



**City Council
Pre-Agenda Meeting Minutes
January 12 2015 @ 6:00 p.m.
Trinity City Hall Annex
Trinity, NC**

Members Present: Jesse Hill, Mayor, Debbie Frazier, Mayor Pro-Tem;
Council Members: Chester Ayers, Jerry Daniels, Linda Gantt, Ed Lohr, and Don Payne.

Members Absent: Gene Byerly, and Jack Carico

Others Present: City Attorney, Nick Herman; Public Works Director/ Stormwater Administrator, Rich Baker; Assistant Finance Officer, Lisa Beam; Assistant City Clerk, Annette de Ruyter; Utility/Public Works, Jonathan Cranford, and other interested parties.

I. Welcome

Mayor Hill called the meeting to order at 6:05 p.m. and welcomed everyone present.

II. Pledge of Allegiance

Council member Payne led the Pledge of Allegiance.

III. Invocation

Council member Payne gave the Invocation.

IV. Approve and/or Amend Agenda

The items listed on this Agenda were approved and/or amended as individual items.

V. Agenda Items for the January 20, 2015 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. Phase 5 Sewer Updates (Baker)

B. Ennis Flint Sewer Extension (Baker & McNeill)

Mayor Hill called for any questions regarding this item prior to report reviews at the January 20, 2015 Regular Meeting.

No discussion or questions regarding this item.

VI. Consideration of Consent Agenda

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

These items are considered routine, non-controversial, and are considered and approved by a single motion and vote.

Motion by Council member Frazier to add items #2 and #3 to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Payne and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

VII. 4. Text Amendments (Items 1-6) (Marc Allred, Interim Planning Director)

- **Move Board of Adjustments so it is established just under City Council and not with Planning Board.**
- **Amendments to Section 16-1B.(3); Section 16-2.A.; Section 16-2.B; Section 16-2.C; Section 16-2.E; & Section 16-12.(4);**
 1. Recommend removal of Section 16-1B. (3). Section **16-1B. (4) would become Section 16-1B. (3).**
 2. Recommend amending Section 16-2.A to replace Planning Board with City Council. Text replacement will say, **“The individuals appointed to serve on the City Council shall also serve as the Board of Adjustment.”**
 3. Recommend replacing Section 16-2.B to say **“Number of Members: The Board shall consist of the nine (9) members of the City Council.”**
 4. Recommend replacing Section 16-2.C to say **“Length of Terms – Length of terms for Board of Adjustment members shall coincide with length of terms for City Council members.”**
 5. Recommend amending Section 16-2.E. to replace Chair with Mayor and Vice Chair with Mayor Pro Tempore. Text replacement will say, **“The Mayor or in his/her absence, the Mayor Pro Tempore, may administer any oaths and compel attendance of witnesses by subpoena.”**
 6. Recommend replacing Section 16-12. (4) to say, **“(4) to reside as the Board of Adjustment when a quasi-judicial hearing is needed.”**

There was discussion between Council member Frazier and Attorney Herman regarding the change of language in Text Amendment # 5 and what effect if any it would have on the current procedure used by the City.

Attorney Herman responded the current procedure would not change. This change will allow the Mayor or Mayor Pro Tem the authority to administer oaths in the absence of the Clerk or Assistant City Clerk.

Motion by Council member Frazier to add item VII number 4 Text Amendments 1-6 to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Daniels and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

VIII. 5. Text Amendment (Items 1-3) (Marc Allred, Interim Planning Director)

1. Recommend replacing Multi-Use Path with Sidewalk. With text replacement saying “**Yes, 5-foot sidewalk in conformance with Article 13(8) (B), Sidewalks, Bike Lanes, and Multi-Use Paths.**”
2. Recommend removing Surrett Drive Overlay District (SD-0) from 13-8(C). Sentence would say, “**Multi-use paths shall be required when indicated on official City of Trinity transportation plans/maps & pedestrian plans/maps.**”
3. Recommend removing 13-10(C) 1. **13-10-(C) 2 would become 13-10-(C) 1 and 13-10-(C) 3 would become 13-10-(C) 2.**

Mayor Hill opened this item for questions or comments.

Mr. Baker reviewed this item in the absence of the Interim Planning Director, Marc Allred.

Mr. Baker stated there has been some pressure to build commercial facilities on Surrett Drive. After looking at the Surrett Drive Overlay Ordinance, a 10-foot multi-use path is not needed along this drive. A 5-foot sidewalk can accomplish the goals of Surrett Drive Overlay with providing a nice aesthetic appeal and affordable for businesses to come in.

Council member Frazier asked if this amendment to change a multi-use path in the Surrett Drive Overlay District to 5 foot sidewalks, and was it necessary to include sidewalks in this District.

Mr. Baker confirmed the change as described by Council member Frazier was correct but would still be considered a 5 foot multi-use path. The Long Range Plan includes sidewalks and a change to this plan would need to be made.

Attorney Herman advised Council this requirement could be eliminated entirely during discussion regarding this amendment.

Council member Payne asked if Council wanted to discuss eliminating the Surrett Drive Overlay entirely in this district at the January 20, 2015 meeting what guidelines would the City use?

Attorney Herman advised Council that sidewalks could be eliminated entirely during discussion regarding this amendment at the January 20, 2015 meeting. However, to eliminate the entire Overlay would be the subject of another Council meeting with a proposal to consider that.

Council member Payne made a motion to add number VIII number 5 Text Amendments 1-3 to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Frazier and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

IX. Public Hearings

Protocol for Public Hearing for Items # 6

- a) **Open Public Hearing*** (Mayor Hill)
- b) **Staff Presentation** Marc Allred, Interim Planner)
- c) **Applicant Presentation**

- d) **Public Comment**
 - (1) **For the request**
 - (2) **Against the Request**
 - (3) **Other Public Comments**
- e) **Applicant Rebuttal**
- f) **Staff Recommendation on Item #1.**
- g) **Close Public Hearing** (Mayor Hill)
- h) **City Council Discussion** (Mayor Hill, Presiding)
- i) **City Council Decision** (Mayor Hill, Presiding)

6.* Quasi-Judicial Public Hearing

To Consider Variance Request #V-1_20_15_1: DFKK LLC, requests a Variance on setback so they can expand their facility to take over an area that currently has an accessory building on it. Property is as Randolph County PIN 7708153335. Said lands, approximately 11.28 acres, is owned by DFKK LLC and is addressed as 6058 Lois Lane, Archdale, NC, 27263.

**Those who would like to present oral testimony concerning the Variance request must be sworn in (take oath) by the City Clerk prior to addressing the Council on the matter.*

Council member Frazier made a motion to remove item # 6 from the Agenda. The Board of Authorities which is at this time the Planning Board, has already made a ruling on this. This does not have to come before Council.

Attorney Herman confirmed Ms. Frazier's motion.

Council member Payne seconded the motion. The motion and second was approved by a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

X. New Business

7. Review and Approve Personnel Policy

Mayor Hill opened this item and asked that Council members review the information provided regarding this policy.

Council member Frazier made a motion to add Item 10 number 7, Review and Approve Personnel Policy to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Payne and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

**XI. Code Enforcement Report
(Marc Allred, Interim Planner)**

After this item was opened by Mayor Hill, Mr. Baker advised Council that the Interim Planner, Mr. Allred had requested this item as well as the Code Enforcement Complaint Policy be added to the January 20, 2015 Regular Meeting Agenda.

Council member Gantt made a motion to add the Code Enforcement Report to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Daniels and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

XII. Code Enforcement Complaint Policy

Council member Gantt made a motion to add Code Enforcement Complaint Policy to the January 20, 2015 Regular Meeting Agenda. The motion was seconded by Council member Daniels and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.

XIII. Business from City Manager and Staff

➤ **Discuss and set date for Annual Retreat for 2015 (Manager, and Staff)**

Mayor Hill opened this item for discussion and asked that Council members set a date for the 2015 Annual Retreat.

During the discussion of possible dates, the Assistant Clerk, Annette deRuyter commented that the City Manager has asked if Saturday, February 28, 2015 was an available date for the Retreat.

After a brief discussion concerning a date and time for the 2015 Annual Retreat, Council members set Saturday, February 28, 2015 as the Annual Retreat date. Breakfast will be at 8:30 and the Annual Retreat will begin at 9:00 a.m.

Mr. Baker asked the topics for the Retreat be provided to staff at the January 20, 2015 Meeting.

XIV. Business from Mayor and Council

Council member Lohr expressed his concerns concerning security at City Hall, vandalism that has occurred at the pump stations and to the sewer easements. He felt this has been an ongoing struggle for a while. It was his opinion that the City should investigate the possibility of installing cameras in an effort to address these issues.

Mayor Hill indicated that this could be a great topic for the retreat.

Council member Payne shared that he has been contacted from the organization, In God We Trust. They have asked to speak to Council for approximately 15 – 20 minutes.

Council member Lohr also announced that Community One Bank in Trinity is closing in March 2015. Nothing with our accounts will change during this transition.

XV. Adjournment

Council member Payne made a motion to adjourn the January 12, 2015 meeting at 6:32 pm. The motion was seconded by Council member Frazier and approved unanimously with a vote of 6 ayes and 0 nays with Council members Byerly and Carico absent.