CITY COUNCIL
REGULAR MEETING
February 8, 1999

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 McLean. The following were present:

Mayor Frank McLean
Adm. Services Dir. Sherry Borgsdorf
Councilman Michael Helms
Councilman Andy Stewart
Councilman Bobby Black
Councilman Bryan Hough
Public Works Director Eddie Nichols
Planning & Zoning Dir. Danny Jackson
City Attorney Kemp Michael
Police Officer

Councilman Jim Hope was recuperating from surgery.
Mayor Pro-Tem Phyllis Harris arrived late due to being detained at work.

INVOCATION
The invocation was led by Rev. Todd Wright.

PLEDGE OF ALLEGIANCE
The Ida Rankin Elementary School Safety Patrol led the Council and audience in the ceremony of the Pledge of Allegiance.

MINUTES
Councilman Stewart **MOVED** to approve the minutes of January 11, 14, 25, and 28, 1999, as written, seconded by Councilman Hough, with all in favor.

PUBLIC HEARINGS
#1 To Consider Rezoning of 902 West Charlotte Avenue from R-8SF to B-3.

Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of a request for rezoning by Johnny Barnes, represented by Floyd Farmer, to rezone 902 West Charlotte Avenue from R-8SF to B-3.
Danny Jackson stated that the Planning Commission had voted in favor of the request and recommended our approval, and due advertisement has been made.
There were no comments from the audience for or against. There were no comments from the Council.
Mayor McLean adjourned the public hearing and resumed the regular meeting.

Motion: Councilman Stewart **MOVED** upon recommendation of the Planning Commission to approve the request for rezoning of 902 West Charlotte Avenue from R-8SF to B-3, seconded by Councilwoman Hough.
Vote: six ayes, zero nays. CARRIED.

#2 To Consider Thoroughfare Setback and Density Credit Ordinances.

Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of thoroughfare setback and density credit ordinances. The Council and Planning Commission had previously met together to discuss this matter.
Danny Jackson stated that the Planning Commission had voted in favor of the proposed ordinances and recommended using option 1, 4, and 8 for the calculations. The purpose of the ordinances is to protect future thoroughfare routes by limiting growth in them to keep acquisition costs low.
There were no comments from the audience for or against. There were no comments from the Council.
Mayor McLean adjourned the public hearing and resumed the regular meeting.

Fred Hutchison, 502 Nivens Cove Road. He asked what this means. Mr. Jackson said these ordinances mean the City would be able to control development in the areas that will be in the right of way for future thoroughfare plans.

Motion: Councilman Black **MOVED** upon recommendation of the Planning Commission to adopt Thoroughfare Setback Provisions, with Methods 1, 4, and 8 for calculations , seconded by Councilman Hough.
Vote: six ayes, zero nays. CARRIED.

#3 To Consider Curb Cut Ordinance
Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of a curb cut ordinance. The Council and Planning Commission had previously met together to discuss this matter.
Danny Jackson said the Planning Commission recommended approval. This ordinance would give the City the power to approve curb cuts before issuing a zoning permit.
There were no comments either from the audience or from the Council.
The Mayor adjourned the public hearing and resumed the regular meeting.
Councilman Helms asked if these matters would always have to come to Council. Mr. Jackson said this would go through the zoning office but in some instances it will come before the Council. Councilman Helms was concerned that this would create a problem if it went to Council. The consultant said these have not gone to the council in any of the other cities in the county that have this ordinance.

Motion: Councilman Hough **MOVED** to adopt the Curb Cut Ordinance, seconded by Councilman Black.
Vote: all in favor. CARRIED.

CONSENT AGENDA
Councilman Hough **MOVED** to accept and approve all two items on the consent agenda, seconded by Councilman Stewart; and unanimously carried. They are:

1. Tax releases for January 1999 in the amount of $43.56 plus $0.87 interest for 1997 and $154.94 plus $1.34 interest for 1998.

2. Approval and Acceptance of Phase 2 Map 1 Improvements in the Runnymeade Subdivision. This acceptance means the City assumes the maintenance and the one year warranty period begins; a financial guarantee is required from the developer.

NEW BUSINESS

NB #1 Annual Municipal Report of Assessed Valuation and Property Tax Levies

Tax Collector June Barker gave the annual report on property tax levies to the Council. (copy attached) She made her recommendation for advertisement and sale of tax liens.

Motion: Councilman Hough **MOVED** to publish ads for tax liens on April 7, 14, 21 and 28, 1999 and set the tax lien sale for May 10, 1999, seconded by Councilwoman Harris.

Vote: all in favor. CARRIED.

Sherry Borgsdorf noted for the record this was the first year on the new computer system, and she commended June for working out the problems with the system and doing her usual good job.

NB#2 Designating New Street Numbers on the 400 Block of Lowe Street

Interim City Manager David Kraus said Danny Jackson recommended Option #1 and the post office recommended another. Option #1 allows for any future houses.

Motion: Councilman Hough **MOVED** to adopt Option #1, seconded by Councilman Stewart.

Vote: all in favor. CARRIED.

NB#3 Amend Sewer Use Ordinance

Eddie Nichols said the State has requested these changes. Page 9, par. B, would be changed to read "equal to or exceed", and par. D, would read "or" instead of "and". On page 12, par. (6) a change to (66 degrees) from 55 is necessary due to a typo error.

Motion: Councilman Stewart **MOVED** to approve the amendments to the Sewer Use Ordinance as presented, seconded by Councilman Black.

Vote: all in favor. CARRIED. Res. 2-8-99C.

NB#4 To Consider Closing a Section of Alexander Street

Interim City Manager Kraus said the State has in the Highway 27 bridge project to put in a rubberized crossing with signals at Lee Street if we close Alexander Street between Central Avenue and Charlotte Avenue including the railroad crossing on Alexander.

Motion: Councilman Helms **MOVED** to adopt the Res. Of Intent, seconded by Councilman Hough.

Discussion: City Attorney Michael noted for the record that the Council should be sure it is receiving what it wants first before it gives up the crossing. Mr. Kraus said the bridge project will take about three years but this closing can be done in about two months.

Withdrawn: Councilman Helms withdrew his motion, and Councilman Hough withdrew his second.

UNFINISHED BUSINESS

Before beginning, Councilman Black said he feels the City should charge a fee for annexation requests because of the staff time and advertising costs involved. Councilman Hough asked if there is a way to determine a reasonable figure since we have not had this before. Councilwoman Harris said she feels it is a good idea but does not want to do it on the spur of the moment without consideration of the appropriate fees to charge. Councilman Stewart agreed he did not feel we should do this in a hurry. Reimbursement for advertisement cost was discussed.
Motion: Councilman Stewart **MOVED** to establish a petition fee for voluntary annexations to cover the cost of advertisement, seconded by Councilman Hough.
Vote: all in favor. CARRIED.

UFB#1 To Consider Possible Petitions for Annexation

City Manager Kraus said he has received two petitions for voluntary annexation. The first is from Tom Waters for Waters Edge Subdivision development. This is a complicated petition due to the number of parcels involved. Mr. Waters set up a map showing the parcels involved. He said it involves over 400 acres in 8 tracts. City Attorney Michael said this is in a format required by state law. The various current property owners have signed the petition, with all waiving vested rights. Mr. Michael said you have the option of adopting the Resolutions or not and setting the public hearing or not. He noted for the record that since the petition was known to be forthcoming, the staff has been working on the investigation as to sufficiency for the past month.
Motion: Councilman Helms **MOVED** to adopt Res. 2-8-99A seconded by Councilman Hough.
Vote: all in favor. CARRIED.

Interim City Manager David Kraus stated he has already been working on the investigation of sufficiency and has completed the investigation, and that he had personally witnessed the signatures of the property owners on the petition. He executed the Certificate of Sufficiency.

Motion: Councilman Helms **MOVED** to adopt Res. 2-8-99B, seconded by Councilman Hough and set the public hearing for March 8, 1999.
Vote: all in favor. CARRIED.

Mr. Waters asked if there is a zoning amendment to be considered. Mr. Michael said the annexation agreement that was presented in draft form has to be amended but the changes are not substantive. He said Mr. Waters has been informed of the zoning changes being made and the subdivision will have to comply.

Second Petition

Motion: Councilman Hough **MOVED** to table the request by Ron Dimmer for voluntary annexation until next meeting to allow time for investigation by the Clerk, seconded by Councilwoman Harris.
Vote: all in favor. CARRIED.

PUBLIC COMMENT
Mayor McLean said Suzanne Jefferies will be going to work with Holy Angels and this is her last night with us with the newspaper, and he wanted all to wish her well, which they did.

Mike Huffstetler, said he has no sewer service to his property on Payne Street, and he has bought a modular home, so he requested he be able to install a septic tank. Mr. Nichols confirmed that sewer service is not available on that street. Councilman Hough asked why there is no line there. Mr. Nichols said he did not know without consulting the maps. Councilwoman Harris asked what it would take to put in a line. Mr. Nichols said the line would run to Taylors Creek and would be expensive and would take at least six months to design and install.
Motion: Councilman Hough **MOVED** to grant permission for Mr. Huffstetler to install septic tank on his lot on Payne Street, seconded by Councilwoman Harris.
Vote: all in favor. CARRIED.
Councilwoman Harris asked for a list of the properties in the City that do not have water or sewer service available.

Chris Champion appeared before Council on behalf of the YMCA. He requested a special permit to burn vegetation clearing debris. He proposed this as a different and new way to burn in a pit with circulation of the smoke so that pollution is diminished. He said this also prevents trucks from having to haul the debris on the roads which is a safety hazard, and saves the Y money. It was used during the hurricane cleanup. The burning will take about two to three weeks. The State regulates this process, and allows it up to within 500 feet of a residence; but we will be 1200 feet away from any residence.
Councilman Stewart asked if our Fire Chief has considered this; Mr. Kraus said that he sent them up here for a permit and has not given a recommendation.
Councilman Hough said we have never let any others do burning. Councilwoman Harris said several have come and we have turned them down so this would not be fair. Councilman Helms said we all support the Y but we can't go around our ordinance and be fair to other property owners. Mr. Champion said Belmont allowed it at the Village Development as a "test" basis. If you have time you could check with their fire chief.
Councilman Stewart said he does not see a problem with this because it is a new process and it appears to be safe and economical. The Council concurred that they would not take action to allow this exception to the ordinance.

ROUND TABLE
Councilman Hough asked if the amendment in the subdivision ordinance regarding trees and shrubs has been prepared. Danny Jackson said they are still working on that.

Councilman Black said the YMCA was appreciative of the attendance at the groundbreaking on Sunday and it was well attended. He reminded them of the community concert on Feb. 18. The committee for the Rails and Trails will have a meeting on Feb. 11 to which the public is invited.

Councilman Stewart said we were going to submit to the County to change the watershed regulations. David Kraus said David Ward brought it up to the commissioners and it will be discussed at a workshop. The County zoning board will get an overview at its next meeting.

Councilman Stewart said when Trent Wilson came he said the water and sewer fees are not in line with the costs, and he asked for a report of what it would take to do that. David Kraus said that has not been prepared yet but would be.

Councilwoman Harris said the NC League of Municipalities asked her if Mt. Holly can host regional meetings and she has not been able to find a place in Mt. Holly which would hold 100 people for dinner. She asked for suggestions.

Pat Hubbard, Chair of Springfest, said the next committee meeting is Tues. Feb 9 at 7:00. She said they are adding new things this year including an antique car show. She asked them to give her ideas of where to get 350 of anything for senior goody-bags at their dinner. They put the applications on the Internet and will have new vendors. There will be two blocks.

CLOSED SESSION
Councilwoman Harris **MOVED** to go into closed session to consider finalist applications for the city manager position, seconded by Councilman Black, with all in favor. The Council took a five minute recess before beginning.

The Council returned to open session out of closed session upon motion by Councilman Hough, seconded by Councilwoman Harris, with all in favor.

The Council annual retreat will be Feb. 27th beginning at 12 noon at Kemp Michael's house.

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

Clerk

Frank E. McLean
Mayor

****

cpm