

**MINUTE BOOK XXX, PAGES 89-101  
TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES  
October 14, 2021**

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, October 14, 2021 at 7:00 p.m. with the Mayor Teross W. Young, Jr., presiding.

Councilmembers Present: Mayor Pro Tem W. Paul Henkel; Sally P. Williams; George W. Harris; Edward R. Nau; Felina L. Harris

Absent: None

Staff Present: Kimberly Davis, Town Clerk; Lynne Hair, Planning Director; Andrew Ventresca, Associate Planner; Justin Mundy, Finance Director; Gary Thomas, Town Attorney; Lt. Darrin Payne, Interim Police Chief; Michael Barker, IT

Press Present: Debbie Page, Iredell Free News

**I. MAYOR YOUNG CALLED THE MEETING TO ORDER**

**MAYOR YOUNG WELCOMED VISITORS AND GUESTS**

**INVOCATION** – Delivered by Pastor Wesley Morris, Ostwalt Baptist Church

**PLEDGE OF ALLEGIANCE**

**ADJUSTMENTS TO AND APPROVAL OF THE AGENDA (\*\*Adjustments)**

**Consent Agenda Item 4(c)** – Councilmember Paul Henkel requested to change the proposed Public Hearing date in Resolution 22-21 from November 10, 2021 to December 09, 2021.

Upon motion by Councilmember Paul Henkel, seconded by Councilmember Sally Williams, and carried, approved to change the Public Hearing date from November 10, 2021 to December 09, 2021 by a 4-1 vote.

Yeas: P. Henkel, S. Williams, G. Harris, F. Harris

Nays: E. Nau

**Consent Agenda Item 8** – Councilmember Paul Henkel requested removal consideration of Item 8 “Approval of Amendment to the Town of Troutman, Iredell County and Children’s Hope Alliance Wastewater Agreement from the agenda, and add it to Council’s November 10, 2021 meeting.

Upon motion by Councilmember Paul Henkel, seconded by Councilmember Eddie Nau, and unanimously carried, approved to remove Item 8 (wastewater agreement) from the agenda, adding the item to Council’s November 10, 2021 meeting.

**Agenda Items 12 & 13 under Old Business** – Councilmember Paul Henkel requested that Item 12 & Item 13 pertaining to the annexation request (AX-21-01) and rezoning request (CZ-RM-21-01) for Winecoff Village be continued to Council’s December 09, 2021 meeting.

Councilmember Nau asked why the applicants are requesting another deferral. Planning Director Hair responded that it is her understanding that the applicant has to re-do the site plan due to floodplain/wetland issues and also NCDOT has made some widening recommendations for Winecoff Street. Therefore, she thinks they are wanting more time to work

through those issues and see if they can make their plan work. Councilmember Nau asked if Council should continue with their request or remove from the agenda. Ms. Hair stated that Council could do either. Staff continues to send notifications to adjoining property owners, but continuing keeps the Town from having to re-advertise in the newspaper which saves the Town money. Councilmember Nau asked if it should go back before the Planning Board. Ms. Hair stated only if the site plan changes significantly.

Upon motion by Councilmember Paul Henkel, seconded by Councilmember Sally Williams and unanimously carried, approved the agenda as amended above.

**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.*

**ITEM 1. Approval of Agenda Briefing Meeting Minutes of September 07, 2021**

**ITEM 2. Approval of Closed Session Meeting Minutes of September 07, 2021**

**ITEM 3. Approval of Regular Meeting Minutes of September 09, 2021**

**ITEM 4. Annexation Request AX-21-04 (Non-Contiguous) Project Name: Troutman Logistics; Applicant: Timothy Douglas, et.al.; 159.134(+/-) acres; PIN(s) 4741519085 (Douglas property), 4741616292 (Douglas property), 4741723835 (Douglas property), 4741726187 (Douglas property) , 4741708547 (Murdock property), 4740798755 (Murdock property), 4741601981 (Thomas property), portion of 4741409550 (Carrigan property), portions of 4741506602 (Day property), portion of 4741507774 (Hobbs property), portion of 4741504957 (Carrigan property), 4741728927 (Poole property), located at the Intersection of US Hwy 21 and Ostwalt Amity Road**

**a. Adoption of Resolution 21-21 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 22-21 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 November-10, 2021 December 09, 2021) Changed under Adjustments to the Agenda**

**ITEM 5. Annexation Request AX-21-06 (Contiguous) Project: Wagner Street Townhomes; Applicant: Mary Tolbert; 13.6(+/-) acres; PIN(s) 4731825159; (located between Quail Haven Drive and Era Street)**

**a. Adoption of Resolution 23-21 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 24-21 Titled: “Resolution Fixing Date of Public Hearing On Question of Contiguous Annexation Pursuant to Article 4A Of G.S. 160A” (Setting Public Hearing Date of November 10, 2021)**

**ITEM 6. Annexation Request AX-21-08 (Non-Contiguous) Project Name: Rocky Creek; Applicant: Adelaide Horton & et.al; 53.0(+/-) acres; PIN(s) 4740586774; (located on Charlotte Hwy)**

**a. Adoption of Resolution 25-21 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 26-21 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 November 10, 2021)**

**ITEM 7. Approval of Resolution 27-21 Titled: “Resolution Approving Financing Terms” (BB&T/Truist Bank)**

**\*\* ITEM 8. Approval of Amendment to the Town of Troutman, Iredell County and Children’s Hope Alliance (CHA) Wastewater Agreement Removed from Agenda under Adjustments to the Agenda**

**ITEM 9. Budget Amendments:**

- Falls Cove Waterline Extension (\$17,965)
- Capital Budget Reserve Transfer to Utility Fund-Purchase of Sewer Capacity (\$233,220)

**ITEM 10. Approval of Design Review Board (DRB) Rules of Procedure**

**ITEM 11. Approval of Amendment to the Town of Troutman Schedule of Fees**

Upon motion by Councilmember Paul Henkel, seconded by Councilmember George Harris, and unanimously carried, approved Consent Agenda as amended.

(Copied in full, Resolution 21-21 is filed in Resolution Book IV, Page 22)

(Copied in full, Resolution 22-21 is filed in Resolution Book IV, Page 23)

(Copied in full, Resolution 23-21 is filed in Resolution Book IV, Page 24)

(Copied in full, Resolution 24-21 is filed in Resolution Book IV, Page 25)

(Copied in full, Resolution 25-21 is filed in Resolution Book IV, Page 26)

(Copied in full, Resolution 26-21 is filed in Resolution Book IV, Page 27)

(Copied in full, Resolution 27-21 is filed in Resolution Book IV, Page 28)

(Copied in full, Resolutions 21-27, Certificates of Sufficiency, Wastewater Agreement, Budget Amendments and Schedule of Fees is attached to these minutes and is filed on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**III. 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". Public comments can be received by mail at 400 N. Eastway Drive, Troutman NC 28166, live stream chat of no more than 350 words, or email [kdavis@troutmannnc.gov](mailto:kdavis@troutmannnc.gov) (emails can be received up to 5:00 pm the day of the meeting).*

- Nicholas Jaroszynski voiced concerns regarding growing traffic and traffic congestion resulting from transfer trucks trying to make turns and blocking the road at the intersection of Old Murdock Road and US Hwy 21 stating that it is creating a safety issue. In speaking with Saddle Creek Logistics Distribution Director, he is willing to put in or assist the Town in installing "no right turn" signage out of the facility onto Old Murdock Road. He stated that the Logistics Director also suggested that a "no right turn" sign be installed on Hwy 21 at Old Murdock Road for vehicles with more than three axils that could be enforced by the local Police Department and that a weight limit is stipulated for Old Murdock Road as well. He also voiced concerns regarding an increase in crime with car break-ins by mischief teens and restless children due to mandating of Town activities where children cannot interact with the community and sustain their social aspect pointing out that it is causing some to struggle with mental issues. He also addressed the mandating of mask and medical issues for some not being able to wear the mask.

Mayor Young stated that Council will take his comments into consideration

*No public comments submitted via live stream, email, or hand written.*

**IV. STANDING REPORTS**

- **Troutman Fire Department Quarterly Report, (Wesley Morris, Fire Chief)**

Wesley Morris, Fire Chief presented the following quarterly report:

- . Last week the department took delivery of two new apparatus (a new rescue pumper and a 2000 gallon tanker) which are now in the process of getting equipped.
- . Training:
  - o Eight (8) full time personnel have completed state certification of a 120 hour Technical Rescue Class. Training hours for personnel are required for the department to maintain Heavy Rescue Certification.
  - o Upcoming Vehicle Rescue Class will be held at the departments training facility at CATS next week

- . The County has accepted three new full-time job positions making the Department fully staffed. These new personnel will start October 25<sup>th</sup>.
- . Update on the Station 3 project-Currently awaiting engineering drawings before proceeding forward.

Chief Morris thanked Council for their continued support.

- **Troutman ABC Store Quarterly Report, (Layton Getsinger, ABC Board Chairman)**

Layton Getsinger, ABC Board Chairman stated that on behalf of the Troutman ABC Board (Wes Edmiston and Kim Cavin) and General Manager Evelyn Walls, thanked Council for the opportunity to provide an update on the ABC Store's performance for the end of the 1<sup>st</sup> Quarter of Fiscal Year 2021-2022. He stated as a precursor that the store just received the results of our annual audit once again receiving a clean audit with no significant findings. Mr. Getsinger stated that when he was before Council in August he indicated that there had been a slight down tick in sales in the 4<sup>th</sup> Quarter over the previous year. Fortunately, the new Fiscal Year began with a roar. July was up 9.4%, August 25% and September 31% over last year.

Mr. Getsinger reported that the board has signed a contract for a parcel of land for a second store. There are some technicalities that need to be worked out before they can close on the deal and before going public on its location.

**HIGHLIGHTS:**

- 1st Quarter Highlights
  - . \$744,051 in sales
  - . \$614,110 last year
  - . \$129,942 Increase quarter over quarter (or an 21.2% Increase)
- 1st Quarter Net Profit
  - . \$63,729 for this year
  - . \$39,446 last year
  - . \$24,283 Increase quarter over quarter of 62%
- 1st Quarter Operating Expenses averaged \$28,337 per month a slight increase over 1st Quarter last year.

**Quarterly RECAP**

- Budgeted Revenue for 2021-2022 is \$2,362,000
- Revenues for 1st Quarter: \$744,051. (32% of Budge)
- The store is on a trajectory to do \$2,960,000
- Budgeted profit before distribution: \$199,722
- Distributions are estimated at \$92,000
- Retained Working Capital: \$487,432 (against a max allowed of \$490,812). This max allowed was reset at the end of the audit. The store will reach its maximum allowed this month.

Since opening, the store has generated \$743,254 in profit before distributions and has made distributions of:

- \$205,769 to the town and its identified recipients
- \$27,078 to law enforcement and
- \$37,909 to DACI (alcohol & drug education) since the store begin operations in December 2016.

Beginning next month we will be able to put the excess over the working capital into a "Specific Capital Improvements" account which will go towards the and construction of a second store.

The store is fully staffed with no known needs to add additional payroll for the coming year.



Mr. Getsinger concluded by commenting that on behalf of the ABC Board we thank you for the opportunity to be of service.

Councilmember Nau extended his appreciation to Mr. Getsinger, ABC Board and store staff for their hard work and for the dollars that are coming back to the community. He also commented to how clean the store is being kept. Mr. Getsinger stated that Evelyn Walls, General Manager is the reason the store does so good.

## V. OLD BUSINESS:

Items 12 & 13 Continued to Council's December 09, 2021 meeting.

- \*\*ITEM 12. Annexation Request AX-21-01 (Contiguous) Project Name: Winecoff Village; Applicant: Peggy Jolly; 34.69 (+/-) acres; PIN(s) 4741261714, 4741164796, 4741164993; (Winecoff Street) (Continued since Council's May meeting)**
- a. Hold Public Hearing
  - b. Consider Adoption of Ordinance 06-21 Titled: *"An Ordinance to Extend The Corporate Limits Of The Town of Troutman, North Carolina (Contiguous)"*
- \*\*ITEM 13. Rezoning Request (CZ-RM-21-01) Project Name: Winecoff Village; Applicant: Peggy Jolly; 34.69 (+/-) acres; PIN(s) 4741261714, 4741164796, 4741164993; (Winecoff Street) from Suburban Residential (RS) and Town Residential (RT) to Residential Mixed Conditional (CZ-RM) (Continued since Council's May meeting)**
- a. Hold Public Hearing
  - b. Consider Adoption of Ordinance 07-21 Titled: *"An Ordinance Changing The Zoning Classification Of The After Described Property From Suburban Residential (RS) And Town Residential (RT) To Residential Mixed Conditional (CZ-RM) Case CZ-RM-21-01 Property Known As Winecoff Village"*
  - c. Consider Adoption of Statement of Consistency

## VI. NEW BUSINESS

**ITEM 14. Annexation Request AX-21-05 (Non-Contiguous) Project Name: Speedway; Applicant: Big Daddy and Nonnie, LLC; 2.71(+/-) acres; PIN(s) 4740931943; (Location-Charlotte Hwy on Lexus Drive), (Lynne Hair, Planning Director)**

### a. Call for a Public Hearing

*Mayor Young Opens the Public Hearing*

Planning Director Lynne Hair presented annexation request AX-21-05 for project Speedway, petitioned by Big Daddy and Nonnie, LLC. The property is 2.71 acres located on Charlotte Highway south of the Exit 42 Interchange.

Site Engineer Mark Zimmerman was present to answer any question.

No others spoke in favor of or against the proposed annexation.

*Mayor Young Closes the Public Hearing*

(Public Hearing Sign-in Sheet is filed with these minutes)

**b. Adoption of Ordinance 13-21 Titled: "An Ordinance to Extend The Corporate Limits Of The Town of Troutman, North Carolina (Non-Contiguous)"**

Upon motion by Councilmember Sally Williams, seconded by Councilmember Eddie Nau, and unanimously carried, approved Ordinance 13-21 Titled: "An Ordinance to Extend the Corporate Limits of the Town of Troutman, North Carolina (Non-Contiguous)"

(Copied in full, Ordinance 13-21 is filed in Ordinance Book 9, Pages 35-37)

(Copied in full, Ordinance 13-21 and public hearing notice is filed with these minutes and is filed with the annexation petition, site map, and plat on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**ITEM 15. Rezoning Request (RZ-21-02) Project Name: Speedway; Applicant: Big Daddy and Nonnie, LLC; 2.71(+/-) acres; PIN(s) 4740931943; (Location-Charlotte Hwy on Lexus Drive) from Iredell County G-B (General Business) and R-A (Residential Agricultural) to Town of Troutman HB (Highway Business), (Hair)**

**a. Call for a Public Hearing**

*Mayor Young Opens the Public Hearing*

Planning Director Lynne Hair presented rezoning request RZ-21-02 for 2.71 acres, project name Speedway, located on Charlotte Highway between Wendy's and Bojangle's. The property is currently zoned Iredell County General Business; the requested zoning is Town of Troutman Highway Business. She stated that this is a straight rezoning, therefore all permitted uses in the HB District should be considered prior to making a determination. A site location map, aerial photo, zoning map, and future land use map were presented via Power Point illustrating that the property is currently surrounded by Town of Troutman Highway Business and Iredell County General Business with the Future Land Use Plan showing the property as Interstate Commercial. She presented a brief description of the Highway Business District stating that it was established to provide retail and service uses. Ms. Hair concluded by stating that staff recommends approval of the request as the request fits in with the Interchange Commercial designation shown on the Future Land Use Map. The Planning and Zoning Board recommended that the request is consistent with the Future Land Use Map and the surrounding area.

No others spoke in favor of or against the proposed annexation.

*Mayor Young Closes the Public Hearing*

(Public Hearing Sign-in Sheet is filed with these minutes)

**b. Adoption of Ordinance 14-21 Titled: "An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County General Business (G-B) And Residential Agricultural (R-A) To Town Of Troutman Highway Business (HB)"**

Upon motion by Councilmember George Harris, seconded by Councilmember Paul Henkel, and unanimously carried, approved Ordinance 14-21 Titled: "An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County General Business (G-B) And Residential Agricultural (R-A) To Town Of Troutman Highway Business (HB)"

**c. Adoption of Statement of Consistency**

Upon motion by Councilmember George Harris, seconded by Councilmember Felina Harris, and unanimously carried, approved rezoning to Highway Business is consistent with the 2035 Future Land Use Map to allow appropriate highway-oriented commercial development at this location. The request is consistent with the currently-adopted Unified

Development Ordinance. The request is reasonable and in the public interest as it proposes to allow commercial development in areas of Troutman where it is appropriate.

(Copied in full, Ordinance 14-21 is filed in Ordinance Book 9, Pages 38)

(Copied in full, Ordinance 14-21 and public hearing notice is filed with these minutes and is filed with the rezoning application, location map, current zoning map, future land use map, table of uses, Planning Boards recommendation and Power Point presentation on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**ITEM 16. Rezoning Request (RZ-21-03) Applicant: Superior Properties of Iredell; 1(+/-) acres; portions of PIN(s) 4740938470 & 4750031554; (Location-Charlotte Hwy 600 feet south of the intersection with Garden Center Avenue) from Iredell County H-B (Highway Business) to Town of Troutman HB (Highway Business), (Andrew Ventresca, Associate Planner)**

**a. Call for a Public Hearing**

*Mayor Young Opens the Public Hearing*

Associate Planner Andrew Ventresca presented rezoning request RZ-21-03 stating that the subject property is located on Charlotte Highway adjacent to Taco Bell (applicant: Superior Properties of Iredell). Mr. Ventresca explained that previously the property was zone Iredell County Highway Business but currently has no zoning destination due to the property being released from county jurisdiction upon the request of the applicant into the Town's ETJ. The Town must apply a zoning destination within 60 days from the county releasing the property. The request is to zone the property to the Town of Troutman Highway Business district. He stated that Highway Business is designed to attract retail and service uses. An aerial photo, zoning map, and future land use map were presented via Power Point illustrating that the property is currently surrounded by Town of Troutman Highway Business districts and Iredell County General Business. The Town's Future Land Use Plan shows the property as Interstate Commercial which is typically located at or near freeway interchanges. Staff recommends approval of the request due the factor that Highway Business fits in with the Interchange Commercial designation shown of the Future Land Use Map; the property is surrounded by other properties zoned Highway Business; and that the property was previously zoned Iredell County Highway Business. He advised that the Planning and Zoning Board recommended approval of the request stating that the request is consistent with the Future Land Use Plan Map and the surrounding area.

Councilmember George Harris stated that when the release of zoning advertised in the paper by Iredell County, it was mentioned that the property was to be the future site of a restaurant. Mr. Ventresca stated that staff has not received any information as to the development of this property but at the time the property is purposed to be developed, the property will have to be annexed in order to have Town utilities.

No others spoke in favor of or against the proposed annexation.

*Mayor Young Closes the Public Hearing*

(Public Hearing Sign-in Sheet is filed with these minutes)

**b. Adoption of Ordinance 15-21 Titled: "An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County Highway Business (HB) To Town Of Troutman Highway Business (HB)"**

Upon motion by Councilmember Sally Williams, seconded by Councilmember Paul Henkel, and unanimously carried, approved Ordinance 15-21 Titled: "An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County Highway Business (HB) To Town Of Troutman Highway Business (HB)"

**c. Adoption of Statement of Consistency**

Upon motion by Councilmember Sally Williams, seconded by Councilmember Felina Harris, and unanimously carried, approved rezoning to Highway Business is consistent with the 2035 Future Land Use Map to allow appropriate highway-oriented commercial development at this location. The request is consistent with the currently-adopted Unified Development Ordinance. The request is reasonable and in the public interest as it proposes to allow commercial development in areas of Troutman where it is appropriate.

(Copied in full, Ordinance 15-21 is filed in Ordinance Book 9, Pages 39)

(Copied in full, Ordinance 15-21 and public hearing notice is filed with these minutes and is filed with the rezoning application, location map, current zoning map, future land use map, table of uses, Planning Boards recommendation, adjacent property owner notice, and Iredell County Release of Zoning Jurisdiction Info. on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**ITEM 17. Annexation Request AX-21-07 (Contiguous) Applicant/Project Name: The Meadows of Troutman, LLC; 1.367(+/-) acres; portion of PIN(s) 4741054722; (Location-Winecoff Street), (Hair)**

**a. Call for a Public Hearing**

*Mayor Young Opens the Public Hearing*

Planning Director Lynne Hair presented annexation request AX-21-07 for 1.367 acres, a portion of property for The Meadows of Troutman, LLC located off Winecoff Street. Ms. Hair stated that the Town previously annexed and approved a conditional zoning for this project and that during plan review it was realized that a portion of that property was not annexed. Applicant is asking that the remaining 1.367 acres be annexed into the Town in order to clean up the property boundaries.

Councilmember Paul Henkel asked if the acreage will fall under the conditional zoning previously established. Ms. Hair confirmed that it would.

No others spoke in favor of or against the proposed annexation.

*Mayor Young Closes the Public Hearing*

(Public Hearing Sign-in Sheet is filed with these minutes)

**b. Adoption of Ordinance 16-21 Titled: "An Ordinance to Extend The Corporate Limits Of The Town of Troutman, North Carolina (Contiguous)"**

Upon motion by Councilmember Sally Williams, seconded by Councilmember George Harris, and unanimously carried, approved Ordinance 16-21 Titled: "An Ordinance to Extend the Corporate Limits of the Town of Troutman, North Carolina (Contiguous)"

(Copied in full, Ordinance 16-21 is filed in Ordinance Book 9, Pages 40-42)

(Copied in full, Ordinance 16-21 and public hearing notice is filed with these minutes and is filed with the annexation petition, site map, and plat on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")



**ITEM 18. Text Amendment (TA-21-03) to the Town of Troutman Unified Development Ordinance (UDO): Digital Billboards, (Hair)**

**a. Call for a Public Hearing**

*Mayor Young Opens the Public Hearing*

Planning Director Lynne Hair presented the proposed text amendment (TA-21-03) on behalf of applicant Cannon Carolina Media to include language in the Town's Unified Development Ordinance (UDO) to allow digital billboards in a very specific geographical corridor on Interstate 77. She presented a brief description regarding digital billboards stating that they are used for advertising along interstates/highways and major corridors that utilizes changeable copy and digital LED technology. She stated that the amendment will effect two Articles in the UDO—Article 6 referencing Signs, and Article 13 which is the definition section. The following proposed amendments regarding digital billboards are as follows:

- Proposed/recommended requirements:
  - . Allowed in the HB district only
  - . Within 2,000' of the centerline of I-77 and Route 21 at the Exit 42 Interchange (only allowed 2,000' to the North and 2,000' to the South)
  - . No sign support be allowed no further than 100' off the I-77 right-of-way.
  - . Sign size: 14' x 48' per sign face
  - . Maximum height of 50 ft. to the top of sign face, excluding cutouts or embellishments
  - . One sign face per side of structure with a max of 2 sign faces back to back or V configuration
  - . Maximum of 25 degrees separation between the two signs on a single support structure
  - . Maximum two sign structures within the allowable district.
- Additional proposed/recommended requirements:
  - . Location: No closer than 75' from adjacent Commercial Districts. No closer than 5' from NCDOT Right of Way
  - . Illumination: Automatic Dimmer set to prohibit the sign from exceeding 7,500 candles per square meter during daylight hours and 500 candles per square meter between dusk and dawn.
  - . Additional Limitations: No flashing or moving copy; static position of 8 seconds per message.
  - . Designed to freeze in one (1) position or discontinue the display if a malfunction occurs.
  - . May be used for on premise and off premise advertising.
  - . One of the eight (8) sign changes will be reserved for public use at the Town's discretion.
  - . Does not prohibit property owner from erected other types of allowable signage on property where an Electronic Billboard is located.
  - . Electronic sign operator must own property or have an executed lease agreement with property owner where digital billboard is to be located.
- Sign Illumination by Zoning District (Table):
  - . Allows for external and internal illumination
- General Construction and Maintenance of Signs:
  - . Added word "static" to differentiate between digital and static billboards.
  - . Requires the removal of signage from an abandoned business within 30 days and applies to static billboards, not digital.
  - . Lists static billboards as prohibited. This applies to new billboards only.
- Definitions:
  - . Added definitions for "Static Billboards" and "Digital Billboards".

Planning Director Hair stated that the Planning and Zoning Board recommended denial of the request at their September meeting by a vote of 4-2. She stated that staff has reviewed the Town's Land Use Plan and ordinances and based on the lands use plan goal of growth in keys areas, staffs recommends approval of the amendments as presented.

In representation of the applicant, Mr. Chris Carney spoke in favor of the UDO amendment commenting that this is an opportunity to help local business owners thrive along with the opportunity of communicating with the public. He commented on the aesthetics of digital billboards stating they are much nicer than the static billboards and that now is the time to upgrade.

Councilmember George Harris questioned whether the 2,000' north and south is in the Town's ETJ. Planning Director Hair replied that not all of it is in the Town limits. Some is in the Town's ETJ, and some is in the county. He expressed concern with the sign being so close to the interchange. Mayor Young commented that most that he is familiar with are located close to interchanges.

*Mayor Young Closes the Public Hearing*

(Public Hearing Sign-in Sheet is filed with these minutes)

**b. Adoption of Ordinance 17-21 Titled: "Ordinance Amending The Town Of Troutman Unified Development Ordinance"**

Upon motion by Councilmember Sally Williams, seconded by Councilmember Felina Harris, and carried, approved Ordinance 17-21 Titled: "Ordinance Amending The Town Of Troutman Unified Development Ordinance" by a 4-1 vote.

*Yeas: Sally Williams, Paul Henkel, Felina Harris, Eddie Nau*

*Nays: George Harris*

**c. Consider Adoption of Statement of Consistency**

Upon motion by Councilmember Felina Harris, seconded by Councilmember Sally Williams, and carried, approved by a 4-1 vote that the Text Amendments are consistent with the Troutman Strategic Plan and the Future Land Use Map as they align with the Plan's focusing growth in key areas as part of its vision statement. The proposed changes are reasonable and in the public interest as they clarify procedures and conditions under which billboards are allowed.

*Yeas: Sally Williams, Paul Henkel, Felina Harris, Eddie Nau*

*Nays: George Harris*

(Copied in full, Ordinance 17-21 is filed in Ordinance Book 9, Pages 43-46)

(Copied in full, Ordinance 17-21 and public hearing notice is filed with these minutes and is filed with the application, Planning Board recommendation, and diagrams on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**ITEM 19. Consider Façade for Accessory Structures (DRB-21-04) 697 North Main Street; Applicant: Desired Image Collisions and Customs, (Ventresca)**

Associate Planner Andrew Ventresca presented a request for facade approval for commercial accessory structures located at 697 North Main Street (Desired Image Collisions and Customs) currently zoned Highway Business. Chris Ellis, Representative of the request for façade approval was not present. Mr. Ventresca stated that the request is to allow for metal non-residential accessory structure of which he read aloud the definition. A map of the site with the location of the structures along with pictures of the accessory buildings were shown through a Power Point presentation. Mr. Ventresca stated that the Town's Unified Development Ordinance (UDO) requires the Design Review Board (DRB) to review and make a recommendation to Town Council on the design of all non-single family buildings. He continued by explaining that non-residential accessory structures are permitted in all commercial districts without any guidelines within the UDO, nor does the UDO provide design standards for non-residential accessory structures. Mr. Ventresca stated that DRB did recommend approval of the two accessory structures as presented to the DRB as they are temporary in nature and not unattractive, but they also recommended that the property owner go through the established permitting process noting that any change in use of the property will require additional DRB review.

Councilmember Nau asked for clarification as to the building currently being in violation for being located on the property line. Mr. Ventresca responded that where the buildings are currently located seem to be in violation of a 10' setback requirement for accessory buildings and if this request is approved, the buildings will have to be moved 10' from the property line for compliance. He explained the permitting process stating that the applicant cannot get permits from the county until Town Council approves the design of the structures and the Town approves a zoning permit. A brief discussion was held regarding non-compliance issues and the open violation case against the business.

Upon motion by George Harris, seconded by Councilmember Nau, and unanimously carried, approved to table the request for façade approval until the buildings are moved 10' off the property line.

(Copied in full, staff report, UDO building design standards, and photos is filed on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

**ITEM 20. Approval of Design Review Board (DRB) Reappointments of Harry (Hap) Williams and Darrell Nantz for 3 Year Terms, (Kimberly Davis, Town Clerk)**

Town Clerk Kimberly Davis stated that there are two Design Review Board re-appointments for Council consideration, Hap Williams and Darryl Nantz whose terms are to expire on November 13, 2021. If re-appointed, each applicant would serve an additional 3 year term.

Upon motion by Councilmember Felina Harris, seconded by Councilmember George Harris, and unanimously carried, approved reappointment of Hap Williams and Darrell Nantz to the Design Review Board for a three (3) year term.

(Copied in full, applications for reappointment is filed on CD titled: "Town Council Supporting Documents" dated October 11<sup>th</sup> and 14<sup>th</sup>, 2021 in CD Book #1 titled: "Town Council Supporting Documents")

## **VII. ELECTED / OFFICIALS REPORTS AND COMMENTS**

- **Councilmember George Harris**
  - . Updated Council on Centralina Council of Government (CCOG) Board of Delegates virtual meeting held last night. Due to conversations regarding traffic issues in a 12 county region and the prediction of a 50% increase in people within the next two decades, a vote was taken to partner with Connect Beyond for Charlotte Area Transportation Study to look at expanding mobility with public transportation to relieve strain of on roads and streets with possibly light rail, buses, sidewalks, paths, etc.
- **Councilmember Felina Harris**
  - . Address the public comment by Nicholas Jaroszynski regarding children not having enough to do commenting that she was in a meeting yesterday discussing the same subject and it always came back to parenting and the parents finding things to keep kids busy and involved. She stating that in sitting here as a Council member and a parent, if things are taken away it is for the children's safety.
- **Councilmember Eddie Nau**
  - . Wished all candidates on the ballot the best of luck requesting that everyone vote stating that all votes count.
- **Councilmember Sally Williams**
  - . Expressed appreciation for the comments made by Councilmember Felina Harris.
- **Councilmember Henkel**
  - . Addressed the reason why he made the motion to Consent Agenda Item 4(c) to change the Public Hearing date for Troutman Logistics from Council's November meeting to their December meeting stating that his intentions is to provide an opportunity to make sure that no one feels that they have not been heard, being that this is a large project that will effect Troutman. He stated that Council's job is to protect the Town and its citizen's and provide for the common good, part of which is smart commercial growth. He announced that there will be an upcoming Planning and Zoning meeting that the public can attend if anyone feels they have not been heard.

- **Mayor Young**
  - . Expressed appreciation to Nicholas Jaroszynski for his comments made during the public comment section of the agenda. He addressed the comment regarding traffic stating that growing traffic is an area of concern and the Town is trying to address those concerns as plans and projects are being approved. As to his concerns regarding truck traffic on Old Murdock Road, the police department has looked into enforcement measures were applicable. Turn signs would need to be approved by NCDOT, and placing restrictions on weight limit is something the Town can look into. Hopefully there can be some resolutions.
  - . In addressing mandates he commented that he does not know of anything the Town has taken away from children that would be outside of safety concerns. As far as inside mandates, Mayor Young commented that he does not know of any government building you can enter without wearing a mask. The Town has a small staff that has been impacted by COVID and we are trying to ensure that our staff and those who attend the meetings are safe. He commented that he is not fond of wearing a mask, and is hopeful to be out of COVID restrictions soon.
- **Staff Comments:**
  - . Associate Planner Andrew Ventresca stated that NCDOT has awarded the Town a grant to redesign the Town's Bicycle/Pedestrian Plan. A community meeting was planned for this Saturday in conjunction with the Wicked Fast 5K Run, but the event has been cancelled. However, there is a virtual community input meeting (via zoom) planned for Thursday, October 21, 2021 at 5:30pm. The zoom link can be found on both the Town's website under "News" and the Planning Facebook page for all interested parties.

**VIII. HOLD CLOSED SESSION PURSUANT TO GENERAL STATUTES 143-318.11(A)(4) TO DISCUSS ECONOMIC DEVELOPMENT**

Mayor Young called for a Closed Session pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(4) to discuss economic development.

Along with Mayor Young and Town Council, Kimberly Davis, Town Clerk; Gary Thomas, Town Attorney; Jenn Bosser, Iredell Economic Development Corp. President and CEO and Chad Thomas, Director of Business Recruitment joined the Closed Session.

Upon motion by Councilmember Paul Henkel, seconded by Councilmember Felina Harris, and unanimously carried, approved to hold a Closed Session pursuant to NCGS 143-318.11(a)(4) to discuss economic development.

*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\*\***

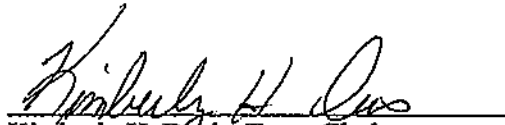
*Closing of Closed Session and Reconvene Open Session*

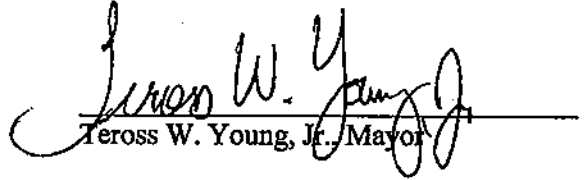
Upon motion by Councilmember Eddie Nau, seconded by Councilmember Felina Harris, and unanimously carried, approved to reconvene open session.

Action taken as a result of the Closed Session – None

**VII. ADJOURNMENT**

Upon motion by Councilmember George Harris, seconded by Councilmember Sally Williams, and unanimously carried, approved to adjourn the October 14, 2021 Town Council meeting at 9:00 p.m.

  
\_\_\_\_\_  
Kimberly H. Davis, Town Clerk

  
\_\_\_\_\_  
Teross W. Young, Jr., Mayor

(\*\*) Adjustments to the Agenda

