

**MINUTE BOOK XXIV, PAGES 92-98  
TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES  
AUGUST 13, 2015**

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, August 13, 2015 at 7:00 p.m. with the Mayor Elbert H. Richardson's presiding.

Council Members Present: Betty Jean Troutman, Sally P. Williams, W. Paul Henkel, Judy Jablonski

Council Members Absent: Teross W. Young

Staff Present: Ann G. Bailie, Town Manager; Kimberly H. Davis, Town Clerk; Steven H. Shealy, Finance Director; Adam K. Lippard, Public Works Manager; Matthew A. Selves, Police Chief; Gary W. Thomas, Town Attorney; Matthew Todd, Iredell County Planning Manager

Press Present: James McNally, Statesville Record and Landmark  
David Vieser, Charlotte Observer

**MAYOR ELBERT H. RICHARDSON CALLED THE MEETING TO ORDER**

**ITEM 1. MAYOR RICHARDSON WELCOMED VISITORS AND GUESTS**

**ITEM 2. INVOCATION**

In the absence of Bishop Brian Caines of The Church of the Living God in the Lord Jesus Christ of the Apostolic Faith Mr. Jasper Farmer delivered the invocation.

**ITEM 3. PLEDGE OF ALLEGIANCE**

**ITEM 4. ADJUSTMENTS TO THE AGENDA**

Addition to Agenda Item 18: §143-318.11(a)(3) to Consult with Attorney

**ITEM 5. APPROVAL OF AGENDA**

Upon motion by Council member Troutman, seconded by Council member Jablonski, and unanimously carried, agenda for the regular meeting of August 13, 2015 was approved as amended.

**RECOGNITIONS, PRESENTATIONS AND COMMUNITY EVENTS**

**ITEM 6. NATIONAL NIGHT OUT, (*Matthew Selves, Police Chief*)**

Police Chief Matthew Selves announced that the Town of Troutman's National Night Out (NNO) held on August 4, 2015 from 6pm to 8:30pm at the Troutman ESC Park was a great success. He gave an estimation of over 1200 people attending, including participants. Chief Selves commended the local restaurants for providing free food for the event. He commented that he got good ideas for next year, and is planning on expanding the event.

## **STANDING REPORTS**

### **ITEM 7. TROUTMAN ESC PARK MONTHLY UPDATE, (*Justin Longino, Parks and Recreation Committee Chair*)**

Committee Chair Justin Longino presented the following monthly report:

- **Pavilion:**  
Town Staff has sent our requests for proposals to several architectural firms. Several committee members will be meeting next week to review the proposals and then discuss it at the Parks and Rec. Committee August meeting.
- **Playground:**  
New additional playground equipment that was purchased by the Town has been delivered and is scheduled for installation by the Town's Public Works Department.
- **Soccer Field:**  
Ribbon cutting scheduled for Saturday September 12, 2015. Soccer field will be ready for use this Fall.
- **Farmer's Market:**  
The Farmer's Market is still going on at Troutman ESC Park. It is held every Thursday from 3:30pm-6:30pm.
- **Fundraising:**  
The committee is going to be discussing the idea of sending out a letter to the community that will ask for donations toward the Park, but will more importantly make community members aware that the process for building the pavilion is starting. It will be a great opportunity to increase awareness of what's going on at the Park.
- **Wendy's Night:**  
Wendy's night is the 4th Monday of the month. That's August 24th this month. 5pm-8pm 20% of all dine-in and carry-out proceeds go to the park. Please come out and join us.

### **ITEM 8. J. HOYT HAYES MEMORIAL TROUTMAN LIBRARY, (*Steve Rimmer, Troutman Friends of the Library President*)**

Mr. Steve Rimmer presented the following monthly library report including past and upcoming events to be held:

- Summer reading program was a success. The library held 38 programs for children ages birth to 18 with a total attendance of 1193.
- County Commissioners approved the receipt of grant funds to establish a Career & Technology Lab at the library. The grant is for \$10,420 with a 10% match of \$1,042 provided by the Troutman Friends of the Library (TFOL) for a total project expenditure of \$11,462.
- The Career & Technology Lab will begin holding classes on Thursday, September 10<sup>th</sup> provided by Juanita Norman from Goodwill Industries of Northwest North Carolina and Ben Mull from Mitchell Community College. It is design to provide assistance with applying for jobs, resume writing, proper etiquette during interviews, etc.
- Rebecca Lopez will be filling the Library's part time position and will be the new Programs Events Coordinator.
- Library book sale: \$.50 for hardbacks, and \$.25 for soft covers, or fill up bag with books for the price of \$5.

- Troutman Police Department will hold a church safety and security presentation on August 25<sup>th</sup> and second one September 22, 2015.
- Tuesday, August 18, 2015, Mr. Richard Ervin (Troutman native) will hold a program on terrorism.
- Do-it-yourself notebook decorating for children will begin after the start of school.

**COMMENTS FROM VISITORS AND GUESTS:** *The public is invited to address the Board with comments or concerns. The comment period is limited to three (3) minutes per individual.*

Mr. Charles Peet voiced a complaint and expressed concerns of overgrowth, maintenance and safety of the sidewalk in front of his home on Stratford Street. He distributed pictures for Council's viewing.

**CONSENT AGENDA:** *Items on the Consent Agenda 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 9. MINUTES OF AGENDA BRIEFING OF JULY 06, 2015**

**ITEM 10. MINUTES OF REGULAR MEETING OF JULY 09, 2015**

**ITEM 11. CONSIDER AMENDED CONTRACT TO AUDIT ACCOUNTS WITH MARTIN STARNES & ASSOCIATES, CPA'S**

Upon motion by Council member Henkel, seconded by Council member Williams, and unanimously carried, consent agenda items were approved as presented.

(Copied in full, amended audit contract is filed on CD titled: "Town Council Supporting Documents" dated August 10<sup>th</sup>, and August 13<sup>th</sup>, 2015 in CD Book #1 titled, "Town Council Supporting Documents")

**NEW BUSINESS**

**ITEM 12. PRESENTATION OF ABC STORE FEASIBILITY STUDY,** *(Melanie O'Connell Underwood, Economic Development Consulting LLC)*

Using a power point presentation, Ms. Melanie O'Connell Underwood with Economic Development Consulting, LLC presented the Town's ABC Store Feasibility Study that consisted of Market Potential (looking at estimated annual liquor sales, liquor trends, and traffic counts), Start-Up Cost, Site Location Factors, Available Buildings and Sites, Cost of Construction, and Research Methods.

In considering site location, the study factored in: traffic counts, how far people are willing to drive, safety, accessibility, and visibility.

The average estimated start up expense is \$241,000 that includes inventory, fixtures, security, computer, and miscellaneous expense. Location options as follows were studied:

- North (left) end unit of Troutman Village next to Food Lion (7,268 sf) lease and renovate \$581,000.
- Kentucky Fried Chicken building with the following three cost options: lease and renovate \$601,400; purchase and renovate \$1,315,400; or purchase and demolish \$1,512,000.
- Build new at Exit 42: purchase land and build a 5,000 sf facility \$1,500,000.

Recommended located: North (left) end unit of Troutman Village.

In summary, given the supporting population, estimated sales, start-up cost and estimated facility cost, the information and data gathered supports an ABC Store in Troutman if expenses meet the budget, and the facility is properly located and managed.

Council member Henkel asked if the vacated Bank of America building was considered as an option. Ms. Underwood responded that it was looked at, but the building is too small (2200 sf) and at least 5000 sf is needed. Also, Bank of America will not sell at this time, nor allow expansion.

Ms. Underwood concluded by commenting that Mooresville and Statesville ABC Stores were very generous with information toward the study.

(Copied in full, Feasibility Study and Power Point presentation is filed on CD titled: "Town Board Supporting Documents" dated August 10<sup>th</sup>, and August 13<sup>th</sup>, 2015 in CD Book #1 titled, "Town Board Supporting Documents")

**ITEM 13. REZONING REQUEST (RZ-15-03):** Applicant-Adam and Brandi Lippard, .536 acres located on 211 Perry Road, PIN 4741149876 (*Matthew Todd, Planning Division Manager, Iredell County Planning Dept.*)

a. Call for a Public Hearing

*Mayor Richardson opened the Public Hearing*

Iredell County Planning Manager Matthew Todd presented the rezoning request for 211 Perry Road, (property owners Adam and Brandi Lippard) from Heavy Industrial (IH) to Town Residential (RT). The property is on the market for sale. A house is located on the property which has been used as a residence since 1960. The current zoning of the property is Heavy Industrial (IH). Future Land Use Plan for the area is Office Institutional/Civic. The request is to rezone the property to Town Residential (RT). He informed Council that there are properties in the area zoned residential use as well as industrial. Mr. Todd explained that the property has a potential buyer, but the lending agent for the proposed buyers is hesitant to move forward with the loan because the property is considered a non-conforming legal use due to the current zoning of IH. Staff and the Planning and Zoning Board is recommending approval of the request.

No others spoke during the Public Hearing.

*Mayor Richardson closed the Public Hearing*

(Public Hearing sign in sheet is attached to and made part of these minutes)

(Copied in full, public hearing notice is attached to these minutes)

b. Adoption of Statement of Consistency

Upon motion by Council member Jablonski, seconded by Council member Troutman, and unanimously carried, approved that RZ-15-03 is inconsistent with the Future Land Use Plan but is reasonable and in the public interest because the property has a house on it that has been used as a residence since 1960.

c. Adoption of Ordinance 08-15 Titled: "*An Ordinance Changing The Zoning Classification Of The After Described Property Heavy Industrial (IH) to Town Residential (RT)*"

Upon motion by Council member Henkel, seconded by Council member Williams, and unanimously carried, approved adoption of Ordinance 08-15 titled: "*An Ordinance Changing The Zoning Classification Of The After Described Property From Heavy Industrial (IH) to Town Residential (RT)*" as presented.

(Copied in full, Ordinance 08-15 is filed in Ordinance Book 8, Page 82)

(Copied in full, Rezoning Application is attached to these minutes)

(Copied in full, staff report, rezoning application, map of current zoning, map of current land use plan, map of future

land use plan, permitted and special use matrix, dimensional requirements matrix, public hearing notice, notice to adjacent property owners notification is filed on CD titled: "Town Board Supporting Documents" dated August 10<sup>th</sup>, and August 13<sup>th</sup>, 2015 in CD Book #1 titled, "Town Board Supporting Documents")

**ITEM 14. LYTTON/PATTERSON STREETS IMPROVEMENTS PROJECT, (Shealy, Ann Bailie, Town Manager)**

a. Call for a Public Hearing for Financing

*Mayor Richardson opened the Public Hearing*

Town Manager Ann Bailie stated that this public hearing is to allow citizens to comment on the town taking on debt for the proposed Lytton/Patterson street project. The amount of debt the Town will incur if financing is approved is not to exceed the principal amount of \$1,104,000.

No others spoke during the Public Hearing.

*Mayor Richardson closed the Public Hearing*

(Public Hearing sign in sheet is attached to and made part of these minutes)  
(Copied in full, public hearing notice is attached to these minutes)

b. Approval of Contract Award for Construction

Mayor Richardson stated that Town Engineer Todd Poteet (West Consultants) finds that Bell Construction was the lowest bid and is most qualified to perform the work for this project.

Upon motion by Council member Troutman, seconded by Council member Williams, and unanimously carried, approved to award contract for construction of Lytton Street and Patterson Street to Bell Construction Company, Inc., including Alternate Bid A and Alternate Bid B contingent upon approval of a Financing Agreement by the LGC (Local Government Commission).

c. Approval of Financing Agreement

Finance Officer Steve Shealy stated that RFPs (Request for Proposals) were sent to nine banks with the Town only receiving two replies. The most attractive proposal was from Regions Bank of Charlotte with an interest rate 2.21% for a 10 years fixed term. Staff recommends that subject to LGC (Local Government Commission) approval the Financing Agreement be awarded to Regions Bank.

Upon motion by Council member Williams, seconded by Council member Jablonski, and unanimously carried, approved to award financing agreement to Regions Bank of Charlotte for street improvements to Lytton Street and Patterson Street subject to approval by the LGC.

d. Approval of Engineering Agreement

Upon motion by Council member Williams, seconded by council member Jablonski, and unanimously carried, approved West Consultants, PLLC as the Engineering Firm for the street project.

Upon motion by Council member Williams, seconded by Council member Jablonski, and unanimously carried, approved engineering agreement for professional services between the Town and West Consultants, PLLC in the amount of \$40,000, subject to review by the Town Attorney.

e. Approval Authorizing Eminent Domain Proceeding for Property Right-of-Way

Mayor Richardson explained that all rights-of-way necessary to pave Starks Drive have been acquired except for one owned by IB Property Holding Company, located in Florida, who has been non-responsive to Town correspondence. The amount of permanent right-of-way needed is 1,321 sf., plus 872 sf. of temporary construction easement. He stated that if Council wishes to pave Starks Drive, staff recommends authorizing Town Attorney Gary Thomas to begin eminent domain proceedings.

Upon motion by Council member Troutman, seconded by Council member Jablonski, and unanimously carried, approved authorizing Town Attorney Gary Thomas to begin eminent domain proceedings.

(Copied in full, construction bid recommendation letter from Town Engineer and bid tabulations, financing proposal/agreement, request for proposal letter for financing, engineering agreement, and public hearing notice, is attached to and made part of these minutes, and is filed on CD titled: "Town Board Supporting Documents" dated August 10<sup>th</sup>, and August 13<sup>th</sup>, 2015 in CD Book #1 titled, "Town Board Supporting Documents")

**ITEM 15. APPROVAL OF A REQUEST FOR SEWER ON HOUSTON ROAD, (Bailie)**

Town Manager Ann Bailie presented the request stating that the developer for a small manufacturing plant, Van-K Wheels, on Houston Rd (PIN 4740879596) has requested sewer service from the town. This will require a short sewer line extension which the company will construct. The company's engineer is working with the Town's engineer on design of the project. The building will be approximately 15,000 sf with 6 to 8 employees. Mike Smith, Executive Director of Statesville Regional Development has advised that the project does not qualify for incentives. Per Chapter 8 of the Town's UDO (Unified development Ordinance), if Council approves the sewer line extension and reservation of sewer capacity, Council may require the property owner to petition for voluntary annexation. Staff recommends approval of the sewer line extension subject to the property owner submitting a petition for annexation.

Upon motion by Council member Henkel, seconded by Council member Williams, and unanimously carried, request for sewer service and sewer line extension on Houston Road subject to property owner submitting a petition for annexation to the Town was approved.

(Copied in full, petition letter, UDO insertion Chapter 8: Parking and Infrastructure, and vicinity map, is attached to and made part of these minutes, and is filed on CD titled: "Town Board Supporting Documents" dated August 10<sup>th</sup>, and August 13<sup>th</sup>, 2015 in CD Book #1 titled, "Town Board Supporting Documents")

**ITEM 16. COMMENTS FROM MAYOR AND TOWN COUNCIL**

Mayor Richardson commended all staff for the activities that have occurred this year and the success of each.

**ITEM 17. COMMENTS FROM TOWN MANAGER, (Bailie)**

Reminder: Town Council Agenda Briefing will be held on Tuesday, Sept 8, 2015 due the office being closed Monday for the Labor Day Holiday.

**ITEM 18. CALL FOR CLOSED SESSION**

Mayor Richardson called for a closed session pursuant to North Carolina General Statute 143-318.11(a)(4) to discuss matters pertaining to Economic Development; General Statutes 143-318.11(a)(5) Acquisition of Real Property; and General Statutes 143-318.11(a)(3) to consult with Attorney.

Upon motion by Council member Troutman, seconded by Council member Williams, and unanimously carried, approved to hold a Closed Session pursuant to NCGS 143-319.11(a)(4) to discuss matters pertaining to economic development NCGS 143-318.11(a)(5) acquisition of real property; and NCGS 143-318.11(a)(3) to consult with Attorney.

Mayor Richardson opens the closed session requesting that along with the Town Council that Town Attorney Gary Thomas; Town Manager Ann Bailie; Town Clerk Kimberly Davis; Finance Director, Steven Shealy to join the closed session.

*\*\*MINUTES FOR CLOSED SESSION HAVE BEEN SEALED UNTIL PUBLIC INSPECTION WILL NO LONGER FRUSTRATE THE PURPOSE OF THE CLOSED SESSION*

**RECONVENE OPEN SESSION**

Upon motion by Council member Williams, seconded by Council member Jablonski, and unanimously approved, to close the close session and reconvene the open session.

Action taken: None

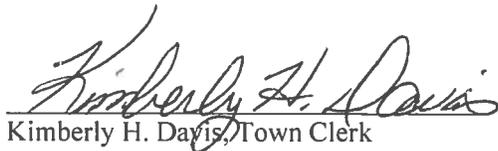
Council member Henkel requested that Mr. Charles Peet (who spoke during public comments) concern be taken care of as soon as possible (within the next two weeks). Town Manager Bailie advised the Council that cutting back kudzu, clearing storm drains and spraying or cutting back overgrowth at the curbs is scheduled for the next day along Stratford Road and West Avenue.

**ITEM 19. ADJOURNMENT**

Upon motion by Council member Henkel, seconded by Council member Jablonski, and unanimously carried, the August 13, 2015 Town Council meeting was adjourned at 9:13 pm.



Elbert H. Richardson, Mayor



Kimberly H. Davis, Town Clerk

