



City Council

February 16, 2015 Regular Meeting

RESCHEDULED

February 23, 2015

6:00 p.m.

Trinity City Hall Annex

Trinity, NC

Members Present: *Mayor*, Jesse Hill; *Mayor Pro-Tem*, Debbie Frazier;

Council Members: Chester Ayers, Gene Byerly, Jack Carico, Linda Gantt, Ed Lohr, and Don Payne.

Members Absent: Jerry Daniels

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

I. Welcome

Mayor Hill called the February 23, 2015 Regular Council Meeting to Order at 6:00 pm and welcomed those present.

II. Pledge of Allegiance (*Mayor Hill*) and Invocation(*Council member Don Payne*)

Mayor Hill led the Pledge of Allegiance.

Council member Don Payne led the invocation.

III. Approve and/or Amend Agenda

Mayor Hill opened this item and called for any changes to the Agenda. Hearing none, he called for a motion to approve the agenda.

Council member Frazier made a motion to approve the February 23, 2015 Regular Meeting Agenda as written. The motion was seconded by Council member Gantt and approved unanimously 7 ayes to 0 nays with Council member Daniels absent.

A. Public Comment

Mayor Hill opened the Public Comment Period.

Phillip Chadwell, Spivey Lane, Trinity: Mr. Chadwell discussed the lack of attendance at this meeting as well as comments that had been made at some recent past meetings concerning distractions at City Hall. He asked that Council consider having a distribution list set up at City Hall so that citizens that do like to come to the meetings and find out what is going on can be added to the distribution list. When meetings are changed or created the e-mail will go out to those people and will enable them to know about it.

The next item discussed by Mr. Chadwell was the terms of office. He stated there were rumors in the community concerning the next elections. He would like for the City to issue something official stating what seats would be available during this election. Will this election encompass the normal four (4) seats or will it also include the two (2) appointed seats as well. Those of us that are interested in the election would like to know how this works.

Manager Hinson stated that according to the General Statutes the two (2) appointed seats are to be filled until the next election. When the City of Trinity incorporated they included into their charter that appointments to seats are to be for the remainder of the term for that seat. The normal four seats will be the seats available during the upcoming election.

IV. Agenda Items for the February 16, 2015 Regular City Council Meeting:

Standing Report

1. Infrastructure Projects Update

- B. Phase 5 Sewer Updates**
- C. Ennis Flint Sewer Extension**

Mayor Hill opened this item and called on Rich Baker, Public Works Director/ Stormwater Administrator for updates.

Phase 5 Sewer: Mr. Baker stated the Phase 5 sewer project was up and running. We do have residents that have hooked up.

We are currently working with Davis-Martin-Powell (DMP) to furnish some numbers for a possible project on Surrett Drive that has been requested by a couple of Council members. These will be ball park numbers for that project cost.

We are planning on having an Infrastructure Meeting, Monday, March 02, 2015 for any of you that would like to attend.

Mr. Baker discussed an investigation by staff into an open well that was brought to the attention of staff during the February 09, 2015 Pre-Agenda Meeting. The well was located on property owned by Randolph County Schools. I did make contact with the department head of maintenance for the schools and he has temporarily covered the well. As soon as they can get their resources to this location they will do a permanent closing for the well.

Ennis Flint Sewer Extensions: Randy McNeill, Engineer (DMP) updated Council on this project.

The first grant funder (CDBG) has requested that their funds only be used for construction and Benchmark's portion for administration. We will be moving our budget around in an effort to accurately identify which funding source will pay for each part of the project trying not to exceed the numbers that were originally committed to.

We are currently in the process of updating all of our plans, current legal costs to date, and cost of rights of ways.

The next step will be to either appraise the property and pursue the easement that is needed or just negotiate with the property owner without the appraisal. Neither of our grant funders seems to want to participate in the costs of the easement acquisitions. This will mean the cost for the easement will come back to the City of Trinity.

We are trying to get the original funds balanced around to make this work. If we can't we will be coming back to Council to discuss this issue further.

Mr. McNeill gave the following breakdown for shares on this project.

Ennis Flint:	\$10,000
City of Trinity	\$ 3,500
Randolph County	\$ 3,500

Council member Gant and Mr. McNeill discussed the amount of property needed for the easement. Mr. McNeill stated there was between 500 and 1000 feet approximately 25 to 30 feet in width involved with this project.

Council member Payne asked if the easement was in the process of being assessed.

Mr. McNeill stated there were two appraisal's but neither one has not been authorized to proceed as of this date because neither one of the grant funders want to participate in that cost. If the easement has to be paid for with local monies it may be better to negotiate the easement and save the monies that would be spent on appraisal fees.

V. Consideration of Consent Agenda; These items are considered routine, non-controversial, and are considered approved by a single motion and vote.

- 2. Approve minutes of the January 12, 2015 Pre-Agenda Meeting**
(Annette deRuyter, Assistant City Clerk)
- 3. Approve minutes of the January 20, 2015 Regular Meeting**
(Annette deRuyter, Assistant City Clerk)

Council member Frazier made a motion to approve items 2 and 3. Council member Payne seconded the motion and approved unanimously 7 ayes to 0 nays with Council member Daniels absent.

VI. Public Hearings

4. Public Hearing regarding changes to the City's current 2011 Infrastructure Hook Up Project (CDBG Grant No. 11-C2301). (Alicia Broadway)

Mayor Hill opened this item and called on Manager Hinson for briefing prior to opening the Public Hearing.

Manager Hinson introduced Ms. Broadway from Benchmark, Grant Administrator for the CDBG Hookup Grant and turned discussion of this item over to her.

Ms. Broadway advised Council that she was aware the Environmental Review was approved some time ago by Council. For some reason we have gone through problems with the state offices in an effort to get everything approved. We have now received our clearance letter from the Office of Environmental Review at the state level as well as the Department of Commerce.

This public hearing is necessary to make the public aware there will be seven (7) additional people added to this grant. When the Grant Application was initially filed in June 2012, there were forty (40) people that were qualified at this time. This is the list that we began with but did encounter problems in getting a response from most of the applicants on the original list. We could not extend this grant without going through the environmental process to add these additional persons. We have cleared these seven (7) additional residents and this Public Hearing is the final step prior to hook-up.

Our goal for hook-ups according to the Grant Proposal was for 20 residents. We had completed 10 hookups by April or June of 2014. The manager and I discussed prior to this meeting the possibility of requesting an extension since there will be approximately \$41,000.00 left in this grant. If the State will grant an extension I will work with the Manager to get as many hooked up as possible.

Mayor Hill opened the Public Hearing for anyone wishing to speak in favor of the request. Hearing none, he called for anyone who wished to speak against the request. Hearing none, Mayor Hill closed the Public Hearing.

Mayor Hill stated that the staff recommendation is to accept this proposed change.

Mayor Hill opened this item to Council members for further discussion and or action.

With no further discussion, Council member Ayers made a motion to accept the changes regarding the City's current 2011 Infrastructure Hook Up Project (CDBG Grant No. 11-C2301). The motion was seconded by Council member Carico and approved unanimously by a vote of 7 ayes and 0 nays with Council member Daniels absent.

VII. Old Business

- 5. Approve minutes of the December 08, 2014 Pre-Agenda Meeting
(Annette deRuyter, Assistant City Clerk)**
- 6. Approve minutes of the December 15, 2014 Regular Meeting
(Annette deRuyter, Assistant City Clerk)**

Council member Frazier made a motion to approve items 5 and 6. Council member Payne seconded the motion and approved unanimously 7 ayes to 0 nays with Council member Daniels absent.

After the motion, Council member Ayers discussed the number of copies of these minutes that he had received and suggested that Council make changes to the minute approval process. It was his suggestion that Council make changes if needed at the Pre-Agenda Meeting so the staff can have the corrections made by the Regular Meeting. Only the page that was changed should be reprinted on a different color paper and provided to Council at the Regular Meeting. This will allow Council to see this is a change and can add that page to our existing minutes. It was his feeling that this would expedite approval of the minutes much better.

Council member Payne agreed with Council member Ayers and felt it was a great idea. He stated this was something that he and Council member Gantt had been discussing as well. He stated that any corrections that needed to be made could be made with a pencil by Council at the Pre-Agenda Meeting. When corrections are needed let's just point it out and make the correction with our pencils at the Pre-Agenda. If someone has a correction let's make it and continue as this will allow the minutes to become part of the record. It was his opinion this was an action item that allowed the City to keep a record of what had been done. If someone has a correction let's make it and continue as this will allow the minutes to become part of the record.

VIII. Code Enforcement Report & Permit Report ***(Marc Allred, Interim Planner)***

Mayor Hill opened this item and turned the discussion over to Marc Allred, Interim Planner.

Mr. Allred stated that since the last report in January there have been seven (7) cases closed and one (1) added. (Code Enforcement Report Attached- Attachment A) He called for any questions.

Council members asked for an update concerning the Adcock case.

Mr. Allred stated that he had been contacted by Mr. Adcock's attorney asking what needed to be done to make him compliant with our Ordinances. I responded back to the attorney with the items needed to make this property compliant. There has been no further contact since that time. We could not find a permit that was issued for a home occupation business. Even if the property owner had a home occupation permit there are still items that need to be done to become compliant to get the home occupation permit.

Attorney Herman confirmed that he had initially communicated directly with the attorney in this case to the effect about what was necessary to address compliance for this property. He stated that he would get more involved if there was a dispute.

Council member Lohr stated for the record that he had received some calls from citizens that asked me to go and see the Manager of the Bank that was closing. She was really impressed that someone took the time to come and see her. She said that she was really disappointed in this Council for writing a violation notice for the temporary signs at her bank. She said you cannot run a business without a sign. It wasn't the only reason but was one of the reasons they left Trinity.

I think it is time to have a Public Hearing and let the citizens participate and quit harassing the businesses.

IX. Closed Session Pursuant to NC General Statute 143.318.11

Mayor Hill opened this item and called for a motion to go into Closed Session.

Council member Ayers made a motion to go into Closed Session. The motion was seconded by Council member Byerly and approved by a vote of 7 ayes and 0 nays with Council member Daniels absent.

Council member Payne made a motion to come back into Open Session at 6:37 pm. The motion was seconded by Council member Carico and approved unanimously by a vote of 7 ayes and 0 nays with Council member Daniels absent.

No action was taken during Closed Session.

X. Review Draft Retreat Agenda

Mayor Hill stated that the Retreat was scheduled for Saturday, February 28, 2015.

Manager Hinson shared her plans concerning how Council member Daniels could be a part of the Annual Retreat via telephone should he not be able to attend the Retreat due to health issues.

She discussed the topics for the Retreat Agenda and informed Council the Agenda will follow the 5 topics discussed earlier at the Pre-Agenda Meeting. The Retreat Agenda will be placed on the website upon completion. Staff has already been working on the information included in your Retreat Book and has completed some sections of the information. We hope to have the information complete and ready for Council on Thursday morning.

Mayor Hill conclude this item by reviewing the date and time of the Annual Retreat an extended an invitation to all who wished to attend.

XI. Business from City Manager and Staff

Manager Hinson discussed the informal audit proposal received from Gibson and Company the current auditing firm for the City of Trinity. They have submitted a quoted price for a 3 year audit term and have agreed to reduce the proposal approximately 3,000.00 for any year that a single audit is not required. The term can be accepted as is or changed should Council wish to continue using this firm.

Since we need to have an executed contract to the Local Government Commission by April, we will need to decide if we want to continue with Gibson and Company or if Council would like to go out for bids. She stated that she was comfortable with the work performed by the current audit firm. Council member Payne felt that the stability that the City had through the last year in our audit and things went so well, he didn't feel that we should change at this time. It was his feeling the stability meant something to the citizens. He would like to see the City stay where they are.

Council member Payne made a motion to retain the current firm(Gibson and Company) for the next three (3) years. The motion was seconded by Council member Ayers and approved unanimously by a vote of 7 ayes and 0 nays with Council member Daniels absent.

XII. Business from Mayor and Council

Council member Lohr discussed a telephone call he received from a citizen regarding a vote taken for a sign requested for the Baptist Church located on Meadowbrook.

Manager Hinson stated that the office received this same call. There is no vote required for signage permits. There was some discussion between management, staff, and Attorney Herman regarding the current language in our Ordinance and whether or not the sign could be allowed. It was decided that the sign could be allowed and the interim Planning Director was directed to make contact with the pastor of the church to advise him the permit could be issued.

Mr. Allred advised Council that contact was made with the pastor around 2:30 this afternoon and he will be coming next week to get the permit for this sign.

Council member Payne recognized Hannah Meyer from Trinity. She is the new County Spelling Champion. The manager and I have discussed inviting her to a meeting to formally recognize her.

Council member Payne also mentioned that someone would be moving into the former Smokey T's building and now have someone in the Trinity Grill. He asked that we support our local businesses.

XIII. Adjournment

With no other business to discuss, *Council member Frazier made a motion to adjourn the February 23, 2015 Regular Council Meeting at 7:08 pm. The motion was seconded by Council member Ayers and approved unanimously with a vote of 7 ayes and 0 nays with Council member Daniels absent.*

These minutes were approved on March 09, 2015 with spelling corrections upon motion by Council member Ayers, seconded by Council member Frazier, and approved unanimously by a vote of 7 ayes and 0 nays with Council member Payne absent.

All changes are included in these minutes as directed.