Director. Ms. Hair who was present introduced herself to Council stating today is her 1st day on the job. She informed Council that she came from the Town of Stallings where she was the Planning Director for 15 years and that she and her family just moved to Mooresville. She is excited about living in this area and working with Council and staff.

Layton Getsinger, Chair of the ABC Board will be present to give the ABC Store report.

Consideration of an annexation request, a rezoning request, text amendment and Code of Ordinance amendment regarding goats and the keeping of livestock will be presented under New Business.

Under New Business an amendment to the Code of Ordinances is to be presented in reference to signage on the greenway.

Town Manager Wyatt advised that an item will be added under New Business to Thursdays final agenda titled: "Discussion of TBC By-laws".

****Upon request-Chuck Gallyon Parade Committee Chairman addressed Town Council.***

Mr. Gallyon addressed Council with a request to donate \$500 from the parade funds to CATS for the use of the facility grounds for the parade lineup and \$200 to West Iredell High School Band for their participation. He asked if Council would add a presentation on Thursday's agenda. Mayor Young asked Finance Director Steve Shealy if there are funds in the budget. Mr. Shealy responded yes. Town Manager Wyatt to review the numbers in the parade budget line and get back to Council.

Mr. Gallyon, also President of the Kiwanis Club asked if Council received their invitation to the ribbon cutting for the opening of the Iredell County Fair. Mayor Young responded yes but he will not be able to attend advising that Mayor Pro Tem Paul Henkel will be filling in for him.

7. Hold Closed Session Pursuant to General Statutes 143-318.11(a)(3) to Consult with Attorney; and Pursuant to General Statutes 143-318.11(a)(6) for a Personnel Matter

Mayor Young called for a Closed Session pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(3) to consult with an attorney; and pursuant to NCGS 143-318.11(a)(6) for a personnel matter.

Along with Mayor Young and Town Council, Town Manager Ronald Wyatt, Deputy Clerk Danielle Upright, and Town Attorney Gary Thomas joined the Closed Session. Deputy Clerk Upright and Town Attorney Thomas were excused for the personnel portion of the closed session.

*Upon motion by Councilmember Sally Williams, seconded by Councilmember George Harris, and unanimously carried, approved to hold a Closed Session pursuant to NCGS 143-318.11(a)(6) to consult with attorney; and NCGS 143-318.11(a)(6) to discuss a personnel matter.

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 Sally Williams, seconded by Councilmember Paul Henkel, and unanimously carried, approved to reconvene open session.

Action taken as a result of the Closed Session – None

III. ADJOURNMENT

*Upon motion by Councilmember George Harris, seconded by Councilmember Paul Henkel, and unanimously carried, approved to adjourn the Agenda Briefing of August 9, 2021.

Time of adjournment: 9:11 p.m.

Daniel Up

Kimberly H. Davis
Kimberly H. Davis, Town Clerk

Teros W. Young, Jr.
Teros W. Young, Jr., Mayor



(*) Motion(s)

(**) Addition(s)