

**CITY OF MONROE
DOWNTOWN ADVISORY BOARD
CITY HALL COUNCIL CHAMBERS
300 W. CROWELL STREET, MONROE, NC 28112
Tuesday, August 24, 2021 - 5:30 PM
AGENDA**

1. Call to Order
2. Roll Call
3. Approval/Acceptance of Minutes (Action Required)
4. Update on Food Trucks in the CBD
5. Downtown Statistics
6. New Chair & Vice Chair Discussion
7. Other
8. Adjourn Meeting (Action Required)

ATTENTION ADVISORY BOARD MEMBERS:

Please contact Matt Black at 704.292.1705 X6041 to confirm your attendance. Thank you.

The next scheduled meeting is . Regularly scheduled meetings are on the fourth Tuesday of February, April, June, August and October.

**AS A COURTESY, PLEASE TURN OFF ALL MOBILE DEVICES WHILE MEETING IS
IN PROGRESS.**

City of Monroe
Downtown Monroe Advisory Board
500 S. Johnson Street, Monroe, NC 28112
Old Armory Community Center
5:30 p.m.

Tuesday, April 27, 2021
Meeting Minutes

DAB Members: Sheila Crunkleton, Chair; James Allen Lee, Co-Chair; Susan Radford, Caroline Brown, Jason Walle, Kay Klaren

Staff Present: Matt Black, Downtown Director; Lisa Stiwinter, Director of Planning & Development

Vistors Present: Robert Yanacsek, Theresa Eaman, Dean Stump, Marie Starnes, Peter Karlan, Michelle King, Joyce Rentchler, Greg Moore, Jen Moore, Richard Price

Member(s) Absent: Carley Englander

The Downtown Monroe Advisory Board met on **April 27, 2021** at 5:30 pm.

Item 1: Call to order

Sheila Crunkleton called the Tuesday, **April 27, 2021** Downtown Advisory Board meeting to order at 5:30pm

Item 2: Roll Call

Roll was conducted with a sign-in sheet of the members that were present.

Item 3: Approval/Acceptance of Minutes (Action Required)

Sheila Crunkleton submitted the Minutes of the Downtown Monroe Advisory Board Regular Meeting on **September 3, 2020** and requested a motion to approve the minutes.

Motion: Jason Walle made a motion to accept the **September 3, 2020** Downtown Advisory Board meeting minutes as submitted.

Second: Caroline Brown

Action: The motion to accept the **September 3, 2020** Downtown Advisory Board meeting minutes as submitted passed unanimously.

Item 4: Façade Incentive Grant – 114 Lancaster Ave. (Action Required)

Sheila Crunkleton introduced this item.

Peter Karlan, owner of 114 Lancaster Ave., has applied for a Façade Incentive Grant. The building has two façades, one on Lancaster Ave. and the other on Stewart St.; therefore the grant is eligible for up to \$8,000. The request is to fund up to \$8,000 with the following work to be completed:

- I. Replacement of storefront windows with new frames and tempered glass
- II. Replacement of windows with architectural garage doors

The owner has suggested a change to the window colors from a green to an industrial, aluminum color because he was unable to find matching colors for the door and window trim. He hopes to continue the work and invest up to \$100,000 not including the purchase of the property.

Motion: Jason Walle
Second: James Allen Lee

Action: The motion to reward 114 Lancaster Ave. a matching grant up to \$8,000 passed unanimously.

Item 5: Downtown Façade Incentive Grant – 200 N. Main Street (Action Required)

Sheila Crunkleton introduced this item.

Richard Price, owner of 200 N. Main Street has submitted a Façade Incentive Grant. The property has two façades, one on Morgan St. and the other on Main St.; therefore, the applicant is eligible for matching funds up to \$8,000. The request is to fund up to \$8,000 with the following work to be completed:

- I. Repair cornice as per the quote from Wiggins Construction, attached. This includes a restoration of the existing cornice.
- II. Install new 96x158 storefront glass on the Morgan Street side, where the window opening is presently boarded up as per the quote from 1st Choice Glass, attached.
- III. Install new upper windows on the first floor of the Morgan Street side where they are currently boarded up. This will either be storefront glass to match the large windows per the quote from 1st Choice Glass or possibly wooden windows with radius glass that would be in line with how the building would have been built.

Matthew Black stated that staff recommends Downtown Advisory Board approve the funding for the grant on stipulation that the owner restores windows as written in the Secretary of Interior's standards for treatment of Historic Properties.

Motion: Susan Radford
Second: Kay Klaren

Action: The motion to reward 200 N. Main St. a matching grant up to \$8,000 passed unanimously.

Item 6: PRONTO Incentive Grant- 215 S. Main Street (Action Required)

Sheila Crunkleton introduced this item.

Greg and Jen Moore, owners of 215 S. Main Street, have submitted a PRONTO grant requesting Up-fit assistance. The new business project has a total of 1,672 sq. ft. and is eligible for \$5 per sq. ft. as a food service entity.

Based on stipulations of the PRONTO grant the Downtown Advisory Board must consider the following:

- I. Grant funds shall not to exceed \$8,360.
- II. The initial payment (Payment 1) shall be made within 30 days of submittal and approval of paid invoices for up-fit expenses. Payments 2 and 3 shall be made at the anniversary date of the business opening of year 2 and 3 at the request of the grantee
- III. City will not advance grant funds until project is complete.

Staff has recommended the applicant be approved for recommendation to General Services Committee up to \$5 per sq ft. of the assessed sq footage of 1,672 or the max grant match of \$8,360. Funding is subject to a general fund appropriation.

Motion: Jason Walle

Second: Caroline Brown

Action: The PRONTO grant for 215 S. Main St. was unanimously recommended for approval to the General Services Committee and City Council.

Item 7: Temporary Use – Food Trucks (Action Required)

Sheila Crunkleton introduced this item.

After the item was introduced Matthew Black, the Downtown Director, gave a presentation on how the discussion of food trucks came about and process staff took to come up with a new, drafted ordinance for consideration:

The rise in popularity of food trucks has led staff to consider code revisions in not only areas of the city eager to acknowledge this type of business, but the city as a whole. These revisions include food safety, traffic, and neighborhood compatibility. Before considering changes to the current ordinance, balanced regulations and permitting procedures need to be in place to ensure that food trucks have ample vending opportunities within a jurisdiction without posing a threat to brick-and-mortar restaurants, blocking the public right-of-way or creating a nuisance. Planning, Engineering, Police and Downtown all have a role to play from permitting to enforcement and the recommendations brought forward reflect all.

First in the evaluation process, staff observed how other municipalities addressed mobile food vending on both private and public property. Research found most established distances from existing

restaurants, residential districts, or other vendors. Most municipalities also enacted operational standards such as limitations on hours of operation, noise and sanitation requirements to minimize potential negative impacts. Furthermore, some ordinances provided a food truck court or specified sites for food trucks to locate to provide more of a destination experience.

Based on these findings, a survey was developed to get existing Central Business District (CBD) businesses opinion and concerns of possible changes. The survey was conducted door to door and below are the questions for your reference:

Name of Business

Choose the category with which you most clearly associate with.

Do you support having food trucks in the Central Business District?

What type of regulations do you think the City should have for food trucks within the Central Business District? (select all that apply)

Where do you think food trucks should be allowed to locate in the CBD? (Check all that apply)

What time should food trucks be allowed in the CBD? (check all that apply)

What concerns do you have with allowing food trucks within the CBD? (Check all that apply)

Once responses were collected, over a two-week period, Staff met to discuss the results of the survey and have brought forth a new, drafted ordinance to consider for recommendation to General Services and City Council.

Staff recognizes food trucks provide new opportunities for entrepreneurs and small businesses by adding expansive food selection and vibrancy that are underserved by the traditional restaurants. Staff will continue to move forward and implement plans that will help downtown Monroe thrive.

Once the presentation was given to the Downtown Advisory Board, Sheila Crunkleton, opened the floor for dialogue and discussion on the proposed ordinance.

Jason Walle requested clarification on how long a temporary use permit was valid for and showed support for allowing food trucks in public right-of-way. James Allen Lee, Co-Chair, was also in favor of allowing food trucks in any public right-of-way, in the Central Business District.

There was a consensus by the board to have a less regulated “food truck” ordinance and to revisit the ordinance if food trucks became a problem.

Sheila Crunkleton suggested a need to maintain some type of regulation on food trucks so that the downtown area could still support the local restaurants and would not be overran by outside food trucks.

Overall, the discussion held at the meeting included a lack of interest in allowing food trucks to locate in City-Owned parking lots and concerns were raised that the ordinance did not provide provisions to allow food trucks to locate within the public right-of-way.

The Downtown Advisory Board made a motion to recommend establishing standards for allowing food trucks anywhere in the Central Business District.

Motion: Jason Walle

Second: James Allen Lee

Action: Downtown Advisory Boards unanimously approved a recommendation to the General Services Committee & City Council to establish standards to allow food trucks within the public right-of-way of the Central Business District (CBD) to the Committee as well

Item 8: Adjourn (Action Required)

Sheila Crunkelton introduced this item.

Motion: Susan Radford

Second: Kay Klaren



STAFF REPORT

TO: Downtown Advisory Board

VIA: Matthew Black, Downtown Director

DATE: August 24, 2021

FROM: Matthew Black, Downtown Director

SUBJECT: Food Truck Update in the CBD

SUMMARY STATEMENT

City Council has adopted a resolution for a pilot, food Truck Program. The program is in effect for 90 days and will be evaluated by City Council once the 90 days expires.

REVIEW

The Pilot, Food Truck Program establishes standards for allowing food trucks on private property, City-owned parking lots and public right-of-way in the Central Business District. The attached Resolution extends the guidelines set forth by City Council.

RECOMMENDATION

No action is needed at this time.

Attachment(s):
Resolution

**RESOLUTION APPROVING FOOD TRUCKS PILOT PROGRAM
FOR CENTRAL BUSINESS DISTRICT (CBD)
IN DOWNTOWN MONROE FOR 90-DAY PERIOD
R-2021-56**

WHEREAS, City Council has observed the rapid growth in interest in the “Food Truck” Phenomenon; and

WHEREAS, Food Trucks are defined as a licensed, motorized vehicle or mobile food unit licensed by the NC State Division of Motor Vehicles, designed and equipped to serve food and beverages; and

WHEREAS, Food trucks are currently prohibited in the Central Business District (CBD) of Downtown Monroe except during permitted special events; and

WHEREAS, members of the general public have requested this vibrant and rapidly growing food service be allowed in the Central Business District (CBD) in the City of Monroe; and

WHEREAS, the City has not yet had the opportunity to fully assess the benefits and burdens of this new business model; and

WHEREAS, the most effective manner to fully analyze the concept of allowing Food Trucks in the Central Business District is to allow food trucks into the Central Business District of Downtown Monroe on a temporary basis for a ninety (90) day period; and

WHEREAS, City Staff has developed a Pilot Program to establish standards to allow food trucks on private property, City-Owned parking lots and public right-of-way in the Central Business District (CBD) of downtown Monroe. The Food Truck Pilot Program shall be effective for ninety (90) days and comply with the program standards; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Monroe recommend adoption of the Resolution Approving Food Truck Pilot Program that shall become effective upon adoption:

A. **Food Trucks on Private Property.** Food trucks on private property are permitted on lots in the Central Business District (CBD) and are subject to the following:

1. Must obtain a temporary use permit, be located on private property and obtain written permission from the property owner.
2. To locate on a property in in the Central Business District (CBD), the property must have a primary use. An example of a primary use would be a building with an active use or an improved stand-alone parking lot. An unimproved grass or dirt lot is not a primary use.

B. **Food Trucks in City-Owned Parking Lots.** Food trucks within the Central Business District (CBD) can locate in the following City-Owned parking lots: Intersection of Franklin Street and Main Street, Intersection of Main Street and W. Talleyrand Ave, Intersection of Hayne Street and Windsor Street or Intersection of N. Church Street and E. Franklin Street.

1. Requires a host business with a physical location be a part of the temporary use permit submitted to the City requesting the food truck services. The host business shall be located within the Central Business District (CBD) and meet the following:
 - i. Permitted and has a valid certificate of occupancy.
 - ii. Is actively operating.
2. Food trucks shall not impede, endanger or interfere with pedestrian or vehicular traffic.
3. The vendor must possess a valid insurance policy through an insurance carrier authorized or eligible to do business in the State of North Carolina for any damage to the public right-of-way and for any damages for which the City might incur the liability because of property damage or personal injury arising out of the use of the public right-of-way. The minimum liability limit to the policy shall be one million dollars (\$1,000,000.00). The City of Monroe shall be listed as an additional insured as its interests may appear on all Certificate of Insurance.
4. The City reserves the right to require any permit holder to cease part or all of its operation, or remove the food truck from the permitted parking space in order to allow for construction, maintenance or repair of any street, curb, gutter, sidewalk, storm drain inlet and any other similar municipal utility.
5. The food truck operator must comply with all other applicable local, state and federal regulations. Any food truck operator in a manner inconsistent with these regulations is illegal.
6. The City may suspend the permit to maintain the health, safety, and welfare of the public. The City may suspend the food truck permit when the street is closed for a special event.
7. If at any time evidence of the improper disposal of liquid waste or grease is discovered, the temporary use permit will be rendered null and void and the food truck business will be required to cease operation immediately.

C. **Food Trucks in Public Right-of-Way.** Food trucks in the public right-of-way can locate on any street within the Central Business District (CBD).

1. No food truck vendor may utilize the right-of-way to serve customers without obtaining a temporary use permit from the Planning and Development Department.
2. No single food truck operator shall occupy more than one food truck at one given time in the Central Business District (CBD).
3. Requires a host business with a physical location be a part of the temporary use permit submitted to the City requesting the food truck services. The host business shall be located within the Central Business District (CBD) and meet the following:
 - i. Permitted and has a valid certificate of occupancy.
 - ii. Is actively operating.
4. The vendor must possess a valid insurance policy through an insurance carrier authorized or eligible to do business in the State of North Carolina for any damage to the public right-of-way and for any damages for which the City might incur the liability because of property damage or personal injury arising out of the use of the public right-of-way. The minimum liability limit to the policy shall be one million dollars (\$1,000,000.00). The City of Monroe shall be listed as an additional insured as its interests may appear on all Certificate of Insurance.

D. Standards for all Food Trucks.

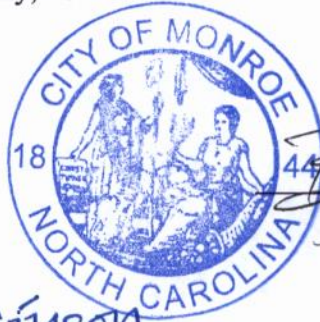
1. No single food truck operator shall occupy more than one food truck at one given time in the Central Business District (CBD).
2. Food trucks are limited to no more than four (4) food trucks in the Central Business District (CBD) at one given time to include the City-owned parking lots and within the public right-of-way.
3. Hours of operation are limited to the hours between 5 pm and 2 am from Thursday to Monday.
4. Temporary Use Permits for food trucks located in the Central Business District (CBD) shall be valid for a maximum of five (5) days (Thursday through Monday) a week. A food truck vendor shall not book a five (5) day period consecutively in order to provide customers with a variety of cuisine.
5. Allowed at special events and on active construction sites with an approved temporary use permit that are exempt from Section (D) (3) and (4).
6. Not allowed one hundred (100) feet from the main entrance of any restaurant or outdoor dining area.
7. All food trucks must be situated to allow at least five (5) feet of unobstructed space for pedestrians on sidewalks, pedestrian paths and other locations intended

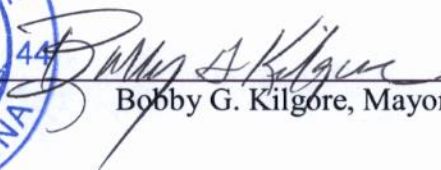
primarily for pedestrian travel. If any applicable law, including American with Disability Act regulations, shall require a greater distance, the greater distance shall apply.

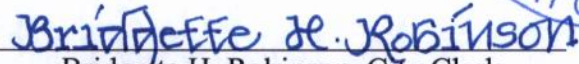
8. The food truck must be located at least five (5) feet from any utility box, utility vault, handicapped ramp, or emergency call box. Not allowed within fifteen (15) feet from any fire hydrant.
9. The minimum distance requirements are measured in a straight line from the closest point of the proposed food truck location to the closest point of the buffered object, or in the case of a restaurant, measured from the closest point of the restaurant's main entrance.
10. Food truck vendors are responsible for the proper disposal of waste and trash associated with the operation. Vendors shall remove all waste and trash from their location at the end of each day or as needed to maintain the health and safety to the public. City receptacles may not be utilized for this purpose. The vendor shall keep all areas within ten (10) feet of the truck clean of grease, trash, paper, cups or cans associated with the vending operation. No liquid waste or grease is to be disposed into the tree pits, storm drains or onto the sidewalks, streets or other public place. Under no circumstances shall grease be released into or disposed of in the City's sanitary sewer system.
11. There shall be no audio amplifier or similar device to attract the attention of the public.
12. No food truck shall be parked in a location that prohibits or restricts access to a private property. A minimum of five (5) feet spacing is required from any driveway, measured from the driveway apron.
13. Advertising consisting of business name, logo and items available for sale may be displayed onto the food truck. No other form of advertising is permitted.
14. If Union County Environmental Health revokes the permit for the food truck, the City's temporary use permit shall be revoked as well.
15. The food truck operator shall not utilize tables, chairs, free-standing signage or audio amplification in conjunction with the food truck. All equipment shall be contained within or on the food truck.
16. The vendor shall hold the City, its officers, councilors and employees harmless and indemnify them for any loss, liability, damage, costs, and expenses arising from its operations.

Adopted this 13th day of July, 2021.

Attest:




Bobby G. Kilgore, Mayor


Bridgette H. Robinson, City Clerk



STAFF REPORT

TO: Downtown Advisory Board

VIA: Matthew Black, Downtown Director

DATE: August 24, 2021

FROM: Matthew Black, Downtown Director

SUBJECT: Downtown Statistics for FY 20-21

SUMMARY STATEMENT

The city's statistics were submitted to the State and National Main Street Program and has been approved. The approval of the statistics is part of the accreditation process which allows the program to be a continued, accredited Main Street Program.

REVIEW

Every year, the downtown office must submit statistics to the National and States Main Street Program in order to maintain an accreditation status. Below are the numbers for the Fiscal year:

	Completed
# of Façade Improvements	15
# of Building Rehabilitation Projects	1
# of Public Improvement Projects	7
# of New Construction Projects	0

\$ of New Public Investment	1,125,756
\$ of New Private Investment	5,554,500
Net Gain (+/-) of Businesses	+3

RECOMMENDATION

No action is needed at this time.

Attachment(s):



STAFF REPORT

TO: Downtown Advisory Board

VIA: Matthew Black, Downtown Director

DATE: August 24, 2021

FROM: Matthew Black, Downtown Director

SUBJECT: New Chair & Vice-Chair Discussion

SUMMARY STATEMENT

The Downtown Advisory Board is to consider a new Chair & Vice-Chair for recommendation to the Citizen's Appointment Committee and City Council.

REVIEW

City Council has amended Section 32.201 (B) of the Monroe Code of Ordinances to remove a term-limit exemption for Chairs and Vice-Chairs of City boards, committees, and commissions effective December 31, 2021.

In order to have a new Chair and Vice-Chair by the December 31, 2021 deadline, the Downtown Advisory Board is to consider making a recommendation to the Citizen's Appointment Committee for City Council consideration and approval.

Attached is the proposed Ordinance for reference.

RECOMMENDATION

Staff requests the Downtown Advisory Board recommend a Chair and Vice-Chair to the Citizen's Appointment Committee for City Council consideration and approval.

Attachment(s):

ORDINANCE TO AMEND CITY OF MONROE CODE OF ORDINANCES
TITLE III: ADMINISTRATION
CHAPTER 32: BOARDS, COMMISSIONS AND DEPARTMENTS
SECTION 32.201: GENERAL PROVISIONS
O-2020-37

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE III, CHAPTER 32 OF THE MONROE ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

Section 1. Amend (B) *Chair and vice-chair* to read as follows:

Chair and vice-chair. City Council shall appoint the chair and vice-chair of all boards and commissions who shall serve as such at the pleasure of the Council. Any non-Councilmember chair or vice-chair appointed by City Council shall be subject to the term limit restrictions in Section 32.201(F) of the City Code during the time they serve as chair or vice-chair. Effective December 31, 2021, the term limit restrictions will apply for any non-Councilmember chair or vice-chair, with the term of any chair or vice-chair who has served on the board or commission for at least two full terms (as the term is defined in Section 32.201(E) of the City Code) as of December 31, 2021, being declared expired as of December 31, 2021. A chair or vice-chair with two or more full terms of service as of December 31, 2021, will be ineligible to serve as chair or vice-chair or a member of that board or commission until December 31, 2022. A non-Councilmember chair or vice-chair who has served for at least one (1) full term but less than one-half of a second full term as of December 31, 2021, will be considered to have completed one (1) term of service, with that term expiring December 31, 2021. The chair or vice-chair having served no less than one term and no more than two terms will require reappointment for a second term to continue serving as chair or vice-chair on the board or commission from January 1, 2022.

Section 2. This Ordinance shall be effective upon adoption.

Adopted this 1st day of September, 2020.

Attest:

Bridgette H. Robinson
Bridgette H. Robinson, City Clerk



Bobby G. Kilgore
Bobby G. Kilgore, Mayor

Sherry Hicks

From: Sherry Hicks
Sent: Wednesday, September 02, 2020 11:34 AM
To: Amanda Horne; Angela Sustar; Angie Rangolan; Ashley Britt; Bennett Glass; Bethany Hawver; Brian Borne (bborne@monroenc.org); Bridgette Robinson; Bryan Gilliard; Chris Plate'; Debra C. Reed (dreed@monroenc.org); Elizabeth Moore; Emily Rushing; Harry Crow, Jr; Jim Loyd; Jim Murray; Leann Yandle; Lisa Strickland; Maryann Brown; Michele Shoultes; Mujeeb Shah-Khan; Ron Fowler; Sheila Couick; Terri Smith; 'Yolanda Elliott '; Bruce Bounds; Chris Plate'; David Lucore; Larry Faison (lfaison@monroenc.org); Lisa Stiwinter; Pete Hovanec; Peter Cevallos; Russell Colbath; Tonya Edwards; Alison Nichols; Amy Austin; Ann Fox; 'Bridgette Robinson'; 'Carmen Crump'; Jan Ball; Lynell Hillhouse; 'Maryann Brown'; Matthew Black (mblack@monroenc.org); Sandra Slifer (sslifer@monroenc.org); 'Sheila Couick'; 'Terri Smith'
Cc: Doug Britt; Keri Mendler
Subject: Ordinance O-2020-37
Attachments: Ordinance O-2020-37.pdf

Good morning – please see the attached Ordinance O-2020-37 that was adopted at the City Council Regular Meeting on September 1, 2020 – thanks and enjoy your day.

Sherry K. Hicks
City of Monroe
Deputy City Clerk
Office 704-282-4513
Fax 704-290-1818
shicks@monroenc.org
Monroenc.org

