

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

**TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES**

**DECEMBER 11, 2023 – 4:00 P.M. – TROUTMAN TOWN HALL**

Presiding: Mayor Pro Tem W. Paul Henkel

Council Members Present: Mayor Pro Tem W. Paul Henkel; Jerry R. Oxsher; George W. Harris; Felina L. Harris

Council Members Absent: Mayor Teross W. Young, Jr. (Watching via live stream); Councilmember Edward R. Nau

Staff Present: Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Lynne Hair, Planning Director; Justin Mundy, Finance Director; Jessica Davidson; Lou Borek, HR Director; Emily Watson, Parks & Rec. Director; Josh Watson, Police Chief; Andrew Ventresca, Associate Planner; Gary Thomas, Town Attorney; Michael Barker, IT

Press Present: Debbie Page, Iredell Free News

**I. MAYOR PRO TEM PAUL HENKEL CALLED THE DECEMBER 11, 2023 AGENDA BRIEFING MEETING TO ORDER**

**Adjustments made to and Adoption of the Agenda Briefing Agenda (\*\*)**

**\*\*Remove Under IV. Closed Session G.S. 143-318.11(A)(3) to Consult with Attorney**

\*Upon motion by Councilmember Jerry Oxsher, seconded by Councilmember George Harris, and unanimously carried, approved the December 11, 2023 Agenda Briefing Agenda as amended.

**II. GENERAL BUSINESS**

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

**1. Council Comments**

**Councilmember George Harris**

- *Commented that staff did a great job with the Christmas Tree Lighting and the Christmas Parade of which both were very well attended.*

- Stated that he has enjoyed and feels blessed to have been part of the Town Council for the past 4 years commenting that he will miss it. Hopefully, a lot of good things will continue for the Town, and he will find other ways to participate.

**Councilmember Felina Harris**

- Expressed sadness to hear about the passing of Kenneth Reid stating that he was a great man.
- Stated that she enjoyed the parade commenting that it was excellent; another great job by Town Staff and everyone who helped.

**Councilmember Jerry Oxsher**

- Stated that he missed the tree lighting, but did attend the parade which was phenomenal.
- Acknowledged Pellegrino's restaurant which is going to be recognized by America's Best Restaurants stating that it is a huge honor for them and it is very good for the Town.
- Expressed appreciation and thanks to outgoing Councilmember George Harris for his service stating that he will be missed and that he taught him a lot about Town Council and how to be a good steward of the community.

**Mayor Pro Tem Paul Henkel**

- Expressed appreciation to outgoing Councilmember George Harris stating that he will miss him and that he is and was an asset to the Town. He looks forward to him staying in touch with the Town through other boards and committees as positions become available and in a couple of years there will be another election.

**B. Staff Items:** (At this time staff was provided the opportunity to make reports and comments)

**1. Habitat for Humanity Presentation,** (Laura Belcher, President/CEO)

Ms. Belcher addressed Council with an update about things going on throughout the region, this part of the county, and what may be coming in the future. She stated that as the Council thinks about housing and the needs of the community, know that Habitat for Humanity wants to be a partner with the Town and be a resource as needed. Ms. Belcher stated that they merged with Habitat Charlotte in 2020 with a service area from Pineville to Statesville.

In a PowerPoint Presentation, Ms. Belcher presented their Mission and Vision Statements stating that their Vision is that everyone has a decent place to live. She explained that Habitat works towards affordable housing making sure that residents have options, such as helping them work through diversity, helping provide ownership of new homes and home preservation/rehab, helping with grant funding, and expanding financial literacy. Ms. Belcher stated that this year is Habitat for Humanity's 40<sup>th</sup> anniversary and have also served their 4000<sup>th</sup> family this year. In 2024 they will be serving 450 families. There are 3 lots in Troutman where they will be providing new housing units within the next year or so as well as 1 repair project. She concluded by thanking Council for their time commenting that she is looking forward to partnering with the Town as Troutman grows. Mayor Pro Tem Henkel asked if she would address the sweat equity that the applicants put in and the financial part based on their income. Ms. Belcher replied that when they look at income; they need to have 80% ami or below and contribute 200-300 community investment hours. From a financial standpoint, they look at what a family can afford per the

federal financial guidelines (HUD) where a family should not spend more than 30% of their household annual income. Ms. Belcher explained the purchase process, deed restrictions for 1<sup>st</sup> right of purchase, and refurbishing of the home; keeping it within the system. Town Manager Wyatt asked how long their waiting list/backlog is. Ms. Belcher replied approximately 2 years but as they work through the backlog, they are still accepting applications. Mayor Young, via text, commented that aging in place is important in our community and anything Habitat can do to continue to assist is more than welcome.

(Copied in full, PowerPoint Presentation is filed on CD Titled: "Town Council Supporting Documents" dated December 11<sup>th</sup>, and 14<sup>th</sup>, 2023 in CD Book #1 Titled: "Town Council Supporting Documents")

**2. Presentation by Kimley Horn regarding On-Call Transportation Services, (Laura Reid and Steve Blakely, Kimley Horn)**

In a PowerPoint presentation, Ms. Reid presented an overall review of on-call services which included Traffic Input Analysis (TIA's), transportation and environmental studies, funding/grants, staff support, design, public engagement, and planning in areas of transportation, land use, and bike and pedestrian plans. She reviewed the TIA process as follows: scope, preparing development contracts, preparing TIA's, review of TIA's by Town and NCDOT (then coordinate with the applicant) and if needed, mitigation of concepts, and mitigation of agreement. Ms. Reid pointed out the difference in regards to the Town hiring the consultant versus the applicant hiring the consultant is that it would benefit the Town in consistency and efficiency of personnel and knowledge. It would also allow consistency between each study and between developers, giving the Town a say in the process. She highlighted precautions concerning the development community stating that there may be differences in processes, costs, and communications as well as differences from NCDOT requirements. Town Attorney Gary Thomas asked how they would handle conflicts and/or potential conflicts. Mr. Blakely stated that the Town would be advised ahead of time of any potential conflicts. Ms. Reid informed the Council that the on-call service proposal also includes different types of transportation studies such as corridor studies, intersection analysis, safety studies, and multi-model analysis. Mr. Blakely addressed funding stating that there are funding opportunities from CRTPO, prioritization (NCDOT), grants, etc.

Councilmember Jerry Oxsher asked Kimley Horn if they have worked on a development project in Troutman currently. Ms. Reid replied that she believes there has been one (1). He then asked what would be the cost to the Town of what they are proposing. Ms. Reid responded that the cost for the TIA would go to the developer; the study piece would be determined by what the study is, the scope of the study, and how the Town would like to fund it. Councilmember Oxsher questioned whether a town ordinance or state statute could require developers to select a firm of the Town's choosing for TIA's. Town Manager Wyatt stated it would have to be by ordinance, but if the Town had an On-call source for TIA's they would be familiar with all projects making it easier to streamline. Mayor Pro Tem Henkel commented that an On-call service puts the Town

in charge and it is more coordinated. They will be looking out for the Town's interest and will be fair to the developers. Planning Director Hair agreed that it would be in the Town's best interest making the process more transparent, and it would help with public trust because the town would have control of the process. She continued by stating that it would also help with the coordination of the timing of projects and project improvements as well as looking at things from a design standpoint.

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### **2. a. Presentation of Wagner Street – Streetscape and Troutman ESC Park Design, (Nathan Morgan, Design Associates)**

Mr. Morgan presented a PowerPoint presentation of updated facade designs and a streetscape proposal for the town-owned buildings located on Wagner Street. The 3-D façade presented showed metal awnings and the streetscape design demonstrated an ADA-compliant upward ramp with railings and store frontage patio areas to allow seating. Secondly, Mr. Morgan presented a design for the next phasing of the Troutman ESC Park that included a new concrete pad and patio connector between fields with bleachers; a new concession stand with storage (850'), tables and restrooms; updated and fenced-in volleyball, pickleball and basketball courts; new picnic shelter with tables; and new scoring box and covered extensions at each baseball field dugout. Councilmember Oxsher asked why the basketball and pickleball courts are so staggered. Mr. Morgan stated that the main reason is the topography and easy access without having to ramp down to it.

(Copied in full, PowerPoint Presentation is filed on CD Titled: "Town Council Supporting Documents" dated December 11<sup>th</sup>, and 14<sup>th</sup>, 2023 in CD Book #1 Titled: "Town Council Supporting Documents")

### **3. Town Manager/Staff Comments**

- Thanked all employees who helped make the recent town events a huge success; all of which continue to get larger each year.

Attorney Gary Thomas shared "food for thought", commenting that the Town of Lenoir is going through issues regarding its parade because of a controversial float that was in it. He advised that if a fee is paid and they go through the application process, the content cannot be regulated because of the 1<sup>st</sup> Amendment and the Town being a government entity; that is why towns have civic clubs and private entities do their parades. Manager Wyatt stated that he agrees with what the attorney advised stating that there is a disclaimer that parade applicants sign and he has the ultimate decision. He stated that it would be nice if the Town had civic

organizations as other towns do. Mayor Pro Tem Henkel commented that several groups have formed in Town over the past year or so and maybe as they grow, they will reach out to take over some of the events. Manager Wyatt stated that he thinks that they do want to be proactive in the community and at some point in the future one or several non-profits will step up.

#### **4. Discuss Setting a Date and Time for Council's Strategic Planning Retreat**

Town Manager Wyatt commented that the staff is looking to get parameters from the Council regarding the retreat in what to look for going forward. He stated that it is better for staff and the general public to have it here at Town Hall. Mayor Pro Tem Henkel and Councilmember Jerry Oxsher agreed commenting that Town Hall is more central and that there are advantages to having it here. He stated if there are dates that do not work for Council, to please let us know. Mayor Young's preference, via text, was the last week in February. Councilmember Oxsher stated that Feb. 28<sup>th</sup> and 29<sup>th</sup> are not good dates for him. Discussion to continue at a later time.

Manager Wyatt stated that he, with Mayor Chris Carney of the Town of Mooresville, is trying to plan an event with officials of both municipalities to come together for a general discussion to get to know each other better emphasizing that no formal Town business would be held.

#### **5. Discuss Essentials of Municipal Government for Elected Officials**

Manager Wyatt reviewed dates that Essentials of Municipal Government is being offered which includes the mandatory Ethic's training for newly elected and re-elected officials that is required to be completed within one year. He stated that he had sent the Council an email regarding a one-day overview of the course. Mayor Pro Tem stated that there is an option of a 2-hour Ethic's course online. All options to be distributed to Council.

### **III. OVERVIEW OF TOWN COUNCIL'S UPCOMING REGULAR DECEMBER 14, 2023 MEETING AGENDA ITEMS SCHEDULED TO BE PRESENTED**

#### **Consent Agenda Items:**

##### **Items 1-3. Minutes to be approved.**

No discussion held.

##### **Item 4. Approval of Resolution 39-23 Titled: *"Resolution Recognizing The Distinguished Service Of George W. Harris"***

No discussion held.

##### **Item 5. Approval of Resolution 42-23 Titled: *"Resolution In Memory Of Kenneth Alvin Reid"***

No discussion held.

**Item 6. Approval of Resolution 43-23 Titled: “Resolution Of Recognition For Outstanding Service And Entertainment As Radio Host For The “Home Add Show” On WSIC For “James Patrick ‘Pat’ Shannon” Upon His Retirement**

No discussion held.

**Item 7. Approval of the Town of Troutman Parks & Recreation 2024 Event Schedule**

Emily Watson, Parks and Rec. Director asked for direction from the Council regarding Fireworks for the 2024 celebration of Independence Day. Ms. Watson stated that she has 2 dates on hold (June 29<sup>th</sup> and July 3<sup>rd</sup>) with the Fireworks vendor who needs a confirmation of a date as soon as possible. She stated that the Independence Day Parade is scheduled to be held on June 29<sup>th</sup> but staff is looking at possibly July 3<sup>rd</sup> for the fireworks, to not have both events on the same day. Police Chief Josh Watson stated that having both events on the same day as in years past is hard staffing-wise. Town Manager Wyatt stated that several County Commissioners have reached out to say that the County may be interested in participating as well which is something that can be explored. He stated that he could reach out to the County Manager and ask if they are still interested and if so how much they can contribute. Manager Wyatt also stated that there are groups that may be willing to participate as well recommending that the fireworks be held. Ms. Watson stated that there are 3 factors different this year versus last year: 1) she has a Special Events Coordinator; 2) there are non-profit groups who have offered to step up and support the Town with projects and events; 3) if the fireworks were to be held on July 3<sup>rd</sup> which is a work day, staff is already here that day to do the leg work; therefore, there is no additional time accumulated after hours, it would be time absorbed in their regular work day. From a staff standpoint, Ms. Watson recommended never having both events on the same day ever again; do the parade on June 29<sup>th</sup> and fireworks on July 3<sup>rd</sup>. Town Manager Wyatt ask Council to keep that in mind the county’s future plans for the Fairgrounds which may have an impact on holding the Fireworks show there in the future. Mayor Young informed Council via text that he likes the 2-day option. Mayor Pro Tem agreed with the 2 events on separate days. Ms. Watson suggested that she inform the Fireworks Company to free up June 29<sup>th</sup> and that Council will make their final decision regarding the date of July 3<sup>rd</sup> at their regular meeting of December 14<sup>th</sup>. Council agreed.

**Item 8. Approval of an Incinerator Use Interlocal Agreement Between the Town of Troutman, City of Statesville, and Town of Mooresville**

Town Manager Wyatt explained that the Police Department has been using the county’s incinerator to destroy evidence that is no longer needed. The incinerator has issues and the department has not been able to burn. He advised that the drop box in the lobby overflowed and the department is limited on space in which to keep evidence. The approval of this agreement is a better option for scheduling. Chief Watson stated that the only time they were able to burn was when the county’s Animal Control incinerator was not being used and it has been down for approximately 8 months so the department has not been able to destroy any evidence during that time. The Town’s medicine drop box is currently unavailable for that reason. He stated that Statesville’s Police Department offered Troutman and Mooresville Police Departments to join in paying the remainder of the cost following the payment of funds from a grant; the remaining total is to be split 3 ways. Troutman will also pay every 3<sup>rd</sup> month’s gas bill. Statesville is providing a secured facility and each department has specific days to burn each week.

**Item 9. Approval of a Fee-In Lieu of Sidewalk for the O'Reilly Auto Parts located at 165 Julian Place**

Planning Director Lynne Hair explained that because of the re-alignment at Ostwalt Amity and Flower House Loop on Hwy 21, NCDOT does not recommend that the sidewalk be built until after the re-alignment.

**Item 10. Annexation Request AX-23-10 (Non-Contiguous), Applicant: BBC Rocky Creek, LLC, 19.511 (+/-) acres; PIN(s) 4740490827, located off Byers Road**

- a. Adoption of Resolution 40-23 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 41-23 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 January 11, 2024**)

No discussion held.

**Presentation(s) / Recognition(s):**

**Item 11. Recognition of Cameron Jones as "Town of Troutman Employee of the Month"**

No discussion held.

**Item 12. Introduction of the Troutman Police Department K-9 Unit**

No discussion held.

**Item 13. Award Presentation to Sgt. Jamie Bengel and Officer Michael Miller**

No discussion held.

**Item 14. Presentation of the Town of Troutman's 2022-2023 Budget Year Audit**

No discussion held.

**Item 15. Recognition in Memory of Kenneth Reid, Planning and Zoning Board Member**

No discussion held.

**Item 16. Recognition of Patrick "Pat" Shannon for his Outstanding Service and Entertainment as WSIC Radio Host of the "Home Ad Show" and in Honor of his Retirement**

No discussion held.

**Old Business:**

**Item 17. Consider an Infrastructure Reimbursement Agreement Between the Town of Troutman, and BBC Wakefield, LLC**

Town Manager Wyatt informed the Council that the agreement had been reviewed by both the Town's attorney and BBC Wakefield's attorney.

**New Business:**

**Item 18. Annexation Request AX-23-11 (Non-Contiguous)**, Applicant: Sondra Tilton on behalf of Sunbeam Estates, LLC; 36.86 (+/-) acres; PIN(s) 4741505002; 116/140/165 Royal Oaks Drive

- a. Hold Public Hearing
- b. Consider Adoption of Ordinance 40-23 Titled: *"An Ordinance to Extend The Corporate Limits Of The Town of Troutman, North Carolina (Non-Contiguous)"*

Town Manager Wyatt stated that this is the continuation of previous projects that have already begun.

**Item 19. Rezoning Request CZ-RM-23-03**, Applicant: Alex Bonda on behalf of Prestige Acquisitions, LLC; 36.86 acres; PIN(s) portion of 4741505002; 116/140/165 Royal Oaks Drive on the southwest side of Highway 21, from Iredell County RA (Residential Agriculture) to Town of Troutman CZ-RM (Conditional Mixed Residential)

- a. Hold Public Hearing
- b. Consider Adoption of Ordinance 41-23 Titled: *"An Ordinance Changing The Zoning Classification Of The After Described Property from Iredell County RA (Residential Agriculture) to Town of Troutman CZ-RM (Conditional Zoning-Mixed Residential)"*
- c. Consider Adoption of Statement of Consistency

Town Manager Wyatt stated that if the annexation occurs, this is the rezoning request by Alex Bonda on behalf of Prestige is a continuation of other projects that have already begun.

**Item 20. Rezoning Request RZ-23-08**, Applicant: Leon Bouwens, Jr.; 43 (+/-) acres; PIN's 4742226953, 4742323776, 4742215966, 379, and 381 Murdock Road on the north side of Murdock Road from the Town of Troutman RS (Suburban Residential) to the Town of Troutman LI (Light Industrial)

- a. Hold Public Hearing
- b. Consider Adoption of Ordinance 42-23 Titled: *"An Ordinance Changing The Zoning Classification Of The After Described Property from Town of Troutman RS (Suburban Residential) to Town of Troutman LI (Light Industrial)"*
- c. Consider Adoption of Statement of Consistency

Town Manager Wyatt stated that this property is in the Town's Extraterritorial Jurisdiction (ETJ) which allows the applicant to rezone before the property is annexed. Rezoning of the property is for Phase 3 of an already approved Industrial development.



**Item 21. Annexation Request AX-23-12 (Contiguous),** Applicant: MartinRay Holdings; 1.19 (+/-) acres; PIN(s) 4741327938 located on Maple Street, and 4741327896 located on Eastway Drive

- a. Hold Public Hearing
- b. Consider Adoption of Ordinance 43-23 Titled: *"An Ordinance to Extend The Corporate Limits Of The Town"*

Town Manager Wyatt stated that there is no rezoning request with this annexation. Planning Director Hair stated that the property is currently zoned Town Residential (RT) and the applicant will be building out the property by right as a single-family subdivision. This request is to annex a piece of property they are adding for an entrance drive.

### **Recognition of Outgoing Council Member**

**Item 22. Presentation in Recognition of the Distinguished Service of George W. Harris to the Town of Troutman**

No discussion was held.

### **Organizational Business:**

**Item 23. Administration of Oaths of Office for Town Council**

- a. Teross W. Young - Mayor
- b. Eddie R. Nau - Councilmember
- c. Nicholas D. Jaroszynski - Councilmember

Town Manager Wyatt stated that Mayor Chris Carney of Mooresville will administer the oaths of office.

**Item 24. Selection of Mayor Pro Tempore**

No discussion held.

**Item 25. Adoption of the Troutman Town Council 2024 Meeting Schedule**

No discussion held.

**Item 26. Consider Council Appointments**

- a. Appointment of Delegate and Alternate Delegate to Centralina Council of Governments (CCOG)
- b. Appointment of Alternate to Charlotte Regional Transportation Planning Organization (CRTPO)
- c. Appointment of Delegate and Alternate to Lake Norman Regional Transportation Commission (LNRTC)

Manager Wyatt stated that these appointments are very important as he asked that the Council think about which committee they would prefer to serve. He explained that CRTPO has an appointment of only an alternate because, by practice/history, the Mayor is the Delegate to that commission. Manager Wyatt suggested that the alternate to the CRTPO should be a veteran member who understands what all our plans and issues are when it comes to traffic and he does not feel it is fair to incoming Councilmember Nick Jaroszynski to put him in that position.

**Other:** Outgoing Councilmember George Harris suggested that Item VI, Organizational Business, be moved to after Old Business on the agenda commenting that elections have their consequences and he feels like he should not be voting on New Business. He has a personal belief that it is not his role and feels that it is the new Councilmember's right to vote on new business. Town Manager Wyatt stated that he understands his position and that he has spoken with the Mayor and with Councilmember elect Jaroszynski that even though those items are listed as new business they are attached to old business that has already been discussed and vetted in numerous different ways. In addressing Mr. Jaroszynski, Manager Wyatt asked if it was fair to say that during their discussion, he (Jaroszynski) stated that he did not think it would be fair to jump in and vote without background on the items. Mr. Jaroszynski stated that at that time yes, but after hearing Councilman Harris' opinion on it and receiving a packet to review everything, it would be up to the Council to decide. Councilmember Harris stated that he had a lot of heartburn over Councilmember Oxsher being sworn into office at 11:30 at night. He spoke of family that would want to attend and he has no desire to deny him coming in at the right time as the town always did in the past until the last election. He has a moral obligation and he is not going to vote on new business. If it is not going to be moved on the agenda, he will not be attending Thursday's meeting. Mayor Pro Henkel suggested moving the recognition of George Harris to January's meeting. Manager Wyatt commented that since the Mayor is not present, he would prefer that there be a discussion with the Mayor and he can modify the agenda as he sees fit. Councilmember George Harris stated that he would not be present for the December meeting.

**\*\*IV. 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) TO DISCUSS PERSONNEL**

Mayor Pro Tem Henkel called for a Closed Session pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(3) to consult with attorney, pursuant to North Carolina General Statutes (NCGS) 143-318.11(a)(6) to discuss personnel.

Along with Mayor Pro Tem Henkel and Town Council, Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; and Jessica Davidson joined the Closed Session.

\*Upon motion by Councilmember Jerry Oxsher, seconded by Councilmember George Harris, and unanimously carried, approved to hold a Closed Session pursuant to NCGS 143-318.11(a)(6) to discuss personnel.

*Mayor Pro Tem Henkel 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*

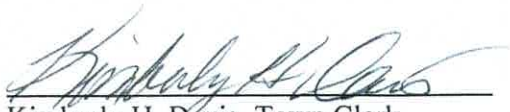
\*Upon motion by Councilmember George Harris, seconded by Councilmember Jerry Oxsher, and unanimously carried, approved to reconvene open session

**Action taken as a result of the Closed Session:** None

**V. ADJOURNMENT**

\*Upon motion by Councilmember George Harris, seconded by Councilmember Jerry Oxsher, and unanimously carried, approved to adjourn the Agenda Briefing Meeting of December 11, 2023. Time of adjournment: 6:45 p.m.

  
W. Paul Henkel, Mayor Pro Tem

  
Kimberly H. Davis, Town Clerk

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

