

Regular Meeting
Mount Holly City Council
February 12, 1990

The regular meeting of the City Council was called to order by Mayor Charles B. Black, Jr. at 7:30 P.M. Councilwomen Faye Little and Lib Nichols, and Councilmen Myles Biggerstaff, Archie Small, Bob Jessen, and R. L. Duke were all present. Also present were City Manager Greg Young, City Attorney Kemp Michael, and department heads.

The invocation was led by Reverend D. K. Hearnese.

The minutes of January 8, 1990 were approved as written, upon motion by Councilwoman Little, seconded by Councilman Duke, and unanimously carried.

For Complaints and Petitions, Mamie Greene was heard. She asked that the lease law be enforced. It was explained to her that the leash law is enforced by the County, and she needed to call Animal Control.

Next, the public hearing for consideration of rezoning property on Woodlawn Avenue from L-I to R-8 was called to order. Councilman Jessen noted that the minutes of the Planning & Zoning Board asked that this be delayed. Mayor Black said he had received a petition by about 25 residents who do not want it to be rezoned. This matter was originally brought up by Bill Maskal as part of the Community Development project, but was not followed through. Now it is being suggested that it not be rezoned, but that an amendment be made to the zoning ordinance, so that homes could be maintained. Several on the Council agreed to this. From the audience, the following persons stood to say they do not want this property rezoned as it would hurt the value of their property: Mr. Baker, 512 Woodlawn Avenue; a woman at 402 Woodlawn; Mr. & Mrs. Turner, 516 Woodlawn; Bill Johnson, 520 Woodlawn. The public hearing was adjourned as there were none in favor and no other comments. The regular session was resumed, and Councilman Small moved that the request for rezoning be denied. Councilman Duke seconded this motion, and it carried by unanimous vote. A public hearing was set for the next regular meeting to consider amending the zoning ordinance.

The rezoning request by Reg Robinson for four acres off Highway 273 from R-A to H-I was discussed next. Councilman Biggerstaff said the Planning & Zoning has recommended denial of this request. This is in the new holding zone, which was formed so that the City could be discretionary as to what is allowed out there. Stewart Hubbeling, a member of the Planning & Zoning Board, said the Board considered this spot zoning, and felt they should not grant any rezoning until the conditional use zoning is in place for

the corridor zone, and decided that a master plan for the Gateway area should control the rezoning, rather than doing it in bits and pieces. Councilwoman Little noted that Mr. Robinson may come back with this request since a public hearing is not being held. Councilman Biggerstaff moved that the recommendation of the Board to not consider this request in a public hearing be accepted and approved, which was seconded by Councilwoman Little, and passed by unanimous vote.

Councilman Biggerstaff moved to adopt resolution #2-12-90 presented by Councilman Duke, which provides for COG to receive state funds. Councilwoman Little seconded this motion, and it carried by unanimous vote.

The Planning & Zoning Board had recommended that a public hearing be granted to consider rezoning property where Mount Holly TV & Appliance is located from R-12 to B-3. Stewart Hubbeling said this piece was excluded by error when the new zones were established and this would correct that. Councilwoman Little moved to accept the Board's recommendation and hold a public hearing on March 12, 1990 regarding this matter. This motion was seconded by Councilman Biggerstaff, and unanimously carried.

The City Attorney recommended a motion regarding the public hearing to be held to consider an amendment to the zoning ordinance as discussed earlier in the evening. Councilman Biggerstaff moved that they authorize advertisement for a public hearing to consider a proposed amendment to the zoning ordinance which would allow the use or expansion of an existing single-family residence or the re-construction of such residence in the event of fire or other casualty without regard to the zone in which the dwelling is located. Councilwoman Little seconded this motion, and it carried unanimously. City Attorney Michael stated that the residents must understand that if they own a vacant lot, a residence cannot be constructed with the zone remaining L-I.

Councilwoman Little moved that the sale of tax liens be set for May 14, 1990, with the advertisement being April 4, 11, 18, and 25, 1990, which was seconded by Councilman Jessen, and unanimously carried.

Then the fire truck specifications were reviewed and discussed. The recommendations of the Volunteer Fire Department were considered. Councilman Biggerstaff suggested that two planned inspections should be deleted and the City should pay for and arrange inspections(s) on its own when it wants. He inquired as to why the wheels are chrome instead of aluminum; it saves \$800. He suggested that this be changed since the truck must last 20 years. He inquired as to why two y-gated valves are being ordered. The City Manager said they are a little over \$1000 for two

and it was felt a backup should be on hand. Councilman Biggerstaff suggested that some of the "extras" be set out separately and bid as items, so that they can be decided on later. Councilman Biggerstaff moved that the specifications be accepted, and that the City Manager be authorized to accept bids on the new five man cab fire truck, which was seconded by Councilman Jessen, and unanimously carried. Councilman Small asked that trade-in prices be obtained as well.

The Council considered the proposal by Duke Power Company for street lights on the new bypass, which is similar to those done on South Highway 273 recently. The net cost would be \$352.40 per month for this section. The City Manager's recommendation was accepted, and approved for street lighting by Duke Power Company on the new bypass, upon motion by Councilwoman Little, seconded by Councilman Jessen. Councilman Small said these should be installed before the annexation of the Freightliner area becomes effective, like they were in Catawba Heights. However, it was pointed out that the lights were not installed in Catawba Heights before the effective date of annexation. He asked that they be ready by then to put them up. The motion carried by unanimous vote. City Manager Young said he has a proposal for replacing the old lights on Highway 27.

Police Chief Bishop presented to the Council the proposal for new decals for police cars. They were approved as presented upon motion by Councilman Biggerstaff, seconded by Councilman Duke, and unanimously carried.

Councilwoman Little asked the Council to consider the proposal by W. K. Dickson to do engineering for the water and sewer lines in the Freightliner area. City Manager Young said he usually likes using the one who did the services plan, but Dickson was much lower than Cockinos. Councilwoman Little moved that the proposal for engineering services for water and sewer lines in the annexation area near Freightliner be accepted, which was seconded by Councilman Biggerstaff, and unanimously carried.

Councilwoman Little asked the Council if a decision can be made about the Catawba Heights Water Department Office. Councilman Biggerstaff noted that only 18% to 20% are paying bills there, but he suggested that they find out when most go there to pay and cut back to that. City Manager Young said most go there in the first two weeks of the month. It was agreed that notice would be hand delivered to those who pay there that it will be closed except for certain days, and the notice will be at least 30 days before the change.

Councilman Jessen said the Corridor Zoning Study is almost ready for presentation and asked if the Council wanted to hold a public hearing at the next meeting. It was thought

that the Council might want to review it first and perhaps meet with the Board. Councilman Jessen said he could send it out to the Council next week, and if they were not ready at the next meeting, the public hearing could be continued. He moved that a public hearing be set for the next regular meeting to consider the corridor zoning, which was seconded by Councilwoman Little. Gary Roberts said a zoning ordinance change must be reviewed by the Planning & Zoning Board. Councilman Jessen amended his motion to set the hearing for the April regular meeting, accepted by Councilwoman Little, and unanimously carried.

Councilman Jessen reported that progress on the City brochure is good, but since others are involved, the process has been delayed; he hopes a draft for the text will be ready in a couple of months.

Councilwoman Little inquired as to who paid for the advertisement on the rezoning request on Woodlawn Avenue; she felt that City should not pay for it. The City Manager was to look at the minutes and determine who re-instituted this matter and why, and report back.

Councilwoman Nichols asked what the geographic center of the new city limits would be, as she has something in mind that could be put there. The City Manager will help her locate that on the new city maps being made.

Mayor Black informed the Council that the old Summey Building is being renovated, and there will be a card shop, a hobby shop, and a dinette, and he welcomed the new business into the City.

Mayor Black asked the Council to let our Congressman know we want a new post office. Councilwoman Nichols said that was what she had in mind for the center of the new city limits. The Mayor was authorized to send a letter for the Council.

City Attorney Michael stated that the hearing was held in Superior Court in the Blanton versus City matter, and the Judge ruled in favor of the City. He does not know if they are going to appeal yet.

The Elected Officials Seminar was announced for the following Thursday at 6:30 P.M.

After discussion, the City Manager was authorized to have COG look at Community Development and conditional use zoning for the City and make proposals.

City Manager Young gave the Council copies of the petition for Cherry Street Extension to be paved and maintained along with cost proposals, for their review until the next meeting.

