



**City of Trinity**  
**CITY COUNCIL MEETING**

September 09, 2024 at 6:30 PM

Trinity City Hall Annex

**AGENDA**

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**NCGS § 143-318.17 Disruption of official meetings**

A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.

(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)

*Action may be taken on agenda items and other issues discussed during the meeting*

1. **Call to Order; Welcome Guests and Visitors**
2. **Pledge of Allegiance and Invocation**
3. **Review, amend if needed, and approve Proposed Regular Agenda**
4. **Public Comment Period**
5. **Consent Agenda Items**
  - a. Approval of Regular Meeting Minutes of August 12, 2024**
  - b. Approval of Closed Session Meeting Minutes of August 12, 2024**
  - c. Approval of Special Called Meeting August 26, 2024**
  - d. City of Trinity- Monthly Financial Position Review (*Finance Director Crystal Postell*)**
6. **Public Hearing**
  - a. Water Management Ordinance Public Hearing (*Planning Consultant Carrie Spencer*)**
  - b. Request for Property Rezoning PIN #6798661434 - Corner of Mendenhall Rd. and Old Mendenhall Rd. (*Planning Jay Dale*)**

**7. Action Agenda**

- a. Request for Property Rezoning PIN #6798661434 - Corner of Mendenhall Rd and Old Mendenhall Rd** (*Planning Jay Dale*)
- b. Acquisition of Solar Speed Radar Trailer** (*City Manager Stevie Cox*)
- c. Providing Limited Exception to Daily Deposit Requirements - Resolution 25 - 06** (*Finance Director Crystal Postell*)

**8. Closed Session**

- a. Closed Session Personnel - Pursuant to NCGS 142-318(a)(6)**

**9. Mayor, Council and City Manager Updates**

**10. Adjournment**



**City of Trinity**  
**CITY COUNCIL MEETING**

**August 12, 2024**  
**Trinity City Hall Annex**

**MINUTES**

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**PRESENT**

Mayor Richard McNabb  
Mayor Pro Tem Bob Hicks  
Councilman Tommy Johnson  
Councilman Robbie Walker  
Councilman Ed Lohr  
Councilman Jack Carico

**OTHERS PRESENT**

City Manager Stevie Cox  
City Clerk Darien Comer  
Finance Director Crystal Postell  
Public Services Director Rodney Johnson  
Planning Director Jill Wood  
Planning Jay Dale  
Attorney Bob Wilhoit  
Sgt. D'Angelo  
Sgt. Cox

Mayor McNabb called the meeting to order at 6:30 PM.

Mayor McNabb led the Pledge of Allegiance and gave the Invocation.

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

*Mayor Pro Tem Hicks made a motion to add 6b Sheriff Seabolt to the agenda. The Motion was seconded by Councilman Walker and passed unanimously.*

*Mayor Pro Tem Hicks made a motion to table action item 8b to the next meeting in September and to table action item 8e for a Special Called Meeting on August 26, 2024 at 5:00 PM. The motion was seconded by Councilman Johnson and passed unanimously.*

**Public Comment Period**

None

## Consent Agenda Items

- a. **Approval of Regular Meeting Minutes of June 10, 2024**
- b. **Approval of Closed Session Meeting Minutes of June 10, 2024**
- c. **Approval of Special Called Meeting Minutes of June 27, 2024**
- d. **City of Trinity- Monthly Financial Position Review**
- e. **Resolution 25 - 01: Close out the State Capital and Infrastructure Grant (SCIF) and all accounts associated**
- f. **Annual Budget Amendment to Re-Appropriate Budgetary Authority Related to Encumbrances Outstanding as of June 30, 2024**

*Mayor Pro Tem Hicks made a motion to approve the Consent Agenda items. The motion was seconded by Councilman Johnson and passed unanimously.*

## Recognitions and Presentations

### GFOA Distinguished Budget Award - 3rd Year Receiving

The Finance Department has been awarded and recognized nationally for the 3rd consecutive year for the Government Finance Officer Association (GFOA) Distinguished Budget award.

### Sheriff Seabolt, Randolph County Sheriff's Department

**Sheriff Seabolt informed** the Council of the promotion for Sgt. Ric D'Angelo to Captain and his moving to another department with the Randolph County Sheriff Department. His replacement is Sgt. Clarkston Cox who will now be over the Trinity Sheriff Department Sub-Station.

## Public Hearing

Mayor McNabb opened the Public Hearing.

### Request for Variance PIN #7708058699 - 5638 Uwharrie Road

Planner Jay Dale and Martin Lamberg were sworn in by City Clerk Darien Comer. The oath that was administered: *Do you solemnly affirm that the testimony you shall give tonight is the truth, the whole truth, and nothing but the truth, so help you God.*

**Planner Jay Dale** presented to the Council a summary for a request for a Variance from DKKK LLC (Jowat) from Section 12-4 of the City of Trinity Zoning Ordinance to allow construction of a loading and unloading zone in front of the current structure. The loading and unloading zone would be ten (10) feet off the right of way rather than the required fifty (50) feet. The dock would reduce forklift traffic and increase safety.

**Martin Lamberg from DKKK LLC, (Jowat)** was present and available for questions.

## Speaking For:

None

**Speaking Against:**

None

Mayor McNabb closed the Public Hearing.

**Action Agenda****Request for Variance PIN #7708058699 - 5638 Uwharrie Road**

*Mayor Pro Tem Hicks made a motion to grant the variance with the following conditions:*

- *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.*
- *Granting the variance requested will not confer upon the applicant any special privileges that are denied to other residents in the district in which the property is located.*
- *A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other residents of the district in which the property is located.*
- *The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.*
- *The special circumstances are not the result of the applicant.*
- *The variance requested is the minimum variance that will make possible the legal use of the land, building or structure.*
- *The variance is not a request to permit a use of land, building or structure which is not permitted by right or by conditional use in the district involved.*
- *The loading and unloading zone will be ten (10) feet off the right of way rather than the required fifty (50) feet and the dock will reduce forklift traffic and increase safety.*

*The Motion was seconded by Councilman Carico and passed unanimously.*

**Request for Property Rezoning PIN #6798661434 - Corner of Mendenhall Rd. and Old Mendenhall Rd.**

*Mayor Pro Tem Hicks made a motion to Table to the September Meeting. The motion was seconded by Councilman Johnson and passed unanimously.*

**Request for Property Rezoning PIN #7708323924 - 0 Surrett Dr.**

**Planner Jay Dale** presented the request for rezoning 0 Surrett Dr. Pin#7708323924. Alejandro Robles Fuerte and Monica Ponce are requesting that .67 acres located a 0 Surrett Dr. be rezoned from R-40 (Residential) to HC (Highway Commercial). It is the desire of the property owner to operate an outdoor storage yard as per site plan. The property owner will need to acquire a Special Use Permit to operate an outdoor storage yard. The City of Trinity Planning Board voted Monday, March 25, 2024 to recommend denial for the rezoning as inconsistent with the Trinity Land Use Plan.

Mayor McNabb opened the Public Hearing

**Monica Ponce**, property owner was present and available for questions.

**Speaking For:**

**Monica Ponce at 6953 Quarter Horse Drive**, the purpose of this is for storage for tools and equipment.

**Speaking Against:**

None

Mayor McNabb closed the Public Hearing.

*Mayor Pro Tem Hicks made a motion to approve rezoning change from Residential-40 to Highway Commercial. The motion was seconded by Councilman Johnson and passed unanimously.*

**Amendment to the Steeplegate Lift Station and Force Main Project Budget**

**Finance Director Crystal Postell** is requesting an amendment to the Steeplegate Lift Station and Force Main Project Budget in the amount of \$4,432,500. A revised Resolution 25-03 and Project Ordinance 25-01 was presented.

*Councilman Carico made a motion to approve the amendment in the amount of \$4,432,500. The motion was seconded by Councilman Johnson and passed unanimously.*

**Designation of Distress Under the Viable Utility Program Resolution**

*Mayor Pro Tem Hicks made a motion to Table to a Special Called Meeting on August 26, 2024 at 5:00PM. The motion was seconded by Councilman Johnson and passed unanimously.*

**Resolution to Apply for a Sewer Asset Inventory and Assessment Grant**

**City Manager Stevie Cox** requested that the Council approve and adopt the Resolution to apply for a Sewer Asset Inventory and Assessment Grant. The Council is moving forward with the execution of the contract for the Sewer Expansion Study with David Martin Powel Engineering. The Sewer Asset Inventory and Assessment Grant Application requires that the Council approve and adopt a Resolution to apply, before the City can move forward with the application process.

*Councilman Walker made a motion to approve and adopt The Resolution to Apply for a Sewer Asset Inventory and Assessment Grant. The motion was seconded by Councilman Johnson and passed with a vote of 4 ayes and opposed by Councilman Lohr.*

**Water Management Ordinance**

**Municipal Services Inc. Consultant Carrie Spencer and Roger Bardsley** are updating the stormwater and watershed ordinances. The State has the ordinance, and we are waiting for their approval. The Planning Board has reviewed the ordinance and recommends the City Council's approval and to schedule a Public Hearing.

*Mayor Pro Tem Hicks made a motion to set a Public Hearing for next month's Council meeting. The motion was seconded by Councilman Walker and passed unanimously.*

**Closed Session - Personnel - Pursuant to NCGS 142-318(a)(6)**

*Mayor Pro Tem Hicks made a motion to go into Closed Session for Personnel pursuant to NCGS 142-318(a)(6) The motion was seconded by Councilman Carico and passed unanimously.*

*Councilman Walker made a motion to close the Closed Session. The motion was seconded by Councilman Johnson and passed unanimously.*

*Councilman Johnson made a motion to return to Open Session. The motion was seconded by Councilman Carico and passed unanimously.*

**Mayor, Council and City Manager Updates**

Councilman Walker instructed the City Staff to look into Shirley Hamer's right of way for her road.

Councilman Carico inquired about the Council not being informed about a Food Lion and Walmart wanting to come to the area.

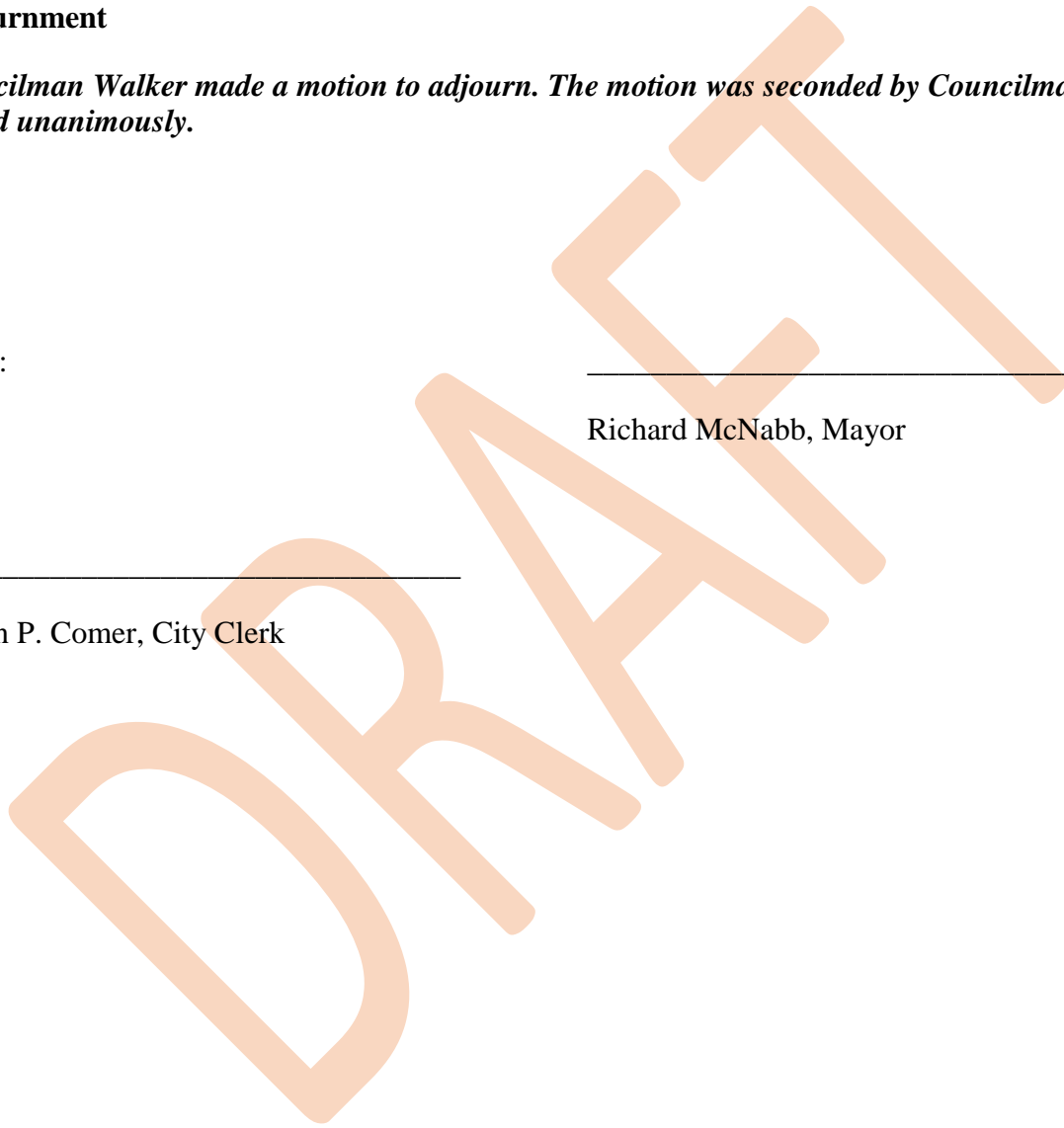
**Adjournment**

*Councilman Walker made a motion to adjourn. The motion was seconded by Councilman Carico and passed unanimously.*

Attest:

\_\_\_\_\_  
Richard McNabb, Mayor

\_\_\_\_\_  
Darien P. Comer, City Clerk





**City of Trinity**  
**CITY COUNCIL SPECIAL CALLED MEETING**

**August 26, 2024**  
**Trinity City Hall Annex**

**MINUTES**

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**PRESENT**

Mayor Richard McNabb  
Mayor Pro Tem Bob Hicks  
Councilman Robbie Walker  
Councilman Ed Lohr  
Councilman Jack Carico

**ABSENT**

Councilman Tommy Johnson

**OTHERS PRESENT**

City Manager Stevie Cox  
City Clerk Darien Comer  
Finance Director Crystal Postell  
Public Services Director Rodney Johnson  
Planning Jay Dale  
Attorney Bob Wilhoit  
Sgt. Clarkston Cox

**Call to Order**

Mayor McNabb called the meeting to order at 5:00 PM.

**Action Agenda**

**Request for Funding for Tree Removal at 4017 Carriage House Circle**

**Planner Jay Dale** informed the Council that Code Enforcement complaints had brought this item before them. The property located at 4017 Carriage House Circle has dying and/or dead trees that are presenting potential hazards to neighboring properties. Mr. Dale presented the Council with three bids for the removal of the trees.

Foley's Tree Service & Stump Grinding - \$2,000

Ingram's Tree Service - \$9,000

Robbie Poole Tree Service, LLC - \$7,000

It was noted that Foley's Tree Service's bid did not include "haul off" but they were a local contractor, and Council would like to utilize local businesses when possible.

***Councilman Walker made a motion to instruct Mr. Dale to get an updated quote from Foley's that included the price for haul-off and to use Foley's Tree Service for the job provided that the price was \$5,000 or lower. The motion was seconded by Councilman Carico and passed unanimously.***

### **Designation of Distress Under the Viable Utility Program Resolution**

Finance Director Crystal Postell presented the Council with a notice from North Carolina Department and Environmental Quality (NCDEQ) regarding Trinity's potential listing as a Viable Utility Program designee. Mrs. Postell stated that it was not required for the City to be designated for this program at this time, but may be required by the State to do so in the future if Trinity is unable to improve it's scoring based on criteria set by the State.

Bill Cowen and Alice Briggs from WithersRavenel were joined by Susan Kubacki from NCDEQ on a Teams call should Council have any questions. There was a discussion held by Council members and Mrs. Kubacki on potential benefits of grant funding if placed on this list. Finance Director Postell recommended no action be taken at this time.

***The Council did not take action on this item.***

### **Resolution of Tentative Award for Wastewater Regionalization Project**

City Manager Stevie Cox presented the Council with the results of the Steplegate Lift Station and High Point Force Main project bid opening. He stated that this Resolution of Tentative Award was a requirement for this project to continue moving forward. Temple Grading and Construction Company, Inc. was presented as the lowest bidder for \$11,209,709.

***Mayor Pro Tem Hicks made a motion to adopt the Resolution for Tentative Award to Temple Grading and Construction Company, Inc. in the amount of \$11,209,709. The motion was seconded by Councilman Walker. Councilmen Carico and Lohr voted nay with Mayor Richard McNabb casting the tie-breaking vote. The motion passed with three ayes and two nays.***

### **Adjournment**

***Councilman Walker made a motion to adjourn. The motion was seconded by Mayor Pro Tem Hicks and passed unanimously.***

**Attest:**

\_\_\_\_\_  
Richard McNabb, Mayor

\_\_\_\_\_  
Darien P. Comer, City Clerk



## MEMORANDUM

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**TO:** Richard McNabb and City Council  
**FROM:** Crystal Postell, Finance Director  
**CC:** Stevie Cox, City Manager  
**DATE:** 09/03/2024  
**SUBJECT:** City of Trinity- Monthly Financial Position Review

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**Summary:**

The Finance Department presents the City's Monthly Financial Position for August 2024.

**Background:**

The Finance Department will ensure the fiscal integrity of the City by exercising due diligence and control over the City's assets and resources while providing timely and accurate reporting under the guidelines of the Generally Accepted Accounting Principles (GAAP) and city regulations.

**Recommendation:**

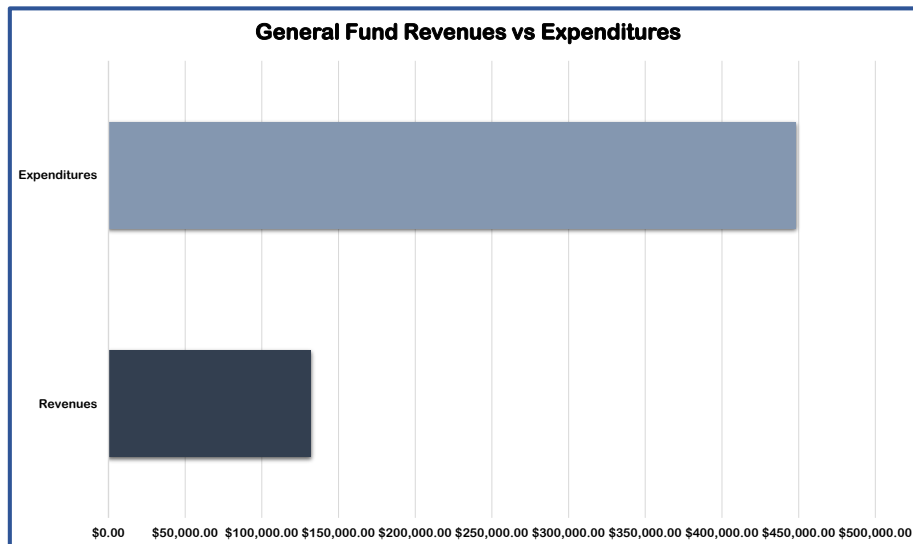
Staff recommends that the City Council approve the presentation of the City's current financial position for both the General and Sewer Fund.

**Attachment:**

Budget versus Actual Statements for both the General and Sewer Fund

**General Fund  
Budget vs Actual Statement  
Ending on August 30, 2024**

	<u>Budget</u>	<u>Actual</u>
<b>REVENUES</b>		
Powell Bill	\$ 195,360.00	\$ 60.36
Ad Valorem/ Vehicle Tax	\$ 1,066,100.00	\$ 70,652.57
Sales and Use Tax	\$ 1,675,084.00	\$ -
Solid Waste	\$ 490,000.00	\$ 40,235.54
Other Taxes	\$ 288,200.00	\$ -
Investment Earnings	\$ 52,500.00	\$ 11,728.66
Other Revenues	\$ 830,505.00	\$ 9,418.98
	<b>\$ 4,597,749.00</b>	<b>\$ 132,096.11</b>
<b>EXPENDITURES</b>		
Governing Board	\$ 67,900.00	\$ 19,726.90
Administration	\$ 470,900.00	\$ 89,670.59
Finance	\$ 319,200.00	\$ 51,887.06
Planning/Zoning	\$ 410,384.00	\$ 79,071.79
Public Buildings	\$ 284,400.00	\$ 20,213.48
Animal Control	\$ 31,000.00	\$ 7,588.83
Public Safety	\$ 827,840.00	\$ 10,120.00
Powell Bill	\$ 120,400.00	\$ 21,776.15
Street	\$ 192,200.00	\$ 30,019.66
Stormwater	\$ 376,800.00	\$ 41,109.02
Sanitation	\$ 582,700.00	\$ 52,718.46
Economic Development	\$ 26,200.00	\$ 6,600.00
General Fund Transfers-Sale Tax W/S	\$ 821,775.00	\$ -
General Fund Transfers-City Hall Reserve		\$ -
Special Appropriation/Allocations	\$ 66,050.00	\$ 12,000.00
	<b>\$ 4,597,749.00</b>	<b>\$ 448,137.69</b>
		<b>\$ (316,041.58)</b>

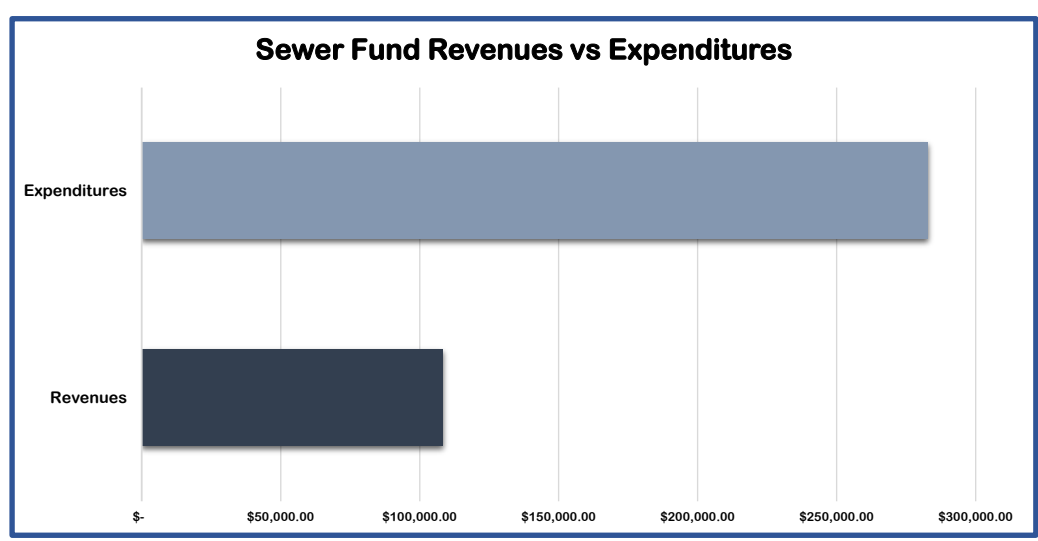


*Note: The City of Trinity has collected about 3% of it's projected budgeted revenues. However, the City operational departments have expensed about 10% of our total projected annual budgets. Currently, the City of Trinity has an estimated deficit of \$316,041.58. Please keep in mind, the City is waiting on remittance (payment) from the Department of Revenue for Sales and Used Tax and Other Taxes.*



**Sewer Fund  
Budget vs Actual Statement  
Ending on August 30, 2024**

	<u>Budget</u>	<u>Actual</u>
<b>REVENUES</b>		
Sewer Billing	\$ 1,880,280.00	\$ 113,585.14
Sewer Tap Fees	\$ 37,500.00	\$ (5,550.00)
Investment Earnings	\$ 21,600.00	\$ 4,589.88
Transfer In- Sewer Capacity	\$ 75,000.00	
Transfer In- General Fund	\$ 88,760.00	
G.O. Bonds Debt Service Transfer In	\$ 733,015.00	
Other Revenues	\$ 156,196.00	\$ (4,379.88)
	<b><u>\$ 2,992,351.00</u></b>	<b><u>\$ 108,245.14</u></b>
 <b>EXPENDITURES</b>		
Sewer	\$ 2,992,351.00	\$ 282,661.36
	<b><u>\$ 2,992,351.00</u></b>	<b><u>\$ 282,661.36</u></b>
 Surplus / (Deficit)		<b><u>\$ (174,416.22)</u></b>



*Note: The City of Trinity has collected about 4% of it's projected budgeted revenues. However, the City operational departments have only expensed about 9% of their total projected annual budgets. Currently, the City of Trinity has an estimated deficit of \$174,416.22 within the Sewer Fund. However, the City has not utilized the revenues from our Transfers In. Also, the City of Trinity had to issue a refund for sewer tap fees paid last fiscal year in the sum of \$6,300.*



## MEMORANDUM

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**TO:** Mayor and City Council

**FROM:** Carrie Spencer, Municipal Services Inc.

**CC:** Stevie Cox, City Manager

**DATE:** September 9, 2024

**SUBJECT:** Water Management Ordinance Public Hearing

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**Summary:** The City of Trinity has asked Municipal Services, Inc. (MSI) to update their stormwater and watershed ordinances. MSI reviewed current ordinances and determined that they needed a lot of work to bring them into current legal compliance, make them easier to follow, and set them up in a way that could be efficiently enforced by the stormwater administrator.

**Background:** MSI has created a new model for a local ordinance that regulates the numerous ways in which water and development are interconnected. The model combines stormwater, watershed, and floodplain regulations into a single Water Management Ordinance (WMO). A comprehensive water ordinance has several advantages:

- Addresses all aspects of the effect of development on water quantity and quality in one resource
- Creates a single regulatory document for City staff to follow and enforce
- Creates the new role: “Water Management Administrator”, combining the roles of stormwater administrator, watershed administrator, and floodplain administrator
- Calls attention to the importance of the control of water quantity and quality
- Creates a resource more easily read and understood by property owners and developers
- Eliminates redundancies between stormwater, watershed, and floodplain regulation

This ordinance is the first of its kind in the state of North Carolina. The innovative format consolidates regulations that are managed by separate branches of state environmental agencies, resulting in efficient access for local property owners and developers.

State approval is required for the City to use the ordinance. Our planners and City staff have been working closely with state agencies on the drafting and review of the ordinance. We have also worked closely with the City’s stormwater administrator, planning director, and engineer during the project.

**Recommendation:** The Planning Board has reviewed the ordinance and recommended your approval.



# Memorandum

**TO:** Richard McNabb, Mayor  
City of Trinity City Council

**FROM:** Jay Dale, Planner

**CC:** Stevie Cox, City Manager  
Robert Wilhoit, City Attorney

**DATE:** August 30, 2024

**REF:** Request for Property Rezoning – Corner of Mendenhall Rd. and Old Mendenhall Rd.

**Summary:**

**TRACY MAHAN**, Trinity, North Carolina, is requesting that 2.33 acres located at the corner of Mendenhall and Old Mendenhall Rd, PIN#6798661434, be rezoned from R-40 to M2-CD. It is the desire of the property owner to operate an outdoor storage lot with conditions as per the site plan. Mr. Mahan was out of town at the August 12, 2024 meeting and the matter was tabled.

**Attachments:**

- Application for Rezoning
- Rezoning Request Summary.
- Site Plan
- Property Map (County GIS)
- Site Photographs



### City of Trinity Rezoning Request Application

The undersigned does hereby respectfully make application and request to the City of Trinity to amend the Zoning Ordinance and change the Official Zoning Map of the city as hereinafter requested, and in support of this application the following facts are shown:

**Zoning:** Current Zoning R-40 Requested Zoning M2-CD  
Conditional Zoning: CD for Outdoor Storage

**Property Owner Information:**

Property Owner: Tracy Mahan  
Address: 2019 Kennedy Rd  
City: Thomasville State: NC Zip: 27360  
Phone: (home/work) \_\_\_\_\_ (cell) 336-250-7916

**Applicant Information** (note: must show proof as to legally representing property owner):

Applicant: Tracy Mahan  
Address: 2019 Kennedy Rd  
City: Thomasville State: NC Zip: 27360  
Phone: (home/work) \_\_\_\_\_ (cell) 336-250-7916

**Site Information:**

PIN # 6798661434  
Property Address: No Address  
Deed Book: 002876 Page: 00831  
Area: 2.33 acres

Are there any structures currently on the property to be rezoned?  yes  no

List structures: \_\_\_\_\_

What is the current land use on the property to be rezoned (i.e. commercial, residential, farming, vacant etc.)? Vacant

What current land uses and zoning are adjacent to the property to be rezoned?

North: Zoning M2 Land Use \_\_\_\_\_  
South: Zoning R-40 Land Use \_\_\_\_\_  
East: Zoning R-40 Land Use \_\_\_\_\_  
West: Zoning M-2 Land Use \_\_\_\_\_

Conditions if requesting Conditional Zoning:

Property to be fenced and screened as per note 4.

If the property is rezoned, it is understood by all, that development must conform to the minimum requirements of the City of Trinity Zoning Ordinance and all other development ordinances of the City and of Randolph County.

Deadline for rezoning applications is the first Monday of each month. Incomplete applications will be scheduled for hearing the following month. Fee: \$600.00

Staff Notes:

Mr. Mahan already paid. Staff made an error in requested zoning.

Tracy Mahan (name of applicant)

[Signature] (signature of applicant)

[Signature] (signature of Zoning Administrator)

4-26-24 (date)

**Office Use**

Date Received: 4-26-24

Fees Paid: N/A

Staff Review: \_\_\_\_\_

Planning Board Review: \_\_\_\_\_

City Council Review: \_\_\_\_\_





## REZONING REQUEST SUMMARY

**TRACY MAHAN**, Trinity, North Carolina, is requesting that 2.33 Acres located at the corner of Mendenhall Rd. and Old Mendenhall Rd. PIN# 6798661434 be rezoned from R-40 to M2-CD. It is the desire of the property owner to operate an outdoor storage lot for bus parking as per site plan.

### Application/Site plan issues to consider:

- **Outside storage would be required to meet the fencing/buffering requirements of the Zoning Ordinance.**
- **Multiple M2 in the area.**

### Adjoining Zoning:

This site is located at the corner of Mendenhall Rd and Old Mendenhall Rd.. The property to the north is zoned M-2 and R-40. The property to the south is zoned R-40, the property to the east is zoned R-40, and the property to the west is zoned M-2 and R-40.

### Transportation:

Mendenhall Rd is maintained by NCDOT and located in close proximity to US Hwy 29.

### Future Land Use Category: SECONDARY GROWTH AREA

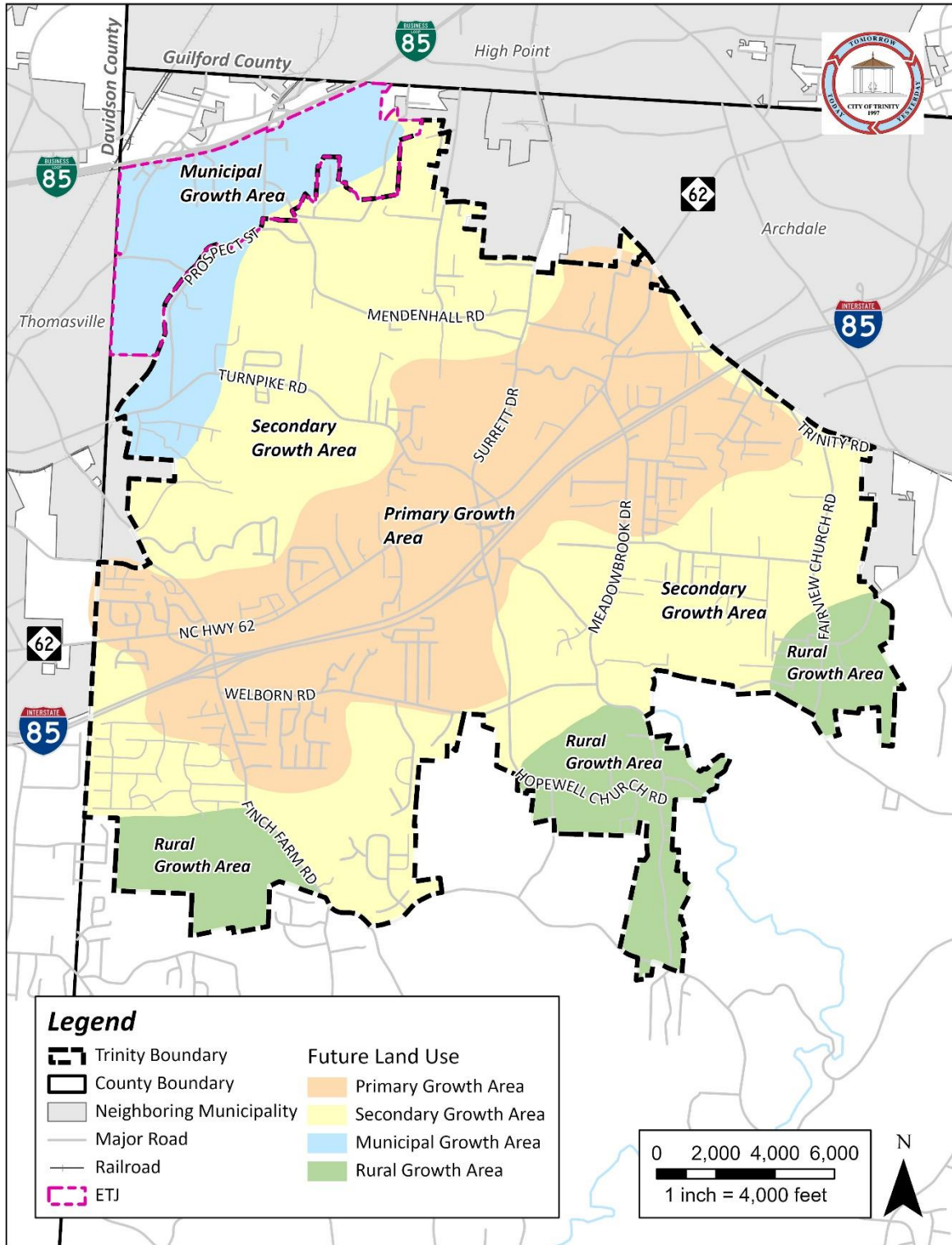
Transitional residential development is predominant in this area with major subdivisions scattered between agricultural and commercial land use patterns. Public sewer infrastructure access is not prioritized for these areas. Conventional and low density open space residential subdivisions are expected with neighborhood serving commercial uses where appropriate.

#### SECONDARY GROWTH AREA CHARACTERISTICS:

- Medium density.
- Unlikely to have access to sewer within the foreseeable future.

- Predominately residential.
- Contains scattered agricultural areas.
- Includes land available for development.
- Contains natural scenic, historic and other heritage assets.

# VISION TRINITY FUTURE LAND USE MAP



## REZONING CRITERIA

Article XVII, Amendments and Changes of the Zoning Ordinance states:

### **Section 17-1                      Motion to Amend.**

(1) Council Authority to Amend - The City Council may, on its own motion or upon the recommendation of the Planning Board, staff or upon petition by any person within the zoning jurisdiction, after public notice and hearing, amend, or repeal the regulations or the maps which are a part of this ordinance. No regulation or maps shall be amended, supplemented, changed, modified, or repealed until after a public hearing in relation thereto, at which all parties in interest and citizens shall have an opportunity to be heard. Third-party down-zonings shall be prohibited.

(2) Notice and Public hearing on Amendment Planning and Zoning Board Review

- a. Posting of Property – When a zoning map amendment is proposed, the local government shall prominently post a notice of the hearing on the site proposed for the amendment or on an adjacent public street or highway right-of-way. The notice shall be posted within the same time period specified for mailed notices of the hearing. When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required but the local government shall post sufficient notices to provide reasonable notice to interested persons.
- b. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days. For the purpose of this section, properties are "abutting" even if separated by a street, railroad, or other transportation corridor (NCGS 160D-602).

#### City Council Public Hearing

- c. Hearing with Published Notice. - Before adopting, amending, or repealing any ordinance or development regulation authorized by 160D-601(a), the governing board shall hold a legislative hearing. A notice of the hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date scheduled for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.
- d. Mailed Notice – Notice to abutting property owners shall be sent no less than ten (10) days prior to the public hearing but not more than twenty (25) days.

(3) Information and Fee Required from Applicant and Processing of Information -

Applicants must present the following information:

1. a completed rezoning application.
2. an accurate survey of the property to be rezoned,
3. a deed or legal description which establishes ownership, and.
4. if the proposed zoning boundary splits an existing parcel, a metes and bounds description shall be required in addition to the survey.

A rezoning fee established by the City Council shall be required. Processing of zoning amendment applications shall begin within ninety (90) days from submission to the City

Clerk. However, this requirement is not intended to prevent the Planning Board or City Council from delaying action after review by either body. If more than one tract or parcel is being sought for rezoning at the same time by a single applicant, each parcel having a different zone shall constitute a separate rezoning request.

- (4) Planning Board Review – Subsequent to initial adoption of a zoning ordinance, all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comments. Any development regulation other than a zoning regulation that is proposed to be adopted pursuant to 160D-604 may be referred to the planning board for review and comment. If no written report is received from the Planning and Zoning Board within thirty (30) days of referral of the amendments to the Board, the City Council may proceed in its consideration of the amendment without the Planning Board report. The Council is not bound by the recommendation, if any, of the Board.

- (5) Plan Consistency - The Planning Board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

The Planning Board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the planning board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the recommendation made.

- (6) Council Statement – Prior to adopting or rejecting any zoning amendment, City Council must adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the Council considers the action taken to be reasonable and in the public interest. When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board (NCGS 160D-605).

- (7) Withdrawal of Request - Any applicant for rezoning may withdraw his/her petition any time prior to consideration by the Planning Board. If the applicant should choose to withdraw his/her petition after being reviewed by the Planning Board but before it is to be considered by the City Council, he/she must do so in writing no later than 5 p.m. on the first Friday following the last Planning Board meeting where the item was dispensed. Failure to withdraw the rezoning petition by that time, shall cause it to advance automatically to the City Council for consideration at their next regular session, provided however that City Council may in its discretion, allow the withdrawal of a rezoning petition at any time for cause upon request by an applicant.

- (8) Resubmission of Application - Should a petition for the amendment of these regulations and/or maps be denied by action of the City Council, the applicant may resubmit an application for rezoning for the same tract or parcel within the same calendar year so long as the request for rezoning is dissimilar to the original request denied by the City Council. Should the second request be denied by the City Council, the applicant must withhold all petitions for rezoning said tract or parcel for a period of twelve (12) months from the date of the second denial by the City Council.





**CONSISTENCY DETERMINATION AND  
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF APPLICATION FOR REZONING**

**BY TRACY MAHAN**

**ADDRESS 0 MENDENHALL RD.**

**PARCEL # 6798661434**

According to North Carolina General Statute 160D and the City of Trinity Zoning Ordinance the City of Trinity City Council finds that the proposed Rezoning from R-40 (Residential District 40,000 sq. ft. building lots) to M2-CD (Light Manufacturing – Conditional District) to allow the property owner to operate and outdoor storage yard with applicable conditions is consistent with the City of Trinity Zoning Ordinance and the 2021 City of Trinity Land Use Plan and is reasonable and in the public interest for the following reasons:

**1. Determination of Consistency with the City of Trinity Land Use Plan**

**Policy ED 1.2** Evaluate the potential for commercial development in Trinity and identify sites that would be most attractive to development and convenient to residents

**Consistency Analysis:** The Rezoning satisfies Policy ED 1.2 in that the property is adjoined by parcels currently zoned M2 and there are a number of similar uses in the immediate area.

**Policy FLU 4.3** The Secondary Growth Area should protect the character of established residential areas and utilize buffering between commercial and residential areas.

**Consistency Analysis:** The proposed project has substantial buffering and fencing

**2. Statement of Reasonableness and Public Interest**

**Reasonableness and Public Interest Analysis:** The policies listed above illustrate how the request is consistent with the City of Trinity Zoning Ordinance, the City of Trinity Land Development Plan and applicable North Carolina General Statutes. The parcel in the request is subject to conditions agreed upon between the property owner and Trinity City Council. These conditions will govern the amount and type of development on the property reducing the impact on adjoining parcels. The proposed use will also increase the tax base and increase economic activity within the Town. Other issues that were considered when making their decision:

- Several commercial businesses are already in the area.
- The request is in conformance with the Land Development Plan

Adopted: September 9, 2024

Attest:

\_\_\_\_\_  
Darien Comer, City Clerk

\_\_\_\_\_  
Richard McNabb, Mayor

**CONSISTENCY DETERMINATION AND  
FINDING OF REASONABLENESS AND PUBLIC INTEREST**

**IN THE MATTER OF APPLICATION FOR REZONING**

**BY TRACY MAHAN**

**ADDRESS 0 MENDENHALL RD.**

**PARCEL # 6798661434**

According to North Carolina General Statute 160D and the City of Trinity Zoning Ordinance the City of Trinity City Council finds that the proposed Rezoning from R-40 (Residential District 40,000 sq. ft. building lots) to M2-CD (Light Manufacturing-Conditional District) to allow the property owner to operate an outdoor storage yard is **INCONSISTENT** with the City of Trinity Zoning Ordinance and the 2021 City of Trinity Land Use Plan and has been **DENIED**. This determination is reasonable and in the public interest for the following reasons:

**1. Determination of Consistency with the City of Trinity Land Use Plan**

**Policy FLU 4.3** The Secondary Growth Area should protect the character of established residential areas and utilize buffering between commercial and residential areas.

**Consistency Analysis:** The Rezoning request fails to satisfy FLU 4.3. The immediate surrounding area is either mixed use in a Secondary Growth Area. The proposed zoning would cause a change to the character of the area and fail to provide the protection that FLU 4.3 recommends, pushing the area further into a land use pattern that is more consistent with a Primary Growth Area. Furthermore, while the property is buffered it would appear to be insufficient to buffer surrounding properties from the noise and sight of the proposed busses.

**Policy ED 1.2** Evaluate the potential for commercial development in Trinity and identify sites that would be most attractive to development and convenient to residents.

**Consistency Analysis:** The proposed project fails to meet ED 1.2 in that the parcel has no access to sewer and is being zoned for a light manufacturing use. The lack of sewer would not make this among the more attractive sites for that level of development.

## 2. Statement of Reasonableness and Public Interest

**Reasonableness and Public Interest Analysis:** The policies listed above illustrate how the request is inconsistent with the City of Trinity Zoning Ordinance, the City of Trinity Land Development Plan and applicable North Carolina General Statutes.

Adopted: September 9, 2024

Attest:

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Darien Comer, City Clerk

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Richard McNabb, Mayor



# MEMORANDUM

**TO:** Richard McNabb, Mayor  
City Council Members

**FROM:** Stevie Cox, City Manager

**VIA:** Sgt. Carl Cox, Randolph County Sheriff’s Office  
Rodney Johnson, Public Services Director  
Crystal Postell, Finance Director

**DATE:** August 26, 2024

**REF:** Acquisition of Solar Speed Radar Trailer

**Summary:**

This is a request to approve the acquisition of the solar speed radar trailer.

**Background:**

In March 2024, the City Council held their annual budget retreat. During the budget retreat, the City Council was given a presentation by Sgt. Ric D’Angelo with the Randolph Sheriff Department addressing the issues with speeding around high traffic areas. Sgt. D’Angelo stated that the City should consider buying a solar radar trailer that would be one way to address this issue. The City Council requested that Sgt. D’Angelo move forward with securing pricing for the solar radar trailer.

In June 2024, the City Council approved and adopted the Fiscal Year 2024 – 2025 Budget and Capital Improvement Plan. Within the Capital Improvement Plan and Budget, the City Council included as a goal and funding for the acquisition of a mobile solar radar trailer. In August 2024, Sgt. Clarkston Cox provided a quote for acquisition for the solar radar trailer. The total cost is \$8,501.

**Recommendation:**

Staff request that the City Council approve acquisition of the solar radar trailer for \$8,501. This would cover the cost of shipping as well.

**Attachment:**

MPH Industries, Inc. Quote

MPH Industries, Inc.  
 316 East 9th Street  
 Owensboro KY 42303  
 Phone: 888-689-9222  
 Fax: 270-685-6288

Date: 4/15/2024  
 Expires: 6/14/2024  
 Reference:  
 Terms: NET 30 DAYS



Section 7b.

Sales Person: Melanie Clark  
 Phone: 888-689-9222  
 Fax: 270-685-6288  
 Email: mkclark@mphindustries.com

**QUOTE: 37159**

<b>Quote To:</b> Randolph Cnty Sheriffs Office 727 McDowell Rd Asheboro NC 27205 USA Phone: 336-318-6304      Fax: Email: Customer #: 272051	<b>Ship To:</b> Randolph Cnty Sheriffs Office 727 McDowell Rd Asheboro, NC 27205 USA Phone #: 336-318-6304      Fax #: Email: Ship Via: Best Way GND
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USD

Line	Part	Description	Rev
1	SCOUT-BAS	Street Scout trailer with two 12in-digit speed display and Slow Down message, tuning fork	-

**Sales Kit**

Kit Components					
Kit Seq.	Part Number	Description	Qty Per		
1.001	903389	FORK, TUNING, 35MPH K	1	EA	
1.002	991207	TRAILER ASSY, STREET	1	EA	
1.005	910828	RADAR, DRU3 W/CABLE	1	EA	
1.003	910854	PALLET, SHIPPING, STRE	1	EA	
1.004	990856A	DISPLAY ASSY, 12"	1	EA	
1.006	910961	CHGR, BATT, 12V, 35A, 3	1	EA	
1.007	910922	SUPPORT, TRAILER, SHIP	1	EA	
		<b>Quantity</b>	1 EA	<b>Unit Price</b>	5,638.00
					<b>Ext Price:</b> 5,638.00

Line	Part	Description	Rev
9	951720	BATT ASSY, GROUP 24	ND
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	
			<b>Ext Price:</b>

Line	Part	Description	Rev
10	951720	ADDITIONAL BATTERY	ND
*** Optional ***			
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	206.00
			<b>Ext Price:</b> 206.00

Line	Part	Description	Rev
11	951719	50 WATT SOLAR PANEL	ND
*** Optional ***			
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	263.00
			<b>Ext Price:</b> 263.00

Line	Part	Description	Rev
12	951770	SPEEDVIEW TRAFFIC DATA COLLECTION	-
*** Optional ***			
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	837.00
			<b>Ext Price:</b> 837.00

Line	Part	Description	Rev
13	951783G01	BLUETOOTH	ND
*** Optional ***			
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	150.00
			<b>Ext Price:</b> 150.00

Line	Part	Description	Rev
14	951459RB	STROBE KIT	ND
*** Optional ***			
		<b>Quantity</b>	1 EA
		<b>Unit Price</b>	465.00
			<b>Ext Price:</b> 465.00

MPH Industries, Inc.  
 316 East 9th Street  
 Owensboro KY 42303  
 Phone: 888-689-9222  
 Fax: 270-685-6288

Date: 4/15/2024  
 Expires: 6/14/2024  
 Reference:  
 Terms: NET 30 DAYS



Section 7b.

Sales Person: Melanie Clark  
 Phone: 888-689-9222  
 Fax: 270-685-6288  
 Email: mkclark@mphindustries.com

**QUOTE: 37159**

Line	Part	Description	Rev
15	951716	CHANGEABLE SPEED LIMIT SIGN ASSEMBLY	ND

\*\*\* Optional \*\*\*

<b>Quantity</b>	1 EA	<b>Unit Price</b>	390.00	<b>Ext Price:</b>	390.00
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Line	Part	Description	Rev
16	909742	12V/24HR TIMER	ND

\*\*\* Optional \*\*\*

<b>Quantity</b>	1 EA	<b>Unit Price</b>	102.00	<b>Ext Price:</b>	102.00
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<b>QUOTE - Miscellaneous Charge -</b>	
Freight - Outbound	450.00

**Total: 8,501.00**

**Plus shipping and any applicable taxes**

*Thank you for an opportunity to quote.*



# Memorandum

**TO:** Mayor and City Council Members

**FROM:** Crystal Postell, Finance Director

**CC:** Stevie Cox, City Manager

**DATE:** 08/30/2024

**REF:** Resolution 25 – 06: Providing Limited Exception to Daily Deposit Requirements

**Summary:**

North Carolina General Statutes 159-32 was updated 2020 which revised the daily deposit threshold limit from \$250 to \$500. The City of Trinity has less than \$500 cash on the premises due to most payments are made electronically or by check. This practice will be beneficial to improve employee time management and decrease the fuel cost due to less travel. Currently, all checks made to the City of Trinity are deposited in a timely manner via a check capture machine issued by the City's official central depository, First Bank.

**Background:**

*159-32. Daily deposits.*

*(a) Except as otherwise provided by law, all taxes and other money collected or received by an officer or employee of a local government or public authority shall be deposited in accordance with this section. Each officer and employee of a local government or public authority whose duty it is to collect or receive any taxes or other moneys shall, on a daily basis, deposit or submit to a properly licensed and recognized cash collection service all collections and receipts. However, if the governing board gives its approval, deposits or submissions to a properly licensed and recognized cash collection service shall be required only when the money on hand amounts to five hundred dollars (\$500.00) or greater. Until deposited or officially submitted to a properly licensed and recognized cash collection service, all money must be maintained in a secure location. All deposits shall be made with the finance officer or in an official depository. Deposits in an official depository shall be immediately reported to the finance officer by means of a duplicate deposit*

*ticket. The finance officer may at any time audit the accounts of any officer or employee collecting or receiving taxes or other moneys and may prescribe the form and detail of these accounts. The accounts of such an officer or employee shall be audited at least annually.*

*(b) The Secretary may, during an emergency declaration issued under G.S. 166A-19.20, set the amount of moneys on hand requiring daily deposits and may require deposits on less than a daily basis, provided the moneys are maintained in a secure location and deposited at least weekly. (1927, c. 146, s. 19; 1929, c. 37; 1939, c. 134; 1955, cc. 698, 724; 1971, c. 780, s. 1; 1973, c. 474, s. 27; 2017-204, s. 6.1(a); 2020-3, s. 4.28(a).)*

**Recommendation:**

Staff recommends that Trinity City Council approves and adopts Resolution 25 – 06.

**Attachment:**

Resolution 25 – 06



**RESOLUTION PROVIDING FOR LIMITED EXCEPTION  
TO DAILY DEPOSIT REQUIREMENTS  
RESOLUTION 25 – 06**

**WHEREAS**, NC General Statute 159-32 requires each officer and employee of a local government or public authority whose duty it is to collect or receive any taxes or other moneys to, on a daily basis, deposit or submit and recognized cash collection service all collections and receipts; and

**WHEREAS**, NC General Statute 159-32 authorizes the Trinity City Council to approve an exception to the requirements for daily deposits or submissions to a properly licensed and recognized cash collection service when the moneys on hand amount to less than \$500; and

**WHEREAS**, the Finance Director has recommended that the City Council approve such an exception to the daily deposit requirements;

**NOW, THEREFORE, BE IT RESOLVED** by the Trinity City Council that daily deposits or submissions to a properly licensed and recognized cash collection service shall be required only when the moneys on hand amount to as much as five hundred dollars (\$500.00), subject to approval for specific operational areas by the Finance Director; and

**BE IT FURTHER RESOLVED** by the Trinity City Council upon adoption of this resolution, all previously adopted resolutions providing for limited exception to daily deposit requirements are hereby rescinded.

Adopted this 9<sup>th</sup> day of September, 2024.

SEAL

\_\_\_\_\_  
Richard McNabb, Mayor

\_\_\_\_\_  
Darien Comer, City Clerk