



**City Council
Pre-Agenda Meeting
Trinity, NC
September 10, 2013 @ 4:30 p.m.
Trinity City Hall Annex**

Members Present: Mayor, Carlton Boyles; Council members; Chester Ayers, Karen Bridges, Debbie Frazier, and Tommy Johnson. Council member Lohr arrived at 5:03 pm.

Members Absent: Council members; Linda Gantt, Barry Lambeth, and Kristen Varner.

Others Present: City Manager, Debbie Hinson; Public Works and Utilities Director, Rich Baker; Attorney Bob Wilhoit; Assistant Finance Officer, Lisa Beam; Assistant City Clerk, Annette de Ruyter; Planning and Zoning, Julie Maybee; and other interested parties

I. Welcome (*Mayor Carlton Boyles*)

Mayor Boyles called the meeting to order at 4:35pm and welcomed everyone to the meeting.

II. Invocation

Mayor Boyles led the Invocation.

III. Approve and/or Amend Agenda

Motion by Council member Johnson to approve the September 10, 2013 Pre-Agenda, seconded by Council member Frazier and approved unanimously by all members present, with Council members Lambeth, Gantt and Varner absent.

IV. Agenda Items for September 17, 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. (Braxton Craven) (*Baker & McNeill*)**
- B. Phase 5 Sewer Extensions (*Baker & McNeill*)**
- C. Ennis Flint Sewer Extension (*Baker & McNeill*)**

V. Consent Agenda

- 2. Approve minutes of the August 13, 2013 City Council Pre-Agenda Meeting**
(Annette de Ruyter, Assistant City Clerk)
- 3. Approve minutes of the August 20, 2013 City Council Regular Meeting**
(Annette de Ruyter, Assistant City Clerk)
- 4. Resolution Honoring S. Ellis Hankins, Executive Director of the North Carolina League of Municipalities, for his faithful service and contributions to municipal government.**

Motion by Council member Frazier to add items 2, 3, and 4 to the Regular Meeting Agenda of the September 17, 2013 Regular Council Meeting, seconded by member Johnson, and approved unanimously by all members present with Council members Lambeth, Gantt, and Varner absent.

VI. Public Hearing

Protocol for Public Hearing for Items 5 and, 6 as follows:

- a) **Staff Presentation**
 - b) **Applicant Presentation**

 - c) **Public Comment**
 - i. **For the request**
 - ii. **Against the request**
 - iii. **Other public comments**
 - d) **Applicant Rebuttal**
 - e) **Staff Recommendation**
 - f) **Board Discussion**
 - g) **Board Decision**
- 5. To consider Zoning Ordinance Text Amendment Request# TA-07.2.13, to address the placement of signs, political signs due to recently revised NC General Statute 136-32**
(Julie Maybee, Planning Director)

Mayor Boyles discussed his concerns regarding the display of political signs that were being displayed regarding a candidacy for the Sheriff's race in 2014. It was his opinion this type of signage is not allowed by the language in North Carolina General Statute (NCGS) 136-32.

Ms. Maybee discussed the reasons to address political sign issues. This text amendment addresses the size of the sign, and political signs located within the road rights of ways. All signs on private property will be treated message neutral.

There are two distinct categories regarding signage. One category deals with signage in regards to private property where all signage will be treated the same. Our City Ordinance defines what

kind of sign will be allowed within the zoning district for that property. What is allowed on private property will be based on what is allowed in that zoning district.

The second category deals with political signs as defined by North Carolina General Statute (NCGS) (136-32) which addresses the road rights of way only.

This amendment is proposed to clarify sign issues in both categories. The statute (NCGS 136-32) that was recently amended by the state, applies to signs located in road rights of ways that are maintained by North Carolina Department of Transportation (NCDOT). The Sign Ordinance provision for the City of Trinity applies to private property. What is allowed on private property will be based on what is allowed in that zoning district. The City will not be looking at the message on the sign but what is allowed in the zoning district. If the property is located in an overlay district, restrictions for the overlay will be applied in addition to the zoning district restrictions.

There was discussion between Mayor Boyles and Ms. Maybee concerning the language currently shown in the City Sign Ordinance that defines political signs and how those may be displayed 30 days prior to the election.

Ms. Maybee addressed the Sign Ordinance Provision that related to temporary signs stating that this section does not include political signs. The Planning Board discussed the Sign Ordinance and felt that it should be addressed by Council.

Ms. Maybee discussed letters that she would be mailing to all the candidates that would advise them what the options are for political signs if Council approved the proposed amendments. It was her opinion this change would provide fair treatment to everyone and would not exclude or leave anyone out.

Motion by Council member Johnson to add this item on the September 17, 2013 Regular Meeting Agenda, seconded by Council member Ayers, and approved unanimously by all members present with Council members Lambeth, Gantt and Varner absent.

- 6. To consider Zoning Ordinance Text Amendments # TA-8.1.13 to clarify /address ordinance definitions, section references, and public event provisions.**
(Julie Maybee, Planning Director)

Motion by Council member Bridges to add this item to the September 17, 2013 Regular Meeting Agenda, seconded by Council member Frazier and approved unanimously by all members present with Council members Lambeth, Gantt and Varner absent.

VII. New Business

7. Request to Demolish Hot Dog Building located on City Property.

Manager Hinson discussed with Council their feelings regarding renting a dumpster in order to demolish the hot dog building during City Haul. She shared that the metal could be sold for scrap and applied towards the dumpster rental. We have several residents that have stated they were willing to volunteer to help the City with this matter.

There was a brief discussion among council concerning what if anything else was left in the building that could be used or sold for scrap. After discussion, it was determined that there was nothing in the building that could be used but any material that could be sold would be paid toward the dumpster rental.

There was discussion concerning whether the fire departments would be interesting in a control burn. Manager Hinson shared with Council that this type of disposal would still require the City to clean up the debris.

She advised Council the approximate cost of the dumpster would be around \$300.00 for a week.

Motion by Council member Frazier to demolish hot dog building during “City Haul”, seconded by Council member Bridges, and approved unanimously by all members present with members Lambeth, Gantt, and Varner absent.

8. Update on New Building to serve as Storage and Public Works Building.

Manager Hinson shared with Council that she was still in process of getting other quotes for this project.

Motion by Council member Ayers, to discuss this item at the Council meeting, when more information could be provided and more Council members were present, seconded by Council member Frazier, and approved unanimously by all members present with members Lambeth, Gantt, and Varner absent.

VIII. Old Business

9. Review action taken concerning construction traffic ingress and egress for English Pride only located in Steeplegate North. (Baker and Maybee)

Mayor Boyles advised Council that this item dates back to 2012 and the minutes regarding this item were provided to Council for their review. In 2012, the Council voted to use this road as a construction road.

Manager Hinson and Mr. Baker discussed with Council members reasons that the earlier motion concerning the ingress and egress of construction traffic could not be applied. The road was never platted therefore, when the property changed ownership the construction easement stipulation was not transferred because the road had not been recorded as a part of the plat.

Motion by Council member Bridges to rescind the previous motion, seconded by Council member Johnson, and approved unanimously by all members present with Council members Lambeth, Gantt, and Varner absent.

IX. Code Enforcement Report ***(Julie Maybee, Planning Director)***

Mayor Boyles thanked Ms. Maybee for her efforts to correct the City Ordinances as needed and turned the discussion over to Ms. Maybee for briefing.

Ms. Maybee shared with Council that since January, 107 cases have been closed and 27 cases are pending. She advised Council that she has had great cooperation with property owners.

She explained the procedures that are used when reviewing violations advising Council that she periodically checks the property for violations. In the cases regarding tall grass, the grass must be in excess of 18" before a letter will be sent to property owner. The property owner has 10 days to comply with the Ordinance after the violation letter is sent.

X. Business from City Manager and Staff

Manager Hinson advised Council that a "Fair Housing Workshop" meeting had been planned by Alicia Broadway for Thursday, September 26, 2013 at 6:00 p.m. This meeting is being held in conjunction with our CDBG grants. There is no charge to attend this meeting for anyone who would like to attend.

Manager Hinson discussed with Council her conversation with Deputy Eric Wilson on how we might take steps to better maintain professionalism at our meetings. She discussed her feelings regarding comments that are shared with our residents and how the meetings should remain under control. These meetings are for conducting the business for the City of Trinity. People disagree however; questions should be asked and answered in a respectful manner by each party. We must allow Public Comment. This discussion is not an attempt to prevent freedom of speech, but an effort to find a way to disagree without disrespect to anyone.

Manager Hinson discussed The Rules of Procedure for Public Meetings used by the Randolph County Commissioners that was provided by Mayor Boyles for Council review and consideration.

Mayor Boyles discussed the change he had made to this policy in an effort to make this policy work for the City of Trinity.

The public comment period will allow the citizens of Trinity to address all members of Council at the beginning of each meeting. If a citizen request more time it will be up to the Council to approve the request. A resident desiring to address the Council shall print their name and address on the sign-up sheet on the table before the meeting begins. Citizens may address the Council with issues of Trinity business. Citizens will address Council when the Mayor calls their name and goes to the podium and state their name and address. Speaker will be limited to three minutes, show courtesy in their language and presentation. Speakers are not allowed to discuss issues concerning the candidacy of any person seeking public office.

Common interest groups are encouraged to select a spokesperson for their group. Please direct all comments to the entire Council and not to individual members of Council. Response, concerns, and action will be addressed by our Manager, Mayor, or members of Council at the appropriate time during the meeting. This does not restrict anyone from sharing their concerns at our meetings.

Attorney Wilhoit discussed the differences in personal attacks and criticism. Contract neutral policy is not unconstitutional, it is ok to criticize someone but you cannot attack someone personally. An example of a personal attack would be like: The Council is corrupt, are liars,

double headed snake would be directed to an individual Council member. An example of criticism would be like: I don't think our local Council is doing a good job because of

Council members think the policy we have now needs to be enforced. The speaker should not address an individual of the Council but speak to the Council as a whole.

Residents have contacted Manager Hinson about their concern at the meeting. They feel uncomfortable with both sides of the podium, the outburst and name calling at the meetings.

There was discussion between Council members, Manager Hinson, and Attorney Wilhoit on ways that a policy could be drafted that would address the concerns expressed in regards to the personal attacks during the Public Comment Period.

Manager Hinson advised Council that she and Attorney Wilhoit would discuss possible changes to the current policy that would address the questions regarding personal attacks and would share with Council the policy with revisions when completed.

Council member Johnson asked if this matter could be addressed at the beginning of the Regular Council meeting next week if completed in an effort to inform residents prior to the beginning of the meeting and Public Comments.

Manager Hinson stated that it was her plan to open this item for discussion prior to the Public Comment period listed on the Agenda and again stressed that this change was not directed to any one person, but an effort to address comments by the residents and the Council. Any change will apply to all persons at the meeting on both sides of the dais.

XI. Business from Mayor and Council

Council member Johnson discussed with Council the status of Orphaned Streets that were discussed at an earlier meeting and shared the following information and proposal to address these streets.

Orphaned Street Proposal

Statement of facts

1	There are 15 miles plus or minus of Orphaned Roads in Trinity
2	These are City taxpayers who receive little in return. Even Trash and Recycle service requires a special action
3	
	We currently have \$1,318,081 in the Powell Fund balance.
4	We currently receive \$150,000 per year in Powell Bill Revenues along with assessments for Carriage House, Colebrook and Turnpike Industrial Park in the amount of \$200,000 for the next 10 years. Currently the City collects approximately \$350,000.00 in annual revenue. Assessment Revenues are for a 10 year period and should remain somewhat constant. General Powell Bill Dollars are consistent and will remain consistent unless the distribution method is changed by the State.

Proposal

1	Allow the City Manager to conduct a study to evaluate all the orphaned roads and provide rough estimated cost for each to bring to DOT standards for gravel road. This would allow her to fund consulting fees or other cost associated with providing the requested information.
2	Once the information has been collected a workshop could be established to determine if the city wants to pursue this as a goal.
3	The priority of where funds are expended would be our current City Streets first and these projects second.
4	We should rely on the expert advice of Rick Austin, Rich Baker and other Consultants if needed to determine when it is prudent to proceed with a project.
5	We would need a timeline including all current city streets showing repair and projected horizons with new projects included and added to list as upgraded.

Pros:

1	Increased property values
2	Begin receiving Powell Revenues for upgraded streets
3	Trash and recycling service is no longer an issue
4	Right of way for future Sewer Service is not an issue
5	School buses will be able to use these roads
6	Access for emergency vehicles is not an issue
7	Improved Storm water Control
9	Open these streets to potential development

Cons:

1	Can we do this project and maintain in the future? We need to rely on the advice of experts
2	New Ordinance to prohibit tractor and trailers on improved subdivision streets to protect our investment. Allow: buses, Emergency Vehicles, Construction Traffic and those currently grandfathered.
3	Spending down of our Powell Bill funds. To what level? How much to allow for an emergency repair such as a culvert blowout.

After review of the proposal, there was a brief discussion between Council members concerning some of the items listed in the proposal. Council member Ayers discussed gravel roads and agreed the least cost to the City would be to bring up the roads to North Carolina Department of Transportation (NCDOT) standards for a gravel road.

Mr. Baker stated that most of the roads have NCDOT required rights of way, and in the future the City should consider paving them . We would already have the base for the paving project and that would make it cheaper to complete.

It was a consensus of the Council to not have any time limits on completion of this project. We could give updates to the Council at various times. Mr. Baker will begin working on this and keep you informed.

Council member Lohr discussed the proposed building for the City and shared information on a 30 X 40 garage that a gentleman had built for under \$100,000.00. He advised Manager Hinson where the office was for the contractor that built this building so the manager could follow up to compare prices if applicable to the needs of the city.

Council member Lohr also discussed the sewer jet truck that was declared surplus by Council. He advised Manager Hinson and Council that he would be responsible for getting the truck to D.H. Griffin to scrap the vehicle.

He advised those present that he would return any monies received from the truck to the city.

XII. Adjournment

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 October 15, 2013 at their Regular Meeting upon motion by Council member Bridges to approve the minutes as listed on the Consent Agenda. The motion was seconded by Council member Lambeth and approved unanimously by all Council members present. There were no Council members absent at the October 15, 2013 meeting.

Carlton Boyles, Mayor

Date

Annette deRuyter, Assistant City Clerk

Date