

CITY OF MOUNT HOLLY



MOUNT HOLLY CITY COUNCIL WORK SESSION

TUESDAY, FEBRUARY 1, 2005
CITY HALL

The Work Session of the City Council of Mount Holly was called to order at 6:30 p.m. by Mayor Bryan Hough. The following were present:

Mayor Bryan Hough
Mayor Pro-Tem Michael Helms
Councilwoman Phyllis Harris
Councilman Jim Hope
Councilwoman Pat Hubbard
Councilman Frank McLean
Councilman David Moore
City Attorney Kemp Michael
City Manager David Kraus

Assistant City Manager Danny Jackson
Assistant City Manager Jamie Guffey
Police Chief Benson Hoyle
Street and Solid Waste Director Mike Santmire
Utilities Director Don Price
Fire Chief Dale Oplinger
Community Development Planner Greg Beal
Communication Director Megan Hanks

The invocation was led by Councilman Jim Hope.

Councilman Hope asked if there would be any surprises in tonight's agenda? He was surprised at the retreat about what seemed to be a meeting before the meeting. A council member should not call a reporter and tell them that something is going to happen.

#1: To Consider Signs.

Mayor Hough recognized Maureen Wright of the Ida Rankin Elementary School PTA.

Mrs. Wright requested Council's permission to display a sign advertising a BBQ fundraiser on Thursday, March 24 from 11:00 am until 7:00 pm. She would like to display signs at the intersection of Hwy. 273 & Main Street, at the underpass, and near Second Baptist Church on Catawba.

Councilwoman Harris MOVED to allow the signs as stipulated. The motion was seconded by Councilman Moore and was approved unanimously.

#2: To Consider System Development Charges.

Mayor Hough recognized Mr. Kraus.

Mr. Kraus stated that the current system is inequitable. The proposal is to have a standard minimum rate. This would make the process much easier for our collections office. A ½ or ¾ inch line would have an increased rate of \$540; a 1 inch line would increase to \$650; a 1½ inch line would increase to \$750; and a 2 inch line would increase to \$850.

Councilman McLean stated that a ¾ inch line should be the minimum.

Mayor Pro Tem Helms stated that he would prefer a systematic rate system. The lowest rate should be \$550, to keep the rates consistent.

Councilman Hope asked if the reason for setting the rate at \$540 was based on our expenditures?

Mr. Kraus stated that there would be no problem with changing to a \$550 rate.

Councilwoman Hubbard MOVED to approve setting the system development fees as recommended by staff with the lowest rate changed from \$540 to \$550. The motion was seconded Mayor Pro Tem Helms and was approved unanimously.

The item was tabled until Monday night.

#3: To Discuss Mountain Island Lake Memorandum of Understanding.

Mayor Hough recognized Mr. Rusty Rozzelle.

Mr. Rozzelle discussed the background of the Mountain Island Lake Memorandum of Understanding, which began with a workshop that was held at the Citizens Resource Center in Dallas in January 2004. All elected officials in Gaston, Mecklenburg, and Lincoln Counties were invited, and it was well-attended. Representatives from various jurisdictions developed a workgroup, which produced a draft memorandum of understanding for all jurisdictions involved. He handed out a book to each Council Member that the workgroup put together. He also gave one to Mr. Kraus for staff's use. The book included information about guidelines, the history of the lake, general information about the lake, and procedures by which the jurisdictions will communicate with each other about what they are doing. The Mountain Island Lake Marine Commission will also provide the information on their website. The book includes BMP's, or best management practices, for development around the lake. The book also includes contact information for every jurisdiction that is involved. The website will be continually updated. There may be another workshop this fall.

#4: To Discuss Conditional Use Permit for Dutchman's Creek Subdivision.

Mayor Hough recognized Councilwoman Harris.

Councilwoman Harris was shocked that Council never talked about selling water and sewer to Dutchman's Creek at the retreat. It bothers her that a council member called a reporter and a citizen, who told her that something big about Dutchman's Creek was going to happen at the retreat. Nothing has changed that would change her mind. She is not upset that she was in the minority on that vote. It wasn't the first time, and it won't be the last time.

Councilman Hope stated that he has asked staff to prepare information about water and sewer system in regards to the Dutchman's Creek project. We must look at our water and sewer facilities. We have 6 million gallons/day for our water plant. The problem lies in our sewer, at the wastewater treatment plant. This must be a factor in how we look at this. When we reach 3.2 million gallons/day, we will need to have plans ready for an expansion. Dutchman's Creek would put us at 90% capacity. Have we heard anything else about other developments near our city limits? We need to prepare now if we're going to be a great bedroom community in this area.

Mayor Hough stated that system development fees are supposed to make sure development is paying for itself. This is what we did in 2002 with system development fees.

Councilman Hope stated that growth should not come at the expense of our residents. Our citizens should not subsidize development.

Mr. Jackson stated that grandfathering does not carry over with new owners. We would charge the fees if the property changes ownership.

Councilman Hope said we must ensure we have the right fees.

Mayor Pro Tem Helms said we need to see honest numbers.

Councilwoman Hubbard asked how definite is this list of new homes? Nothing says we have to approve any of these developments.

Councilwoman Harris agreed.

Mr. Kraus stated that Council can also set standards.

Councilman Hope stated that we should not cut corners. Developers are coming to us.

Mayor Hough stated that schools are a major concern with any annexation. He agrees that growth should take place at no cost to citizens. We have to have a plan in place and then look at each proposal individually.

Mr. Kraus stated that there are a few omissions from the chart, for example, the 95 units at Mountain Island Village.

Mayor Hough stated that we used to look at \$150,000 as the price point to break even with property taxes and the cost of city services. We need to have Mr. Guffey to look at this and make sure we have the correct numbers.

Mayor Hough recognized Mr. Jackson to discuss the conditional use permit.

Mr. Jackson handed out a document that included information from staff and the developer. The staff is looking for comment from Council as to what is palatable to Council *and* the developer.

Mr. Kraus stated that there is a minimum 100 foot buffers along all creeks.

Mr. Jackson also stated that there is a 500,000 gallon tank for that area.

Mayor Pro Tem Helms asked about the minimum buffer—it is undisturbed?

Mr. Kraus said yes.

Mayor Hough asked about the greenway—they will build it?

Mr. Jackson stated that he could add that stipulation.

Mayor Hough added that he would like to look into adding baseball and soccer fields and a gymnasium.

Mr. Jackson asked if Council would like for him to talk to the Recreation Commission about this?

All said yes.

Mayor Hough asked about setting aside land for a fire station.

Mr. Kraus said there is a 25 foot right-of-way for expansion of state roads.

Mayor Hough stated that we should have a proactive approach to water quality. Why would we not require BMP's from the beginning, regardless of test results?

Mayor Pro Tem Helms agrees with Mayor Hough. Would the developer pay for this?

Mr. Jackson said yes.

Councilman Moore said we should have no more mass grading, or no more than 20-25 acres at a time. He doesn't want any slab houses.

Mayor Hough asked if we would look at using an environmental engineer to test the pesticides used on the golf course?

Mr. Kraus stated that this would be a part of the BMP's.

Councilwoman Hubbard asked about #15 on the list. She suggested use changes should be approved in keeping with the zoning ordinance.

Mr. Jackson said they can change uses to anything on the list of acceptable commercial uses. He added that they cannot make changes to acceptable uses within a year.

Mayor Pro Tem Helms stated he would not like to see a service or gas station as a part of this development.

Councilman Hope stated that he would like to see restrictions like what we have in place for downtown.

Mayor Hough said we should take as much time as needed to do this judiciously.

Councilwoman Hubbard asked if this list included the Planning Commission's concerns? She remembered Vice-Chairman Hazel Michael having some concerns about the development.

Mr. Jackson stated that they are included.

Mr. Kraus pointed out that #20 means that Council can decide in what order each of the three phases is built. Mr. Kraus stated that it is important for the golf course to be privately owned and managed because it would be taxable.

#5: To Consider the Stanley Water Contract.

Mayor Hough recognized Mr. Kraus.

Mr. Kraus stated that he and Kemp met with Stanley's attorney met and discussed the contract. There are a few changes:

- Mount Holly shall inform Stanley of proposed installation.
- Mount Holly will carefully consider and will comply with applicable zoning ordinances.

Mr. Michael stated that we will have income from antennas, and we will share with Stanley half of the revenue excess from cost to maintain tank.

Mr. Kraus added that we will do all water testing and sampling.

Mayor Hough asked about the impact on the water rates?

Mr. Kraus said none, except for Stanley as included in the contract.

Mayor Hough asked if Council was comfortable with the contract, or if anyone had any questions?

Councilman Moore said he is comfortable as long as Mr. Michael is happy with it.

Councilman McLean MOVED to approve the water contract with Stanley, **020105A**. The motion was seconded by Councilman Moore and was approved unanimously.

Mayor Hough asked if Council would like staff to present information about a rate change for inside customers as a response to this contract?

All said yes.

Mr. Kraus stated that there also may be a change of location for the chlorification booster pump.

#6: To Consider Tap Fee for East Gaston Water & Sewer Line.

Mayor Hough stated that the current policy is only for current residential properties.

Mr. Michael added that the current water contract has been let for 83 residential properties.

Councilman Hope stated that for developments, the developer should be totally responsible.

Mr. Kraus stated that according to the current policy, commercial properties would pay. Only 83 residences would get their fee waived. The County would like to finance their portion of the line recovery fee. We could charge a 5% finance fee.

Mayor Hough does not like the perception of residents paying us, 0when the money actually goes to the County.

Mr. Michael added that we would be doing all of the County's work of collecting and record keeping.

Mr. Kraus stated that the contract calls for us to collect the fee for the County for 15 years. The contract does not require us to finance it.

Mayor Hough stated that we are only looking at 83 already built homes.

#6: To Consider High Density Rezoning.

Mayor Hough recognized Mr. Beal.

Mr. Beal gave Council a memo last month that explains why he's written this ordinance. We currently have a 24% low density option. He realizes there is a lot of information to consider tonight, but he wanted Council to have it a week before the public hearing. This ordinance is based much on the one that the City of Charlotte uses. This takes the process out of the planning

department's hands, which have no expertise in this matter. The city engineer could help. The City also would have an option of setting a fee.

Mayor Hough asked who is responsible for the BMP's if not the City?

Mr. Kraus stated that we don't want to take it over.

Mayor Hough asked if there is any way to require the developer to be responsible for BMP's for the life of the development, similar to other infrastructure included in the zoning ordinance?

Mayor Pro Tem Helms asked what kind of teeth do we have if this goes back to the homeowners' association?

Mr. Beal stated that fees would come into play.

Mayor Hough asked if we have other situations where we had to hold the HOA accountable?

Mr. Michael mentioned the pump at each house at Stonewater. It was built into the restrictive covenants with the HOA.

Councilman Hope stated that this will be an asset for developing the gateway into the City.

Council took a five minute recess.

Councilwoman Harris MOVED to enter Executive Session for the purpose of attorney-client privilege. The motion was seconded by Councilman McLean and was approved unanimously.

ROUNDTABLE

Councilwoman Hubbard asked about the retreat in May, since the work session has been cancelled for the seniors' dinner.

Council would look at dates at the next meeting.

Councilwoman Hubbard asked for any update on the marina at Riverfront?

Mayor Hough stated that the developer of the marina would like to construct individual slips first, and possibly more townhomes.

Councilwoman Hubbard stated that two citizens complained to her about a city employee having a child at City Hall.

Mr. Kraus said he would take care of it.

Councilwoman Harris stated that there should be a uniform policy for all employees.

Mayor Pro Tem Helms stated that there will be a car show on Saturday, April 30, from 9:00 am until 3:00 pm, on the land next to the Catawba Heights Fire Department. He asked Chief Hoyle about having a police officer patrol the area.

Councilman Hope stated that the organizers should pay for any police overtime.

Councilman Hope stated that the Holly Hall News has been taken in and out of the budget. These private businesses that are mentioned should have to pay for advertising. We should sell space to them and take the newsletter out of the budget. It would help the budget.

Councilman McLean thanked Chief Hoyle for how he handled the incident this weekend.

Councilman McLean is disappointed with how the discussion about Dutchman's Creek has been handled.

Councilman Moore asked about the tractor trailers at the Christmas tree lot on South Main.

Mr. Kraus stated that John Hope is looking into it.

Mayor Hough stated that Councilwoman Harris wants a meeting with CSX.

Mr. Kraus will handle it.

Mayor Hough asked about the streetlights on Hill Street?

Mr. Kraus and Councilman Moore met with Mike Fite of Duke Power today. He asked if Council wanted wood poles or decorative poles?

Mayor Hough stated that wood poles are the city's policy.

Mayor Hough stated that we need to look at the lighting situation at the old gym.

Mr. Kraus stated we will take care of it. He added that Mr. Fite recommended a complete change interesting eh lights on Beatty Road near Catawba Heights Neighborhood Park; the lights there are very old.

Mayor Pro Tem Helms MOVED to adjourn at 9:00 pm. The motion was seconded by Councilwoman Harris and was approved unanimously.

Respectfully submitted,

Megan Hanks, Communication Director

Mayor

Bryan M. Hough

City Clerk