



**City Council  
Pre Agenda/Regular Meeting Agenda  
Monday  
January 11, 2016 @ 6:00 pm**

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

**Others Present:** City Manager, Debbie Hinson; City Attorney, Nick Herman; Public Works Director/ Stormwater Administrator, Rich Baker; Planning Director, Marc Allred; Assistant Finance Officer, Lisa Beam; Assistant City Clerk, Annette De Ruyter; Randolph County Deputy, Eric Wilson; and other interested parties.

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

Mayor Hill called the Meeting to order at 6:01pm

- **Pledge of Allegiance and Invocation**

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

- **Review Proposed Regular Meeting Agenda**

**Regular Meeting Begins Here:**

- I. **Council Action to Accept or Amend the Regular Meeting Agenda**

The Regular Meeting Agenda was amended at the Pre- Agenda Session as follows

**A. V. Public Hearings – Items 2, 3, and 4 (DELETED).**

Staff and the attorney have asked that these items be removed from this meeting for further changes and that these items be discussed during the Annual Retreat.

**B. New Business will become # V.**

1. **Delete Item 11: Designate Bank of the Ozarks as an official Depository for the City of Trinity**
2. **Add: Item # 2: 2014-2015 Annual Audit Review (Monty Pendry, Gibson & Company)**
3. **Items 5 thru 10 will change to items 3 thru 8**

4. Code Enforcement will become VI.
5. Business from City Manager and Staff will become VII.
6. Business from Mayor and Council will become VIII.
7. Adjournment will become IX.

*Motion by Council member Payne to accept amendments presented by Manager Hinson as listed above. The motion was seconded by Council member Byerly and approved with a vote of 3 ayes and 0 nays.*

Mayor Hill opened the Standing Report and asked Mr. Baker to address Council.

## II. Standing Report

### A. Ennis Flint Sewer Extension

Mr. Baker gave a brief update on the Ennis Flint Sewer Extension. Progress has been slow due to the excessive rainfall. The contractor has completed the clearing on the outfalls and the silk screening for erosion control has been installed. We anticipate digging to begin on Tuesday January 12, 2016.

## III. Public Comment Period

Mayor Hill opened the Public Comment period at this time.

**Ed Lohr, 5366 Meadowbrook Road-** Mr. Lohr discussed the CD for the October Planning / Zoning Meeting he requested.

He discussed his feelings of interest in the information regarding signage issues and his conclusion that complaints regarding these issues listed on the Code Enforcement Report came from one complainant. Mr. Lohr felt as long one person was allowed to complain about everything we will not grow. It was his feelings that if only one person out of 6000 + residents complained, the City may want to review the County Plan for Code Enforcement.

## IV. Consideration of Consent Agenda

### 1. Approval of the Minutes for the December 14, 2015 Meeting Minutes

Mayor Hill opened this item and called for a motion to approve the December 14, 2015 Pre-Agenda and Regular Agenda minutes.

*Council member Carico made a motion to approve the December 14, 2015 minutes (Pre-Agenda and Regular minutes) as written and presented. The motion was seconded by Council member Payne and approved with a vote of 3 ayes and 0 nays.*

## V. ~~Public Hearings~~ **Remove all Public Hearings from the Agenda**

### ~~2. Text Amendment to Sign Ordinance for Directional Signs~~

~~(Mare Allred, Planning Director)~~

### ~~3. Text Amendment to Sign Ordinance to allow Temporary Signs~~

~~(Mare Allred, Planning Director)~~

### ~~4. Text Amendment to Sign Ordinance to allow Animated Signs~~

~~(Mare Allred, Planning Director)~~

V. New Business

2. **2014-2015 Annual Audit Review** (Monty Pendry, Gibson & Company)

Mayor Hill opened the Audit Review and turned it over to Monty Pendry from Gibson and Company for the presentation.

Mr. Pendry thanked everyone for allowing Gibson and Company to serve as the City Auditors. He then gave a brief and informal presentation of the Annual Audit for the fiscal year ending June 30, 2015 highlighting the following from the Financial Statements provided to the Mayor and Council.

- As noted on Page 2 in the Independent Audit Report reflects an unmodified or “clean” opinion for the City of Trinity’s audit. This is the best opinion that can be given.
- **Total Assets as of June 30, 2015: 38.533 million:** consisting of unrestricted cash of 5.8 million and restricted cash of 2.5 million.
- **Total Liabilities as of June 30, 2015: 14.4 million:** consisting of Current Liabilities
- **Total Net Position: \$24,062,187.00**
- **Unrestricted Net Positions: 5,807,384.00**
- **Budget verses Actual Revenues General Fund:** Revenue Received Over Budget: 83,897.00
- **Budget verses Actual Expenditures General Fund:** Expenditures Under Budget: 215,423.00
- **Comparison of City of Trinity to average State statistics as of June 30 with a population of 6,634**
  - (1) **Trinity Tax Rate .10/100 Average State Tax Rate .31/100**  
Trinity is .21/100 under average tax rate per 100 in comparison.
  - (2) **Average cash statewide for municipalities in Trinity’s range is 4.7 million**  
Trinity’s cash is 8.9 million; 4.2 million above the state average.
  3. **The Local Government Commission recommends that municipalities maintain an 8% unassigned fund balance over general fund expenditures for emergencies. The City of Trinity maintains 130% which is 57% above the state average of 73%.**

Mr. Pendry stated that his firm felt the City of Trinity is in good financial standing.

In closing he thanked the Council for allowing his firm the opportunity to work with the City to perform the audit.

4. **Review and Consider Approval of Bellwood Subdivision located between BBQ Joe’s at 4873 NC Hwy 62 and Colonial Circle Subdivision.** (Marc Allred, Planning Director)

Mayor Hill opened this Item and asked Marc Allred, Planning Director to discuss.

Mr. Allred, Planning Director, began by confirming this subdivision will have approximately 106 lots with over 12,000 square feet.

The road will be a circle pattern with no dead ends. This will allow for a good flow of traffic. There will be 2 ingress and egress points onto Highway 62. The sewer will be implemented by the developer, and the impervious percentage is 21.7% so no extra storm water devices are needed.

NCDOT looked at Highway 62 and confirmed no turning lanes will be necessary. The Fire Department water lines with hydrants are looped and are not dead end. This will increase the pressure and plays an important part in the insurance rating schedule.

This has been recommended by the Planning and Zoning Board with a vote of 5 ayes and 0 nays.

***Motion was made by Council member Carico to approve the Bellwood Subdivision. The motion was seconded by Council member Payne and approved with a vote of 3 ayes and 0 nays.***

**5. Removal of Grading and Contractor Home Occupation from the Zoning Ordinance.** *(Marc Allred, Planning Director)*

Mayor Hill opened this item and asked Marc Allred, Planning Director to discuss.

Mr. Allred shared with Council the Planning Board is asking for the removal of Grading and Contractor Home Occupation from the Zoning Ordinance. A Public Hearing was held in November at which time Council chose to table this until the January Meeting.

Council member Payne felt the pending action would completely eliminate this use from the Zoning Ordinance and asked for confirmation.

Mr. Allred confirmed this was correct.

After discussion between Attorney Herman and Council, the Council was directed by the Attorney that no motion was needed since there would be no change to the Ordinance. If no motion is made, it will remain the same and this Use will remain in the Ordinance.

**6. Discuss, Review, and Consider Approval of Powell Bill Expenditures.** *(Rich Baker, Public works Director)*

Mayor Hill opened this Item and asked Mr. Baker to discuss the Powell Bill Expenditures with Council.

Mr. Baker discussed the proposed ten year plan for the Powell Bill expenditures to place the private streets from the list provided at the December Meeting on the City of Trinity's Street Inventory. These streets will be added at a rate to expend yearly Powell Bill revenues. The exception to this ten year plan will be any major repairs required to existing streets will be made prior to accepting any new street.

We need to expend \$325,000.00 before June 30, 2016 on our streets to continue to receive funding.

Staff is looking at repairs to Circle Court. The asphalt on this street is partially broken. Because the street has some asphalt it would not be muddy because of all the rain and repairs can be made to this street soon.

Once these streets are the City's we will be able to provide services to the homes on these streets.

We have right of ways on most of the streets and are hoping to begin implementing this plan soon. Staff would like to begin with bids on this project by March 2016.

Mr. Baker asked that Council also consider awarding the contract placed at their seats earlier to Abbots Creek Engineering regarding the ten year Powell Bill Paving Project.

*Council member Payne made a motion to proceed with the plan and accept the contract for Abbott's Creek Engineering. The motion was seconded by Council member Carico and approved unanimously with a vote of 3 ayes and 0 nays.*

**7. Guidelines for New Appointments for Advisory Board and Special Committees.**  
*(Manager Hinson; Planning Director, Marc Allred; and Rich Baker, Public Works Director)*

Mayor Hill opened this item and turned the discussion over to Marc Allred, Planning Director.

Mr. Allred shared that staff is looking for guidance to solve the existing problem on our Advisory Boards.

Historically, the City Council has had 1 representative on the advisory boards per City Council member. There are now 5 elected officials. One is an at large member who is not designated to any specific ward.

The Infrastructure Board currently has four members and the Planning and Zoning Board currently has five members. The staff proposes reducing the advisory boards to five or six members.

Special Committees, such as trash committee, finance committee and personnel committee can no longer have three Council members because it constitutes a quorum. The staff is proposing ending Special Committees and using the mayor or an appointed representative to go over issues with the City Manager.

We have a few people that need to be replaced on the advisory boards. Board members shall be appointed for terms of three years expiring on December 31. No member shall serve more than two consecutive terms. A person who has served two consecutive terms shall be eligible for appointment to a different board or reappointment to the same board after a lapse in service of one year.

Manager Hinson reviewed the current situation concerning board member replacement and asked Council to consider postponing the appointments or reappointments of any Board Member until after the election and the Council member vacancies are filled. She asked for a motion to keep the Boards as they are now.

There was further discussion among Council members, Mr. Allred, and City Manager regarding the committee structure, and restructure of boards from 8 members to 5 members and Council liaisons to the Infrastructure and Planning Board.

After discussion, *it was the consensus of Council to maintain 5 members to Planning and Infrastructure.*

After further discussion concerning reappointments, *it was the consensus of Council to maintain 5 members to Planning and Infrastructure and to table reappointments or new appointments until a later date and Council restructure was in order.*

**8. Appointment of Board Member to PTRC.** *(Manager Hinson and Planning Director, Marc Allred)*

Mayor Hill opened this Item and asked Marc Allred to discuss.

Mr. Allred addressed the Council with direction of an appointment for the PTRC.

This Committee meets 10 months a year.

Manager Hinson commented to Council members that only an elected official could vote on items where a vote was required. Staff attending may speak but have no vote.

After discussion between Council members, *a motion was made by Council member Payne to appoint Mayor Hill to represent the City of Trinity. The motion was seconded by Council member Carico and approved unanimously with a vote of 3 ayes and 0 nays.*

**9. Liaison to Boards (City Manager)**

Mayor Hill opened this item and called on Manager Hinson to brief members on this item.

With the change that occurred regarding Council last month, we lost the liaison for Planning Board and the Infrastructure Committee. We are in need of a liaison for each board now. You may wait until a full Council is in place and have the Mayor as Interim on both Boards or if you would like you may appoint a Council member tonight to these positions.

After discussion between Council members, *Council member Byerly volunteered to be the Council Liaison to the Planning and Zoning Board, and Council member Carico volunteered to be the liaison for the Infrastructure Committee.*

*A motion was made by Council member Payne to accept these volunteers for the Boards. The motion was seconded by Council member Byerly and approved unanimously with a vote of 3 ayes and 0 nays.*

~~**10. Designate Bank of the Ozarks as an Official Depository for the City of Trinity.**~~  
~~(Manager Hinson)~~ **Removed from Agenda**

**VI. Code Enforcement Report and Permits Report (Marc Allred, Planning Director)**

Mayor Hill opened this item and turned the discussion over to Marc Allred, Planning Director.

Mr. Allred explained to Council that there is 3 new cases 7 cases have been closed. There are 6 cases currently open. He asked if there were any questions.

Council member Carico asked about the violation located on Colonial Circle.

Mr. Allred shared with Council that the homeowner had not complied to the City's request so far. The homeowner has until January 22, 2016 to respond. After that date a fine will be placed against them daily for noncompliance of the Ordinance at a rate of \$50.00 per day.

Mr. Allred also shared with Council he has issued 4 new home permits as well as a new permit for connector distribution center for Jowat.

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

City Manager Hinson asked Council for a date for the 2016 Annual Retreat. After discussion among Council members, Friday, February 5, 2016 was selected for the Retreat. The Retreat will begin at 9:00 am.

Manager Hinson asked Council to provide topics they may want to discuss for Retreat discussion.

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

Council member Payne discussed the vacant seat at the meeting tonight due to the resignation of Council member Daniels. It was Council member Payne's opinion that this vacancy has put a burden on current members of Council. He discussed his request to someone whom he felt was qualified but declined the position. He confirmed that he had spoken to another citizen who he felt is an upstanding citizen in our City and who ran for the Council and lost by about three or four votes. Council member Payne felt this citizen would be a great addition to our Council and bring clear thinking and positive direction to the City.

At this time, *Council member Payne made a motion to appoint Steve Lawing to fulfill this position. Council member Byerly seconded the motion.*

Prior to the vote, Council member Carico stated that there were other people that had been asked and felt should be considered. He asked if this appointment could wait until next week until an answer was received from other persons that had been asked.

Mayor Hill asked for discussion, and stated he also had contacted a citizen who he felt would be qualified to serve as a Council member.

With no other discussion, Council member Payne asked the Mayor to call for a vote at this time. The motion as stated above: *Motion by Council member Payne to appoint Steve Lawing to fulfill this position. The motion was seconded by Council member Byerly.*

*The motion and second was approved with a vote of 2 ayes and 1 nay by Council member Carico.*

After the vote, Manager Hinson asked if the Oath of Office would be given at the Regular February Meeting.

Mayor Hill asked Council member Payne if that would be OK.

Council member Payne replied that would be fine.

## **IX. Adjournment**

With no other business to discuss, *motion by Council member Payne to adjourn the January 11, 2016 meeting at 7:07 pm. The motion was seconded by Council member Byerly and approved with a vote of 3 ayes and 0 nays.*