

**CITY COUNCIL
REGULAR MEETING
March 11, 2002**

CALL TO ORDER BY THE MAYOR

The regular meeting of the City Council of Mount Holly was called to order at 7:00 P.M. by Mayor Black. The following were present:

Mayor Robert D. "Bobby" Black

Mayor Pro-Tem Jim Hope

Councilman Michael Helms

Councilwoman Phyllis Harris

Councilman Frank McLean

Councilman Bryan Hough

Councilwoman Pat Hubbard

Adm. Services Officer Jamie Guffey

Asst. Public Works Dir. Jeff Fritts

Planning & Zoning Dir. Danny Jackson

City Attorney Kemp Michael

Police Chief Rick Davis

Fire Chief John Ekiatis

Street & Sanitation Dir. Mike Santmire

Water & Sewer Dir. Don Price

INVOCATION

The invocation was led by Rev. Dennis Knight.

PLEDGE OF ALLEGIANCE

Troop 59 led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with the change to move UFB#1 & #2 to Consent Agenda #10 & #11, and with addition of Consent Agenda #12, rezoning for Woodrow Moore's property, upon motion by Councilman Hough, seconded by Councilwoman Harris, with all in favor.

MINUTES

Councilwoman Hubbard **MOVED** to approve the minutes of February 11, 2001, as written, seconded by Councilwoman Harris, with all in favor.

PRESENTATIONS

PR#1 Presentation of Gavel to Councilman Frank McLean.

Mayor Black and the Council presented to Councilman McLean the gavel used by him when he served as mayor.

PR#2 Proclamation for East Gaston High School Wrestling Team.

The East Gaston High School team with their coach, Scott Goins, was recognized, and their parents and families welcomed. Mayor Black praised them for representing us so well this year. He read a proclamation that had been drafted by the City Attorney who is also the Chairman of the School Board. The proclamation honored the team for their state championship. (copy attached)

PR#3 Proclamation Commending the Trainham Family for Mount Holly Clean Up Day.

Mayor Black presented a proclamation recognizing the volunteer spirit of the Trainham children. They wrote a letter and brought it to the City Hall offering to help clean up our city. Their effort encouraged the City to declare March clean up month. The parents were also recognized. (copy attached)

PUBLIC HEARINGS

PH#1 To Consider Application for Twenty-First Century Grant to Rehabilitate Water and Sewer Lines in the Madora Mill Village.

Councilman Helms moved to go into public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Black recessed the regular meeting and opened the public hearing to consider application for a grant.

City Manager David Kraus stated that Gaston County has been designated a Twenty-First Century area that is qualified to obtain funds for renovations. Mr. Don Price said there are water and sewer lines in the Madora Mill Village that are very old, some are leaking and some are almost closed off by mineral deposits. The application is due June 30. We will have to have a second public hearing next month. There were no comments for or against.

Councilman Helms moved to go out of public hearing, seconded by Councilwoman Hubbard, and unanimously carried. Mayor Black adjourned the public hearing and resumed the regular meeting.

Councilwoman Hubbard asked if the grant is only available in our city limits. Mr. Kraus said it is for our city and the ETJ. Mrs. Hubbard asked if the Sadler Ave. neighborhood would be a possible area for these grant funds. Mr. Kraus agreed to look into that. Councilman Hope asked if taps would be covered, so there would be no expense to the owners; yes. Councilman Hough suggested we ask the county to apply for the Sadler Ave. area if we cannot. Mr. Kraus said we can petition them to do so. Mr. Kraus inquired if the Council wanted to ask the County to also apply for grant funds for the Morningside area; they did.

Motion: Councilman Helms **MOVED** to set a second public hearing for next month about grant funds for water and sewer upgrade in the Madora village, seconded by Councilman Hough.

Vote: unanimous. **CARRIED.**

UNFINISHED BUSINESS

UFB#1 To Consider System Development Charges.

City Manager Kraus stated that staff has prepared a proposed ordinance for system development charges. Councilman Hough asked what date it would become effective; Mr. Kraus said July 1, 2002. Councilman Hough asked why that date was chosen; Mr. Kraus said it is the fiscal year beginning. Councilwoman Hubbard asked if it could be tonight; it could. Councilman Hope did not believe that would be a good idea, since this date allows notification of a new policy. Mr. Hope asked what amount of increase is this? Mr. Kraus, it is zero now. Councilman Helms believed that 30 days should be

enough notice so it could be May 1st. Danny Jackson was asked what type of notification he intended to give. He said there would only be the public record, newspaper reports, and the ordinance on file at city hall. Councilman Hough asked if a public hearing is necessary; Mr. Michael said it is not. Mr. Hough said we have been discussing this at meetings and planning for this for months, so they should already know. Councilman McLean said he was afraid this ordinance would cause the developer not to put in the water and sewer taps and we will be cutting the street later to put them in. Mr. Kraus clarified that this fee is not the water and sewer tap, this is over and above that. Councilman Hope asked what the water and sewer tap fee is now? Councilman Hough said I thought that a few months ago some council members thought the figure was not enough. Mr. Michael stated that he was trying to relate this to the policies we have up to this point, and see how they interact with this new charge. Developments being annexed already pay for development infrastructure and the lines out to the new development. Councilman Black asked if there will be any exemptions? Councilman Hough said that this has come up already in Lincoln County, and we were going to look at their experience with non-profit organizations. Councilwoman Hubbard wondered if Council wanted to adopt this ordinance contingent on the city attorney approving the format.

Motion: Councilwoman Hubbard **MOVED** to table this matter for attorney review, to be heard again at the April meeting. Seconded by Councilman McLean.

Vote: All in favor. CARRIED.

UFB#2 To Consider Supplemental Appropriation of Funds Generated from Sale of Fire Truck.

Motion: Councilman Hough **MOVED** to approve the budget amendment seconded by Councilwoman Hubbard. (copy attached)

Vote: unanimous. CARRIED.

NEW BUSINESS

NB#1 To Consider Requesting Full Time Security for Rollins Square Apartments. Moved to consent agenda.

NB#2 To Consider Waiver of Rent for Police Officers to Live at Rollins Square Apartments. Moved to consent agenda.

NB#3 To Consider Application for Parks Grant.

City Manager Kraus stated this is a grant with no matching funds required. Our request is to apply for \$35,000. Councilman Helms asked if this is another position? Mr. Kraus said it would be a temporary one, only paid by grant funds, so when they ran out the job would as well. Mr. Zip Stowe said he was planning to use this for teenage programs after school, we could evaluate at the end to determine if we should continue. Councilman Hough stated his concern that we might create a position that we cannot afford to continue after the grant funds. Councilwoman Hubbard asked if we could buy more equipment instead of hiring a person? Mr. Kraus said you can. Mr. Hough said that if we

need another employee we should pursue that in a different way, but spend this on equipment, such as at Central Park.

Motion: Councilwoman Hubbard **MOVED** to approve application for grant funds, except for hiring a part-time assistant, and to use those funds instead for playground equipment, seconded by Councilman Hough.

Vote: All in favor. CARRIED.

NB#4 To Accept Donation of Equipment from Clariant Corporation.

City Manager Kraus said that Clariant Corporation wants to make a donation of equipment to the city, to use for the wastewater facility. Mr. Don Price said this provides us with better equipment, but we would have to have the motors rewound to work with our wiring. The cost for that is estimated to be \$2,000 for each motor (there are 8). Mr. Price said that to purchase these new would cost \$28,000 each. Councilman Hough asked why they are donating these; Mr. Price said they are phasing out part of their operation, and I asked them if we could have them. Councilman Helms asked if this would be in addition to what we have; yes. Mr. Helms asked what the crane was doing at the plant. Mr. Price stated it was for working on the aerators, to lift them up to work on them. The new equipment allows you to pull the aerators to the shore to work on them. Mr. Hough asked about the estimate of savings of \$25,000. Mr. Price said that is approximately what you would have to pay to have sludge buildup removed (we are not able to land apply that) and it has to be dumped in the landfill; this new equipment will prevent that from happening. This removal should have been done every four or five years but has not been. Mr. Helms said someone has suggested that we could run new wire; Mr. Price said it is cheaper to rewind the motors.

Motion: Councilman Helms **MOVED** to accept the donation of equipment from Clariant Corporation, seconded by Councilman Hough.

Vote: All in favor. CARRIED.

NB#5 To Consider Approval Resolution Requesting the State of North Carolina to Name the New NC 27 Bridge for Officer Randy Michael Pendleton.

Motion: Councilman Hough **MOVED** to adopt Res. #03-11-02A, seconded by Councilman Helms, Councilwoman Harris, & Councilman Hope.

Vote: All in favor. CARRIED.

NB#6 To Consider Adoption of Ordinance with New Fire Prevention Code

Mr. Ryan Baker presented the proposal for a new fire prevention code. The State has switched to the international fire code on Dec. 31 and we need to do the same.

Motion: Councilman Hough **MOVED** to adopt Res. #3-11-02B, seconded by Councilwoman Harris.

Vote: All in favor. CARRIED.

CONSENT AGENDA

Councilman Helms **MOVED** to accept and approve all 12 items on the consent agenda, seconded by Councilwoman Hubbard; and unanimously carried. They are:

- CA#1. Approval of Supplemental Appropriation of Police Drug Money. (copy attached)
- CA#2. Approval of Supplemental Appropriation for Mid-Year Adjustments to Offset State Withholdings. (copy attached)
- CA#3. Approval to Surplus Three Unused Garbage Dumpsters.
- CA#4. Approval of Supplemental Appropriation of Trophy Money. (copy attached)
- CA#5. Call for Public Hearing for Rezoning of 601 Belmont-Belmont Holly Road.
- CA#6. Call for Public Hearing for Rezoning of Greg Dimmer Lot on Woodlawn Avenue.
- CA#7. Call for Public Hearing to Close a Portion of Oak Grove Street.
- CA#8. Call for Public Hearing to Close a Section of Piedmont Avenue.
- CA#9. Call for Public Hearing to Consider a Thirteen Acre Site Located Off of North Main Street from R-12 to O-2 and R-A Multi-Family Conditional Use.
- CA#10. To Consider Requesting Full Time Security for Rollins Square Apartments.
- CA#11. To Consider Waiver of Rent for Police Officers to Live at Rollins Square Apartments.
- CA#12. To Consider Rezoning of Woodrow Moore's Property.

PUBLIC COMMENT

Mayor Black opened the floor for public comment.

None

ROUND TABLE

Councilman McLean noted that street washing needs to be done by the contractor at First Baptist Church.

Councilwoman Harris reported a pothole at Tuckaseege between Myrna's and the barbershop.

Councilwoman Hubbard said we previously got copies of letters for sign ordinance violations; nothing has changed on those; so, what is next? Thanks to Greg for the update.

Councilwoman Hubbard asked about the fire act grant, where do we stand on that? Mayor Black said we would have to match \$26,000 for 10% matching funds on the \$260,000. Councilwoman Harris said she is not in favor of it, because our money is short and we have to see what our budget allows. Councilwoman Hubbard inquired about what the money would go for if we get. Chief Ekiatis said we were looking at a used rescue truck, to use sometimes instead of the ladder truck all the time. The smaller rescue truck would be put at the Catawba Heights station. Councilman Hough asked if he has an immediate need. Chief Ekiatis said we might be able to obtain the matching

funds from a private donation from Duke Power or Clariant Corporation. He encouraged the Council to apply for this money, since 10% is such a low matching amount for a grant. Councilman Hough asked, can we use this grant to pay for the fire truck we just ordered? Chief Ekiatis said we may be able to do that.

Motion: Councilwoman Hubbard **MOVED** to apply for the fire act grant on condition it be used for the new fire truck in the amount of \$283,465.00, seconded by Councilman Hough. Vote: Unanimous. CARRIED.

Councilman McLean thanked Reeves McGlohon for his report on the council retreat.

City Manager Kraus asked who would be participating in the road trip to look at the greenway proposal scheduled for Saturday, March 23rd at 9 AM.

City Manager Kraus asked for input from the Council. If they were leaning toward hiring more police officers, we can go ahead and purchase 3 vehicles now so we will have them for the officers, but then we would replace 2 vehicles next fiscal year. We are planning on taking from fund balance, but we could take from capital reserve if you wish. Councilman Hope said we need to see the lowest fund balance figure. Councilman Hough asked, do we know what impact hiring the 6 officers will do to the tax rate? Mr. Kraus said he did not have department reports yet; they were due the next Friday. Our goal is no tax increase. Mr. Helms asked if he is also exploring figures in case of a flat line on growth; yes. Mr. Hough wanted to wait another month before we decide on the cars. However, the orders have to be in by March 21st to order on state contract; the next date is September. Mr. Kraus said if Council decides not to hire the new officers, these cars will replace existing cars for next fiscal year. Mr. Helms recalled that the City used to buy cars with 100,000 miles on them from the state highway patrol. Mr. Kraus said the cars are quipped except for radar and GPS.

Motion: Councilman Hope **MOVED** to approve the purchase of 3 police cars on state contract; seconded by Councilman Hough.

Vote: unanimous. CARRIED.

City Attorney Michael said he had finished reviewing the proposed ordinance on system fees during the meeting, and suggested change, as follows: Art. IV, Sec. 2, next to last line, after "for" insert "multi-family"; Art. V, Sec. 1, may want to put periodically instead of annual; and the end of the ordinance is the table (the information below that in the packet was just information for Council). Art. IV needs the effective date.

Motion: Councilwoman Hubbard **MOVED** to approve Res. #03-11-02C, effective May 1, 2002, seconded by Councilwoman Harris. Councilman Hope asked them to consider putting June 1st, but no amendment to the motion was made.

Vote: four ayes, two nays (McLean & Hope). CARRIED.

Mayor Black noted for the record there have been several articles in the paper about mayors suing the state with regard to its withholding funds from local governments. He has asked Mr. Kraus to put information about this into the next city newsletter so our citizens will be informed.

Mayor Black asked about the status of street widening on West Glendale Avenue. City Attorney Michael said we have to search the titles and obtain right of ways.

The Council took a five minute recess.

Council all agreed to hear from a citizen who was not recognized at public comment. April Allen, 311 S. Hawthorne, Apt. 32. She spoke regarding the new manager, Darlene Calebro. She said the manager failed to get a refrigerator for her for 3 weeks, and she got mad at Ms. Allen for reminding her, so now she is trying to kick me out for having a sugar glider, (similar to a flying squirrel), as a pet. Small caged animals are supposed to be allowed, and she is harassing me every day. Mr. Kraus will follow up on that.

CLOSED SESSION

Councilman McLean moved to go into closed session for the purpose of discussing personnel matters, seconded by Councilwoman Harris, with all in favor.

Councilwoman Harris moved to return to open closed session, seconded by Councilman Hough, with all in favor.

Amendment to Personnel Policy

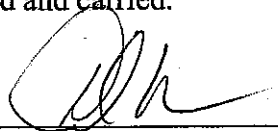
Motion: Councilman Helms **MOVED** to adopt a "bumping" policy as long as the employee is qualified for the new position, and to authorize offer of severance packages for early retirement of one week per year of employment plus accumulated sick leave, seconded by Councilwoman Hubbard.

Vote: unanimous. CARRIED.

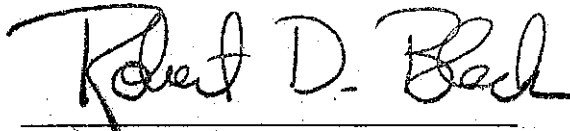
ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made, seconded and carried.

9 PM



Clerk



Mayor

cpm