CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, January 14, 2008
Mount Holly City Hall
7:00 pm

Call to Order
Mayor Robert Whitt called the meeting to order at 7:00 pm. The following were present:

Mayor Robert Whitt
Mayor Pro-Tem David Moore
Councilman Jerry Bishop
Councilman Frank McLean
Councilman Perry Toomey
Councilwoman Carolyn Breyare
Councilman Bennie Brookshire

Eric Davis, City Manager
Jamie Guffey, Assistant City Manager
Danny Jackson, Assistant City Manager
David Belk, Police Chief
Dale Oplinger, Fire Chief
Kemp Michael, City Attorney
Greg Beal, Planner
James Friday, Director of Utilities
Mike Santmire, Utilities

Invocation
Reverend Bill Baulding of the Mt. Holly Pentecostal Holiness Church led the invocation.

Pledge of Allegiance
Boy Scout Troop 59 of the First United Methodist Church in Mount Holly led attendees in the Pledge of Alliance.

Set the Agenda
Mr. Whitt asked for any changes or corrections to the agenda.

Mr. Davis asked that under the ***CONSENT AGENDA***, to add Item 2, To Approve an Amendment to the Audit Contract, in that the date of delivery of the contract by the City's Auditor, Collis and Associates, be extended to January 28, 2008.

Mr. Davis asked that under ***OTHER BUSINESS***, Whitewater banners should be added.

Mr. Davis asked that a ***SECOND CLOSED SESSION*** be added after the ***APPROVAL OF MINUTES***. Mayor Whitt stated that this is an unusual request but because there are items that will be discussed in open session, this second short Closed Session is important for Council's understanding of these matters. He added that as a matter of convenience, Council will leave the Council Chambers and move to a conference room to discuss these matters.

There being no other additions or corrections to the agenda, Mayor Whitt entertained a motion to set the agenda as amended.

Motion: Councilman Bishop made a motion to set the agenda as amended with Councilman Moore seconding the motion. The motion passed unanimously.

AGENDA

CONSENT AGENDA
Items on the Consent Agenda are as follows:
1. To accept and appropriate a $245.00 donation to the Recreation Department.
2. To approve an Amendment to the Audit Contract of the City's Auditor, Collis and Associates, that the date of delivery be extended two weeks to January 28, 2008.

Motion: Councilman Bishop made a motion to approve the Consent Agenda as amended. Councilman McLean seconded the motion and the motion passed unanimously.

APPROVAL OF MINUTES
Mayor Whitt asked Council for any corrections to the minutes of the December 4, 2007 Council Work Session. There were none.

Motion: Councilman Toomey made a motion to approve the minutes of December 4, 2007 Council Work Session as presented. Councilwoman Breyare seconded the motion and the motion passed unanimously.

Mayor Whitt asked Council for any corrections to the minutes of the December 10, 2007 regularly scheduled City Council meeting. There were none.

Motion: Councilman McLean made a motion to approve the minutes of December 10, 2007 regularly scheduled City Council meeting as presented. Councilman Moore seconded the motion and the motion passed unanimously.

Mayor Whitt asked Council for any corrections to the minutes of the December 18, 2007 Special Meeting at the City Hall site to discuss the issue of connecting the Linear Park to the Citizens Center. There were none.

Motion: Councilman Bishop made a motion to approve the minutes of December 18, 2007 Special Meeting as presented. Councilman Toomey seconded the motion and the motion passed unanimously.

SECOND CLOSED SESSION
Mayor Whitt entertained a motion to go into closed session for the purpose of discussing Attorney/Client privilege.

Motion: Councilman Bishop made a motion to go into closed session with Councilman McLean seconding the motion. The motion passed unanimously.

Council and the Mayor retired to the conference room at 7:10 pm.

Council and the Mayor returned to the Council Chambers at 7:30 pm and the Mayor Whitt declared that we are back in regular session

PRESENTATIONS

1. Elevated Water Tank Report, presented by Eric Davis, City Manager, and Tim Lowder, W.K. Dickson

Mayor Whitt stated that Mr. Davis and Tim Lowder of W.K. Dickson will be speaking to Council tonight regarding the proposed elevated water tank on Huitt Street.

Mr. Davis stated that at the December City Council meeting, a 1.5 million gallon water tank was approved by Council to be constructed and it would be located on Huitt Street. However, there were some questions on the size of the tank, water pressure, and water turnover that Council wished to have answered and Mr. Lowder will answer those questions of Council.

Mr. Lowder stated that the proposed water tank will affect a small portion of the City's water system from Freightliner on the north side to the pump station on the south side by I-85. The Huitt Street site has one of the worst water pressure zones with 21 psi static pressure. The proposed elevated tank will increase pressure by 21.7 psi. The larger the bowl will cause less the turnover. For a 1 million gallon tank, the bowl has a turnover rate of 2 times a day. For a 1.5 million gallon tank, the turnover rate would be 1 time every day and a half.

Councilman Moore asked Mr. Lowder what was his recommendation on the size of the tank. Mr. Lowder stated that either size will do, either would operate well, but the size restriction of the site would be better served with a 1 million gallon tank. The Huitt Street area is considered "Old Town" and will not have the future growth for anything larger.

Councilman Toomey asked if a 1 million gallon tank, providing an additional 21.7 psi in this area, would serve outlining areas as well as central city. Mr. Lowder said that it would.

Mayor Whitt stated that another point to consider is that $446,000 is the difference between the cost of a 1 million gallon tank and a 1.5 million gallon tank. The savings could be used later to construct another tank in an area where it might be needed because of growth.

Councilman Bishop asked about the suitability of the proposed alternative sites such as the Globe Mill location and the area around Food Lion for this proposed water tank. Mr. Lowder stated that the Globe Mill location would need a higher constructed tank and the Food Lion area would encounter problems with a location since it was developed.

A discussion ensued.

Councilman McLean was concerned that the tank should be big enough to be able to serve the future needs of citizens.

Councilman Toomey was concerned about future needs as well and felt that a 1.5 million gallon tank would also serve as storage.

Councilman Moore thought that a 1 million gallon tank made sense since it will serve downtown and if another tank is needed elsewhere, one could be built with the savings.

Councilman Brookshire thought that a 1 million gallon tank would be sufficient for the downtown area with the information provided at the meeting tonight.

Councilwoman Breyare asked if other areas could be looked at for the site of this proposed water tower. Mayor Whitt advised that the city already owns the proposed area at Huitt Street and other areas discussed are not owned by the city and they would incur a cost.

Mr. Michael stated that at the December Council meeting, the 1.5 million gallon tank was approved and if Council decides not to proceed with any action tonight, that decision is still in effect. If Council wishes to proceed with a 1 million gallon tank, they would have to rescind the previous action and make a motion to approve the 1 million gallon tank.

Councilman Bishop stated that he wanted to wait until the next meeting to make a decision.

It was the consensus of Council and the Mayor to take no action at this time until the next meeting.

2. Update on costs for the Citizens Center, presented by Jamie Guffey, Assistant City Manager
Mr. Guffey referred to the report, *Citizens Center – Mount Holly, NC – Cost Summary*, as he began his presentation to Council and the Mayor.

The Preconstruction Costs are as follows and total $1,485,600:

- Purchase of the Building - $600,000 ($300,000 in cash, $300,000 in sewer credits over 6 years)
- Demo Package One - $232,000 (5 year loan through 2011, payment annually $52,627). A section of the building was determined to have mold in it and was torn down. There was lead paint abatement as well as asbestos abatement in this phase.
- Builders Risk Insurance - $14,600 (paid for out of operations in the 06-07 budget)
- Pre-Construction Fee - $91,000 (paid for out of Fund Balance)
- Demo Package Two - $90,000 (paid for out of Fund Balance)
- Architect Fees - $458,000 (paid for out of Fund Balance)

The Construction Costs are $6,050,000 (loan from Citizens South Bank and it runs for 20 years). The Contingency cost is $250,000.

The firm Subtotal of the Preconstruction costs and the Construction cost amounts to $7,785,600.

The following costs were not in the contract and they total $911,670:

- Cabling - $28,000 (to be paid out of Capital Reserve)
- Audio/Visual (to be paid out of Capital Reserve with a donation of $25,000 from Citizens South Bank for audio/visual equipment for Council Chambers)
- Security - $30,000 (paid out of Capital Reserve)
- Phone System - $85,000 (will be leased over 5 years and will be paid as a annual operating expense)
- Police Dispatch - $354,670 (800 mega-hertz system – will be paid by a combination of Asset Forfeiture funds, E-911 funds, and a grant from the City of Charlotte)
- Carpet - $82,000 (to be paid out of Fund Balance)

- Parking Lot - $127,000 (to be paid out of Fund Balance)
- Landscaping - $15,000 (minimum amount to be determined – may be put on hold due to the drought)
- Furniture - $150,000 (estimate – not yet determined – will be paid out of Capital Reserve)
- Moving Expense - $25,000 (not yet determined – will be paid out of Capital Reserve)

The Total Project Cost is $8,697,270.

Mr. Guffey talked about the Debt Repayment on the building as follows:

- Loan Number 1 – Demo Package - $232,000
  This loan runs through January 11, 2011 at 4.35%, annual payments with Citizens South Bank.
- Loan Number 2 – Construction Loan - $6,100,000
  This load runs through May 1, 2027 at 4.44%, quarterly payments with Citizens South Bank.

Mr. Guffey discussed the Tax Implications. The tax rate was increased 9 cents in 2006 – 2007 and of the 9 cents, 2 cents was earmarked for the Citizens Center.

Mayor Whitt asked how much has been currently spent out of the Fund Balance. Mr. Guffey stated that about $1 million has been spent from 2003 until now. Mayor Whitt asked whether the change orders approved in December are part of this report. Mr. Guffey stated they are included in the contingency and that we are pretty much maxed out on contingency to date and that there shouldn't be any change orders coming through at this point.

Future, Item #1
Mr. Guffey continued with his report regarding the retail space up fit for the Citizens Center. This up fit estimate would cost approximately $250,000. According to our Realtor, if the retail space is not up fitted, the rental rates on this space would be approximately $4.00 per square foot with the possible revenue of $44,000. If the space was up fitted, then the estimated rental rate would increase to $14 - $15 per square foot with possible revenue of $154,000 to $165,000. Mr. Guffey added that the up fit cost could be made back in less than 2 years. After 2 years, the money made from the up fitted rentals would go against debt. Mr. Davis added that the up fitting or what type and kinds of up fitting have not yet been determined and this would be a decision of Council. It also depends on what type of business would occupy the space. Mr. Davis requested that Council and the Mayor let staff work out the details on the retail space and then come back with their findings.

Future, Item #2
Mr. Guffey stated that in 2003, there was a passed bond referendum regarding Linear Park and the road in front of it - $2.7 million for streetscapes and $2.3 million for the park, park lands, greenways trails and things of that nature. There are $1.4 million of park bonds yet to be sold but until we have a 'bid in hand' from a contractor who will do the work, we cannot sell them. There are 7 years to sell the bonds from the election so these bonds must be sold by June, 2010 or they will no longer be valid and the referendum process would have to be initiated again. Mr. Guffey stated that when the bonds are sold, the estimated payment on the park runs close to $120,000 per year for 20 years, with one penny of tax implications equaling $84,000. Mr. Davis stated that with the current tax rate, the Linear Park would not be completed so there may be a tax increase to pay for it.

Councilman Bishop asked that in the next few years, aren't we paying off our debt service? Mr. Guffey stated that in 2012, the Fire Station comes off and that in the next year or so, there will be very little water and sewer debt left.

Mayor Whitt thanked Mr. Guffey for his in-depth and informative report.

PUBLIC HEARING
There were no Public Hearings on the agenda.

PUBLIC COMMENT – THREE (3) MINUTE LIMIT
No one signed up to speak during the Public Comment period.

UNFINISHED BUSINESS
1. Update on the Linear Park and Citizens Center Sidewalk, presented by Eric Davis, City Manager
Mr. Davis informed Council and the Mayor that Bob Cook from US Infrastructure was here to answer any questions and that diagrams were being passed out provided by US Infrastructure.

Mr. Davis began his presentation by stating that on December 18, 2007, Council and the Mayor met with him to discuss the issue of connecting the Linear Park to the Citizens Center. There were challenges in trying to put a street, parking, a sidewalk, and the Linear Park within the given right of way between the Citizen Center and the CSX Railroad right of way. What is being discussed today is what the street and the linear walk could look like.

Mr. Davis stated that of the six design alternative diagrams discussed, two design alternative diagrams were selected and they are as follows:

Design Alternative 1($145,000) - one way travel heading east, 14 parking spaces with parallel parking, an 8 foot brick paver sidewalk, a 12 foot planting strip with trees, asphalt resurfacing , storm drainage improvements, grading and railroad right of way for drainage, overhead utility lines and poles to be relocated, traffic travel improvements such as striping.

Design Alternative 2 ($141,100) – one way travel heading east, 21 parking spaces at a 45 degree angle, a 5 foot brick paver sidewalk, a 10 foot planting strip with trees, asphalt resurfacing, storm drainage improvements, grading and railroad right of way for drainage, overhead utility lines and poles to be relocated, traffic travel improvements such as striping.

Mr. Davis stated that Powell Bill funds can be used to redo the street but not for decorative street lights.

Councilman McLean wondered if the CSX Railroad would give up some right of way so that the City could have a 2 lane road there instead of the proposed one lane. Councilman Toomey stated that the precedence has already been set in that there is parking up to the railroad and it has been that way for many years. Mr. Davis stated that CSX would like to have some rail crossings closed but until we know what we want to do about this matter, he advised that we shouldn't approach the railroad without knowing what we want to do or what we'd be willing to give up.

Councilman Bishop asked about the breakdown of the cost estimates. Mr. Cook stated that the breakdown involves demolishing what exists now, grading, widening of the road, paving of the road, overlay the road, storm drainage, installing a sidewalk, putting in pavers, new curb. Power poles would be placed in islands. The only things not included in this cost estimate are trees, shrubs, landscaping, wiring and the streetlights.

Mayor Whitt asked which Alternative did Council prefer.

Councilman Bishop liked Alternative 2. Councilman Moore liked Alternative 2 but wanted a larger sidewalk. Councilman McLean liked Alternative 2. Councilman Brookshire did not like the one way traffic. Councilman Toomey liked Alternative 2 as long as Massey Hardware would not have any problems with their business location. Councilwoman Breyare liked Alternative 2 but wanted the City to pursue options with the railroad as we may discover that there may be no problems after all in dealing with them.

It was the consensus of Council and the Mayor that enough information was provided to Mr. Cook for US Infrastructure to proceed with design ideas.

There being no other questions or comments at this time, Mayor Whitt asked for a five minute recess at 8:45 pm.

After the five minutes recess, Mayor Whitt called the meeting back to order at 8:50 pm.

NEW BUSINESS

1. Adoption of the 2008 – 2009 Budget Calendar, presented by Eric Davis, City Manager

Mr. Davis presented the City of Mount Holly Budget Preparation Calendar for Fiscal Year 2008 – 2009. He highlighted that there will be three, possibly four work sessions for the budget and that the City Budget will be adopted by June 9, 2008. These work sessions are in addition to the Regular Council meetings and Work Sessions occurring during the months leading up to the City Budget being adopted.

Motion: Councilman Bishop made motion to adopt the 2008 – 2009 City of Mount Holly Budget Preparation Calendar as presented. Councilman McLean seconded the motion and the motion passed unanimously.

2. To consider Approval for a Change Order for the Citizens Center Parking lot, presented by Jamie Guffey, Assistant City Manager

Mr. Guffey stated that Unifour, an engineering testing firm the City hired to assess the parking lot condition at the Citizens Center, believes that overlaying the existing parking lot with 1 to 4 inches of asphalt will not hold up and the lot will fail in one to two years if this plan was enacted. Unifour suggests that the parking lot be boxed out and a layer of 6 inches of stone base be added. On top of that, two layers of one and one half inches of asphalt would be added to form the parking lot. The estimated life of the parking lot would be approximately 18 years.

The Change Order totals $127,600. Mr. Guffey stated that the Construction Committee has recommended approval of the Change Order in the amount of $127,600 and also recommends taking the money from the Fund Balance to pay for the work.

Motion: Councilman Toomey made a motion to approve the Change Order for the Citizens Center Parking lot totaling $127,600 as presented. Councilman Bishop seconded the motion and the motion carried unanimously.

3. To consider appointments to the Centralina Council of Government Committee, presented by Danny Jackson, Assistant City Manager
Mr. Jackson stated that the Mayor appoints the City Primary Delegate and City Alternate Delegate to the Centralina Council of Government Committee which provides various public sector services to its member jurisdictions. They meet on a quarterly basis. Former Councilwoman Hubbard was the Primary Delegate and Councilman McLean was the Alternate Delegate. Mayor Whitt asked Councilman Bishop to be the Primary Delegate and Councilman McLean to serve again as the Alternate Delegate. They agreed to the appointments.

4. Discussion regarding State Transportation Improvement Plan (TIP) Regional meetings, presented by Danny Jackson, Assistant City Manager
Mr. Jackson stated that the North Carolina Department of Transportation (NCDOT) will have a series of meeting throughout the state regarding the Transportation Improvement Program. The first meeting is in Hickory on January 23, 2008 from 2- 4 pm and he asked if any Council members would like to attend.

Mayor Whitt stated that since he and Councilman Toomey are going to be members of the Transportation Advisory Committee (TAC), that they will attend the meeting on January 23, 2008.

5. Discussion of the Backflow Prevention Letter, presented by James Friday, Director of Utilities
Mayor Whitt stated that he and Council were not aware of this recent letter being sent to certain citizens regarding compliance to the City's Backflow and Cross Connection Ordinance. He asked that this letter be put on the agenda for more information as citizens have had questions on it. Mayor Whitt stated that this letter went to every non-residential water user and it stated that every non-residential water user needed to be assessed on the potential hazards that may require the installation of an approved backflow protection device.

Mr. Friday stated that the City's Backflow and Cross Connection Ordinance was passed in 2003 but was never acted upon. He stated that the City is responsible for the City's water system and the EPA and the Clean Water Act has made each water supplier ultimately responsible for any backflow incidents.

Mr. Friday stated that the letter requested that non-residential users obtain a backflow inspection report or inspection letter, at their cost, from plumber or a State Certified Backflow Inspector and that report or letter should be returned to the City of Mt. Holly no later that February 15, 2008.

Mr. Friday stated that previously 220 survey letters were sent out to non-residential customers and the City got 50 survey responses back. Of the 50 responses, large companies such as Freightliner completed their inspection reports, along with all the Funeral Homes. Adherence to this Ordinance prevents contamination of the City's water system and if a non-residential user has a problem with backflow, they must correct it at their expense.

Councilwoman Breyare asked what is the cost of a typical inspection. Mr. Friday stated that it is usually around $50.00 Councilman Moore stated that he had a plumber come out to his shop to do the inspection for $65 and the compliance letter was sent to the city.

Mayor Whitt thought that those who would not fall into this category of risk would still be compelled to have an inspection and pay $65 to comply. He thought that City staff should be able to select the businesses for the inspection.

Mr. Davis stated that Federal laws must be enforced but the liability to enforce rests with the City. Mr. Friday stated that businesses are targeted first for compliance but residential users should be checked as well.

Mr. Friday stated that he submitted this letter written by Ray Clemmer at his direction to Mr. Davis and Mr. Kemp for their review and thought it would be alright to send out.

Mr. Davis stated that Council should have been made aware of the letter before it went out and it will not happen again as it has generated a lot of calls for the Mayor and Council asking questions about compliance. Mayor Whitt stated that he was glad that Mr. Friday was doing his job regarding the Ordinance that Council had voted on in 2003 but he didn't know about the letter and he couldn't answer questions or explain what was required regarding this matter. Mr. Friday said he was taking responsibility for this matter and it would not happen again.

6. Discussion of Alive after Five Sponsorship, presented by Mayor Robert Whitt
Mayor Whitt stated that Todd Van Der Meir, a downtown business owner, is in that audience and he has graciously volunteered to coordinate, along with the Mount Holly Community Development Foundation, the plans for Alive after Five events if Council so wishes. Mayor Whitt stated that there is a City budget for Special Events such as this. The City had financially supported the first Alive after Five event as well as supporting this activity in kind with Police and Sanitation services. For all other Alive after Five events last year, sponsors took care of the costs. Mayor Whitt stated that the issues tonight are whether the City wishes to continue with this activity, would you like see Mr. Van Der Meir volunteer to coordinate these events, and would Council supply the support and direction they gave last year regarding this activity.

Mr. Van Der Meir stated that during the summer months, business for downtown slows down so activities such as the Alive after Five help the downtown businesses. It would be good for businesses to say that we have downtown events and it would be good for Realtors to know that there are downtown activities on the calendar for potential real estate building buyers. Businesses need to see these activities as a win-win situation. From a practical and budgetary view, Mr. Van Der Meir stated that he does not have the power to close City streets for events and to decide whether alcohol can be served in a special designated area in front of the City Cafe and he would like Council's directives on these matters.

Mayor Whitt recalled that serving alcohol at the Alive after Five events last year was permitted in a special designated area by a vote by Council on an event by event basis.

Councilman Bishop stated that the sale of alcohol should be voted on an event by event basis.

Councilman Moore stated that there were no incidents to report last year due to alcohol sales at the Alive after Five events. He thought that alcohol sales in a specially designated area could be voted on an event by event basis and he was appreciative of Mr. Van Der Meir's efforts.

Councilwoman Breyare and Councilman Toomey wished alcohol sales to be voted on an event by event basis.

Mr. Guffey stated that each request to sell alcohol at the Alive after Five events was brought before Council for their decision per event.

Mayor Whitt entertained a motion that the possession of beer and wine in a roped off area be permitted for the first Alive after Five event.

Motion: Councilman Moore made the motion that the possession of beer and wine in roped off area be permitted for the first Alive after Five event. Councilman Toomey seconded the motion. The motion passed 4 to 2 with Councilmen McLean and Bishop in opposition.

Mayor Whitt thanked Mr. Van Der Meir for his volunteer efforts.

7. Discussion of Spring Fest 2008 Sponsorship, presented by Mayor Robert Whitt

Mayor Whitt stated that Paisley Payton is not here tonight but she wanted to know that when she plans the Spring Fest event, that the City would do about the same things that had been done last year. The Mayor thought that the City would do pretty much the same with no community dinner but a senior dinner but he would leave that as a decision of Council. Mr. Guffey stated that in the Special Events budget, there are funds for the Spring Fest and last year, Council determined that there would be a community dinner and a senior dinner so the budget for Special Events was increased to $3,000. Councilman Moore stated that $1,300 was spent last year for the senior dinner.

Mayor Whitt entertained a motion to approve the cost of $1,500 to be paid out of the Special Events budget for the senior dinner at Spring Fest. Mr. Guffey asked that the wording should be revised to "up to" $1,500 for the cost of the senior dinner.

Motion: Council McLean made a motion to approve the cost of up to $1,500 for the senior dinner at Spring Fest. Councilman Bishop seconded the motion and the motion passed unanimously

Mayor Whitt stated that there will be a meeting this Thursday starting at 6:30 pm for Spring Fest at the Presbyterian Church. There will also be a meeting with Chuck Flink who will do a presentation his Greenways report at 7:00 pm at Rankin School.

8. Mayoral Appointments

Mayor Whitt stated that it is customary for the Mayor to make certain appointments after the election for the various committees that serve the City of Mount Holly. These committees make recommendations to Council and they involve citizen participation with government. Mayor Whitt asked that all Chairs of the committees write about a paragraph about what is happening in their committees and this information will be placed in the regular Council and Work Session meeting agendas.

The City of Mt. Holly Committees List, January 2008 is as follows:

Archives Committee
Bennie Brookshire, Chairman
Jim Love
Frank McLean
John Hope
Leigh Brinkley
Pam Hollar Beck
Bobbi Neely
Sarah Springs
Jim Huggins
Al Norton
Aaron Goforth

Beautification Street and Sanitation Committee
David Moore, Chairman
Carolyn Breyare
Aaron Suttenfield
Leslie McCarty
Kathy Trull
Bob Jessen
Ben C. Taylor, III

Construction Committee
Perry Toomey, Chairman
Jerry Bishop
Jim Hope
Galen Cassada

Economic Development Committee
Carolyn Breyare, Co-Chairwoman
Perry Toomey, Co-Chairman
David Moore
Barbara Lawrence
Ann Danzi
Edna Chirico
Carlton Broome
Bill Gary
Jim Fuller
Wendy Foster

Public Safety Committee (Police and Fire)
Bennie Brookshire, Chairman
Frank McLean
Gloria Massey Carithers

Al Norton
Joe Danzi
Bob Duke

Special Events Committee
Carolyn Breyare, Chairwoman (Dedication of the Conservation Easement Area, Citizens Center Dedication, Veterans Day, and other activities)
Todd Van Der Meir (Alive After Five)
Paisley Payton (Spring Fest)

Stormwater Committee
Wendy Foster, Chairwoman
David Berg
Bobby Mageau
Jim Magennis
Rodney Eppes
Frank McLean

Utility Committee
Jerry Bishop, Chairman
Frank McLean
Perry Toomey
Will Crist
Miles Biggerstaff
Mike Legendre

ABC Liaison
David Moore

Transportation Advisory Committee
Perry Toomey, Primary
Jerry Bishop, Alternate

Central Carolina Government Representative
Frank McLean, Alternate
Jerry Bishop, Primary

Recreation Committee Liaison
David Moore
Carolyn Breyare
Kevin Wilson, ex-officio member, Executive Director of the Stowe Branch of the YMCA

COMMITTEE REPORTS
There were no Committee Reports at this time.

OTHER BUSINESS

1. Whitewater Banners, presented by Eric Davis, City Manager
Mr. Davis stated that he received notice from the Whitewater Center that the 2008 US Olympic Team Trials for Whitewater Slalom will occur at the center on April 25 – 27, 2008. The Whitewater Center is requesting that the City of Mt. Holly participate in the placement of banners regarding this event in the downtown area. Mr. Davis stated that the banners could go up at the end of January until the end of April per Council's permission. Councilwoman Breyare asked how many would go up. Mr. Davis stated 10 to 15 would go up and that the Whitewater Center would put them up and we will assist if needed. It was the consensus of the Council and the Mayor to approve the hanging of the banners by the Whitewater Center.

CITY MANAGER'S REPORT
Mr. Davis received information that there may be a reactivation of the P&N railroad for freight and passengers transport and that the P&N would go through the City.

Chuck Flink will deliver his Greenway report to the FROGS on Thursday night at the Ida Rankin School at 7:00 pm. The Foundation is waiting for this report so that they can secure the Greenway easements from A&E, Duke Power, and Clariant. Mayor Whitt added that the Foundation will secure the easements but the City Attorney will review them.

Mt. Holly Middle School wished to change their infield in order to be able to play both baseball and softball. It was the consensus of Council and the Mayor to approve this request.

COUNCIL COMMENTS
Mayor Whitt asked members of Council if they had any information to provide at this time.

Councilman Moore had nothing else to report.

Councilman McLean asked Mr. Davis if the City got the right of way on Tuckaseegee Road for the sewer line. Mr. Davis stated that we are waiting on a reply from DOT. This road is divided by the bridge into two sections – one being a DOT street and the other section being a city street.

Councilman Brookshire was concerned about the infestation of fire ants that will occur in March and April and they will spread all over town. He requested that the City needs a program for this problem and Mayor Whitt asked Mr. Davis begin to address this issue.

Councilman Bishop requested that the city contact the Post Office to have a PO drop box in the Catawba Heights area by the park.

Councilman Bishop wanted to know the status of signing a realtor contract for the City owned property by the Holiday Inn express. Mayor Whitt stated that it will be put on agenda for Work Session on January 28, 2008.

Councilman Bishop stated that he has received a number of complaints about street lights being out around the City. Councilman Moore stated that forms were given to police officers patrolling throughout the City to note where these lights were out but he wasn't sure of the status of this project.

Councilman Bishop stated that Duke Power needs a physical address for each of these lights and he wanted the City to contact Duke Power to see what they needed in order to have them fixed.

Councilman Toomey stated that there will be a Construction Committee meeting in Council Chambers tomorrow at 10:30 am.

Councilwoman Breyare stated that she had a number of telephone calls about the Backflow and the Cross Connection Ordinance and she is still not clear on the residence and small business requirements and she didn't know what to tell people. Mayor Whitt stated we still have to comply and refer to the Ordinance unless the Ordinance gets changed in some way.

Mayor Whitt was concerned about the right turn lane into the hospital as it is extremely dangerous. Mr. Davis stated that this safety issue has been raised and he believed that DOT will require the developer to make these improvements. Mayor Whitt asked that we contact the developer regarding this dangerous situation.

CALL FOR A PUBLIC HEARING

Mayor Whitt stated that another item should be added to the agenda at this time and it concerns the annexation of property. The property owner pays City tax but his property is not all or in part within the City limits. Mayor Whitt advised Council that all they need do tonight is to agree to call for a Public Hearing on this matter.

Mr. Michael stated that the property is located at 121 Morris Avenue in Mt. Holly and is owned by Michael Kyle Schneider who wishes to be annexed into the City as he has been paying taxes to Mount Holly. This matter was brought to the City's attention by the Gaston County Tax Collector.

Mr. Michael prepared a *Petition Requesting a Contiguous Annexation* which is a legal form to voluntary annex property into the city. Currently this property is touching City limits. Mr. Michael explained that ordinarily, for a property to be annexed into the City, there is a fee of $1,000 to $4,000 to be annexed and that the City does not ordinarily annex single properties. However, under the unusual circumstances, the City has waived the fee and is considering annexing this single property.

(The recorder did not record from this point on).

Mr. Michael stated that the *Resolution Directing the Clerk to Investigate a Petition Received* be approved to investigate the petition by property owners to see if in proper form. It has been found to be sufficient.

Motion: Council Bishop made a Motion to approve Resolution #0111408A with Councilman McLean seconding the motion. The motion was passed unanimously.

Mr. Michael asked that a date be set for a Public Hearing on this matter for February 11, 2008.

Motion: Councilman Moore made a motion to set the Public Hearing date for February 11, 2008 with Councilman McLean seconding the motion. The motion passed unanimously.

Mr. Michael stated that at that time, Council's Resolution will reflect March 31, 2008 as the date that the City will annex this property.

FIRST CLOSED SESSION

There being no other business to discuss, Mayor Whitt entertained a motion to go into the first closed session.

Motion: Councilman Moore made a motion to go into the first closed session to discuss Attorney/Client matters. Councilman Bishop seconded the motion and the motion passed unanimously.

Motion: Councilman Bishop made a motion to come out of the first closed session. Councilwoman Breyare seconded the motion. The motion passed unanimously.

Motion: Councilman Toomey made a motion to approve the water interconnect agreement with the City of Belmont, with the stipulation that the original period of the agreement be changed from twenty years to five years. Councilwoman Breyare seconded the motion and the motion passed unanimously.

Motion: Councilman Moore made a motion to direct the City Attorney to write a letter to the State of North Carolina indicating the City of Mount Holly's intention to seriously consider the option of constructing a regional waste treatment facility with Charlotte-Mecklenburg Utilities (CMUD). This letter was not to commit the City of Mount Holly to this option, only to allow the State of North Carolina to begin its review of the Environmental Impact Study (EIS). Councilman McLean seconded the motion. The motion passed unanimously

ADJOURN

Motion: Councilman Moore made a motion to adjourn the meeting. Councilman Toomey seconded the motion and the motion passed unanimously.

The meeting was adjourned at 11:30 pm.

Robert Whitt
Mayor

Eric Davis
City Manager

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL
Work Session
January 28, 2008
7:00 pm

Members present: Mayor Robert Whitt, Councilmen David Moore, Jerry Bishop, Frank McLean, Bennie Brookshire, Perry Toomey, and Councilwoman Carolyn Breyare.

Staff present: Eric Davis, City Manager, Jamie Guffey, Assistant City Manager, Danny Jackson, Assistant City Manager, David Belk, Chief of Police, Dale Oplinger, Fire Chief, James Friday, Director of Utilities, and Mike Santmire, Utilities

Others present: Brooke Shephard, Attorney, Kemp Michael's office

CALL TO ORDER BY THE MAYOR

Mayor Whitt called the meeting to order at 7:00 pm.

INVOCATION

Councilman Moore led the Council, Mayor, staff members and attendees in prayer.

SET THE AGENDA

Mayor Whitt asked for any additions or changes to the agenda. There being none. Mayor Whitt asked that the first item on the agenda will be the Greenway report presented by Robert Suttenfield of the Mount Holly Community Development Foundation. There being no other items to add or discuss, Mayor Whitt entertained a motion to set the agenda as amended.

Motion: Councilman Toomey made a motion to set the agenda as amended. Councilman Bishop seconded the motion and the motion passed unanimously.

AGENDA

1. Greenway Report, presented by Robert Suttenfield, Greenways Committee, Mount Holly Community Development Foundation

Mr. Suttenfield stated that his report tonight is a follow up to the report as it relates to Greenways presented at the Ida Rankin School on January 17, 2008. Mr. Suttenfield stated at the Council meeting in February, Council will be asked to endorse the Catawba River Corridor and the Mount Holly Greenway Final Design plans through a Resolution.

Mr. Suttenfield stated that this process has encompassed 3 years of work and has incorporated the input of over 500 citizens. He added that we need to move forward on this project and that is why we need the positive endorsement from Council in February.