



**City Council  
Pre-Agenda Meeting Minutes  
Trinity, NC  
February 12, 2013 @ 4:00 p.m.  
Trinity City Hall Annex**

**Members Present:** Mayor, Carlton Boyles; Council members: Linda Gantt, Tommy Johnson, Debbie Frazier, Chester Ayers, and Barry Lambeth.

**Members Absent:** Council members: Ed Lohr, Kristen Varner, and Karen Bridges.

**Others Present:** City Manager, Debbie Hinson; City Attorney, Bob Wilhoit; Public Works Director, Stormwater Administrator & Interim Planning and Zoning Administrator, Rich Baker; Assistant Finance Officer, Lisa Beam; Assistant City Clerk, Annette de Ruyter; members of the media, and members of the audience.

**I. Welcome**

Mayor Boyles called the meeting to order at 4:17 p.m. The mayor talked about the passing of Council member Lohr's mother and advised those present she lived to be 101 years old. Mayor Boyles also updated those present on the condition of his sister-in-law, Jan Boyles stating her condition is very critical. We are trying to get her into the Hospice House.

Mayor Boyles asked Council to relieve Council member Lambeth at 5:15 pm and Council member Johnson at 6:00 p.m. if the Pre-Agenda meeting was not complete by these times.

**II. Invocation**

Council member Lambeth gave the invocation.

**III. Agenda Items for February 19, 2013 Regular City Council Meeting:**

*No vote is necessary to put the following item(s) on the agenda, although items may be discussed and staff may present information as necessary or requested.*

**Standing Report**

- 1. Infrastructure Projects Update** (*Rich Baker, Utilities & Public Works, Director/Randy McNeill, Davis-Martin-Powell & Assoc.*)

- A. Phase 4-B Contracts 1 & 2 (Braxton Craven)** (*Baker & McNeill*)  
**B. Phase 5 Sewer Extensions** (*Baker & McNeill*)

Mayor Boyles opened this item and advised Council discussion was necessary today on this item. He called on Randy McNeill, Davis-Martin-Powell, to share with Council the status of these phases.

Mr. McNeill advised Council that the Preliminary Engineering Report for Phase 5 was being completed. Normally, this report is completed in draft format, reviewed by staff, and then forwarded to Rural Development's primary staff contact for their review. Once the draft report has been reviewed by all parties, the document is presented to Council for approval.

Mr. McNeill discussed the prepared summary report that gave Council a snapshot of the overall bond program.

- **The main change as reflected in this document is for Phase 5.**  
Construction plans are completed, and cost estimates have been updated based on the last contract that was bid in the first quarter of 2012. Using the 2012 cost estimates the Phase 5 project totals 3.64 million.
- **Balance of Bond Dollars**  
The balance of bond dollars were computed by taking the total amount of 15 million (15,000,000.00) dollars and subtracting what was allocated to Phases 2, 3, and 4. This leaves a balance of 3.223 million (\$3,223,000.00) dollars of bond monies for Phase 5.
- **Computation of City Share**  
The city's share of this project is projected to be four hundred seventeen thousand (\$417,000.00) dollars. ( $\$3,223,000 + \$417,000.00 = \$3,640,000.00$  estimated project costs). The city has already paid costs for this project associated with engineering, attorney and right of way agent fees, and citizens for easements, and other costs that total more than their share.
- **Dollars that may not be used**  
The four hundred seventeen thousand (\$417,000.00) dollars that is shown as the city's share includes (\$115,000.00) in contingencies which may or may not be needed and will depend on how the construction for this project goes.

There is also \$72,000.00 included in this project to be used for construction loan interest. The city will probably not use all of these dollars during the period of time remaining for this project.

There is also \$78,000.00 budgeted in the overall project to make patching repairs on Osborne Street. Once the project is finished and the city takes over this street, Powell Bill dollars can be used to repave the total street and possibly reimburse the city some of these costs.

- **Amount required by Rural Development**  
At this time we are not sure the amount that Rural Development will require the City to contribute to Phase 5. The numbers shown on the other projects are stated amounts required by Rural Development for that project. We are expecting the number to be small for Phase 5 and are expecting Rural Development to require at least \$100,000.00 to \$150,000.00 and will include the costs of easements and costs of right of way agent.

- Based on their formula that will include overall costs, how many customers we will serve with this project, how much money the city may generate from revenue earned from customers, and tap fees, they will formulate the amount the city needs to contribute.

These items summarize the big picture numbers that are included in the details of the Preliminary Engineering Report.

We are seeking consensus from Council to proceed with submission of the draft Preliminary Engineering Report to Rural Development for their staff review. When we get comments back from them we will make a quick edit, and provide a formal document to Council for your approval. Once that is complete, Rural Development will submit to Raleigh and Washington for formal approval to give the City the loan. We need to keep this moving quickly to get our loan in place.

Mr. Baker reiterated the summary given by Mr. McNeill and discussed the importance of getting this document to Rural Development in order to secure loan dollars for this final phase because of the time restraints involved in the process. He advised Council that Allen Hart, our local Rural Development Representative had assured him that this loan would move forward.

Mr. McNeill prepared this document so Council could see where our numbers are in reference to the total 15 million (\$15,000,000.00) dollar bond monies.

Council member Gantt asked if the Braxton Craven Project numbers were included in these numbers.

Mr. McNeill advised Council that project was a part of the Phase 4 project and when included would up the city share to \$615,000.00.

We have included an item in this summary that states the budget includes \$145,000.00 for 4B, contracts 1 and 2 which include the Braxton Craven Project. The minimum that Rural Development will require for this project is \$79,000.00. If the city does not need all of the contingency and construction interest, the \$615,000.00 will drop to a point of somewhere between \$79,000.00 and \$145,000.00 dollars.

Mayor Boyles discussed why staff and he felt the importance for this item to go to Council prior to submission to Rural Development. We did not want you to feel this was given to you in a rush and this summary would allow you to see the facts and understand where we are at in this situation. It was the mayor's opinion this was a way to expedite this item so that when it did come back Council will have already seen it.

There was discussion between Council members, Manager Hinson, and Mr. McNeill concerning the amounts expended thus far by the city for sewer in conjunction with the bonds as well as the total amount expended for sewer outside of bond monies, and the amount of grants received for all projects.

Mr. McNeill advised Council this would come back to them as soon as Rural Development completed their review. This could possibly be discussed at the retreat if we receive their review by that date.

Mayor Boyles called for any other questions. Hearing none, Mayor Boyles *confirmed that it was the consensus of Council for Mr. McNeill to forward the draft Preliminary Engineering Report to Rural Development.*

#### **IV. Closed Session**

##### **2. Closed Session pursuant to NCGS 143-318.11 (a) (4) to discuss matters relating to Economic Development.**

Mayor Boyles stated that this was a necessity item for February 19, 2013 Regular Council Meeting.

Council member Lambeth asked if this was just to make public what Council had previously discussed in Closed Session regarding this item.

Mayor Boyles stated that was correct.

Manager Hinson advised Council members that upon request from the Randolph County Attorney the advertisement for the Public Hearing to be held at our February 19, 2013 meeting was not done and no public hearing would take place. There were items concerning the contract that have not been completed and we could not meet the deadline for the public hearing.

She advised members that Bonnie Renfro, President of the Randolph County EDC will be at our February 19, 2013 meeting to discuss this item with you and provide you with additional information during the Closed Session.

*Motion by Council member Frazier to add Item 2 to the February 19, 2013 Regular Meeting, seconded by Council member Lambeth and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.*

#### **V. Reports**

##### **3. Archdale/Trinity Chamber Annual Report (Beverly Nelson, President)**

Mayor Boyles opened this item and advised members that is they had any questions that they would like for Ms. Nelson to address to please advise the Manager or him and we will e-mail them to her so that she can be prepared to answer them at that meeting.

*Motion by Council member Lambeth to add Item 3 to the February 19, 2013 Regular Meeting, seconded by Council member Johnson and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.*

#### **VI. Consent Agenda**

- 4. Approve minutes of the November 13, 2012 City Council Pre-Agenda Meeting (Debbie Hinson, CM/CC)**
- 5. Approve minutes of the November 20, 2012 City Council Regular Meeting (Debbie Hinson, CM/CC)**
- 6. Approve minutes of the December 11, 2012 City Council Pre-Agenda Meeting (Debbie Hinson, CM/CC)**

- 7. Approve minutes of the December 18, 2012 City Council Regular Meeting**  
*(Debbie Hinson, CM/CC)*
- 8. Approve minutes of the January 08, 2013 City Council Pre-Agenda Meeting**  
*(Debbie Hinson, CM/CC)*
- 9. Approve minutes of the January 15, 2013 City Council Regular Meeting**  
*(Debbie Hinson, CM/CC)*

Mayor Boyles opened this item for discussion and or action.

***Motion by Council member Frazier to add the Consent Agenda items 4 – 9 to the February 19, 2013 Regular Meeting, seconded by Council member Ayers and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.***

## **VII. New Business**

**10. Approval of Change Order # 1- 4-B Contract 2 (Braxton Craven Road)**  
*(Rich Baker, Utilities & Public Works, Director/Randy McNeill, Davis-Martin-Powell & Assoc.)*

Mayor Boyles opened this item for discussion and or action.

Mr. Baker, Public Works Director stated that after evaluating prices of bores we are increasing the costs since we anticipate rock to be encountered when this is done. We did not have actual numbers at the time of the change order and were going by previous number costs. These are the numbers that we will have for the contract on this project.

Mr. McNeill advised Council that the original price was done on a bore in soil. The contractor gave us a price of \$260.00 per foot in soil and \$655.00 per foot for rock. The price will be determined after the hole is dug and they start pushing the encasement and line under the road.

There was discussion concerning the letters that had been provided to Council concerning the costs of the bore and how they were determined.

Mr. McNeill addressed Council member Gantt's question concerning the letter included in Council's package today. This letter was done to show that we did consider someone other than Page for this project. Since Page was over budget, we went back to our other contractor's prices and extrapolated those costs. We still see that Page is more economical and that is who we are recommending to do this project.

There was discussion between Council member Frazier, Mr. Baker, and Mr. McNeill concerning the price shown by Dellinger and if these prices were submitted or if the comparison was based on existing prices. Mr. Baker advised Council members that Dellinger's existing prices were used and were not submitted. Mr. McNeill stated there were 4 items they did not have costs for. We did not ask them for these prices and used the numbers similar to Page. That is not a quote from Dellinger, but we are sure they would have been higher than Page. The price shown from Page is a quote.

Mr. McNeill advised Council that easements and permits are still being acquired. We cannot go to construction yet, but if Council awards the contract, the contractor can order materials and we will not have to wait a month to begin construction because we are waiting for materials.

Council member Gantt asked if the entire project was \$594,000.00. Mr. McNeill stated this change order would add to the original work price for Page since this is additional work. These are estimates based on firm unit prices but quantities vary based on what is actually installed.

We are not awarding a lump sum contract but a project based on unit prices. We will do a final adjusting change order at the end of the project that will show how the prices wash out in regards to changes.

Council member Frazier asked about the difference in price from the original quote given to Council and this quote.

Mr. McNeill stated the original quote was for \$215,000.00 and the new quote is \$265,000.00. The main difference in costs between the two (2) quotes is the potential cost for rock excavation needed for the bore, the quantity of erosion control features, and pavement repair cost more than we anticipated.

Council member Ayers asked if the City was still within budget with this increase in comparison to the decrease in Phase 5 made by Council earlier.

Mr. Baker advised Council members that we would be within our original \$15,000,000.00 dollar bond funding. That is the number we do not want to exceed because anything over that will be city costs and not loan dollars.

Mr. McNeill advised Council that the decrease in the project size for Phase 5 saved over \$500,000.00 in construction costs.

***Motion by Council member Frazier to add Item # 10 to the February 19, 2013 Regular Meeting, seconded by Council member Gantt, and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.***

**11. Review and Set Topics for City of Trinity 2013 Annual Retreat, March 09, 2013  
(City Manager)**

Manager Hinson asked the Council for direction on topics for the retreat. She asked Council to prioritize the topics, make any changes needed, and get to her as soon as possible in order for her to have time to have the topics ready for discussion at the February 19, 2013 Regular Meeting.

After discussion, a decision was reached that the topics list be turned in to the Manager by Thursday so that she would have time to assemble the topics for review by council at the February 19, 2013 meeting.

***Motion by Council member Lambeth to add Item 11 to the February 19, 2013 Regular Meeting Schedule, seconded by council member Frazier, and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.***

## **12. City Haul (City Manager and Rich Baker)**

Mr. Baker asked Council if they would like to add this item to the Regular Meeting Agenda for discussion. He discussed the positive aspect of providing this service for the residents adding this was a very popular program and on the residents utilized.

There was discussion between Mr. Baker and Council members concerning the desire to proceed with this program. Council member Lambeth asked if the City would be doing electronics again this year as we had done in the past. Mr. Baker stated that he would like to continue that part of the program as it provided a good means of keeping those items out of the ditches.

Council member Lambeth shared information with Mr. Baker concerning someone who would pick up batteries should Mr. Baker decide to take those during City Hall.

***Motion by Council member Johnson to continue City Haul two times; once in May and once in October or November 2013, seconded by Council member Gantt, and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.***

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

Mr. Baker shared with Council code enforcement violations through a slide show of properties located throughout the City. He told members that on site visits have been performed as well as letters to the homeowners of the properties about the various violations advising the homeowners to clean up their yards and to come into compliance with City of Trinity Ordinances.

He reported that 13 cases had been completed in February and that some of these violations were from earlier complaints.

Mr. Baker addressed complaints in regards to sign violations throughout the City. He advised Council that a plan had been put into place to have Mr. Saxon check the "hot spots" sign violations. He has also been instructed to remove any signs located in the rights of way that he may see during the normal course of his weekly duties that he sees.

Council member Ayers inquired about signs posted on poles. Mr. Baker stated that Duke Energy is responsible for signs on their poles according to Mr. Andrews, Duke Energy Representative.

Council member Gantt asked Mr. Baker about a violation in Colonial Heights. She inquired as to why Mr. Baker did not have a picture of that violation on his slide presentation. Mr. Baker apologized for not getting to this violation. He stated this was Mr. McGee's house and that he would check on this violation.

Council member Gantt discussed the number of signs located at Circle J, advising Mr. Baker that this business now has three (3) signs. The Gateway Overlay allows for one (1) sign. It can be on the building or it can be free standing.

Mr. Baker stated he thought he read that the Overlay allowed one (1) free standing plus on the building. Mr. Baker and Council member Gantt briefly reviewed the Ordinance relating to this issue. Mr. Baker advised Council member Gantt that he referred to the Sign Ordinance as well in determining the number of signs.

Manager Hinson and Council member Gantt discussed the language shown in the Gateway Overlay concerning signage for that area and if there was a reference in that section that referenced it to the Sign Ordinance, and if there was no reference was the limit stated in the Gateway Overlay Section the amount of signage allowed in that area.

Council member Gantt said there was no reference to the Sign Ordinance in the Gateway Overlay language and that the language allowed one (1) sign per lot. It is not supposed to have but one (1) sign.

Mr. Baker said that he went by the other Sign Ordinance since the Gateway Overlay did not say anything about not allowing building signs. It does not reference a building. It states just one (1) free standing sign.

Council member Lambeth discussed his thoughts on the issue and felt that what Mr. Baker was talking about was right. When we talked about the signs that could be put out in the strip malls they would have their names on the one (1) sign but they could also have their names on the building because you wouldn't know which building to go to.

Council member Gantt stated that was one (1) building.

Mr. Baker discussed the signage located at Smoky "T's" and advised Council that signage on that building would need to be removed, because they have building signs as well.

Council member Lambeth stated they also have one (1) sign out front and that is what he thought was allowed. Council member Frazier asked if the business was allowed one (1) free standing and one (1) on the building. Council member Lambeth stated that was his understanding.

Mr. Baker stated under the Sign Ordinance you were allowed one (1) in the front and one (1) on the building. There was further discussion between Council members concerning the language included in the Gateway Overlay and the Sign Ordinance as well as the signage located on Smoky "T's" building.

Council members discussed the use of existing signage that was used by the new business located at the old Circle J location. Council member Gantt and Mr. Baker discussed the size of the existing sign that was utilized by the new business and if it met the size standard. Mr. Baker advised Council members that a 50 square foot sign was allowed in this area or a 10X 5 sign. Council member Gantt also stated that it needed to be landscaped around the sign, and that monument signs are encouraged. If a full sign is used it shall be skirted or well landscaped.

Council member Gantt discussed the Colonial Meat Market signage and the fact that they had to landscape around that signage.

The new business at Circle J needs to be landscaped as well.

Council member Gantt discussed the duplex located on NC Highway 62 that now has the tax service located there. They do not have any landscaping around their signs either.

All signs located along the Gateway Overlay are supposed to be landscaped.

Mayor Boyles discussed comments that he received when he attended a meeting with realtors or builders. They tell me it is difficult to come to Trinity and do business. One of the things that we need to do is make sure that we don't have conflict. If we are going to hold a business owner's feet to the fire and he can't determine what he needs to do then we need to make it easier for them.

Council member Gantt discussed the fact that the owner did not come and get a sign permit to begin with. If he had come prior to putting up the sign, he would have known what the ordinance required of him.

Mr. Baker stated it was correct and that he would have the owner landscape around the sign.

Manager Hinson advised members that this was why she would like to have a review of the Sign Ordinance. We need to make it clear for the developer and the staff exactly what is allowed and where it is allowed. We need to have references and make our Ordinance flow and not conflicting.

It was her opinion that a work session be scheduled to begin this review. Council could discuss this at the Retreat, but to make these changes would take time and not something that could be done at a Retreat.

Council member Frazier felt that Attorney Wilhoit should be involved in this procedure as well. Manager Hinson agreed. Mr. Baker stated a lot of this could be cleaned up with text amendments; examples in the Overlay District "see Sign Ordinance."

Council member Frazier stated "we need to make it specific where one does not override the other."

Mr. Baker discussed a request from someone who wanted to build a church in the Village Center. Currently, the Village Center does not allow churches. I was under the assumption that under the North Carolina State laws they could be located anywhere.

Council members discussed their feelings concerning this and where churches were currently allowed in the city. Mr. Baker advised Council that all churches required a Special Use Permit regardless of the location.

After further discussion concerning the information needed by Council to consider this item, Mr. Baker advised Council he would be gathering legal information as well as checking with other municipalities on how they handled churches and in what areas they were allowed and would report his findings to Council members.

Manager Hinson reported to Council that the light recycling grant that was started by Adam prior to his departure was now complete. The paperwork has been completed and we will be ready to begin this as soon as we can order and receive the boxes for this project.

**IX. Business from Mayor and Council**

None

**X. Adjournment**

*Motion by Council member Lambeth to adjourn the February 12, 2013 Pre Agenda Meeting at 5:28 p.m., seconded by Council member Johnson and approved unanimously by all Council members present. Council members Bridges, Lohr, and Varner were absent.*

*Motion by Council member Frazier to adjourn the September 10, 2013 Pre-Agenda Meeting at 5:41pm, seconded by Council member Bridges, and approved unanimously by all members present with members Lambeth, Gantt, and Varner absent.*

**These minutes were approved by the Trinity City Council on March 19, 2013 at their Regular Meeting upon motion by Council member Frazier to approve the minutes as listed on the Consent Agenda. The motion was seconded by Council member Gantt and approved unanimously 7 to 0 by all Council members present. Council member Bridges was absent at the March 19, 2013 meeting.**

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**Carlton Boyles, Mayor**

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**Date**

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**Annette deRuyter, Assistant City Clerk**

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**Date**