

MINUTE BOOK XXVII, PAGES 104-113
TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES
October 11, 2018

The regular meeting of the Town of Troutman Town Council was held in the Troutman Town Hall, 400 North Eastway Drive, North Carolina on Thursday, October 11, 2018 at 7:00 p.m. with the Mayor Pro Tempore W. Paul Henkel presiding.

Council Members Present: Mayor Pro Tem W. Paul Henkel, Paul R. Bryant, Sally P. Williams; Judy Jablonski; James K. Troutman

Absent: Mayor Teross W. Young, Jr.

Staff Present: Justin E. Longino, Town Manager; Kimberly H. Davis, Town Clerk; Steven H. Shealy, Finance Director; Erika G. Martin, Planning Director; Emily M. Watson, Parks and Recreation Coordinator; Matthew A. Selves, Police Chief; Adam K. Lippard, Public Works Manager; Gary W. Thomas, Town Attorney

Press Present: Debbie Page, SVL Free News
Megan Suggs, Statesville Record & Landmark

MAYOR PRO TEMPORE-W, PAUL HENKEL CALLED THE MEETING TO ORDER

ITEM 1. MAYOR PRO TEM HENKEL WELCOMED VISITORS AND GUESTS

Mayor Pro Tem Henkel mentioned the upcoming election on November 6th stating that early voting begins October 17th, ending November 3rd. Early voting locations are listed on the Iredell County Elections Office Website.

ITEM 2. INVOCATION – Delivered by Pastor Will Dulin, Mt. Hermon Lutheran Church, Statesville

ITEM 3. PLEDGE OF ALLEGIANCE

ITEM 4. ADJUSTMENTS TO APPROVAL OF THE AGENDA

None

Upon motion by Council member Jablonski, seconded by Council member Bryant, and unanimously carried, the October 11, 2018 meeting agenda was approved as presented.

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 5. APPROVAL OF AGENDA BRIEFING MINUTES OF SEPTEMBER 10, 2018**
- ITEM 6. APPROVAL OF REGULAR MEETING MINUTES OF SEPTEMBER 13, 2018**
- ITEM 7. APPROVAL OF CLOSED SESSION MINUTES OF SEPTEMBER 13, 2018**
- ITEM 8. APPROVAL OF FAÇADE FOR TROUTMAN FIRE DEPARTMENT RECONSTRUCTION
(115 S Main St)**
- ITEM 9. APPROVAL OF ALTERNATIVE FAÇADE FOR SAFE HARBOUR STORAGE
(111 Westmoreland Rd)**
- ITEM 10. APPROVAL OF ORDINANCE 21-18 TITLED: “AN ORDINANCE ESTABLISHING A CAPITAL
PROJECT FUND FOR THE MILL VILLAGE SEWER IMPROVEMENT PROJECT**

- ITEM 11. APPROVAL OF ORDINANCE 22-18 TITLED: "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT FUND FOR THE 2018-2019 STREET IMPROVEMENT PROJECT"**
- ITEM 12. APPROVAL OF RESOLUTION 13-18 TITLED: "TOWN OF TROUTMAN AUTHORIZING RESOLUTION APPLICATION FOR FUNDING FROM NC DEQ DIVISION OF WATER INFRASTRUCTURE FOR A WASTEWATER SYSTEM IMPROVEMENT PROJECT"**

Upon motion by Council member Bryant, seconded by Council member Troutman, and unanimously carried, October 11, 2018 Consent Agenda Items was approved as presented.

(Copied in full, Ordinance 21-18 is filed in Ordinance Book 8, Page 233)

(Copied in full, Ordinance 22-18 is filed in Ordinance Book 8, Page 234)

(Copied in full, Resolution 13-18 is filed in Resolution Book IV, Page 13-14)

(Copied in full, Ordinance 21-18, Ordinance 22-18, Resolutions 13-18, is attached to these minutes and is filed on CD titled: "Town Council Supporting Documents" dated October 8th, and October 11th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

(Copied in full, Troutman Fire Dept. Façade, and Safe Harbour Storage Façade is filed on CD titled: "Town Council Supporting Documents" dated October 8th, and October 11th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

PRESENTATIONS

ITEM 13. PRESENTATION OF DRAFT STRATEGIC MASTER PLAN, (Scott Lane, Project Consultant-Stantec)

Planning Director Erika Martin introduced Mr. Scott Lane of Stantec, a former SIHS graduate, and expert land use and transportation planner out of Raleigh. She stated that no public comment for this item is scheduled for tonight because this is an informational item for the Town Council; meaning that Council will not be adopting the plan this evening. She stated that upon completion of Mr. Lane's presentation of the draft Strategic Master Plan tonight, the Town will hold a 30 day public comment period. The draft document can be found at PlanTroutman.com, and comments regarding the draft can be emailed directly to Mr. Lane or Ms. Martin (contact information can be found on the front page), or through reaching out to any of the steering committee members or Town Council members.

Mr. Lane presented the draft plan using a PowerPoint presentation that began with the things that are perceived to be good about Troutman such as: having rural spaces, proximity of the lake, the greenway, and people that care. He led Council through the plan process beginning with the discovery, the generation of ideas, preparation, and the final process of reviewing and refining/adjusting the plan. He explained that a Strategic Plan is developed when there is recognition that things are changing and a Strategic Plan provides a broader, more detail viewpoint. The plan is not just focused on the Town boundaries, but also a much larger area that is influential on the Town. Input was given from not only focus groups, but from the public through surveys and the Charrette. Some of the input received was to preserve rural character, have a vibrant downtown, road capacity, better parking, walkability, identity elements, balanced growth, maintenance, and proactive government. He briefly highlighted the contents of the Master Strategic Plan that consist of the plans purpose, a summary, history, demographics, public feedback, recommendations, actions to implementation, concept design, and renderings (color will be added to the final document). Mr. Lane stated that the Town's request for proposal had 12 different goals which were translated into recommendations/strategic actions as listed in the PowerPoint. He stated that there are 50 total actions in the plan. Mr. Lane briefly reviewed the Land Use Map explaining how it has been revised and converted into a parcel based system along with changes made to the language of the definitions. Lastly, a PowerPoint slide was shown of a map that presented three (3) concept sites/focus areas: Exit 42, Downtown, and Barium Springs that demonstrated a visual concept of development. In conclusion of his presentation, he thanked Council, the focus groups, and the public for all their input.

Council member Bryant asked Mr. Lane when he thought the plan will be ready for approval. Mr. Lane responded that it should be ready close to the end of October. There are some changes/additional adjustments needed, and graphics to be completed.

(Copied in full, draft Strategic Master Plan and PowerPoint Presentation is filed on CD titled, "Town Council Supporting Documents" dated October 8th and October 11th, 2018 in CD Book #1 titled, "Town Council Supporting Documents")

STANDING REPORTS

ITEM 11. TROUTMAN ABC STORE QUARTERLY REPORT, (*Layton Getsinger, ABC Board Chairman*)

On behalf of the Troutman ABC Board and General Manager Evelyn Walls, Mr. Layton Getsinger, ABC Board Chairman updated Council on the ABC Store's performance for the end of the 1st Quarter of Fiscal Year for 2018-2019 stating that the Troutman ABC Store is off to a very good start and is ahead of budgeted revenue. The 4th of July week, Labor Day week and Hurricane Florence were major influencers. Revenues month over month for the previous year: up 14% in July; 24% in August; and 24% in September. It is believed that the increase in sales is attributable to lake traffic. Most everyone in the local area now knows the store is here and the normal clientele is pretty much set.

The Board Budgeted for this year: \$1,350,000 (after Sales Tax)

- Revenue for the 1st Quarter: \$380,277 (up 20% from last year)
- Monthly Average of: \$126,759
- If maintained would be: \$1,521,108 for the year
- Gross Profit for 1st Qtr: \$92,881
- Operating Expenses: \$64,923
 - Monthly Average: \$21,641
- Net Profit: \$27,958 (up 101%)

The "End of Year Audit" resulted in a clean audit with no discrepancies noted. The auditor likewise found that the Board/store was in full compliance with the General Statutes of North Carolina.

Mr. Getsinger stated that their "Retained Working Capital" has been recalculated for FY 2018-2019:

1. Maximum allowed: \$355,144
2. End of 1st Qtr: \$224,949 (up \$31,193 from end of year)

As previously agreed the ABC Board will retain proceeds, after mandatory distributions to Law Enforcement and Alcohol Education, for the year until the store reaches \$355,144. The retained funds are for planned and unplanned expenditures for growth and maintenance. The stores warehouse will need expanding in the coming months. Mandatory distributions will be made to the Troutman Police Department/Law Enforcement of \$849.27, and to DACI for Drug and Alcohol Education in the Troutman Schools of \$1,188.98. He concluded by stating that the store is fully staffed and there are no known needs to add additional payroll this year.

Mayor Pro Tem Henkel expressed thanks and appreciation to the ABC Board and staff in doing fantastic work.

ITEM 12. J. HOYT HAYES MEMORIAL TROUTMAN LIBRARY MONTHLY REPORT, (*Kelli Goodwin, Troutman Library Branch Manager*)

Ms. Kelli Goodwin, Branch Manager Troutman Public Library presented the following monthly library report on current and upcoming programs and events:

- Special Presentation of the Legend of Sleepy Hollow by Bright Star Theatre (a traveling theatre company). The event, funded by the Town of Troutman will be held at the Troutman Library on Tuesday, October 23rd at 4pm; and at the Statesville Library on the same day at 7pm. All ages are welcome.
- Book Artist, Sigrid Hice, will be at the Troutman Library on November 10th at 10am and Statesville Library at 2pm teaching how to make holiday ornaments out of book pages. Registration required. The event is funded by the Town of Troutman.
- Maker Monday's – October 15th and 29th at 4pm-Halloween Crafts.

- STEM Storytime – October 20th at 11am. All ages.
- Pinterest Craft Club “Choctober Fest” (all about chocolate) – October 17th at 5:30pm. Adults only. Registration required.
- Student Services – October 24th at 4pm – Opportunity for teens to acquire service hours. Bring service hour forms.
- Family Game Night – November 1st at 5:30pm, (Murder Mystery). Contact the library for additional information. All ages are invited.
- Conducting a Community Survey now through Oct 15th for the purpose of expanding programs and to get a feel of the programs the community wants.

Ms. Goodwin announced that the Library has purchased a Cricut Machine with the donated funds from the Dowd Foundation. She explained that the machine will cut just about anything, into any shape. Great time saver for crafts.

The Friends of the Library will be holding their annual reception in honor of the National Friends of the Library Week on October 28th from 4-6pm. Refreshments will be served, Friends of the Library t-shirts will be for sale, and donations will be accepted. The community is invited.

ITEM 13. TROUTMAN PARKS AND RECREATION, (Emily Watson, Parks and Recreation Coordinator)

Ms. Emily Watson, Parks & Recreation Coordinator presented the following Troutman Parks and Recreation report regarding current and upcoming programs and events:

- Party in the Park on Saturday- 4pm-7pm, free, beer and wine, food trucks, hayrides, bounce houses for the kids, live music by Breaking Point Band. Title Sponsor is Southern Treats. Pavilion dedication in memory of Mr. John Larew will be held at 4pm.
- Couch to 5K class – Saturday, October 20th- 8am, at the Richardson Greenway access in front of the Barium Springs YMCA. The class will continue to be held for the 6 following Saturday mornings at 8am. All levels are invited to attend. The event is free of charge. Grand finale of the course is the Free Jingle Run 5K on Dec 2nd.
- Wicked Fast 5K – October 20th at 6pm, beginning at the downtown Depot. Register online at www.racesonline.com or in person at Troutman Town Hall.
- Trails and Treats – October 31st at 4pm. Business participants are still being accepted.
- Holiday Market Craft Show- Nov 10th at Iredell County Fairgrounds in the Exhibit Hall. Applications, which can be found on the Town's website or in person at Troutman Town Hall are now being accepted.

COMMENTS FROM VISITORS AND GUESTS

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 Council Meetings”.

None.

NEW BUSINESS

ITEM 17. APPROVAL OF ALTERNATIVE FAÇADE FOR TROUTMAN WALK TOWNHOMES (329 Lytton St), (Erika Martin, Planning Director)

Planning Director Erika Martin stated that the Design Review Board is recommending an alternative design due to site restraints for a proposed town house project on Lytton Street. The units, which meet the town code will face a private drive thus leaving a side instead of a front to face Lytton Street, which is not in accordance with Town code. However, the UDO allows the Design Review Board (DRB) to recommend alternative designs. The applicant has proposed landscaping on the side, which the DRB concluded would soften the side view and offer additional aesthetics along Lytton Street. She stated that at Council’s agenda briefing on Monday, it was inquired as to whether the side of the unit

facing Lytton Street could be redesigned or turned to face Lytton Street. Mr. Scott Parmiter was present to answer any questions.

Mr. Parmiter addressed questions by stating it is not possible for the unit to face Lytton Street. The engineer designed the three units to get maximum density and there is an issue with topography (sloping of the lot), therefore, he would like to stay with the current plan expressing that he feels it is the best use of the land. He stated that his passion regarding the project is that the landscaping and buffering at the entrance is attractive and spectacular in order to attract people. The price of the town homes will be in the low \$200,000 range. Council member Jablonski asked why the plan changed from two car garages to one. Mr. Parmiter responded that the two car garage units did not recess enough to meet the Town's code. He also responded to a second question by Council member Jablonski who asked if additional parking will be provided by stating "yes, there will be on-street parking".

Upon motion by Council member Jablonski, seconded by Council member Williams, and unanimously carried, Alternative Façade for Troutman Walk Townhomes was approved as presented.

(Copied in full, Troutman Walk Townhomes Alternate Facade is filed on CD titled, "Town Council Supporting Documents" dated October 8th and October 11th, 2018 in CD Book #1 titled, "Town Council Supporting Documents")

ITEM 18. ANNEXATION REQUEST (AX-18-05) (NON-CONTIGUOUS), Project Name: Falls Park, LLC, 1.88 acres +/-, located at 149 Houston Rd, PIN 4740878955, (*Martin*)

a. Call for Public Hearing

Mayor Pro Tem Henkel Opened the Public Hearing

Planning Director Erika Martin present the annexation request stating the applicant is seeking public utilities for an existing building and potential future expansion. The site meets all conditions for voluntary satellite annexation.

No others spoke in favor of or against the annexation.

Mayor Pro Tem Henkel 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 Ordinance 23-18, Titled: "*An Ordinance To Extend The Corporate Limits Of The Town Of Troutman, North Carolina (Non-Contiguous)*"

Upon motion by Council member Bryant, seconded by Council member Jablonski, and unanimously carried, Ordinance 23-18 titled: "*An Ordinance To Extend The Corporate Limits Of The Town Of Troutman, North Carolina (Non-Contiguous)*" was approved.

(Copied in full, Ordinance 23-18 is filed in Ordinance Book 8, Pages 235-236)

(Copied in full, Ordinance 23-18 w/annexation map, annexation petition is attached to these minutes)

(Copied in full, Ordinance 23-18 w/annexation map, annexation petition, general warranty deed, survey, and adjacent property owner's notification is filed on CD titled: "Town Council Supporting Documents" dated October 8th, and October

11th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

ITEM 19. REZONING REQUEST (RZ-18-07): Project Name: Falls Park LLC, 1.88 acres+/-, located at 149 Houston Rd, PIN 4740878955 from Iredell County General Business to Town of Troutman Heavy Industrial, (*Martin*)

a. Call for Public Hearing

Mayor Pro Tem Henkel Opened the Public Hearing

Planning Director Erika Martin stated that as Council has just annexed this property, it must now receive Town zoning. Both Town of Troutman Highway Business and Heavy Industrial are in close proximity to the property. Existing land uses in the area include Public Service, Exit 42 Storage, PhD Woodworking, Moore Brothers Trucking, and State Electric Company. The building itself houses two Lowes vendors. The future land use plan and draft Strategic Master Plan show this site becoming heavy industrial. She advised that numerous uses are allowed by right or with a special use permit in the Heavy Industrial district. Rezoning to Heavy Industrial is recommended by Planning Staff and the Planning and Zoning Board.

No others spoke in favor of or against the annexation.

Mayor Pro Tem Henkel 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 Ordinance 24-18, Titled: “An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County General Business (GB) To Town Of Troutman Heavy Industrial (IH)”

Upon motion by Council member Jablonski, seconded by Council member Williams, and unanimously carried, approved adoption of Ordinance 24-18 titled: “An Ordinance Changing The Zoning Classification Of The After Described Property From Iredell County General Business (GB) To Town Of Troutman Heavy Industrial (IH)”

c. Approval of Consistency Statement

Upon motion by Council member Williams, seconded by Council member Jablonski, and unanimously carried, approved that rezoning to Heavy Industrial is consistent with the 2035 Future Land Use Map and Business /Industrial Development Goal and Commercial Goals to strengthen our local economy and develop in appropriately designated areas. The request is reasonable and in the public interest because of nearby office and industrial uses.

(Copied in full, Ordinance 24-18 is filed in Ordinance Book 8, Pages 237)

(Copied in full, Ordinance 24-18 w/rezoning application is attached to these minutes)

(Copied in full, Ordinance 24-18 w/rezoning application, staff report, P&Z Board’s Certification of Action Taken, permitted uses, maps and adjacent property owners notification is filed on CD titled: “Town Council Supporting Documents” dated October 8th, and October 11th, 2018 in CD Book #1 titled: “Town Council Supporting Documents”)

ITEM 20. REZONING REQUEST (CZ-OI-18-02), (TOWN LIMITS/NON-CONTIGUOUS) Project Name: Limelights, 1.15 acres +/-, located at 694 S Main St, PIN 4741509367 from Light Industrial to a Conditionally Zoned Office and Institutional, (*Martin*)

a. Call for Public Hearing

Mayor Pro Tem Henkel Opened the Public Hearing

Planning Director Erika Martin presented the rezoning request stating the property is currently zoned Light Industrial, sited on reasonably flat land, located within the Lake Norman watershed, and includes one primary structure and one accessory structure. The request is to conditionally rezone the property to Office and Institutional and restrict the use of the site to the existing principal building and 5 accessory buildings to allow for operation of Airbnbs (also known as short

term rentals), bed & breakfast inns, hotel/motel, service uses, and office uses. The adopted 2035 Future Land Use Plan shows this area transitioning to Light Industrial, hence its current zoning district. However, the public has expressed a desire to compress the amount of proposed industrial within our community. Therefore, one of the early recommendations from our consultant team working on a Strategic Master Plan for Troutman is to keep the rural feel along the corridor between Exit 42 and downtown Troutman through an overlay district with design and access controls, and through medium density residential uses. She stated that the request for Conditional Zoning Office and Institutional is not in alignment with our current adopted or draft future land use plans/maps. In addition, the property has been in violation of the Town's zoning ordinances since at least February 2018. To further explain the history of this property, Ms. Martin presented a detailed timeline from the time the property was annexed into the Town and rezoned to Light Industrial in August of 2013 to present. The timeline included when permits were applied for and issued, certificate of occupancy was issued, conversations/discussions between Ms. Martin and Limelights owner, warning letters and notification of violation letters, violation fines of \$2,700 for non-compliance in ceasing operation of an illegal use. The timeline explained options and recommendations by Ms. Martin such as rezoning to residential (which would not allow the hair salon); or waiting until the Strategic Master Plan was complete to get a better idea of what density will be proposed.

Ms. Martin explained that in moving forward, the Garland's submitted an application to rezone to conditional Highway Business later changing the request to conditional use Office and Institutional. The request of conditional use (O&I) was presented to the Planning and Zoning Board in September where it was unanimously recommended for approval. Staff is not supportive of the recommendation.

Ms. Martin offered the following three outcomes for Councils consideration:

- 1) Council can grant their request to Conditional Zoning Office and Institutional which has the benefit of being a district that would prohibit retail at the site and restrict uses to lodging, service uses, and office uses, and as a conditional district you can add reasonable site specific conditions. The downside to this route would be that it would not be in alignment with the current adopted future land use plan or the draft Strategic Master Plan...and because of this may be considered illegal spot zoning...or result in corroding the Strategic Master Plan before it is even in place. It would also leave many unanswered questions for our community, related to *if* and *how* short term rentals should be regulated in our community...and if the Garland's plan is carried out as proposed with 6 Airbnb's, they would fall under state lodging regulations which they may not have researched, nor have an understanding of tonight, as they have not been forthcoming in their permits to Iredell County.
- 2) Council can rezone their property to a less intensive district, thus, you could rezone their property to a medium residential district such as Town Residential which would allow for one single family home, one accessory dwelling, and one home occupation which would be in close alignment with what is actually occurring on site now. It would also be in alignment with the draft Strategic Master Plan. The cons of this decision though would be that the Garlands would need to obtain permits to restore a kitchen facility in the main house and add a kitchen facility to the accessory structure in order to qualify as a dwelling under the state building code. The home occupation would require residency and only allows one non-related employee. It would reduce the property value as the property would become residential, thus the Garlands would lose their investment in bringing the structures up to commercial codes.
- 3) Council can support Planning Staff's recommendation to deny this application and uphold the work of the Strategic Master Plan. Doing so would allow a community conversation to occur with the Planning Board, public, UDO task force, and ultimately rest with the Council as to whether this sort of lodging facility belongs in some medium density residential district like Mixed Residential. While the Airbnb's would have to cease operation, the property would remain under its current zoning of Light Industrial, which allows for the continuance of the hair salon and a fairly flexible list of non-residential uses. If denied, the UDO would allow resubmission upon adoption of the Strategic Master Plan. The downside to this decision though, would be that perhaps new language is not adopted and the Garland's plan does not come to fruition.

Ms. Martin concluded by stating that she was not at the recent Planning Board meeting, but it is her understanding that some of the speakers expressed concern over losing their jobs if this rezoning is not passed. She clarified that the property includes a legally operating hair salon (classified as a service use) which may continue to operate whether there is a

change in zoning tonight. The specific violation is with the illegally operating short-term rentals under the current district, no residential uses, nor accommodation uses such as: hotels, motels, or bed and breakfast inns are permitted.

Mr. David Garland debated some of the comments made by Planning Director Martin, and stated that he has never heard some of those comments. He commented how the business brings revenue to the Town, and that the business is part of their retirement. Mr. Garland stated that they are already approved as a business stating that the Airbnb's is a business, and that they did not get clear classification in the beginning what uses are allowed. He shared that their Airbnb has a rating of "Super Host" (equivalent to a 5 star rating) hosting traveling professionals such as Lowe's Corporate. They are currently working with an engineer regarding the drainage issue. In conclusion Mr. Garland commented "If shut down, their retirement, revenue to the Town, and thousands of their money that is already invested will be gone".

Owner, Tracy Garland addressed the Council stating that half of Ms. Martin's comments are not true and some were a little sketchy. She also commented that the business not only brings in income to them, but to the Town as well and they have worked very hard on this business. If it is shut down not only do they lose all their invested dollars; their employees lose their jobs. Other small business in Town will lose revenue. Area businesses and attractions are getting reviews from Airbnb visitors making Troutman well known globally. She commented that all they want to do is run a business, provide jobs, and bring tax revenue to the Town in a nice environment.

Ms. Karen Davies pointed out an inconsistency regarding Planning Director Martin's comment regarding Office and Instructional not being in line with the Land Use Plan; reminding Council that just last month Mr. Elmore's property was rezoned to Highway Business where the Land Use Plan calls for Heavy Industrial; and therefore is not in line with the Land Use Plan.

Mr. Joe West, former County Builder Inspector addressed Council regarding the drainage issue stating water has to go to its normal position and that it cannot be deferred somewhere else. He commented that what the Garlands are proposing is very good for Troutman and all other businesses in Iredell County. If small businesses do not make it, Troutman won't make it in the long run. He advised Council that the Garlands are planning to add four additional tiny houses to be used as Airbnb's. Both structures on the property was designed and built to meet commercial code. In addressing the Future Land Use Plan, he commented that he does not know what the future holds, but plans change.

Ms. Betsy Turnelle spoke in favor of the rezoning commenting that small business are built for the business owner to make money, but the Garlands are in a unique position of having a business that also benefits many other businesses. As she and her partner clean the Garlands Airbnb's she sees to-go bags and containers from every fast food restaurants as well as other restaurants, ABC bottles, Food Lion bags, Dollar General bags, etc. , therefore spending their money in Troutman. Ms. Turnelle stated that national studies show that on the average, every dollar spend on Airbnb's, three dollars (times the amount) is spend in the community.

Mayor Pro Tem Henkel 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)

(Copied in full, Planning Director Martin's Timeline is attached to and made part of these minutes)

Council members were given an opportunity to discuss and/or ask questions.

Council member Williams asked the Garlands if they have ever been advised that they can leave the zoning as is, and with a Special Use Permit they can still have their Airbnb's. Ms. Garland responded that she was not told that option until the last Planning and Zoning Board meeting and that she would have to go through the whole process again, but is open to that option. Ms. Martin explained that Council would have to amend the town ordinance to allow Special Use in that district; first going back to the Planning Board for a recommendation, then back to Council as a text amendment. Ms. Garland explained that waiting would cause a financial hardship and struggle. Council member Williams asked if rezoning to Mixed Residential would allow the hair salon business and Airbnb's. Ms. Martin stated that the Mixed Residential district would take longer with even more text amendments to accomplish, and it too would have to go back through the approval process.

Council member Bryant and Mayor Pro Tem Henkel each expressed their support for small businesses thanking the Garland's for bringing their business to Troutman acknowledging their hard work and struggle in growing their business. Mayor Pro Tem Henkel stated that it is part of Council's job as leaders in the community as well as a personal goal of his to increase/develop a business base, and they provide a business that is attractive and is needed. In being critical on the Town's part, he stated that the Town has not addressed Airbnb's in the Town's code. Therefore, he requested that Stantec address Airbnb's in the proposed updated Unified Development Ordinance (UDO), and stated that until something is in writing, the current UDO ties Council's hands. It may take time, but he wants to come together and work it out. Mayor Pro Tem Henkel stated that Town Council and the Planning and Zoning Board have a joint meeting on Tuesday, October 23 to discuss UDO revisions. He suggested tabling the decision allowing time for completion of the UDO and Strategic Master Plan. Ms. Garland was in agreement to wait on the approval of the newly revised UDO and Strategic Master Plan. She requested that the fines accrued to date be waived. A brief discussion was held resulting in the waiving of fees being addressed in the following motion under conditions.

b. Tabling of Ordinance 25-18, Titled: "An Ordinance Changing The Zoning Classification Of The After Described Property From Light Industrial (IL) To Conditionally Zoned Office and Institutional (CZ-OI-18-02)"

Upon motion by Council member Bryant, seconded by Council member Jablonski, and unanimously carried, approved to table the request with the following conditions:

1. Council will not reconsider Limelights' rezoning request until the new Strategic Master Plan (SMP) and Unified Development Ordinance (UDO) have been thoroughly reviewed and approved.
 - a. B&B requirements will be expanded within the new UDO to include limitations (if any) on "Airbnb" operators.
2. Limelights will be permitted to continue their inside Airbnb operations (Suite #1 and Suite#2) up to December 31, 2018 or until the SMP and expanded UDO is approved and the rezoning request is settled. (Whichever comes first)
3. Effective November 1, 2018, Limelights will discontinue any and all Accessory Building uses not specifically defined in the Special Zoning Permits #220980 and 233397 until the SMP and expanded UDO is approved and the rezoning request is settled.
4. Fines will be held in abeyance until the zoning request is settled; unless Limelights is found to be continuing to use the accessory building for non-permitted uses.

c. Approval of Consistency Statement

Non-applicable.

(Copied in full, Ordinance 25-18 is filed in Ordinance Book 8, Pages 238-239)

(Copied in full, Ordinance 25-18 w/rezoning application is attached to these minutes)

(Copied in full, Ordinance 25-18 w/rezoning application, staff report, P&Z Board's Certification of Action Taken, permitted uses, maps, timeline, site plan, articles, PowerPoint and adjacent property owners notification is filed on CD titled: "Town Council Supporting Documents" dated October 8th, and October 11th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

ITEM 21. APPROVAL OF APPOINTMENT OF MATTHEW WEBER TO THE TOWN OF TROUTMAN BOARD OF ADJUSTMENT, (Longino)

Town Manager Justin Longino stated that Mr. Weber is applying for an alternate seat on the Board of Adjustment. It is a two year term beginning at time of appointment. Board of Adjustment recommends approval of appointment.

Upon motion by Council member Williams, seconded by Council member Troutman, and unanimously carried, approved appointment of Matthew Weber to the Town of Troutman Board of Adjustment filling the vacant position for a 2 year term.

(Copied in full, application to serve is filed on CD titled: "Town Council Supporting Documents" dated October 8th, and October 11th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

ITEM 22. COMMENTS FROM TOWN COUNCIL

Council member Williams thanked Mr. Weber for his willingness to serve on the Board of Adjustment and for not withdrawing his application since his request to be appointed to the Planning and Zoning Board.

ITEM 23. COMMENTS FROM TOWN MANAGER

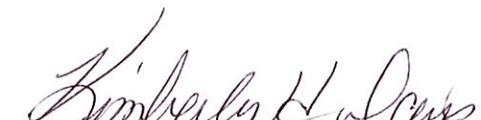
Town Manager Longino stated that October is Domestic Violence Awareness Month and requested that everyone wear purple on Friday's for the rest of the month in recognition and support.

Mayor Pro Tem Henkel commented that we all need to do what we can to help, support, and prevent domestic violence and it victims.

ITEM 24. ADJOURNMENT

Upon motion by Council member Troutman, seconded by Council member Williams, and unanimously carried, the October 11, 2018 Town Council meeting was adjourned at 8:58 pm.


W. Paul Henkel, Mayor Pro Tem


Kimberly H. Davis, Town Clerk

