



**City Council  
Pre-Agenda/Regular Meeting Minutes  
Monday  
November 14, 2016 @ 6:00 pm  
Trinity City Hall Annex**

**Members Present:** Mayor, Jesse Hill; Council members: Gene Byerly, Jack Carico, Tommy Johnson, Steve Lawing and Don Payne.

**Others Present:** City Manager, Debbie Hinson; City Attorney, Nick Herman; Public Works Director/ Stormwater Administrator, Rich Baker; Planning Director, Marc Allred; Finance Assistant City Clerk, Annette de Ruyter; Office Assistant, Darien Comer; Randolph County Deputy, Kyle Cox; and other interested parties.

- **Call to Order; Welcome Guests and Visitors**

Mayor Hill called the Meeting to order at 6:03 pm and welcomed everyone.

- **Pledge of Allegiance and Invocation**

Mayor Hill led the Pledge of Allegiance and Council member Payne gave the Invocation.

- **Review, amend if needed, and approve Proposed Regular Meeting Agenda**

Mayor Hill opened this Item and called for any changes to the Agenda.

Manager Hinson asked Council to amend the Agenda to add a Closed Session as # 9.

*A motion was made by Council member Byerly to amend the Agenda and add Item # 9. The motion was seconded by Council member Payne and approved unanimously with a vote of 5 ayes and 0 nays.*

**Regular Meeting Begins Here:**

Mayor Hill opened this Item and called on Mr. Baker to update Council on the following.

**I. Standing Report**

**A. Bellwood**

Mr. Baker reported that four permits were issued today for home construction to begin this week. The gas lines will be completed this week as well.

**II. Public Comment Period**

None

**III. Consideration of Consent Agenda: These items are considered routine, non-controversial and are considered and approved by motion, second, and vote.**

**1. Approval of the Minutes for the October 10, 2016 City Council Meeting Minutes.**

Mayor Hill opened this Item and called for approval, changes, or denial.

*Motion was made by Council member Payne to approve the October 10, 2016 Meeting minutes as written. The motion was seconded by Council member Johnson and approved unanimously with a vote of 5 ayes and 0 nays.*

**IV. Public Hearings**

Mayor Hill opened this Item at 6:08, and called on Marc Allred, Planning and Zoning Director to discuss this with Council.

**2. Continuation of Rezoning for 5278 Finch Farm Road from R-40 to R-20 (Marc Allred, Planning Director) (This is 2<sup>nd</sup> reading of this rezoning case, needs a simple majority).**

Mr. Allred began his review by advising Council this property was zoned R-40 when the city was incorporated due to the septic tank regulations.

The surrounding Land Use is:

- North- Single Use Family Residential
- South- Single Use Family Residential
- East- Single Use Family Residential
- West- Single Family Residential
- The rezoning would be in compliance with the City of Trinity Land Use Plan because sewer is available.

Ms. Dennis has asked that her property be rezoned R- 20 to build a new home on this lot. The property owner has proposed building a 1500 heated square foot home that meets the expired covenants that were in place at the inception of the subdivision.

The Planning and Zoning Board recommended approval based on the compliance of this request with the Land Use Plan.

The staff recommends approval of the request based on conditions provided by the owner to have no primary structure smaller than 1500 heated square feet.

Mayor Hill opened the Public Hearing at 6:15 pm.

For:

**Jennifer Dennis- 5278 Finch Farm Road**, Ms. Dennis reiterated to Council that she and her husband are hoping to build a 1650 square feet home with a two-car garage. The home would match the current homes in the neighborhood. We are trying to enhance the neighborhood not harm it. We will follow the covenants that have expired in the development.

Against:

**Barbara Johnson 6833 Country Meadow Lane-** Ms. Johnson asked Council not to allow the rezoning. She felt approval of this request to allow an additional home would create more traffic, and that the location of the home would be too close to the other homes in the neighborhood, and would devalue the existing homes in the neighborhood.

In closing she reiterated her hope that Council would not re-zone this property.

Mayor Hill closed the Public Hearing at 6:28.

After discussion between Council members *a motion was made by Council member Payne to rezone 5278 Finch Farm Road from R-40 to R-20 CZ with a condition of a minimum 1,500 square foot home on the lot. This condition was proposed by the owner to make sure the house fits with the neighborhood. This rezoning is compatible with the Land Use Development Plan and the neighborhood character and integrity will not be harmed by the new home. The motion was seconded by Council member Byerly and approved unanimously with a vote of 5 ayes and 0 nays.*

**3. Rezoning of PIN # 7707488878 & 7707485564 from RA (Residential Agriculture) & RM-U (Residential Mixed-Urban) to O&I (Office and Institutional) (Marc Allred, Planning Director) (This is the 1<sup>st</sup> reading of the rezoning case, needs a 4/5 vote to pass).**

Mayor Hill opened this Item at 6:30 pm, and called on Marc Allred, Planning and Zoning Director to discuss this request with Council.

Mr. Allred began his review by advising Council that the property owner would like to rezone this property to O & I (Office and Institutional) that would address and allow more flexibility with things such as signage that would fit with the church they would like to have.

This rezoning has been requested by Full Armor Christian Center.

The property has been zoned RA since it was part of the county. The zoning in 2013 was RM-U.

The surrounding Land Use is:

- North- Single Family Residential
- South- Vacant has been used as a business
- East- Interstate 85
- West- Trinity Baptist Church
- The Land Use for this parcel is mixed. The rezoning would be in compliance with the City of Trinity Land Development Plan as O & I Zoning is allowed.
- The total size of the property is 7.83 acres and descends along NC Hwy 62. There are no flood issues on this property.
- Property has water on NC Highway 62 and sewer along Interstate 85.
- Access would be from Highway 62 and currently there are no plans for improvement on this road.

Planning and Zoning recommended rezoning this property. They based their decision on the compliance with this request with the Land Use Development Plan and that the proposed use would be fitting with the other facilities located in the vicinity.

Mayor Hill opened the Public Hearing at 6:38 pm

**For:**

**Sheila Ingram** an administrative assistant to Full Armor Church. Ms. Ingram stated the church hopes to purchase this property and enhance the neighborhood. We have a contract on this property to purchase based on the decision of this rezoning.

**Against:** None

Mayor Hill closed the Public Hearing at 6:38.

After discussion between Council, *a motion was made by Council member Johnson to rezone property PIN # 7707488878 and 7707485564 to O& I. This rezoning is compatible with the Land Use Development Plan and the church would fit in with the character of the community. The motion was seconded by Council member Carico and approved with a vote of 5 ayes and 0 nays.*

**4. Special Use Permit for 7707488878. Applicants would like to have a church located on this property. (Representative from Full Armor Christian Center).**

Mayor Hill opened the Public Hearing at 6:40, and called on Marc Allred, Planning and Zoning Director to brief Council.

Mr. Allred, Planning Director, reviewed the Special Use Districts contained in the Zoning Ordinance as follows:

The applicant shall present plans as follows:

- Topography of the area and assures a well-drained site with adequate storm drainage facilities
- Location of signs, entrance and exits and buildings
- Proposed points of access and egress and patterns of internal circulation
- Proposed restrictions
- A buffer of shrubs shall be at least 6' high shall be provided when a church abuts a residential lot

**For:**

- **Sharon Ingram**, This is the same as the rezoning and will enhance the surroundings area.

**Against:** None

Mayor Hill closed the Public Hearing at 6:45 pm.

After discussion among the Council members, *a motion was made by Council member Payne to allow for a Special Use Permit for Pin # 7707488878 to allow a church. This Land Use meets all the requirements for a Special Use Permit and will have no negative impacts in the area. The motion was seconded by Council member Byerly and approved unanimously with a vote of 5 ayes and 0 nays.*

**Old Business**

**5. Consider assuming maintenance of certain sections of roadway within the City of Trinity**

Mayor Hill opened this Item and called on Mr. Baker to brief Council.

Mr. Baker discussed with Council the various costs and possible solutions to the maintenance of Highway 62 from County Line Road to Sealy Drive.

Mr. Baker contacted the Department of Transportation about the possibility of the City of Trinity assuming the mowing along NC Highway 62.

The Department of Transportation contracts the mowing. The schedule is on routine mowing. The contractor is to mow 3 times per year, and clean- up mowing 2 times per year. If the City were to assume this section to maintain, the state would reimburse the city in the amount of \$738.69 dollars per year.

The City of Trinity would need to purchase more equipment at a cost of approximately \$4,000.00 for a mower attachment for tractor.

After discussion between Council members, *a motion was made by Council member Payne to table this until a better solution could be provided. The motion was seconded by Council member Carico and approved unanimously with a vote of 5 ayes and 0 nays.*

V. New Business

**6. Resolution to Adopt the Randolph County Multi-Jurisdictional Hazard Mitigation Plan**

Mayor Hill opened this Item and called on Mr. Baker to address Council on the Resolution.

Mr. Baker discussed the Resolution advising Council this is an agreement with Randolph County that enables the City to fulfill its obligation regarding the North Carolina Emergency Management Act and Section 322. This Resolution will allow the City of Trinity to receive state and federal assistance in the event of a declared disaster.

After discussion between Council and a request by Council member Lawing that staff provide a copy of the Hazard Mitigation Plan to Council for review prior to action, *a motion was made by Council member Lawing to table this Item until next month. The motion was seconded by Council member Byerly and approved unanimously with a vote of 5 ayes and 0 nays.*

**7. Consider Bid Tabulations and Award Contract for the Turnpike Sewer Extension Project.**

Mayor Hill opened this Item and called on Mr. Baker to address Council on this Item.

Mr. Baker informed Council that a bid opening was held on November 7, 2016 for this project. The City received six (6) bids. We feel comfortable with awarding the bid to H & C Utilities at a cost of \$639,960.70. This company has adequately and satisfactorily provided work for this City in the past.

*A motion was made by Council member Byerly to award the contract for Turnpike Sewer Extension to H & C Utilities. The motion was seconded by Council member Johnson and approved unanimously with a vote of 5 ayes and 0 nays.*

**8. Approval of the 2017 Holiday Schedule and 2017 Meeting Schedule**

Mayor Hill opened this Item and called for approval of the Holiday and Meeting Schedules.

*A motion was made by Council member Johnson to approve the Holiday and Meeting Schedules as presented. The motion was seconded by Council member Carico and approved unanimously with a vote of 5 ayes and 0 nays.*

**9. Closed Session 143.318.11-4 Economic Development** *(This item was added upon motion by Council member Byerly, seconded by Council member Payne and approved unanimously 5 ayes and 0 nays)*

Mayor Hill opened this Item and asked for a motion to go to Closed Session.

*A motion was made by Council member Carico to go to Closed Session at 7:07 pm. The motion was seconded by Council member Payne and approved unanimously with a vote of 5 ayes and 0 nays.*

After returning to Council chambers, *a motion was made by Council member Byerly to return to Regular Meeting. The motion was seconded by Council member Payne at 7:22 pm.*

Mayor Hill announced that no action was taken during the Closed Session.

## **VI. Code Enforcement Report and Permits Report**

Mayor Hill opened this Item and called on Marc Allred for the Code Enforcement and Permit report.

Mr. Allred, Planning Director informed Council there were 2 open cases and 7 closed.

He also gave an update on Warren Lane and that a criminal summons has been issued for this complaint and he is awaiting further direction concerning this complaint.

## **VII. Business from City Manager and Staff**

Mayor Hill opened this Item for discussion.

- Dates for Jacob Carroll Roadside Clean-Up for 2017

Annette de Ruyter reviewed the dates for the Jacob Carroll pick- ups for 2017. These are tentative dates and can be changed for any conflicts that may arise.

- Board Appointments for 2017

Manager Hinson reviewed Board Appointments with Council and asked Council to let her know of changes to the Boards.

- Summary Update on City Haul

Mr. Baker will share with Council costs for this event once all the invoices generated for this event are received.

## **VIII. Business from Mayor and Council**

Council member Byerly thanked everyone for the cards and visits during his absence and illness.

## **IX. Adjournment**

Mayor Hill called for a motion to adjourn the November 14, 2016 meeting. *A motion was made by Council member Payne to adjourn the November 14, 2016 meeting at 7:31 pm. The motion was seconded by Council member Carico and approved unanimously with a vote of 5 ayes and 0 nays.*