



**City Council
Pre-Agenda/Regular Meeting Minutes
Monday
October 9, 2017 @ 6:00 pm
Trinity City Hall Annex**

Members Present: Mayor, Jesse Hill; **Council members:** Jack Carico, Tommy Johnson, Steve Lawing and Don Payne.

Member Absent: Gene Byerly

Others Present: City Manager, Debbie Hinson; City Attorney, Bob Wilhoit; Public Works Director/ Stormwater Administrator, Rich Baker; Planning Director, Marc Allred; Finance Officer, Lisa Beam; Office Assistant, Darien Comer; Randolph County Deputy, Kyle Cox; and other interested parties.

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

Mayor Hill called the Meeting to order at 6:16 pm and welcomed everyone.

Pledge of Allegiance and Invocation

Mayor Hill led the Pledge of Allegiance. The Invocation was given by Council member Payne.

▪ **Review, amend if needed, and approve Proposed Regular Meeting Agenda**

Mayor Hill called for changes or amendments to the agenda. Hearing none, Mayor Hill called for a motion to approve the agenda.

A motion was made by Council member Johnson to approve the agenda as written. The motion was seconded by Council member Payne and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.

Regular Meeting Begins Here:

Mr. Baker, Public Works Director reviewed the following projects:

I. Standing Report

A. Turnpike Industrial Park

Mr. Baker informed Council that Turnpike Industrial Park is complete. Connection letters have been mailed to property owners.

B. Update on Jowat

Mr. Baker updated Council that there had been some setbacks in relation to the pump house for fire protection but the kinks are being resolved.

II. Public Comment Period

Mayor Hill opened the Public Comment Period to anyone who would like to speak on an item not included on the agenda.

April Marsh, 4886 Tony Drive in Trinity Heights Subdivision: Ms. Marsh expressed her concern about crime in her area. She doesn't feel safe in her neighborhood. She would like to have more police protection and feels that one deputy cannot cover the city adequately. If you want the city to grow we need a Police Department.

Ken Rushing, 4020 Lakewood Court: Mr. Rushing addressed Council concerning his complaint in reference to excessive dog barking. He has spoken to the Randolph County Sheriff's Department and to Randolph County Animal Control about a dog nuisance (barking). Randolph County Animal Control was taking the owners of the dog to court but case was dismissed. He explained that he appeared in the morning but was advised to come back after lunch. When he returned the case had been dismissed. He questioned why the case was dismissed.

III. Consideration of Consent Agenda: These items are considered routine, non-controversial and are considered and approved by motion, second, and vote.

Mayor Hill opened this Item and called for approval, changes, or denial.

1. Approval of the Minutes for the May 5, 2017 Budget Review Meeting.

A motion was made by Council member Lawing to approve the minutes as presented. The motion was seconded by Council member Carico and approved with a vote of 4 ayes and 0 nays with Council member Byerly absent.

2. Approval of the Minutes for the August 14, 2017 City Council Meeting

A motion was made by Council member Johnson to approve the minutes as presented. The motion was seconded by Council member Payne and approved with a vote of 4 ayes and 0 nays with Council member Byerly absent.

IV. Public Hearings

3. Approval of Hopewell Church-Morris Rd Subdivision (PIN # 7706561504)

Mayor Hill opened this Item and called on Planner Allred for presentation.

Planner Allred advised those present that this request meets all zoning requirements. There is no sewer and no water available for this property and would be the developer's responsibility to supply these amenities to the properties if approved.

Planning Board Recommendation: The Planning Board recommended the approval of the sub-division.

At this time, Mayor Hill opened the Public Hearing at 6:31.

With no one speaking for or against the rezoning, Mayor Hill closed the Public Hearing at 6:32.

A motion was made by Council member Payne to approve the rezoning. The motion was seconded by Council member Carico and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.

4. Rezoning of PIN # 7706471224 from RA (Residential Ag) to O&I (Office and Institutional)

Mayor Hill opened this Item and called on Planner Allred for presentation.

Planner Allred informed Council the applicant for this request is Hopewell Methodist Church. They would like to install an electronic sign which currently is not allowed in the residential zoned property. This request is to rezone the property to O/I (Office and Institutional) which will allow the sign that is proposed and will fit well with the O/I Zoning that has been requested.

Mayor Hill opened the Public Hearing at 6:38.

With on one speaking for or against the rezoning, Mayor Hill closed the Public Hearing at 6:39.

With on other discussion, *a motion was made by Council member Payne to approve the rezoning from RA to O/I this is consistent with our Land Use Plan. The motion was seconded by Council member Lawing and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.*

5. Rezoning of PIN # 6787913900 & western portion of 6797115344 from RA Residential Ag to M-2-CZ (Light Industrial with Conditions).

Mayor Hill opened this Item and called on Planner Allred for presentation.

This is the property currently owned by Mohawk (Formally Unilin). The property address is 4154 NC Hwy 62 located in the city limits of Trinity. It currently is zoned RA (Residential Agriculture). They want to expand their building into Randolph County. The proposed zoning requested would be M-2-CZ (Light Industrial with conditions).

The area was originally zoned RA by Randolph County. On September 20, 2005 the property was rezoned to O/I. On November 17, 2009 the property was rezoned back to RA.

North- Single Family Residential
South- Vacant, wooded
East- Single Family Residential
West- Industrial

There will be a Stormwater Pond on southern portion of property to be inspected by Mr. Baker.

Existing zoning has four conditions with the property.

- 1) 100' building setbacks
- 2) 6' tall berm; 3-to 1 slope; 6' wide top; 42' wide
- 3) 2 rows of evergreen trees, 3 feet tall at installation
- 4) 150' main access road setback

The property does have sewer and water that will be Thomasville, NCDOT has no plans for improvements to NC Highway 62. The closest point that the expanded building comes to the existing neighborhood to the west is 370 feet. The closest road will be more than 200 feet.

Planner Allred read the following excerpt from the appraiser, Mr. Ron Crowder regarding the impact if any this addition would have on the surrounding areas.

“In my opinion, assuming all special conditions are met as a requirements of rezoning (in particular the setback, berm, evergreen planting screen as previously described and visually displayed and discussed at meeting on August 10, 2017 with Mohawk officials and officials with the City of Trinity), it is the appraiser’s opinion that the rezoning of the previously described properties to M-2 zoning will not have any significant negative impact on the value of nearby residential properties (in particular those residences within Trinity West Subdivision).”

After reading of the excerpt Mr. Allred gave the **Planning and Zoning recommendation: *The Board recommends approval of the rezoning. This is an expansion of existing zoning and the conditions applied will not affect neighboring properties in a negative manner per appraisal report.***

Staff recommendation: *Staff recommends rezoning to M-2-CZ as presented. The appraisal report has stated that this expansion will not have any negative impacts on the community as long as all conditions are met.*

Mayor Hill opened the Public Hearing at 6:47 pm.

Speaking for:

Robert Russell, owner Associated Surveying and Engineering: I have been present for both Planning and Zoning Board hearings. It was great meeting the residents and Board at the Planning and Zoning Meeting. The company is doing all it can to please the Board and the residents.

With no one speaking against, Mayor Hill closed the Public Hearing at 6:50 pm.

Council member Payne discussed his feeling concerning this request and added that this type of cooperation is not new to the Council. This is a good example of industry working with residents and the company to work out the kinks. He congratulated all involved and feels like what they are doing will be great for the community.

Council member Johnson reiterated Council member Payne’s comments. Council member Johnson lives in the sub-division adjoining the proposed rezoning and feels that most people are comfortable with the rezoning and thanked everyone for their willingness to work together.

Council member Johnson asked if he should be recused from the vote. Attorney Wilhoit advised members that he did not see a conflict in Council member Johnson casting his vote, however Council may recuse him should they choose too. It was the consensus of the Council that they had no issues with Council member Johnson being involved in the vote.

A motion was made by Council member Lawing to recommend rezoning to M-2-CZ. This rezoning is an expansion of current zoning and the conditions offered by Mohawk will keep any negative impacts from happening to the surrounding community per the appraisal report provided by Hylton- Crowder and Associates. The motion was seconded by Council member Payne and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.

Conditions as set forth for this rezoning are as follows:

Existing zoning has four conditions with the property.

- 1) 100’ building setbacks***
- 2) 6’ tall berm; 3-to 1 slope; 6’ wide top; 42 ‘ wide***
- 3) 2 rows of evergreen trees, 3 feet tall at installation***
- 4) 150’ main access road setback***

6. Minimum Square Footage for Single Family Homes

Mayor Hill opened this Item and called on Planner Allred for presentation.

Planner Allred referenced a property that has had a small house built between the existing older homes.

After this home was built it has created some concern whether the City should we set a minimum square footage for a home. It is common for larger properties zoned RA to have more than one home. If less than 2.5 acres minimum the footage could be 1000 sq. ft.

If property is greater than 2.5 acres the minimum would not apply.

Mayor Hill opened the Public hearing at 7:02.

Speaking for: None

Speaking Against:

Angela Brown, 222 Oak Forest Lane - She felt that limiting square footage homes would affect the tax revenue for the City of Trinity. She stressed concern that not everyone can afford a certain size home.

Mayor Hill closed the Public Hearing at 7:04 pm.

After brief discussion between Council, members, *a motion was made by Council member Payne to approve the text amendment to create a minimum square footage for single-family homes if less than 2.5 acres of 1,000 square feet. The text amendment is compliant with our Land Development Plan and will protect property values. The motion was seconded by Council member Lawing and approved with a vote of 4 ayes and 0 nays with Council member Byerly absent.*

V. New Business

7. Appeal Application Mark Martin for Pin # 7706719512 located at 6052 Kennedy Rd.

Mayor Hill opened this Item and called on Planner Allred for presentation.

Mr. Allred began his review by informing Council the property listed in this appeal previously had a residential home located on it that was torn down in 2015.

The property at 6052 Kennedy Road has been sold and the current owner wants to put a manufactured home at this location. Our current Zoning Ordinance states that a manufactured home can only be done as a replacement. This request would not apply since there was not a site with an existing manufactured home.

Mr. Martin is appealing the Zoning and would like to place a mobile home on property. His wife would like to have her mother living closer to her. The owner is willing to place a permanent brick/ mortar foundation, vinyl siding, a shingle roof and the tongue and axle will be removed. It will be setup as a permanent structure. The size of the mobile home will be 16 x 76 with a square footage of 800 square foot.

After discussion between Council members, *a motion was made by Council member Payne to table this until the November 13, 2017 meeting. The motion was seconded by Council member Carico and approved with a vote of 4 ayes and 0 nays with Council member Byerly absent.*

8. Review Revitalization and Economic Development Grant (State Funds Awarded)

Mayor Hill opened this Item and called on Planner Allred for discussion.

Mr. Allred discussed the Revitalization/ Economic Development Grant in the amount of \$100,000.00 received by the City of Trinity.

All projects the City would like to do that is approved must be completed by February 15, 2018.

We are currently looking at replacing the streetlights with LED lights to save money in the future and new welcome signs at entrances into the City as well as an electronic sign at City Hall. If we have monies left from these projects we can expend more on the streetlights and have more converted to LED.

If we need to make any changes we will bring it to Council for approval.

A motion was made by Council member Payne for approval of the monies to be expended as discussed. The motion was seconded buy Council member Carico and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.

9. Approve Flow Tracking/Acceptance for Sewer Extension Application (Carolina Courts Subdivision) Thomasville- Trin-Tom

Mayor Hill opened this Item and called Mr. Baker for discussion.

Mr. Baker discussed the development of the property on the corner of Sunrise and Unity Street in Thomasville, NC by Mr. Bill Millis. The sewer will need to come to the City of Trinity. We are discussing various options that may include a trade of the homes on County Line Road with the new 17 homes proposed by Mr. Millis. This option would eliminate flow meters. No meetings or discussion has taken place with the City of Thomasville concerning options that may be available. Staff will explore and develop option and brief Council on the various options for their input and decision prior to meeting with the City of Thomasville.

Mr. McNeill discussed the Flow Tracking Application included in the packet. He explained this form confirms that Trinity certifies that they have adequate capacity to accept 6,100 gallons per day and the City of Thomasville confirms they have adequate capacity for conveying and treating the same amount. This form also serves as a means of approval for a permit by the state for construction to begin. This form does not address how the city may bill or who is responsible but deals with having adequate capacity for the flow.

Council member Carico asked if the property being discussed included 17 homes only.

Mr. McNeill confirmed that the permit being discussed is to extend gravity sewer to 17 homes. There are 2 tracts of property that might be commercial property in the future but they would have to be permitted by this same process later.

Council member Carico asked how the exchange would take place if this commercial development were to transpire?

Mr. Baker explained that the possible even trade of 13 properties that flow down to the meter located on NC Highway 62 for the 17 homes located in this proposed development could be made the flow meter on Highway 62 could be eliminated.

As Mr. McNeill explained if the commercial property development does occur then the entire process relating to the Trin-Thom Interlocal Agreement will need to be repeated for the commercial properties and will come back to the Council for review.

Council member Carico asked what happens if an agreement could not be reached on the exchange of properties?

Mr. Baker replied in that case a flow meter will be installed and Thomasville will be responsible for the maintenance. However, the flow will still come to the City. Otherwise, a pump station will be needed for this development.

Council member Johnson discussed earlier conversations concerning the Steeplegate capacity and the need for upgrades. He asked how this flow would affect the Steeplegate Pump Station.

Both Mr. McNeill and Mr. Baker replied that currently there is no issue with the capacity at the Steeplegate Pump Station. When Council was briefed concerning the upgrade to the station, the City had been approached by developers exploring large developments. If these developments were to transpire, then the City would need to explore upgrades. Any upgrades would require both Trinity and Thomasville upgrades.

Council member Carico asked if this was the final properties available for development in the Trin-Thom Development area.

Mr. Baker felt there may be another area in Trinity between the strip mall and Colonial Village but no other properties in Thomasville.

Manager Hinson discussed the sentence located on page 2 of the application that read "Signature of this form indicates acceptance of this wastewater flow" and asked Mr. McNeill if Council approved this application tonight and signed the form would that not commit the City of Trinity to accept the flow and in doing so could affect how the City of Trinity and the City of Thomasville continued any amendments to the current Trin-Thom Inter-Local Agreement. She also discussed with Mr. McNeill his position with Mr. Millis.

Mr. McNeill answered that by signing this form, the City would be committing to acceptance of the sewer flow from this development and to do so could affect the position of both cities in negotiations of the Trin-Thom Inter-Local Agreement. He confirmed that his firm was working with Mr. Millis for the engineering and completion of the sewer lines.

Council member Carico asked if this should not have been discussed with City of Trinity prior to presenting this agreement according to the Inter-Local Agreement.

Mr. McNeill responded the Planning Director was aware of this proposed development; however, no formal plans have been submitted.

Council member Johnson asked if the Inter-Local Agreement had expired.

Mr. McNeill was not sure of the terms of the agreement.

After a brief discussion between Attorney Wilhoit and Council, Attorney Wilhoit felt the agreement was extended until the Trin-Thom development area development on both sides were complete even though there is language in the original agreement the contract can be terminated with a 180-day notice by either party.

Manager Hinson reviewed her understanding of the request by Mr. McNeill tonight. Davis-Martin-Powell is working with Mr. Millis regarding this agreement. He is asking if Council is satisfied with the Manager or Mayor

signing this agreement as is without a plan for negation regarding terms of the treatment which will allow Mr. Millis to move forward.

There was further discussion between Council members and Mr. McNeill regarding how the proposed exchange may work, the method that might be used to meter flow, and how the exchange could save dollars for the City of Trinity. We wanted to speak to this Council prior to approaching City of Thomasville staff regarding the possibility of the exchange of properties.

After the discussion, Mayor Hill called for further questions and or a motion.

A motion was made by Council member Payne to table this until the November 13, 2017 meeting due to questions that staff and Council has regarding this agreement and the original agreement. The motion was seconded by Council member Lawing and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.

10. Consider Appointment of Tony Collins to Ward 2 Infrastructure Board

Mayor Hill opened this Item and called on Manager Hinson for discussion.

Manager Hinson relayed to Council that Mr. Collins approached her about an opening on the Infrastructure Board. After a conversation with him, Mr. Collins decided he would like to serve on this Board. His completed application was included in your packet and he would like to be considered for the appointment.

Council member Lawing as well as other Council members felt that Mr. Collins credentials look good and that he was an appropriate candidate for consideration. With no other comments, *a motion was made by Council member Lawing to appoint Mr. Tony Collins to the Infrastructure Board (Ward2). The motion was seconded by Council member Payne and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.*

11. Code Enforcement Report and Permits Report

Mayor Hill opened this Item and called on the Planning and Zoning Director for discussion.

Mr. Allred reviewed the Code Enforcement Report stating the City of Trinity has 7 open cases and 8 closed cases.

With no questions regarding the Code Enforcement Report, Mr. Allred reviewed the Permits report stating that 3 new permits were issued for the period indicated on the report.

VI. Business from City Manager and Staff

Mayor Hill opened this Item for discussion.

Mr. Baker notified those present that the dates set for City Haul will be October 26, 27 and 28, 2017. The event will be here at the city offices. The hours are 8:30-4:30 Thursday and Friday and 8:30- 12:00 on Saturday.

Manager Hinson asked Council member Johnson to discuss the Chili Cook Off and Christmas in Trinity event.

Council member Johnson discussed the Chili Cook Off and car show to be held by the Friends of Trinity on Saturday, October 21, 2017 at the Braxton Craven School. The event is open to all, however there is an entrance fee of \$20.00 per event that you choose to participate in.

The Christmas in Trinity event will be held on Thursday, December 07, 2017. This event is being sponsored jointly by the City of Trinity and the Friends of Trinity. The location has been changed to the Trinity High School Cafeteria beginning at 5:30 and ending at 7:30.

VII. Business from Mayor and Council

None

VIII. Adjournment

With no other business to discuss, *a motion was made by Council member Payne to adjourn the October 9, 2017 meeting at 7:48 pm. The motion was seconded by Council member Carico and approved unanimously with a vote of 4 ayes and 0 nays with Council member Byerly absent.*