



**Agenda
City Council Meeting
Trinity NC
3/16/10**

Members Present: Mayor Carlton Boyles, Tommy Johnson, Barry Lambeth, Linda Gantt, Karen Bridges, Kristen Varner, Robbie Sikes, Tyler Earnst and Kelly Grooms

Members Absent: None

Others Present: Manager Ann Bailie, City Attorney Bob Wilhoit, Planning Administrator Adam Stumb, Code Enforcement Officer Joe Rainey, City Clerk/Finance Officer Debbie Hinson and Assistant City Clerk Lori Hunt

Call to Order

- Pledge of Allegiance
Mayor Boyles led the Pledge of Allegiance.

- Invocation
Council member Lambeth gave the invocation.

- Welcome Guests and Visitors
Mayor Boyles welcomed those present and called the meeting to order.

Motion to approve the revised agenda to include the Proclamation for Week of the Young Child by Council member Bridges, seconded by Council member Earnst, approved unanimously by all Council members present.

Public Comments

Chester Ayers - 3498 Circle Court

Mr. Ayers stated that he thought that the purpose of the Truck ordinance is to keep residential areas residential. He also stated that he would like the original ordinance enforced without any amendments. Mr. Ayers said he would like to see a deadline for all permits to expire.

Pam Goins - 3809 Fox Meadows

Ms. Goins wanted to know why Council reversed their decision on the truck ordinance. She stated that the original ordinance was well thought out and was passed. Ms. Goins advised that she thought that if permits for trucks in residential areas are allowed that zoning laws would be a joke. She stated that when she was looking for a home she wanted to live somewhere where her rights would be protected. Ms. Goins advised that if she had not cared what could be in her neighborhood she would have moved into an area that was not zoned.

Steve Isgot - 3979 hilldale park dr. Sophia, NC

Mr. Isgot stated that he parked his truck in his front yard and has had no complaints. He advised that he could see the City limits of Trinity from his residence and he does not want what is going on in Trinity to become a problem for his area.

Trent Wilmoth - 3974 Woodcrest

Mr. Wilmoth stated that he is an owner/operator. He said that if people want to park their trucks in their driveways they should be able to do so. Mr. Wilmoth advised that he is trying to make an honest living. He stated that if there is a conflict concerning truck parking, that neighbors should talk to each other and try to resolve the problem. Mr. Wilmoth said he believes that the truck ordinance issue is a waste of the taxpayers time to have talked about the issue for the past 6 months.

Jerry Sturgis - 6808 Country Meadows Ln.

Mr. Sturgis stated that he believes that Council has discriminated against the homeowners who do not want trucks in their neighborhoods. He advised that a citation was issued to the truck driver in his neighborhood and that he felt that the City is trying to wash out the fines issued.

Noel Upton - 6754 Rosewood Dr.

Mr. Upton stated that people got their clothes and food by a truck delivering them.

Tommy Wilmoth - 6257 Cedar Square Rd.

Mr. Wilmoth advised that he had a farm where he has been parking his truck. He stated that he felt that the City is trying to bring the heavily populated areas into Trinity. Mr. Wilmoth said he wanted to get the issue settled and quit tying up the Council's time.

Mayor Boyles stated that people needed to respect each other and disagree without being disagreeable.

Denise Lohr - 5366 Meadowbrook Dr.

Ms. Lohr advised that she saw the letter to the editor in the paper on Sunday and she thought it was worthwhile. She read the article to those present. She stated that the article summed up what the truckers feel. The article said that politicians are taking away homeowners property rights. She stated that when rights are taken away from one, they are taken away from all.

Ed Lohr - 5366 Meadowbrook Dr.

Mr. Lohr stated that he speaks for a lot of truckers who were not able to attend the Council meeting. He said he believes that this ordinance was passed before speaking to a truck driver. Mr. Lohr stated that he only found out about the ordinance after reading about it in the newspaper. He said he has been at his residence for 40 years. He stated that both he and his wife have CDLs and he did not understand where the limit of only one truck per residence came from.

Proclamation

Mayor read the Proclamation for the Week of the Young Child He gave Proclamation to Andee Edleson of Partnership for Children.

Reports and Funding Requests

- 1. Request by Friends of Trinity for funding in the amount of \$700 to offset expenses associated with the Hardee Retreat Civil War Reenactment scheduled for April 10 & 11, 2010. (Curtis Connor, Chairman)**

Mr. Connor stated that Trinity played an important role in the Civil War. He advised that Trinity was full of history. Mr. Connor stated that the Friends of Trinity is sponsoring a Civil War event called the Hardee Retreat. The event will be held April 10th & 11th and is free to the public. The event will be authentic and people can walk through the camps and see what went on during the Civil War. There will be 3 battles at the Albertson Home on Meadowbrook Rd. The request for \$700 will help to offset some of the cost of the event. The Friends of Trinity will try to make the Hardee Retreat an annual event.

Motion to fund the request for the Hardee Retreat on a receipt basis up to \$700 by Council member Bridges, seconded by Council member Sikes, approved unanimously by all Council members present.

2. Infrastructure projects update (*Randy McNeill, Davis-Martin-Powell & Assoc.*)

Mr. McNeill stated that the construction on the stimulus project has started. He advised that the construction on Phase 3 is back under way after the bad weather. Mr. McNeill stated that the stimulus money is for Phase 4A contract 1.

Public Hearing

3. Amendments to Zoning Ordinance Articles VIII Section 8-7 (Regulations for Special Use Permits) and IX (Nonconformities) as pertains to manufactured home parks. (*Adam Stumb, Planning & Zoning Administrator*)

Mr. Stumb advised that the question that this amendment addresses is how to deal with the mobile home parks that Trinity already has. In the past the City has allowed replacement in existing non-conforming parks with the mobile home being tied down, having underpinning and having a front porch. Some options available to the City are to require that the parks rezone if necessary, require a Special Use Permit if necessary and bring the park up to all the zoning regulation standards regarding manufactured parks. Another option is for Council to allow continued replacements with additional conditions. The majority of mobile homes are outside the City limits but within the City's ETJ area and the City has zoning authority over these areas.

The proposal states that the mobile homes must have be Class A or B, must be properly underpinned, tied down, wheel and axle removed, must have a front porch, appropriate parking and setbacks between units, and not be in a flood plain. There are some additional requirements that the Zoning Board recommended most of which deal with identification of the unit, identification of the park, addressing, garbage disposal and an annual inspection of the park. There may be some additional requirements for the new parks. Mr. Stumb stated that the parks were in Trinity before its incorporation making the parks non-conforming with the zoning.

Public Hearing

For

Derrick Apple - 5077 Meadowbrook

Mr. Apple wanted to know if there would be a period of time to bring the parks up to code. Mr. Stumb replied yes.

Gary Parks - 4406 Meadowbrook

Mr. Parks stated that he wanted more information on the mobile home ordinance.

Against

None

There was discussion among Council members concerning whether or not to table for further study the mobile home ordinance. Also discussed were the 5 additional requirements for replacing mobile homes that were proposed to be added to the current ordinance.

Mayor Boyles stated that the mobile home parks in Trinity were made non-conforming when the City incorporated. He advised that early Councils did not allow expansion of the parks and there was to be no replacement allowed. He stated that there was a need for due diligence on the mobile home ordinance.

Some Council members suggested the ordinance be tabled for further study. Some stated that there were things left out of the ordinance that needed to be included. Some Council members were concerned about the density within the mobile home parks and the 911 addressing of the parks.

Attorney Wilhoit advised that the ordinance would need to be looked at in depth.

Motion to table indefinitely the manufactured home park ordinance so it can be further studied by Council member Bridges, seconded by Council member Gantt, approved by a majority with Council members Grooms and Sikes being opposed.

Consent Agenda

- 4. Approve minutes: Feb. 9, 2010 City Council Pre-agenda Meeting** (*Lori Hunt, Assistant City Clerk*)
- 5. Approve minutes: Feb. 16, 2010 Regular City Council Meeting** (*Hunt*)
- 6. Accept City Clerk certification of sufficiency of Gra Lan Dr. Streetlights Petition** (*Debbie Hinson, City Clerk*)
- 7. Accept Resignation from Public Safety Board of Scott Rudisill** (former Chief, Fair Grove Fire Dept.) (*Ann Bailie, City Manager*)

Motion to approve the Consent agenda by Council member Earnst
After discussion, Council member Earnst rescinded his motion.

Motion by Council member Varner to amend the minutes of February 16, 2010 of the regular City Council meeting by having the clerk transcribe verbatim the Council discussion on the tractor trailer parking from the close of the public hearing to the end of discussion until Council recess, seconded by Council member Gantt. Prior to a vote there was further discussion between Council members, Manager Bailie and staff. After discussion Council members Varner and Gantt rescinded their motions.

City Attorney Bob Wilhoit stated that Trinity's minutes are already extensive compared to other municipalities.

Motion to approve the Consent Agenda by Council member Sikes, seconded by Council member Earnst, approved unanimously by all Council members present.

New Business

8. **Consider adoption of Resolution Declaring Cost of Turnpike Industrial Park Roadway Project and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll** (*Hinson*)

Ms. Hinson stated that the Turnpike Industrial Street Project has been completed. She said the project came in under the projected cost. The resolution included in the packet is requesting the Council to set the Public Hearing. At that time the notices will be mailed to each individual letting them know what their assessment is. The assessment roll is available to look at so people can be prepared for the Public Hearing. The City was assessed as were the homeowners and the City paid ½ of the assessed cost.

Motion to approve the adoption of Resolution Declaring Cost of Turnpike Industrial Park Roadway Project and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll by Council member Grooms, seconded by Council member Johnson, approved unanimously by all Council members present.

9. **Consider authorization of Gra Lan Dr. Streetlights Project** (*Stumb*)

Mr. Stumb stated that the City had received a petition for Gra Lan Dr. streetlights. The requirements of the petition have been satisfied and certified. The Infrastructure Parks and Recreation Committee recommended approval.

Motion to approve the street light petition by Council member Grooms, seconded by Council member Earnst, approved unanimously by all Council members present.

10. **Consider amendments to Chapter 31 Section 31.05 of the City's Code of Ordinances pertaining to resignations of advisory board members** (*Bailie*)

Ms. Bailie stated that in reviewing the code of ordinances as it pertains to advisory boards she realized that there was nothing that addresses resignations of board members. Ms. Bailie recommended amending the ordinance such that a member of any board commission who submits a verbal or written resignation which is accepted by the Mayor, Manager or Council liaison shall be considered as having resigned his or her position with the Council taking action on the resignation at the next meeting.

Council member Grooms stated that he would like to add that any member of Council could accept the resignation.

Attorney Wilhoit stated that a verbal or written resignation may be accepted by Council.

Motion to accept the language recommended by City Manager with the addition that any member of Council may accept a resignation by Council member Grooms, seconded by Council member Earnst with Council members Bridges, Gantt and Johnson being opposed.

11. **Consider appointment to Public Safety Board** (*Bailie*)

Ms. Bailie stated that outgoing Fair Grove Fire Chief Scott Rudisill recommended that the new Fire Chief, Andy Lyndon, be appointed. Chief Lyndon has submitted an application for consideration.

Motion to approve the appointment of Andy Lyndon to the Public Safety Board by Council member Grooms, seconded by Council member Varner, approved unanimously by all Council members present.

Business from City Manager

Manager Bailie requested that the deadline for the truckers to apply for a parking permit be extended to May 1 to allow time to publish the deadline in the newsletter and for the truckers to respond.

General consensus was to not change the original deadline.

Ms. Bailie requested that if anyone knew of a place that the Arts Council could hold concerts, please let her know.

Manager Bailie advised that City Haul is planned for May 13- 15, 2010.

Ms. Bailie stated that on April 15, 2010 there will be a legislative update held in the annex. It is sponsored by the League of Municipalities.

Business and Closing Comments from Mayor and Council

Mayor Boyles urged those present to fill out their Census Form.

Adjournment

Motion to adjourn by Council member Varner, seconded by Council member Sikes, approved unanimously by all Council members present.

These minutes were approved at the April 20, 2010 regular Council meeting with a motion by Council member Earnst, seconded by Council member Bridges, approved unanimously by all Council members present.