

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

TOWN COUNCIL AGENDA BRIEFING MEETING MINUTES

September 9, 2024 – 4:00 P.M.

Presiding: Mayor Pro Tempore Jerry Oxsher

Council Members Present: W. Paul Henkel; Edward R. Nau; Felina L. Harris; Nicholas D. Jaroszynski

Council Members Absent: Mayor Teross Young (attended via phone call)

Staff Present: Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; Andrew Ventresca, Planning Director; Justin Mundy, Finance Director; Josh Watson, Police Chief; Jason Ralston; Town Attorney

Press Present: Debbie Page, Iredell Free News

I. MAYOR PRO TEMPORE JERRY OXSHER CALLED THE SEPTEMBER 09, 2024 AGENDA BRIEFING MEETING TO ORDER

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

None

*Upon motion by Councilmember Henkel, seconded by Councilmember Harris, and unanimously carried, approved the September 09, 2024 Agenda Briefing Agenda as presented.

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 and Mayor Comments

Councilmember Nau

- Stated that he observed Troutman Police Officers directing traffic Friday night after the SIHS Football game. He asked Chief Watson if the Town gets reimbursed for them working the game. Chief Watson replied that the officers are paid directly by the school.
- Stated that Wednesday will be the 23rd Anniversary of September 11th, 2021). He asked that on that day, everyone take a minute to remember the victims and their families, and the heroes (1st responders). He stated that he was a First Responder with the NYPD and

had seen the devastation, and what we as the United States of America did in coming together to work as one for a common goal.

Councilmember Henkel

- Thanked Councilmember Nau for his comments regarding 9/11, a date that we will never forget and will always be in our hearts.

Councilmember Harris

- Expressed appreciation for the Police Department and what they do at the games.
- In referencing the school tragedy in Georgia, she asked to keep our students and teachers in our thoughts and prayers and that they are kept safe.
- Expressed that she enjoyed the community Pep Rally commenting that it is good to see people out supporting our schools.

Councilmember Jaroszynski

- Commented that the Fair came and went without any serious incidents.
- Addressed school traffic and the time that parents line up to drop students off asking if there is a way to delay their arrival. Police Chief Watson stated that there is no way to control it. He said that the biggest problem is the traffic at the elementary school; they have deferred traffic to wrap around Lake Circle to alleviate traffic backing up on Wagner Street which became a safety issue. He noted that the Elementary School has started opening earlier changing their time from 7:10 am to 7:00 am, but the main problem is that over half of the 900(+) students do not ride buses. Councilmember Jaroszynski asked if the traffic could potentially be a County or School Board issue with the students being brought to school by parents and not buses. Town Manager Wyatt stated that it is something that the School Board should discuss with the Town regarding a solution. He said that if the Middle School would change their hours, he thinks it could be part of the remedy. He agreed with Chief Watson that the parents driving their kids to school rather than riding the bus is the main reason.
- Commented that it is great to see Wagner Street being repaved.

Mayor Pro Tem Oxsher

- Stated that he echoed the above comments.

2. Introduction of Planning and Zoning Board Applicants

Andrew Ventresca, Planning Director explained that there are two vacancies on the Planning and Zoning Board, both inside voting positions. He stated that Karen VanVliet resigned effective September 1st and it was determined that member Mark Michel did not live in the town jurisdiction. Mr. Ventresca said that staff invited Nancy Draves and Greg Weisz to come before Council today to give a brief introduction and answer any questions that Council may have.

Applicant Nancy Draves began her introduction by stating that she moved to Troutman 2 months ago from Michigan where she was very involved in serving, and she wants to help by getting involved here. She stated that she loves Troutman and that she is very impressed with the roads, the trail, the dog park, and all the facilities. Everything is maintained so

beautifully. Councilmember Henkel asked what brought her to Troutman, she replied that her daughter live here. Her husband retired so they came to help their daughter. Councilmember Henkel asked Ms. Draves her thoughts on Planning and Zoning. Ms. Draves responded that the first board she was asked to serve on in Michigan was the Planning and Zoning Board. She asked Councilmember Henkel if the Town had a Master Plan, commenting that a Master Plan is crucial. Ms. Draves provided the names of numerous boards and committees she served living in Michigan. Councilmember Henkel stated that Troutman itself is growing and is caught between 2 growing cities, what is your philosophy on that? She replied “As long as you know what you want Troutman to look like, and how you want it to evolve, I think you are in good shape. It's when people come in and start putting businesses in residential districts, then you have problems”. She also stated that Town’s lack the upkeep on rentals.

Applicant Greg (Goose) Weisz, resident of 236 Wagner Street introduced himself as a resident of Troutman for a little over 2 years. Councilmember Nau asked if he had any background in Planning and Zoning or had ever served in a government position anywhere else. Mr. Weisz replied that he had not, this would be his first. He stated that he works for Oxford House which does transitional living for men and women in recovery. There are 316 houses in North Carolina. and he looks at the big picture of where houses are needed and the areas where houses should be removed from. Councilmember Nau for his opinion on growth; industrial and residential. Mr. Weisz replied that he loves the growth that Troutman is experiencing, and his concern is the ability to stay ahead of planning regarding roads and public utilities. Councilmember Harris asked if he had thought of or seen any processes that need to be streamlined. Mr. Weisz stated that he has not, but he has not looked much into it. Councilmember Henkel commented that the Town is limited regarding certain infrastructure with state roads, traffic signals, etc., and that dealing with NCDOT can be frustrating. The Town has to have smart growth, and at the same time cannot be held hostage by the NCDOT. Councilmember Jaroszynski commented that the Planning Board meetings can get continuous at times asking if he has experience with Roberts Rules of Order. Mr. Weisz stated that he is now IT and works from home, but Oxford House follows Roberts Rules of Order in running their business meetings. Councilmember Jaroszynski asked if there were areas in which he would like to see Troutman grow or not grow. Mr. Weisz stated, “not necessarily, it feels very organic in the way it is growing, and the Town cannot stop it”.

3. Introduction of a Joint Proclamation with the Chair of the Iredell County Board of Commissioners, and the Mayors of the Town of Mooresville, City of Statesville, and the Town of Troutman Titled: “Suicide Prevention Awareness Month – September 2024”

Manager Wyatt stated that Mayor Young will present the Joint Proclamation at the Council's Thursday night meeting.

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

1. Town Manager/Staff Comments

Town Manager Wyatt

- Echoed Councilmember Nau's sentiments that 9/11 is something all should remember. He addressed the men and women of the Fire Departments and Police Departments who died on that day as well as the ones who died later from what they had breathed in.
- Austin Waugh, Public Works Director presented an example of a newly revised version of the Town street sign containing the Town paddle. Manager Wyatt stated the wording under the paddle has been removed, the street name lettering has been made larger, and the signs are reflective (as by DOT standards), as the Council previously recommended. Mr. Waugh advised that the life expectancy of the signs is approximately 12 years. Manager Wyatt stated that the intention for completion of changing out the town street signs is a year. New subdivisions can cover the paddle temporarily until the Town takes over the streets. Councilmember Jaroszynski suggested the use of magnetic coverings.

2. Discussion of a Request for Water Service at 203 Timber Lake Drive

Mr. Howard Culbreth approached the Town Council with a request to be grandfathered in for water service at 203 Timber Lake Drive, which is not in the town limits. He stated that he and his wife have been residents of 202 Timber Lake Drive in Troutman since 2013. Mr. Culbreth explained that in 2008, he and his wife purchased the lot in the Parkwood section of Falls Cove off Morrison Farm Road which Cresent developed and put the water system in along with the valve boxes for the meters and the taps to bring water to the development. At the time Parkwood was not in the town limits. In September 2008, they received a letter from the Town of Troutman giving them the option to be annexed in, stating that the water rate would be less, which was the option for lots being sold at that time. In 2011, Cresent had properties annexed into the Town. It was the same year they purchased the lot next door, built upon it, and moved into it in 2013 which is in the Town of Troutman town limits and receives Town water. He stated that 8 other lots in Parkwood are not in the town but receive town water, and to them, it has always been under the understanding that the water was available with the meter box and tap in place. When he recently came to the Town to ask for the meter, he was told that the meter was not available because he was outside the Town limits. They were unaware that somewhere along the way the rules changed.

Town Manager Wyatt explained that Mr. Culbreth is in a situation where the Town has changed its policy, because of allotment amounts, to get water or sewer per policy they have to be annexed into the Town.

Councilmember Henkel asked if there were others in the same situation as Mr. Culbreth. Manager Wyatt replied yes, there are around 20 lots in that area that could petition for the same thing; there are 4 that he knows of that have a meter box.

Councilmember Henkel suggested that if the Town allows the request the attorney send a letter to the property owners of the remaining 4 lots that are not annexed offering water by a certain date or be annexed into the Town for water service going forward.

Councilmember Jaroszynski asked Mr. Culbreth once they are moved into the house they are building, if they are selling the other house. Mr. Culbreth responded that he is not sure about the house in which they are currently living, but he has elderly parents who need to be close by and cared for. Councilmember Jaroszynski asked if there was a reason he did not want to dig a well. Mr. Culbreth stated that their recorded documents with the county will not allow it.

Councilmember Nau asked Manager Wyatt what the advantages and disadvantages would be for the Town if the request is granted. He stated that there is no advantage. The disadvantage would be losing allotments of water capacity. Manager Wyatt explained the Town's capacity and where the Town receives water from; the cost; and probable future increases. Mr. Culbreth stated that the capacity was there in 2008. Manager Wyatt stated that capacity has changed drastically over the years.

He advised that the Council does not need to act at this time. The request can be put on Thursday night's agenda allowing Council time to think about the request. Councilmember Henkel agreed. The Town Clerk is to add this topic as an item on Thursday's agenda.

Manager Wyatt stated that the decisions the Council makes set a precedence for others, but he does think that the letter Councilmember Henkel suggested to send to the other property owners, may provide some protection to the Town. He is to confer with the attorney. Mr. Culbreth commented that they were never notified of the town's policy change.

Discussions were also held regarding possible issues with emergency services, leaf and limb, trash and recycling.

Introduction of Alexia Drumm, Associate Planner, (Andrew Ventresca, Planning Director)

Andrew Ventresca introduced Alexia Drumm, the Town's new Associate Planner to the Council stating that she comes to the Town from upstate New York. She has a background in architecture and GIS, so she is going to be our technical person in the Planning Department. She has been with the Town for approximately a month, and he is glad to have her. Ms. Drumm addressed the Council stating that she is just getting started in her career here, and this is the type of environment that she wanted to be in when she decided to move; a Town with a great sense of community and a lot of growth. She concluded by saying that she is excited to contribute.

3. Update on the Talley, Wagner, and Rumble Street Sidewalk Project, (Ventresca)

Manager Wyatt provided a history of the early process of applying for funding for a sidewalk on Talley Street from CRTPO which was denied. Once Mr. Ventresca was hired the packet was resubmitted and was approved. It has taken a while to go through the red tape of dotting the I's and crossing the T's when co-mingling Federal and State money. It takes additional work and documentation on the Staff's behalf. Planning Director Ventresca applied and received funding for Wagner and Rumble Street sidewalks.

Planning Director Ventresca provided an update on the sidewalk project stating that these funds are called discretionary funds starting at the Federal Highway, then go down to NCDOT, and then the NCDOT funnels them through the MPO which is based on the population of the MPO throughout the state. The Town is fortunate enough to be in the CRTPO which has the highest population, so we get the biggest pot of money. These come with a 20% required minimum match. CRTPO opens discretionary funding that they receive each year. The municipalities are allowed to submit projects. It's competitive, and unfortunately, we are in a big region competing against towns as far away as Waxhaw. He distributed a status and history update on the Downtown Sidewalk Project made up of Talley Street, Wagner Street, and Rumble Street.

Mr. Ventresca stated that there are three projects within the street project. The first is Talley Street, which seems to be the one that the town is most concerned about. He stated that if the Town had been awarded funding from CARPO in 2017 it would have been with a 38% match (\$491,000) by the Town. The total cost of the project was about \$1.2 million at the time, CARPO would have paid out about \$802,000. In 2020, additional funds were requested from the Town, which totaled \$460,000. Mr. Ventresca stated that he did not think the additional funding was a good idea at the time because the Town had no municipal agreement with NCDOT, and no consultant, so basically the project had not gotten off the ground. There was no engineering, no kind of financial update, and no background work done to determine a cost estimate. He added that with the CRTPO discretionary program, the town is allowed to request additional funding. However, every time it happens, the Town gets dinged. So, in his opinion, it is a little irresponsible to go back with no background information to ask for more funding, but he feels the Town has enough goodwill with CRTPO that if we need to go back it should not affect the Town that much. He informed the Council that in 2021 the town was in danger of losing the funds because nothing had been done with them. Town Manager Wyatt came in 2021 and got the ball rolling. He stated that he started in the summer of 2021 and in September of 2021 the Town had its municipal agreement adopted which was the first step in the process. In November of 2021, the design of the project was funded. Mr. Ventresca stated that NCDOT moves slowly (as shown in the timeline).

- The Town hired Ramey Camp as a consultant. In October 2022, DOT approved the contract between the Town and Ramey Camp.
- In August 2023, DOT approved the 30% preliminary plans for the sidewalks.
- In April 2024, DOT reviewed the 65% plans. These are the plans that determine the right-of-way that the Town is going to have to acquire. There were some revisions that DOT is requesting from Ramey Camp, mainly about the relocation of utilities. Ramey Camp is currently working with Duke Energy and AT&T to try to avoid moving the polls at any cost. We are working to provide something that's ADA-compliant and acceptable by DOT without having to move too many utilities. Once DOT approves these revisions, the Town can start the discussion of right-away acquisition with the property owners. As the Town Manager has mentioned, since 2020 the cost of everything has gone up and the Town is on the hook for any cost increases to these projects. The Town has the option of going back to CRTPO for additional funding. Mr. Ventresca stated that there are three different pots of funding in each project that the Town is allowed to take from: 1) sign funding; 2) right-of-

way funding: and 3) construction funding. There is a little bit of wiggle room there if we want to go back to CARPO, commenting that it will probably be a necessity, but with these right-away plans, we'll find out that we don't have to pay too much money for right-of-way.

The Town should be getting the plans approved to show what acquisitions are needed, hopefully in the next six months. Councilmember Henkel asked if smaller Towns per General Statutes once receive a discounted rate for the relocating of utility poles. Mr. Ventresca replied that he had never heard of that in working with the DOT on this project. Town Attorney Ralston is to review the General Statutes.

At the end of the meeting, Attorney Ralston informed the Council that he could not find anything in the General Statutes regarding a discounted rate for smaller Towns to remove utility poles, but maybe the utility department has their own policy.

The 2nd is the Greenway Extension Project, which required a 20% Town match which is a little bit more competitive when scored. This one moved a little slower, but DOT has approved the contract with Kimley Horn, so this project is finally moving along, (a copy of the schedule from Kimley Horn was provided). In 2020 additional funds were requested in the amount of \$274,000. He commented that he thinks the request was premature and that it is something the DOT will ding the Town for, but we will have to deal with it.

The 3rd project that is funded with discretionary funds is the Intersection Project which was awarded \$3.5 million from CARPO and almost \$2 million from the Town for the Main Street/Murdock Road/Old Mountain Road intersection in the Spring of last year, this does include 40% contingency and inflation cost, so there's a little bit of built-in protection. The North Carolina Board of Transportation approved it as a STIP project in August 2024. The municipal agreement has been added. Mr. Ventresca stated that the Federal Highway's fiscal year begins in October so he will request the PE funds on October 1st. Councilmember Henkel asked if Wakefield is going to give the Town credit for this. Mr. Ventresca stated that Wakefield and the Town will be having discussions. He thinks the Town will receive the PE funds within a couple of months of requesting them. Once received, the Town can put out bids for a consultant to start the design phase of that project.

III. OVERVIEW OF TOWN COUNCIL'S UPCOMING REGULAR SEPTEMBER 12, 2024 MEETING AGENDA ITEMS SCHEDULED TO BE PRESENTED

Consent

Items 1-3. Minutes to be approved.

No discussion was held.

Item 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 Boar

Manager Wyatt stated that the Design Review Board recommended approval of a facade for Zaxby's located at 1132 Charlotte Highway.

No discussion was held.

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

Manager Wyatt stated that he has received emails from some of the Council members asking questions and requesting staff to check with West Consultant if the Town is in line with Town fees commenting that he thinks there are a couple that the Town is not in line with and that the developers should be paying more of the freight allowing the Town to charge fees which put the Town in a better position, whether it is replacement or general maintenance and in line for the future as these neighborhoods are accepted. Manager Wyatt commented that fortunately, the Town has been proactive in getting state funding for projects when the Town had the reserves to pay for them at the time they were needed.

Councilmember Henkel thanked staff commenting that he was glad to see that the Town is no longer operating in the red.

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

Manager Wyatt presented the amendment explaining that there are renters who do not pay their final utility bill when they leave/move out and their deposits do not cover the amount. He stated that increasing the deposit could be a burden to some, nor would it be fair to others to raise it for everyone when there are very few who are the violators of the policy. Therefore, this amendment is to have the property owner sign an agreement that they are responsible for the tenants' water bill if not paid when the account is set to final.

RECOGNITIONS / PRESENTATIONS / INTRODUCTIONS

Item 7. Recognition of Officers Ethan Windsor and Johnathon Garcia as the "Town of Troutman Employee of the Month" for July 2024

Manager Wyatt stated that instead of one individual being recognized, it is a police squad. Police Chief Watson will handle the presentation at Council's Thursday night meeting.

Item 8. Presentation from Iredell Adult Day Services

Manager Wyatt commented that Deborah Howell with the Elder Center will present at Thursday night's Council meeting.

New Business

Item 9. Consider Ordinance 25-24 Titled: "*Ordinance Amending The Town Of Troutman Code Of Ordinances Section 70.4 Regulating Obstructions In Public Right-Of-Ways*"

Manager Wyatt commented as the town grows, things like trimming trees should be the property owner's liability. Residents will be made aware through the newsletter and online if this ordinance is approved. He stated that the Town has received complaints from the school system about bus damage as they try to navigate certain areas. Therefore, the staff is trying to strengthen our ordinance. Councilmember Jaroszynski asked if the ordinance also addresses line of sight with property owners. Manager Wyatt stated

that this should address that as well, if not it will be addressed next month assuring if it is trees it will be included in this amendment. He explained that NCDOT has rules for their roads, and the Town cannot supersede them. Councilmember Henkel asked about including language regarding fees when the Town mows etc. and the placing liens on property. Manager Wyatt stated that he believes that it is already addressed in another part of the ordinance, but he will have Mr. Ventresca and Attorney Ralston discuss it between now and Thursday's Council meeting to confirm.

Item 10. Text Amendment TA-24-07: Amend Table 2.4 of the Troutman Unified Development Ordinance (UDO) Regarding Side Setback in HB District; **a.** Hold a Public Hearing, **b.** Consider Adoption of Ordinance 26-24 Titled: "*An Ordinance Amending The Town Of Troutman Unified Development Ordinance*", **c.** Consider Approval of Consistency Statement

Planning Director Ventresca stated that this request is from Jordan Grant, a local engineering firm representing Food Lion that is requesting to amend Table 2.4 in the Towns Unified Development Ordinance (UDO) for a zero-side setback in the Highway Business (HB) District. This allows units in shopping centers to parcel themselves out from the big parcel. Some larger companies want to buy their own parcels, and this is the case with the Food Lion going in by the Charter School. Building code and a firewall requirement between the buildings will have to be met. Mr. Ventresca stated that staff is in favor of the amendment. It will help with code enforcement and make shopping centers conforming, such as the one where Dollar Tree is located.

Item 11. Consider Appointments of 2 Inside Voting Members to the Town of Troutman Planning and Zoning Board

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

Town Manager Wyatt stated that Council met with the 2 applicants earlier in the meeting, and if they have any questions before Thursday's meeting to let him know. He commented that the Council does not have to choose either applicant, or they can choose both applicants or on applicant: it is based on the Council's opinions.

Item 12. Consider a Request for Water Service at 203 Timber Lake Drive

Manager Wyatt commented that Council has already heard about this request expressing that he thinks Council is danged if they do, and danged if they don't. He will check with Attorney Ralston and before noon on Thursday, they will have an answer on the legalities if Council decides to approve and if it sets a precedent. Also, if the Council approves, does staff send a letter/notice as previously discussed? Councilmember Oxsher expressed concern about the ramifications of the letter previously sent to the property owners asking if the Town is bound by it. Town Attorney Ralston stated that it did not give a sunset date. Manager Wyatt stated that there is a General Statute that says, "one Board cannot bind another Board", but business has since changed, and he does not know if it has the Town indefinitely liable. Attorney Ralston commented that if a letter is sent to all similarly situated property owners with a deadline to comply, that would be the town's cover if someone came to the Town wanting water. Councilmember Jaroszynski commented that the 1st letter that went out to all the property owners that bought lots in that area, allowing them to get water and they chose not to take the opportunity, and now the policy has changed.

IV. CLOSED SESSION PURSUANT TO GENERAL STATUTES 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)(5) to discuss the acquisition of property.

Along with Mayor Pro Tem Oxsher and Town Council, Ronald Wyatt, Town Manager; Kimberly Davis, Town Clerk; and Jason Ralston, Town Attorney joined the Closed Session. Mayor Teross Young (attended via phone call)

*Upon motion by Councilmember Jaroszynski, seconded by Councilmember Harris, and unanimously carried, approved to hold a Closed Session to consult with an attorney and discuss 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*****

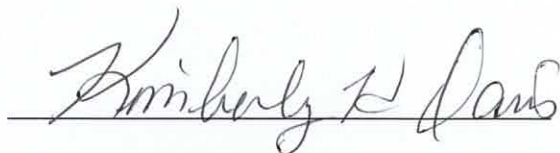
Closing of Closed Session and Reconvene Open Session

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

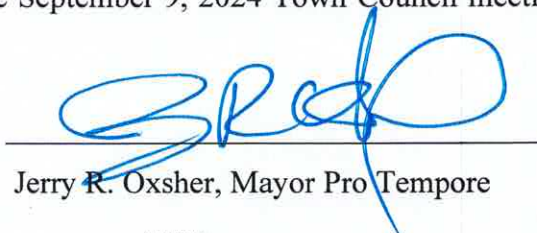
Action taken as a result of closed session: None.

V. ADJOURNMENT

*Upon motion by Councilmember Henkel, seconded by Councilmember Jaroszynski and unanimously carried, approved to adjourn the September 9, 2024 Town Council meeting at 6:28 p.m.



Kimberly H. Davis, Town Clerk



Jerry R. Oxsher, Mayor Pro Tempore



(*) Motion