

**MINUTE BOOK XXVII, PAGES 120-126
TROUTMAN TOWN COUNCIL REGULAR MEETING MINUTES
November 08, 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, November 08, 2018 at 7:00 p.m. with the Mayor Teross W. Young, Jr. presiding.

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

Absent: None

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 TEROSS W, YOUNG CALLED THE MEETING TO ORDER

ITEM 1. MAYOR YOUNG WELCOMED VISITORS AND GUESTS

ITEM 2. INVOCATION – Delivered by Pastor Dieter Punt, Holy Trinity Lutheran Church, Troutman

ITEM 3. PLEDGE OF ALLEGIANCE

ITEM 4. ADJUSTMENTS TO APPROVAL OF THE AGENDA

Item 15. Consider Proposal for ServLine Leak Adjustment Program, *was removed from the agenda (to be discussed at Council's Annual Retreat); and replaced with "Discussion of Proposed Noise Agreement"*

Upon motion by Council member Jablonski, seconded by Council member Henkel, and unanimously carried, the November 08, 2018 meeting agenda was approved as amended.

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 OCTOBER 08, 2018

ITEM 6. APPROVAL OF CLOSED SESSION MINUTES OF OCTOBER 08, 2018

ITEM 7. APPROVAL OF REGULAR MEETING MINUTES OF OCTOBER 11, 2018

ITEM 8. APPROVAL OF JOINT MEETING OF TOWN COUNCIL AND PLANNING AND ZONING BOARD OF OCTOBER 23, 2018

ITEM 9. APPROVAL OF ALTERNATIVE FAÇADE FOR SAFE HARBOUR STORAGE (111 Westmoreland Rd.)

ITEM 10. APPROVAL OF ABANDONMENT OF SANDERS RIDGE EASEMENTS FOR FUTURE SEWER AND PUMP STATION

Upon motion by Council member Williams, seconded by Council member Bryant, and unanimously carried, November 08, 2018 Consent Agenda Items was approved as presented.

(Copied in full, Safe Harbour Storage Façade and Sanders Ridge Non-Warranty Deed is filed on CD titled: "Town Council Supporting Documents" dated November 5th, and November 8th, 2018 in CD Book #1 titled: "Town Council Supporting Documents")

PRESENTATIONS

ITEM 11. NORTH CAROLINA TOLL LANES AND QUICK PASS PRESENTATION, (Warren Cooksey, NCDOT Turnpike Authority; Jean Leier, I-77 Mobility Partners)

Ms. Jean Leier with I-77 Mobility Partners who is financing, developing, designing, constructing, operating and maintaining I-77 Express, the 26 miles of dedicated tolled express lanes in partnership with NCDOT, presented a PowerPoint presentation that illustrated the express lanes that will run adjacent with the existing general purpose lanes from Cornelius to just past Exit 36 in Mooresville. She explained that drivers will have a choice of which lane they want to use which can be a combination of each. In improving connectivity, additional entry and exit points have been added that increases merging distances and improves access to uptown Charlotte, and additional road connectors. Ms. Leier stated that the northern half of the project is almost complete; the southern portion will begin in 2019 with work occurring overnight when traffic is lighter. Motorist will have a 24/7 dedicated team that will provide roadside assistance and monitoring of the corridor coordinating vehicle removal, assisting with traffic control, debris cleanup, maintaining the lanes, road repair, and vegetation control. Signs will be placed along the corridor that will allow motorists time to decide which lane to take, display the toll rates, and alert drivers to any traffic conditions ahead. Ms. Leier stated that toll rates will vary depending on the segment of I-77, peak times, night time, etc. and will be evaluated and adjusted every 5 minutes. Additional information can be found on their website at www.I77Express.com.

Mr. Warren Cooksey with NCDOT Turnpike Authority (a toll collection agency for the state of NC) addressed Council sharing how the tolls are calculated, how tolls will be charged and how payments will be collected. The program is all electronic; no booths, no stopping. He explained that there are two options to pay: 1) NC Quick Pass-a prepaid transponder account; or 2) bill by mail program (customers can opt in to receive future invoices by email. Mr. Cooksey explained that there are three transponder options: 1) Standard Quick Pass sticker (cost-free); 2) E-Z Pass transponder (cost-\$7.50 per vehicle); and 3) E-Z Pass Flex transponder (cost-\$16.49 per vehicle) stating that the billing process can be handled through mail and/or email; and payment can be made online, mail, or with the pre-pay option. Mr. Cooksey explained that if a driver opts out of the sticker or transponder, billing will occur by a photo taken of the vehicles license plate. If bills are not paid by the due date, a processing fee of \$6 will be added on the second invoice, plus any new toll charges. On the third invoice a civil penalty will be added. Motorist with unpaid tolls, fees and/or penalties that are over 90 days past due are subject to NC DMV registration hold. Mr. Cooksey presented a brief presentation regarding the Monroe Expressway. In the PowerPoint presentation the NC Quick Pass Customer Service information was provided.

(Copied in full, PowerPoint Presentations and flier is filed on CD titled, "Town Council Supporting Documents" dated November 5th and November 8th, 2018 in CD Book #1 titled, "Town Council Supporting Documents")

STANDING REPORTS

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:

- Beginning this month (November) the library is hosting a Homework Help Program to be held on Thursdays from 4-6pm, and on Saturdays from 3-5pm. (30 minute sessions or longer). Parents can call-in or sign up at the library.

- Maker Monday will be held on Nov. 19th and Nov. 26th at 4pm.
- Teen activities include Do-It-Yourself (DIY) gifts to give away during the holiday season (ingredients to make homemade hot coco in mason jars to decorate).
- Book Ornament Artist-Saturday at 10am. There are 2 spots left. Call to register.
- Student service opportunity at the Library – November 20th at 4pm. Making and delivering holiday cards to nursing homes.

The Library will be closed November 12th, and November 22nd-24th for holidays.

Ms. Goodwin asked for volunteers to help with the Charlie Brown theme Christmas party at the library on December 13th from 4-6pm. A large crowd is anticipated.

Troutman Friends of the Library (TFOL) Road Clean-up will be held November 15th at 4pm. Student needing volunteer hours are welcome. TFOL Quarterly Meeting is November 29th at 6pm at the Library,

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:

- Saturday, November 10th will be week 4 of the 6 week Couch to 5K Course. New participants are still welcome to join. The group meets at 8am on the greenway extension in front of the Barium Springs YMCA.
- Saturday, November 10th is the 3rd Annual Holiday Market Craft Show. The event will be held at the Iredell County Fairgrounds from 10am-5pm. Currently there are 93 vendors, and food trucks will be on site. Admission and parking is free.
- Christmas Parade-December 1st.
- Free Jingle Run 5K-December 2nd.
- Community Tree Lighting-December 6th.

Ms. Watson stated that Trails and Treats was a great event. Final count of attendees is unknown, but estimated at 1500. Mayor Young expressed thanks and appreciation to all the businesses, non-profits, staff and volunteers that participated.

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".

In regards to Item 15. "Discussion of Proposed Noise Agreement", Ms. Karen Davies addressed Council regarding concerns of health issues and quality of life in relation to secondhand noise of which she voiced is a civil rights issue. (Notes were submitted "for the record" by Karen Davies and are attached to these minutes)

Mr. Mark Klinger also voiced concerns regarding noise from the Troutman Industrial Park construction requesting that Council do something not only for the current project, but future projects as well. Asking that Council create a rule, so all can live in harmony.

NEW BUSINESS

ITEM 14. REZONING REQUEST (CZ-RM-18-01): Project name: Colonial Crossing, 200.14 acres +/-, located between East Monbo Road and Talley Street; PIN's 4731068584 and 4731351985 from Conditional Zoning Planned Unit Development 01 to Conditional Zoning Mixed Residential District-18-01, *(Rebecca Harper, Zoning Administrator)*

a. Call for Public Hearing

Mayor Young Opened the Public Hearing

Ms. Rebecca Harper, Iredell County Planning Department, standing in as Zoning Administrator for Town of Troutman Planning Director Erika Martin presented the request stating that the request is to change from a Conditional Zoning Planned Unit Development to Conditional Zoning Mixed Residential District. The existing residential development that was approved several years ago included 366 dwelling units of which part were age restricted, and some commercial development which is what is permissible on the site now. There was also a 25' buffer around the property, design controls in place, language to protect the historic Sherrill's Path, and tree protection. She explained that in the request to rezone to Mixed Residential, the owner is eliminating the age restriction and the commercial development making it a single family residential development. As a result of two public input meetings and two Planning Board meetings, conditions have been changed and/or added in this request. The 25' buffer has changed under this conditional rezoning request to a minimum of 75' extending up to 125' in places. Additional design controls have been added in regards to the types of homes and their facades. The language for the protection of Sherrill's Path is still in place, and they have strengthen the tree protection language. Stream crossings have been relocated to minimize the impact on the streams that cross through the site, and the requirement that the fencing run along the inside of the buffer was added. Ms. Harper concluded by stating that the property is surrounded by Rural Preservation, Suburban Residential, and Town Residential Zoning Districts. In the Future Land Use Plan, this area is to be a transition between Rural Preservation and Medium Density Residential. All of the conditions (current and proposed) bring this site more in compliance with the existing zoning and the Future Land Use Plan. Therefore, based on those facts, Staff is recommending in favor of this request. Planning and Zoning Board voted (unanimously) in favor of the request.

Mr. Tony Gaffey, property owner representative commented that he was basically present to answer any questions Council may have and that they have enjoyed and embraced the process with the community and the Planning Board, and he has tried to make all the successions they could in support.

Town citizen Jim McNiff questioned the purpose of the fence surrounding the entire property expressing concern that Council may be setting a precedence for other developments. Planning Administrator Harper responded that it was what the neighbors wanted in an attempt to limit disturbances and for the protection of adjoining property owners; and was done so as a mutual agreement with the land owner.

Mayor Young 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)

- **Applicant Acknowledgement of Conditions-For the Record:**

Mayor Young asked Mr. Gaffey, "For the Record" if he has seen Ordinance 26-18, and if so does he agree to the conditions as outlined. Mr. Gaffey responded "yes".

b. Adoption of Ordinance 26-18, Titled: “An Ordinance Changing The Zoning Classification Of The After Described Property From Conditional Zoned Planned Unit Development 01 To Conditional Zoned Mixed Residential 18-01: Colonial Crossing”

Upon motion by Council member Jablonski, seconded by Council member Henkel, and unanimously carried, approved adoption of Ordinance 26-18 titled: “An Ordinance Changing The Zoning Classification Of The After Described Property From Conditional Zoned Planned Unit Development 01 To Conditional Zoned Mixed Residential 18-01: Colonial Crossing” as presented.

c. Approval of Consistency Statement

Upon motion by Council member Bryant, seconded by Council member Henkel, and unanimously carried, approved that the rezoning is consistent with the 2035 Future Land Use Plan and find this action reasonable and in the public interest because it meets the residential development goal to preserve, enhance, and create satisfying living environments that generate and maintain strong neighborhoods.

(Copied in full, Ordinance 26-18 is filed in Ordinance Book 8, Pages 238-243)

(Copied in full, Ordinance 26-18 w/rezoning application is attached to these minutes)

(Copied in full, staff report, Ordinance 26-18 w/rezoning application, P&Z Board’s Certification of Action Taken, permitted uses, maps-zoning and future land use, concept site plan, adjacent property owners notification, public hearing notice is filed on CD titled: “Town Council Supporting Documents” dated November 5th and November 8th, 2018 in CD Book #1 titled: “Town Council Supporting Documents”)

ITEM 15. DISCUSSION OF PROPOSED NOISE AGREEMENT

Town Manager Justin Longino opened the discussion by stating that following several discussions over the last couple of days between the Mayor, himself, and Ms. Godley regarding the use of her property and the complaints concerning the use of her property the following terms of agreement were met.

- Loud and unreasonable construction noise related to grading should be limited to the hours of 7am-10pm.
 - Complaints of loud and unreasonable construction noise related to grading outside of these hours should be addressed to the Troutman Police Department (704-528-7610).
 - Any need for loud and unreasonable construction noise related to grading to occur outside of these hours should be approved by the Town Manager or his designee at least 24 hours in advance.
- Troutman Police should respond in person to loud and unreasonable construction noise complaints related to grading made outside of the hours listed above. They should investigate the complaint as necessary and respond in accordance with our current noise ordinance. This action may range from a verbal request to suspend any construction operations to issuance of a citation.

Upon motion by Council member Williams, seconded by Council member Henkel, and unanimously carried, approved to accept the agreement as stated above.

Mayor Young thanked the residents who shared their concerns with Council regarding this issue and stated that he thinks Ms. Godley has worked with the Town trying to a create a balance.

ITEM 16. COMMENTS FROM TOWN COUNCIL

Mayor Young:

- In honor of the upcoming holiday (Thanksgiving) Mayor Young wished everyone opportunity to give thanks for being in a great town. He expressed thanks and appreciation to staff in doing a great job in all they do for the Town, and the citizens who help engage to make the Town what it is. He also thanked Town Council for putting up with him and keeping him straight.

- Recognized Kathy Walker, Assistance Principle of Troutman Middle School (TMS) for the honor of being selected as the “North Carolina Assistant Principal of the Year”. He stated that it is an awesome honor to have great educators in our Town.
- Reminder-Sunday, November 11th - Veterans Day. Thanked all veterans for their service.

Council member Bryant

- Stated that McCoys were picking up leaves today and asked if today was one of the additional days the Town added for Leaf and Limb pickup; and if so, it was not advertised on the website. Staff advised that it was one of the additional days and it may not have got on the website but was published in the newsletter. Requested that additional days be listed on the Town website.

ITEM 17. COMMENTS FROM TOWN MANAGER

Erika Martin, Planning Director

- Announced that Dunkin Donuts have fallen behind due to the rain and not being able to pave the parking lot. Therefore, they will not be holding their grand opening this weekend. No future date has been set.

Justin Longino, Town Manager

- The Town Clerk will have the terms of the agreement between the Town and Ms. Godley for anyone that would like a copy.

CALL FOR CLOSED SESSION PURSUANT TO NCGS 143-318.11(a)(5) TO DISCUSS ACQUISITION OF PROPERTY

Mayor Young called for a closed session pursuant to NC General Statute 143-318.11(a)(5) to discuss acquisition of property.

Along with Town Council, Mayor Young asked that Justin Longino, Town Manager; Kimberly Davis, Town Clerk; Steven H. Shealy, Finance Director; Erika G. Martin, Planning Director; and Mike Todd, Royal Properties to join the Closed Session.

Upon motion by Council member Bryant, seconded by Council member Jablonski, and unanimously carried, approved to hold a closed session pursuant NCGS 143-318.11(a)(5) to 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 Council member Jablonski, seconded by Council member Williams, and unanimously carried, approved to reconvene open session.

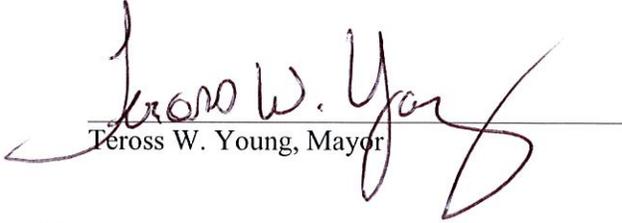
Action Taken resulting from Closed Session:

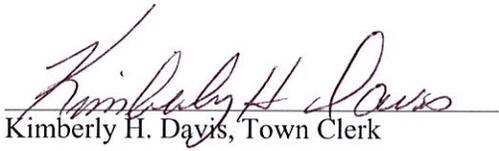
Upon motion by Council member Henkel, seconded by Council member Bryant, and unanimously carried, approved purchase of property located at 147 Wagner Street for the purchase price of \$125,000.

Mayor Young stated that the property is being acquired for downtown revitalization.

ITEM 24. ADJOURNMENT

Upon motion by Council member Troutman, seconded by Council member Jablonski, and unanimously carried, the November 08, 2018 Town Council meeting was adjourned at 9:44 pm.


Teross W. Young, Mayor


Kimberly H. Davis, Town Clerk

