

**MINUTE BOOK XXXIII PAGES 98-106**  
**TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES**  
**September 12, 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, September 12, 2024 at 7:00 p.m. with Mayor Teross W. Young, Jr., presiding.

Councilmembers Present: Jerry R. Oxsher; W. Paul Henkel, Nicholas D. Jaroszynski, Edward R. Nau, Felina L. Harris

Councilmembers Absent: None

Staff Present: Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Andrew Ventresca, Planning Director; Josh Watson, Police Chief; Jason Ralston, Town Attorney; Travis Goldstein, Senior Systems Administrator

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 Paul Henkel

**PLEDGE OF ALLEGIANCE**

**ADJUSTMENTS TO AND ADOPTION OF THE AGENDA (\*\*)**

Addition to Item VII - Closed Session – NCGS 143-318.11(a)(5) to discuss the acquisition of property.

Upon motion by Jaroszynski, seconded by Oxsher, and unanimously carried, the addition of the closed session under Item VII to discuss the acquisition of property was approved.

Upon motion by Councilmember Nau, seconded by Councilmember Henkel, and unanimously carried, approved adoption of the September 12, 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 Agenda Briefing Meeting Minutes of August 5, 2024**
- 2. Consider Approval of Closed Session Meeting Minutes of August 5, 2024**
- 3. Consider Approval of Regular Meeting Minutes of August 8, 2024**
- 4. Consider Approval of a DRB-24-06; Façade Approval for Zaxbys, 1132 Charlotte Highway, PIN 4750-02-0016 as Recommended by the Design Review Board**

**5. Consider Amendment to the Town of Troutman Schedule of Fees**

**6. Consider Amendment to the Town of Troutman Water and Sewer Service Policy (Policy #29)**

Upon motion by Councilmember Henkel, seconded by Councilmember Nau, and unanimously carried, Consent Agenda items were approved as presented.

(Copied in full, Water and Sewer Service Policy (Policy #29) is filed in Policy Book #1)

(Copied in full, amended Fee Schedule are attached to these minutes and are filed on CD Titled: "Town Council Supporting Documents" dated September 5<sup>h</sup> and 8<sup>th</sup>, 2024 in CD Book #1 Titled: "Town Council Supporting Documents" with the Zaxby's façade information and amended Water and Sewer Service Policy-Policy # 29)

**III. RECOGNITIONS / PRESENTATIONS**

**7. Recognition of Officers Ethan Winsor and Johnathon Garcia as the "Town of Troutman Employees of the Month" for August 2024, (Ron Wyatt, Town Manager/Josh Watson, Police Chief)**

Police Chief Josh Watson presented C-Squad which consists of Sgt. Ethan Winsor and Officer Johnathon Garcia as "Employees of the Month" for August. He stated that a third officer is also a part of the squad but has been on light duty. Chief Watson commented that under Sgt. Winsor's supervision, the C-Squad, working shorthanded, has the highest number of traffic stops, arrests, and the most self-associated police activities. Their dedication to being proactive led them to locate multiple stolen firearms, multiple arrests for the procession of methamphetamines, and arrests of several impaired drivers. They worked with the Town's Criminal Investigation Unit in investigating the theft of construction materials. In thanking them for their dedication and hard work, Chief Watson stated that both are great examples of what the men and women of the police department do every day, and they show a standard of performance that is expected of our employees.

Mayor Young expressed thanks and appreciation to Sgt. Winsor and Officer Garcia for what they do every day.

(Copied in full, Certificates are filed on CD Titled: "Town Council Supporting Documents" dated September 9<sup>th</sup>, and 12<sup>th</sup>, 2024 in CD Book #1 Titled: "Town Council Supporting Documents")

**8. Presentation from Iredell Adult Day Services, (Deborah Howell, Director of Iredell Adult Day Services)**

Deborah Howell, Director of Iredell Adult Day Services, formerly known as Elder Center, came before the Council to share information regarding a new and old service that is available to some of our most vulnerable citizens. She stated that for 37 years, they have been providing homelife study for those with physical, cognitive, and intellectual challenges. While at the Center the participants play games, exercise, go on field trips, etc. The participants are provided daily with breakfast, lunch, and an afternoon snack. The Center is open Monday through Friday from 7:30 am-5:00 pm. Ms. Howell explained that if it was not for the program, residents would either sit at home alone, have a caregiver, or go to a nursing home. She said that caring for a loved one, can become a financial burden for caregivers but taking advantage of the program can allow the caregivers to have their loved ones home with them with minimum interruption in their lives. Ms. Howell explained that they have wanted to become a Day Health Center for many years by expanding their licensing.



This was achieved last April and is now certified through the State of North Carolina as an Adult Day Care and Adult Day Health combination program. She stated that a Day Health Center is for people with chronic medical issues, who need monitoring or medicine during the day, Ms. Howell explained a program called PACE (Program All-Inclusive Care for the Elderly) and to qualify for the program, the person must be 55 years of age; have an income of \$1,100 a month; and be nursing home appropriate. Clients are never charged for their medical bills, prescriptions, or therapies and are provided transportation to all of their appointments. It is a fantastic program that will help a lot of people. She asked that if the Council knows of someone who would fall into this category and need assistance, please send them their way. They service Iredell County residents and some that are outside the county. The cost is \$60 a day for daycare and \$70 a day for day health. Most clients get assistance from DSS or the Council on Aging, and Day Health does accept Medicaid.

**9. Joint Proclamation with the Iredell County Board of Commissioners, Town of Mooresville, City of Statesville, and the Town of Troutman Titled: “Suicide Prevention Awareness Month - September 2024”**

Mayor Young shared that a Proclamation was signed yesterday by the Mayors of Troutman, Mooresville, and Statesville, along with the Chair of the Iredell County Board of Commissioners proclaiming September 2024 as Suicide Prevention Awareness Month. He read aloud portions of the Proclamation highlighting that suicide is the 2<sup>nd</sup> leading cause of death of individuals between the ages of 10 and 34 with more than 48,000 people dying by suicide annually in the United States. The leaders in Iredell County recognize that suicide is preventable and no one should go through a suicide crisis alone and are deeply committed to tackling the mental health challenges facing the residents of Iredell County. We join together in our community to encourage the people of Iredell County to take time to understand mental health through education recognizing that we need to take care of mental health while we take care of each other by checking in with family members and neighbors regularly.

(Copied in full, Proclamation is in Proclamation Book 1, and is filed on CD Titled: “Town Council Supporting Documents” dated August 5<sup>th</sup>, and 8<sup>th</sup>, 2024 in CD Book #1 Titled: “Town Council Supporting Documents”)

**IV. NEW BUSINESS**

**10. Consider Ordinance 25-24 Titled: “Ordinance Amending The Town Of Troutman Code Of Ordinances Section 70.4 Regulating Obstructions In Public Right-Of-Ways”, (Andrew Ventresca, Planning Director)**

Planning Director Ventresca presented the amendment addressing obstructions in the public right-of-way stating it is to strengthen the Code of Ordinances by adding a height limit of 14 feet so as not to interfere with high-profile vehicles like buses and trucks, so they can safely fit under overgrown brush and growth, and to ensure safe passage for all vehicles and pedestrians. Mr. Ventresca addressed questions asked at the Council’s Agenda Briefing on Monday stating there was a question regarding penalties. Mr. Ventresca explained that this section of the Code does reference the Penalty Section of 10.99 stating that he believes the Town is safe regarding penalties. Staff was also asked if the amendment covers site triangles at intersections stating that the Code does not mention anything about site triangles, but he has added the following language for Council consideration: “Intersection site triangles as defined in the Unified Development Ordinance shall be kept trimmed to the same extent as the public way stated above”. Staff recommended approval.



Upon motion by Councilmember Henkel, seconded by Councilmember Nau, and unanimously carried, approved adoption of Ordinance 25-24 Titled: “*Ordinance Amending The Town Of Troutman Code Of Ordinances Section 70.4 Regulating Obstructions In Public Right-Of-Ways*” adding the latter paragraph as just discussed.

(Copied in full, Ordinance 25-24 is filed in Ordinance Book 10, Page 135)

(Copied in full, Ordinance 25-24 and PowerPoint presentation is filed on CD Titled: “Town Council Supporting Documents” dated September 9<sup>th</sup>, and 12<sup>th</sup>, 2024 in CD Book #1 Titled: “Town Council Supporting Documents”)

**11. Text Amendment TA-24-07: Amend Table 2.4 of the Troutman Unified Development Ordinance (UDO) Regarding Side Setbacks in HB District, (*Ventresca*)**

**a. Call for a Public Hearing**

***Mayor Young Opened the Public Hearing***

Andrew Ventresca, Planning Director presented text amendment TA-24-07 amending Table 2.4 of the Unified Development Ordinance (UDO). He stated it was brought to the Town by Matt Grant with Jordan-Grant Associates representing Food Lion. The request would allow for a zero-side setback in the HB District. If adjacent to residential, the required 25’ side setback would remain. The amendment will allow units in multi-tenant developments to be parceled out and owned by separate entities. Separate buildings on separate parcels that do not touch are still required to be 10’ from the setback line. Staff and the Planning Board recommend approval of the amendment.

No one from the public spoke in favor or in opposition.

***Mayor Young Closed the Public Hearing***

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

**b. Approval to Adopt Ordinance 26-24 Titled: “*An Ordinance Amending The Town Of Troutman Unified Development Ordinance*”**

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Oxsher, and unanimously carried, the adoption of Ordinance 26-24 Titled, “*An Ordinance Amending The Town Of Troutman Unified Development Ordinance*” was approved.

**c. Consideration of a Consistency Statement**

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Oxsher, and unanimously carried, approved that text amendment TA-24-05 is consistent with the 2018 Strategic Plan and the Unified Development Ordinance and reasonable and in the public interest as it is consistent with the goals of the Troutman Strategic Plan.

(Copied in full, Ordinance 26-24 is filed in Ordinance Book 10, Page 136)

(Copied in full, staff report, Ordinance 26-24, P&Z Certification of Recommendation, and public hearing notice is filed on CD Titled: “Town Council Supporting Documents” dated September 9<sup>th</sup>, and 12<sup>th</sup>, 2024 in CD Book #1 Titled: “Town Council Supporting Documents”)



**12. Consider Appointments of 2 Inside Voting Members to the Town of Troutman Planning and Zoning Board, (*Ventresca*)**

- Term of Karen VanVliet Expiring May 14, 2027
- Term of Mark Michel Expiring September 14, 2027

Councilmember Jaroszynski nominated applicant Greg Weisz (230 Wagner Street). No other nominations were made.

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Nau, and unanimously carried, applicant Greg Weisz was appointed to the Planning and Zoning Board filling the unexpired term of Karen VanVliet.

(Copied in full, applications to serve are filed on CD Titled: "Town Council Supporting Documents" dated September 9<sup>th</sup>, and 12<sup>th</sup>, 2024 in CD Book #1 Titled: "Town Council Supporting Documents")

**13. Consider a Request for Water Service at 203 Timber Lake Drive, (*Wyatt*)**

Manager Wyatt stated that on Monday at Council's Agenda Briefing, a discussion was held at length on the policies of the Town. The Culbreths were present at Monday's meeting with Mr. Culbreth addressing Council stating that they had been residents of the Town for some time and had received a letter over a decade ago from a different Town Manager explaining water connectivity options. He stated that the Culbreths have built a new house on the lot next door that is not in Town limits. Manager Wyatt explained that Mr. Culbreth is in a situation where the Town has changed its policy, and to get water or sewer the property has to be annexed into the Town. This is because of allotment amounts, he explained that once the Town's customer service grows allotments increase, and the demand (whether water or sewer) increases.

Mr. Howard Culbreth addressed the Council stating that he has been a Town resident since 2013. He stated that a water meter box was set by the Town in 2008 when the lot was bought and at that time water was available. When they pulled their building permit in 2013 water was available; the Town policy changed sometime while going through this process. He appealed to the Council to consider that they were never notified of the change in the policy and request to be grandfathered in.

Councilmember Nau asked Mr. Culbreth if he was willing to annex the property into the Town. Mr. Culbreth responded that he would rather not; he is already a contributing member of the Town paying \$8,000 a year in town taxes with his current home and property. Manager Wyatt explained there are 8 properties on that street receiving water at outside rates, and other lots still to be built on. Councilmember Henkel theoretically asked, if the Town approves the request, how would we cover ourselves with future requests. Attorney Jason Ralston replied that it could be taken on a case-by-case basis. His understanding is the letter that went out was an offer to annex into the town so he does not think that the letter has any effect, and Mr. Culbreth can annex if he so chooses. He stated that he does not think taking it on a case-by-case basis would necessarily hamstring the Town later where the Council would have to give the other property owners access to Town water without them annexing. There could be different circumstances in this case that may not apply to other cases. Councilmember Henkel suggested, as in Agenda Briefing, if the Town allows this request that the attorney send a letter to the property owners of the remaining undeveloped lots that are not annexed offering water by a certain date or be annexed into the Town for water service going forward. The letter should also make them aware of the policy change. In reference to the letter, Councilmember Oxsher stated that he does not want to open that box. Attorney Ralston stated that if a letter is sent, it would have to be sent to everyone not annexed. Town Manager Wyatt stated that the Town's water line crosses many



properties that are not annexed. Councilmember Jaroszyński asked when the policy change went into effect. Manager Wyatt stated in 2022 sharing that most towns and cities around Troutman have a strict policy because of the supply and demand issue and that they do not provide water without annexation. Mayor Young asked why the developer built the neighborhood where only part of the homes were annexed. Town Manager Wyatt responded that basically when the neighborhood was presented the developer asked for water service; the town agreed to annex as they were to pay for the water lines to the area. However, that particular owner started selling lots to be developed, and when the recession occurred the builder went bankrupt. A local Iredell County business then bought all the lots that were not sold. It was unsure if the new owner knew that the properties were to be annexed.

Discussion:

Councilmember Nau commented that he would like to see the property annexed into the town.

Councilmember Henkel stated that he agrees with Councilmember Nau. He said that the Council once refused another request for water, so how can he refuse one and not the other. He continued by stating that he does not want to have a policy and not follow it. The Town has to be persistent.

Mr. Culbreth asked for verification if it would be another month before he could get water if he had to annex.

Manager Wyatt stated that he would confer with the Town Attorney and Planning Director in the morning, but he thinks that due to the complexity of the situation, once the paperwork for the annexation is turned in, the Town could go ahead and install the water meter while the annexation is pending. If the annexation is denied, other arrangements would have to be made.

Councilmember Oxsher made a motion to grant the request, Councilmember Harris seconded the motion. Upon the call for the vote, the motion failed by a 3-2 vote against granting the request.

Yeas: Oxsher, Harris

Nays: Henkel, Nau, Jaroszyński

(Copied in full, request and other supporting documents are filed on CD Titled: “Town Council Supporting Documents” dated September 9<sup>th</sup>, and 12<sup>th</sup>, 2024 in CD Book #1 Titled: “Town Council Supporting Documents”)

## V. 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](http://www.troutmannnc.gov))

Debbie Page addressed the Council with a reminder of upcoming events as follows:

- “Walk Out Of Darkness” is on Sunday, September 29<sup>th</sup> at 2 pm. Registration is at 1 pm. at Statesville High School. The event spreads suicide awareness and provides an opportunity for remembrance for families who have lost people to suicide.

- “Iredell Walk For Recovery” is Saturday, September 28<sup>th</sup> at ESC Park from 4 pm-7 pm. People can walk around the vendors and learn about drug education, prevention, substance abuse, recovery, mental health, chronic health problems, etc. The event will have a lot of kid activities, live music, a free dinner, nice giveaways, etc
- Ruritan Club of Troutman is holding a free “Chicken Dinner” on October 5<sup>th</sup> as part of the South Iredell High School Bazar/Craft Fair. Ms. Page stated that everything that the Ruritan Club does and the money raised stays in Troutman to do Town projects.

Resident Sheri Culberth thanked Council for their service and expressed appreciation for Council doing their due diligence concerning their request for water at 203 Timber Lake Drive. She requested if possible that their request be revisited. If they could have seen what was coming such as receiving communications/notification of the policy change would have helped.

## **VI. ELECTED OFFICIALS / STAFF REPORTS AND COMMENTS**

### **Elected Reports and Comments**

#### **Councilmember Jaroszynski**

- Commented that the “Employee’s of the Month” were great recommendations.
- Thanked the Public for coming forth and speaking.
- Commented that he is looking forward to the upcoming events.

#### **Councilmember Harris**

- Thanked the citizens for their patience with the water leak on Wagner Street.
- Thanked Police Chief Watson for all he and his staff do.

#### **Councilmember Nau**

- Thanked Staff, Public Works, and Police for a job well done in fixing the water main break on Wagner Street and for it getting paved.

#### **Councilmember Henkel**

- Commented that he has nothing to add except for “kudos” to the previous comments.

#### **Councilmember Oxsher**

- Commented that he loves Fall, festivals, and football announcing the upcoming festival of “Art in the Park” to be held on September 21<sup>st</sup>.

#### **Mayor Young**

- Commented “ditto” to all the comments made previously by the Council.
- Expressed appreciation to staff for fixing the water main break that occurred on Wagner Street.
- Thanked Mayor Pro Tem Oxsher for leading the Agenda Briefing in his absence. He stated that he was in New York, sharing that he attended the 9/11 remembrance which was a very somber time. Mayor Young asked that people continue to remember those who assisted and those who lost their lives.
- Shared that he is looking forward to attending “Art Education Week” at the Charter School.
- Thanked Debbie Page for the update on upcoming events and the Culbreth’s for their comments.



**Staff Reports and Comments:**

**Ron Wyatt, Town Manager**

- Addressed the Mayor and Council for the kind compliments and the recognition of several staff stating that we do not know what is always going to happen, but when a water leak occurs, it affects everyone that works here, lives here, or is just driving through. Three departments, Public Works, Police, and Park and Rec. went above and beyond in handling it. With most of our employees going above and beyond, it is hard to choose who to recognize.

**VII. HOLD A CLOSED SESSION PURSUANT TO G.S. 143-318.11(a)(3) TO CONSULT WITH AN ATTORNEY AND \*\*PURSUANT TO G.S. 143-318.11(a)(5) TO DISCUSS ACQUISITION OF PROPERTY**

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)(5) to discuss the acquisition of property.

Along with Mayor Young and Town Council, Ron Wyatt, Town Manager; Kimberly Davis, Town Clerk; and Jason Ralston, Town Attorney joined the Closed Session.

Upon motion by Councilmember Nau, seconded by Councilmember Harris, and unanimously carried, approved to hold a Closed Session to consult with an attorney and discuss the acquisition of property.

***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 Jaroszynski, seconded by Councilmember Oxsher, and unanimously carried, approved to reconvene open session.

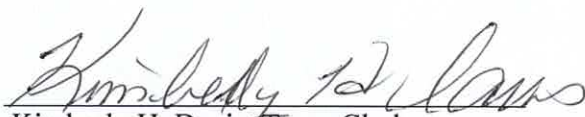
**Action taken as a result of the Closed Session:**

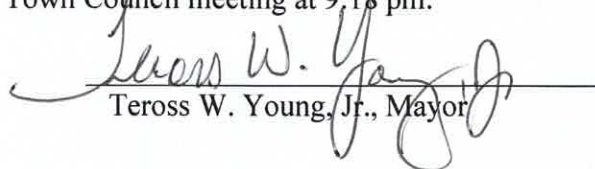
Upon motion by Councilmember Jaroszynski, seconded by Councilmember Nau, and unanimously approved to confirm the contract of the property discussed in closed session.



**VIII. ADJOURNMENT**

Upon motion by Councilmember Jaroszynski, seconded by Councilmember Harris, and unanimously carried, approved to adjourn the September 12, 2024 Town Council meeting at 9:18 pm.

  
Kimberly H. Davis, Town Clerk

  
Teross W. Young, Jr., Mayor

(\*\*) Adjustments to the Agenda

