



**Trinity NC City Council  
Regular Meeting  
Minutes  
6/16/09**

**Members Present:** Mayor Fran Andrews, Edith Reddick, Linda Gantt, Robbie Sikes, Barry Lambeth, Kelly Grooms, Karen Bridges and Tyler Earnst

**Members Absent:** Barbara Ewings

**Others Present:** City Manager Ann Bailie, City Attorney Darren Allen, Planning & Zoning Administrator Adam Stumb, Code Enforcement Officer / Planner Joe Rainey

**Call to Order**

▪ **Pledge of Allegiance**

Mayor Andrews led the Pledge of Allegiance.

▪ **Invocation**

Council member Lambeth gave the invocation.

▪ **Welcome Guests and Visitors**

Mayor Andrews welcomed those present and called the meeting to order.

▪ **Approve Agenda**

*Motion to amend agenda to include item #13 resolution to proceed with eminent domain to acquire easements by Council member Lambeth, seconded by Council member Reddick, approved unanimously by all Council members present.*

▪ **Photos from Rain Garden Dedication**

Mr. Rainey showed pictures of the Rain Garden dedication. The students from Archdale – Trinity Middle School made two rain gardens, one at the school and the other one at City Hall. Cindy Farmer from Fox 8 television did a segment on what's right with our schools.

**Public Concerns and Commendations**

Mayor Andrews opened the public concerns and comments session and hearing no comments closed the session.

**Public Hearings**

- 1. Rezoning Request #Z2009-02 from RA (residential) to R-40 (residential) for part of a tract located at 5239 Hopewell Church Rd.; PIN 7707230697 (Adam Stumb, Planning & Zoning Administrator)**

Mr. Stumb stated that this tract was previously up for rezoning for a recycling business. The owner has since changed what he wants to do with the property. He now wants to sell one acre of land that the house is on. The property is currently zoned RA where the minimum lot size is 2 ½ acres. The owner requests to have the property rezoned to R40 so that he may sell the house with one acre.

Mayor Andrews opened the public hearing and hearing no comments, closed the public hearing.

***Motion to approve the rezoning request by Council member Earnst, seconded by Council member Sikes, approved unanimously by all Council members present.***

**2. Zoning Text Amendment pertaining to development standards for recycling processing facilities. (Stumb)**

Planner Stumb stated that approximately 2 years ago the City had a text amendment to include recycling processing facilities. At that time the definition included the word indoors. The way the zoning ordinance defined indoor processing was inside of a building. As the business got up and running there was confusion over the term indoors and the use of truck trailers as use for storage. The ordinance is written so that it would prohibit outdoor storage even if it is inside a trailer. The applicant and the Planning and Zoning Board recommended changing the wording to read enclosed instead of indoors. The applicant has also incorporated into the text amendment that there would be additional screening and keeping the grass cut and the weeds down.

Council member Bridges wanted to know the conditions that were placed on the recycling center when it was first started. Mr. Stumb advised that the ordinance was defined as a recycling processing facility indoors.

The applicant stated that the recycling facility processed manufactured materials such as plastics and rubber. There are between 60 and 70 trailers on the property being used for storage. Mr. Stumb stated that he had been working with the owner to bring the property into compliance. There was discussion as to the trailers not being in compliance. The applicant stated that he believed he was in compliance.

***Motion to table until the August Council meeting by Council member Sikes, seconded by Council member Grooms; motion and second rescinded until the public hearing could be held.***

Mayor Andrews opened the public hearing and hearing no comments, closed the public hearing.

***Motion to table until the August meeting by Council member Sikes, seconded by Council member Grooms, approved unanimously by all Council members present.***

**3. Annual Budget for Fiscal Year 2009 – 2010 (Ann Bailie, City Manager)**

Manager Bailie gave the following updates and highlights:

**BUDGET HIGHLIGHTS**

- No tax increase
- No new fees
- No sewer rate increase
- Proposed Budget: \$3,482,050
- 38% decrease from current budget
- 36% of Budget relates to building and operating Trinity's sewer system
- 75% of sales tax designated for sewer expansion costs (5<sup>th</sup> consecutive year)

GENERAL FUND

Budget: \$2,158,150  
\$35% decrease  
No Major Street Projects  
Annex Completed

SEWER FUND

Budget: \$ 1,268,850  
32% decrease  
No Capital Construction  
Includes Sewer Cap. Reserve and Sewer  
Debt Service funds

GENERAL FUND

REVENUES

- Less than 10% deviation from current budget:
  - Ad Valorem Taxes (\$496,850)
  - Sales Taxes (\$1,150,000)
  - Utilities & Franchise Fees/Taxes (\$267,000)
  - Assessments & Fees (\$8,500)
  - Interest on Investments (\$50,000)
- Economic conditions may require mid-year correction

GENERAL FUND

EXPENDITURES

- City Operations
  - Governing Board
  - Administration
  - Finance
  - Planning & Zoning
  - Public Buildings
  - Public Safety (law enforcement, animal control, fire insps.)
  - Public Works (streets & sanitation)
  - Stormwater
  - Economic Development
  - Special Appropriations
  - Transfers to other funds

SEWER FUND

HIGHLIGHTS

- No transfer from General Fund for annual operations (3<sup>rd</sup> consecutive year)
- 32% decrease from current year budget
- No sewer rate increase
  - 15.4% Archdale sewer rate increase (expected)
  - 6.75% Thomasville sewer rate increase (expected)

DEBT SERVICE FUND

- Revenues
  - \$862,500 Transfer from GF (75% sales tax)
  - \$ 10,000 Interest
- Expenditures
  - \$498,500 WWTP Upgrade/Expansion
  - \$100,800 Phase 2 debt payment
  - \$ 70,000 Phase 3 debt payment

- \$ 203,200 Transfer to Phase 4-B

Mayor Andrews opened the public hearing.

Speaking For: None

Speaking Against:

**Chester Ayers – 3498 Circle Court**

Mr. Ayers advised that he is against the budget because of the cost of living raise for employees. He stated that in these economic times he believed that there should be no raise. Mr. Ayers said that although the employees may be deserving of a raise, the timing was wrong to give raises at this time.

Council member Earnst verified that the proposed raise was a cost of living and not a merit raise. Council member Bridges advised that the budget had been decreased and the budget committee felt that the 2% cost of living increase could be afforded.

Hearing no further comments Mayor Andrews closed the public hearing.

***Motion to approve the 2009-2010 budget as proposed by Council member Earnst, seconded by Council member Sikes, approved by a majority vote with Council member Reddick being opposed and Council member Ewings absent.***

**Reports & Requests**

**4. City Haul** (*Rachel Hawley, City Intern*)

Ms. Hawley stated that the City has City Haul twice per year. The spring 2009 City Haul was for one weekend only and the turnout was slightly less than past events. Junk was the main item brought followed by garbage and scrap metal. There was some decrease in furniture brought in this spring as compared to last spring.

**5. Sewer Smoke Test** (*Rick Austin, Abbotts Creek Engineering/Stumb/Joe Rainey, Planning & Code Enforcement*)

Mr. Austin advised that during the first week of June, City staff, contract personnel, and volunteers had smoke tested the entire sewer system. The primary benefit of testing is finding sources of inflow into the system and reducing the amount of flow that reaches the wastewater treatment plant. The system can also determine who is connected to the system, can help find lost manholes and help customers find plumbing defects.

Mr. Austin stated that when doing smoke testing it is imperative to do a good job of educating the public as what to expect and what to look for. Staff did a good job by using door hangers and public announcements to educate the public. The equipment to perform the smoke testing was borrowed from Fred Somers, a circuit rider with the North Carolina Rural Water Association. Mr. Somers, a sewer specialist, assisted with the smoke testing. When doing the smoke test about 30% of the cleanout caps had been damaged by lawnmowers. There were a few plumbing problems found when doing the testing but there were no problems found with the pipelines.

- 6. Infrastructure projects update** (*Randy McNeill, Davis-Martin-Powell & Assoc.*)
- Photos from Sewer Tour

Mr. McNeill advised at the time of the smoke testing the City of Trinity had 18 miles of outfalls and at least 500 cleanouts. He gave the following updates:

- Construction has slowed down due to the rain
- Phase 3 is still under construction
- Some work is being done along Highway 62
- Phase 4A contract 1 has been resubmitted for stimulus funding

### **Consent Agenda**

- 7. Approve minutes: May 12, 2009 City Council Pre-agenda Meeting** (*Lori Hunt, Assistant City Clerk*)

- 8. Approve minutes: May 19, 2009 Regular City Council Meeting** (*Hunt*)

- 9. Approve minutes: May 28, 2009 City Council Special Meeting** (*Hunt*)

- 10. Adopt Resolution Supporting Reconsolidation of Greensboro-High Point-Winston-Salem and Burlington Metropolitan Statistical Areas (MSAs) and the Mount Airy and Thomasville-Lexington Micropolitan Statistical Areas into a single MSA** (*Bailie*)

- 11. Adopt Resolution in Support of a New 1-85 Bridge over the Yadkin River in Davidson County** (*Bailie*)

*Motion to approve the consent agenda by Council member Earnst, seconded by Council member Bridges, approved unanimously by all Council members present.*

### **Unfinished Business**

None

### **New Business**

- 12. Budget Amendments** (*Debbie Hinson, Finance Officer*)

Ms. Hinson gave the following report on the budget amendments:

Budget Amendment No. 13-

This amendment is needed to balance line item expenditures in the Administration, Finance, Public Buildings, and the Sewer Department. It allows an exchange between line items within the department budget that allows for proper accounting methods for the expenditures of each department.

Budget Amendment No. 14-

In this amendment the Sales Tax Transfer represents the actual revenue projected to be received into the Debt Service Fund (75% of total Sales Tax Revenue) by the year ending June 30, 2009. The increase in Appropriation from Retained Earnings is necessary to allow budgeting for expense approved by Council at the Regular Meeting held in May 09 for an additional \$150,000.00 or blasting in the Turnpike Industrial Park Sewer Project as well as \$5,000.00 for incurred expenses for Legal and Right of Way Services. This amendment also reflects expenses to the Old Town Sewer, 4B Sewer Extensions, and Phase 5 that have actually occurred.

Budget Amendment No. 15-

This amendment represents expenditures approved by Council at May 09 Regular Council Meeting.

***Motion to approve budget amendments by Council member Grooms, seconded by Council member Earnst, approved unanimously by all Council members present.***

**13. Consider resolution to proceed with eminent domain to acquire easement.**

Manager Bailie advised that at the special meeting in May 09 the Council took action on several eminent domain issues. One of the issues was for property owned by Keith and Andy Aikens, Phase 4A Contract 1. This eminent domain has to do with another section of the same property but is in Phase 4A Contract 2. The city would like to negotiate for both properties at the same time. Attorney Wilhoit's office would issue a 30 day notice and at the end of 30 days if no agreement has been reached the City could proceed with legal remedies.

***Motion to approve resolution to proceed with eminent domain to acquire easement by Council member Grooms, seconded by Council member Earnst, approved by majority with Council member Sikes being opposed.***

**Business from City Manager**

Manager Bailie advised that the Community Development Block Grant was awarded and the City is able to connect 26 homes to the sewer system.

Ms. Bailie stated that at the Pre Agenda Meeting there was a complaint about an animal control issue. A resident had called animal control about a dog he had contained. The resident stated that the response he received was since he had fed the dog it was his and the animal control does not pick up dogs from owners. Ms. Bailie talked with Randolph County Health Director Mimi Cooper about the situation. Ms. Cooper, who is in charge of animal control, said their policy was that they do not pick up owned dogs. Ms. Cooper defined owned as being kept for 10 or more days.

Manager Bailie advised that DOT has received stimulus funding and that the agency is considering turn lanes for Finch Farm Rd. at Old Mountain and Kennedy roads.

Planner Stumb gave the following report on Code Enforcement:

- The duplex at Unity St. and Hwy 62 was torn down on Friday 06-12-09
- Planning / Code Enforcement Department has contacted the Randolph County Building Inspections Department concerning the accessory structure on Cedarberry lane. The owner has requested the appropriate permits from the County; however a final inspection was never requested. The City Planning Department has asked the County inspector to make a return visit to the property.

**Business and Closing Comments from Mayor and Council**

None

**Adjournment**

***Motion to adjourn by Council member Grooms, seconded by Council member Earnst, approved unanimously by all Council members present.***