

**CITY COUNCIL
REGULAR MEETING**

January 12, 2001

14 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 Brian 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

INVOCATION

The invocation was led by Joe Harding.

PLEDGE OF ALLEGIANCE

Boy Scout Troup 59 accompanied by the Weebelows from Pack 59 led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with the addition of consideration of purchase of radio equipment under unfinished business, and a budget amendment for safety equipment under new business, upon motion by Councilwoman Harris, seconded by Councilman McLean, with all in favor.

MINUTES

Councilwoman Hubbard **MOVED** to approve the minutes of Dec. 4 & 10, 2001, with the following corrections, seconded by Councilwoman Harris, with all in favor. The corrections are: Dec. 10: utility adjustment committee is Jim Hope and Frank McLean. Dec. 4: Pat is listed twice, and Phyllis was absent due to work.

PRESENTATIONS

PR#1. Introduction of New Employees *Price*

David Kraus introduced Don Rice, our new Director of Utilities, who comes from the Mooresville regional office and formerly the State.

PUBLIC HEARINGS

PH#1 To Consider Amendment to Zoning Ordinance for Special Home Occupations

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Black recessed the regular meeting and opened the public hearing to consider amendment to our zoning ordinance regarding home occupations.

Zoning Administrator Danny Jackson stated that the Planning Commission considered an amendment to our zoning ordinance that would allow special home occupations in certain zones. This would allow some of our large houses over 5,000 square feet to be used for weddings, receptions or special events, and could have associated office space, with review to be before the Zoning Administrator. The other requirements are that it have two acres and that the office space not exceed 40 percent of the total square footage, with no more than 15 employees. The Planning Commission recommended approval. There were no comments for or against.

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

Motion: Councilman Hough **MOVED** to approve Res. 01-14-02(a), an amendment to Articles 6 and 7 of our zoning ordinance, seconded by Councilwoman Hubbard.

Vote: unanimous. CARRIED. (Copy attached)

PH#2 To Consider Closing a Section of Gravel Road/St. Anthony Street

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Black recessed the regular meeting and opened the public hearing to consider closing a portion of St. Anthony Street.

Danny Jackson stated that City wishes to close the end portion. The advertisement has been run and the notices sent. There were no comments for or against.

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

Motion: Councilman Helms **MOVED** to approve Res. 01-14-02(b) close a portion of St. Anthony Street, seconded by Councilwoman Harris.

Vote: unanimous. CARRIED. (copy attached)

UNFINISHED BUSINESS

UFB#1 To Consider Awarding Sale of 103 West Henry Street Property

City Manager David Kraus reported to Council that after the last advertisement there were no further upset bids. The highest bid is Mr. Larry Grant, and he recommended we proceed to sell the property.

Motion: Councilman McLean **MOVED** to sell the property at 103 West Henry Street for the sale price of \$26,621.00 to Larry Grant, and instructed the city attorney to prepare the documents necessary for that, and authorized the execution of closing documents by the Mayor and City Clerk; motion seconded by Councilwoman Harris.

Vote: unanimous. CARRIED.

UFB#2 To Consider Approval of Contract for Tail Race Park

City Manager David Kraus stated that he and the City Attorney had prepared a contract for Council's approval in connection with the first phase of improvements at Tail Race Park. The City received two bids, one from Custom Paving and one from J. Alton Stewart Construction are competitive. There is some concern because Custom Paving made their quote a week after our last meeting, and Stewart is having some problems with disputes with subcontractors on the new fire station and there have been delays in paperwork getting to our architect.

Motion: Councilman McLean **MOVED** to award the bid to Custom Paving, but there was no second.

Motion: Councilman Hough **MOVED** to award the bid to Alton Stewart Construction at a sum not to exceed \$70,000 for the first phase of improvements at Tail Race Park, seconded by Councilman Hope. This motion was amended by Councilman Hough to include approval of the contract for execution, accepted by Councilman Hope.

Vote: Five ayes, one nay (McLean). **CARRIED.**

UFB#3 Approve Resolution for Lender Regarding Purchase of Radio Equipment

The lender has required that their resolution be adopted for Fire Department equipment being purchased under a lease agreement, even though approval was adopted last month.

Motion: Councilman Hough **MOVED** to approve Res. 01-14-02(c), seconded by Councilwoman Harris.

Vote: unanimous. **CARRIED.**

NEW BUSINESSNB#1 To Consider Purchase Garbage Compactor

Street & Sanitation Director Mike Santmire stated that the City has an opportunity to purchase from Carolina Fire Systems Inc. a used garbage truck that can be put to use now. It will be six to eight months after bids are awarded before the new truck will arrive. We need to have this equipment now. This truck will then be used as a reserve, and on holiday schedules. This truck will also be used on the north end as the subdivisions are built up out there. It requires one person to operate it rather than three, and we will use the two for other jobs in our department such as sidewalks and tree trimming. Councilman Hough asked if we will we leave those positions open or fill them since only one operator is need. Mr. Santmire said that is up to the Council and the City Manager. Councilman Black noted that if we want the truck painted, it would cost \$3,500 more, and he asked if Mr. Santmire recommends that? Mr. Santmire said no. Councilwoman Hubbard asked if this is one person driving and another person? Mr. Santmire said no, it would be one man only. Councilwoman Hubbard wondered how he would handle it if the can is crooked to the street. Mr. Santmire said the arm will pick it up anyway. Councilman Helms asked if it matters if the can is backwards on the street; the answer was no. Councilman Hough reminded them that the budget is \$160,000, and would he not be exceeding that. Mr. Kraus said the new truck will not arrive this fiscal year, and the remaining \$120,000 will stay in Capital Reserve.

Motion: Councilman Helms **MOVED** to approve the purchase of a used garbage truck for \$39,500 from Carolina Environmental Systems, Inc., seconded by Councilman Hope.

Vote: All in favor. CARRIED.

NB#2 Consider Upgrading a Position in the Solid Waste Department

Street and Sanitation Director Santmire requested an upgrade for one position in his department for complaints resolution, namely, from a sanitation laborer to a sanitation enforcement officer. This will enable the employee to provide personal attention and education for the public. Councilman Hough asked him what the grade difference is between the two positions. Mr. Santmire said it would mean a pay increase of 5%.

Motion: Councilman McLean **MOVED** to approve the upgrade one position of sanitation laborer to a sanitation enforcement officer, seconded by Councilwoman Hubbard & Councilman Hough.

Vote: All in favor. CARRIED.

Councilman Hough questioned why the proposed regulations and fees include a fine, to encourage compliance, punitive, or to cover the cost involved. City Manager David Kraus said it is meant to encourage citizens to comply. Mayor Black asked what other cities charge. Mr. Santmire said Gastonia has a chart of \$50, \$75, and then \$100. Bessemer City charges \$10. Councilman Hough asked how we would collect the fine if we adopt this. Mr. Kraus said it could go on the water bill. Councilwoman Hubbard asked what would happen if they pay the water part of the bill but not the fine, would their water be cut off? Mr. Kraus said that is possible. Councilman Hope said he is not sure about this and we need to be sure we are together on this and be sure it is worded the way we want before it is adopted; we should table until we are ready.

Motion: Councilman Hope **MOVED** to table, seconded by Councilwoman Harris.

Vote: unanimous. CARRIED.

Councilwoman Hubbard asked if the employee can begin the education process anyway. Mr. Kraus said yes. Councilman Helms asked that he report the education status after a few months. Councilman Hope agreed we should let this work six months before we consider the enforcement policy again.

NB#3 To Consider Awarding Bid for Police Department Radio Equipment

City Manager Kraus stated that this bid was to modernize the police department equipment. This is a budgeted item. We will be using E911 funds and general funds. The city had re-bid after the last bids, and this time we only got one bid. Chief Davis stated that this equipment will make us compliant with FCC changes to frequencies. About 85% of the contract will be covered by E911 funds. He stated that we still need to look at car radios later. Councilwoman Hubbard are you also asking for money for the maintenance agreement? Chief Davis replied, yes. Mr. Kraus stated that the maintenance monthly payments are eligible for using E911 funds also. Councilman Hough asked how much E911 money we get? Jamie Guffey replied, about \$90,000 year. The reason we are not going with the county system is that this is more economical, we

control it, and it provides better services for our citizens. Mr. Kraus said there should be no problem with the rollover to the new equipment.

Motion: Councilwoman Hubbard **MOVED** to award the bid for police department radio equipment to Wireless Communications for \$221,178.90, under a lease arrangement with payments of \$50,196.30 per year, and in addition thereto the maintenance agreement for the equipment, seconded by Councilman McLean.

Vote: All in favor. CARRIED.

NB#4 To Consider Acceptance of Bid and Advertising for Upset Bid

City Manager Kraus said we unsuccessfully advertised for the sale an old fire engine, Engine 342, which has been declared surplus. However, Chief Ekiatis recently received a bid of \$10,000, and he believes this is a good price. We would need to now advertise for upset bids. Chief Ekiatis presented a list of equipment they want to buy with the money, mainly replacing worn out turnout gear.

Motion: Councilman Helms **MOVED** to approve the acceptance of the bid and advertising for upset bids until the highest bid is reached, seconded by Councilwoman Harris.

Vote: All in favor. CARRIED.

NB#5 To Consider Application for Privilege License for Taxi Cab Service

City Manager Kraus stated that an applicant for a privilege license to run a taxi cab service is before Council for review per our city code. Chief Davis reported to Council that a chauffeur's license is required by NC law and our code. Councilman Helms asked if the existing taxi in town has a chauffeur's license; it does. Mr. Inam Chaudhary was present and available for questions. He said he understands he must get the special license first before he does business here.

Motion: Councilman Helms **MOVED** to accept the applicant's request for a privilege license to have a taxi service contingent upon presentation of a valid chauffeur's license, seconded by Councilman Hope.

Vote: five ayes, one nay. (Hough) CARRIED.

NB#6 To Consider Acceptance of Improvements Made to Dutchman's Meadow and Deerfield Subdivisions

City Manager Kraus reported that that not all the information required has been received.

Motion: Councilman Helms **MOVED** to table this item, seconded by Councilman Hough.

Vote: All in favor. CARRIED.

NB#7 Safety issues

City Manager Kraus said a Safety Committee was established a few months ago by department heads, with employees being on the committee, not department heads. One concern they have is the lights on the city's trucks. They recommend a strobe light. Mr.

Santmire said this gets attention better. Mr. Kraus stated there are seven vehicles that need this, and they would be installed by our garage.

Motion: Councilman Hough **MOVED** to approve the budget amendment presented for the purchase of safety equipment for city vehicles, seconded by Councilwoman Hubbard.

Vote: All in favor. CARRIED. (copy attached)

CONSENT AGENDA

Councilman Helms **MOVED** to accept and approve all 5 items on the consent agenda, seconded by Councilwoman Harris; and unanimously carried. They are:

CA#1. Call for Public Hearing to Rezone Old Train Depot from H-I to B-3 Conditional Use. The public hearing will be held at the next regular council meeting, at the request of Jeffrey Booker and Charles Guignard, who plan to renovate the depot for offices.

CA#2. Approval for Phase Two, Map One, Final Plat of Autumn Woods Subdivision. Shugart Enterprises has presented a plat for the second phase of single-family residences, and the Planning commission has recommended approval.

CA#3. Approval of Final Plat for Section Three, Phase Two of the Deerfield Subdivision. Upon recommendation of the Planning Commission, this section is approved.

CA#4. Approval of Preliminary Plat for Creekside Subdivision. This first phase of the subdivision is inside the city limits.

CA#5. Approval of Supplemental Appropriation for Capital Reserve. The budget had two debt payments in it for the new fire station, but it has not been completed yet, and so there will only be one debt payment in this fiscal year. This budget amendment moves the second debt payment to Capital Reserve and Fire Department Overtime. (copy attached)

PUBLIC COMMENT

Mayor Black opened the floor for public comment.

Charles Vachris, 100 North Main Street, Discount Pet Supplies. He thanked those who have been in to patronize his new store downtown, and said they are trying to keep their area clean and organized. Being on the two corners means that parking is a problem. He reported that a family was walking across the railroad tracks and two roads to get to his store, and they had two small children, and he was afraid for them because of the traffic. He offered to contact DOT or whoever he needs to, to request a "walk" and "don't walk" signal. Also, parking is an issue. There are three lanes on North Main at his store, and since the bypass has been put in, he wondered if the City could go back to two lanes so that there can be more parking spaces on the street. City Manager Kraus stated that there was already some discussion about changing that street design at the Heart of Mount Holly meeting. We can ask Mr. Palmer and whoever has taken over for Mr. Spangler at DOT since they would handle the markings and the lights on that street. Thelma Wood was also recognized by the Mayor, and she said she works at the pet shop, and she wanted the Council to know that the big gas tanker trucks and other trucks fly down Highway 27 and it makes the building shake; please ask the Police Chief to slow them

down. Councilman Helms said the pavement is not stable there and needs to be repaired also.

ROUND TABLE

Councilwoman Hubbard asked if a letter went out yet to BellSouth about the error in the phone books with there being no tab for Mount Holly. The City Manager said he had not gotten that out yet, but he would send it right out.

Councilwoman Hubbard also reminded him to write the commissioners about the place on West Catawba that is a daycare.

Councilwoman Hubbard asked when Council will receive evaluation forms? They will be in the next weekly packet.

Councilwoman Hubbard asked Mr. Kraus to also tell DOT there is a lump in the road in front of my house on Highway 27 and the trucks go over it and shake the whole neighborhood.

Councilwoman Harris reported that she and Pat met with Chief Ekiatis about the colors for the fire station, and showed Council the color panel; they only made a few changes.

Councilman Helms said he was very glad that Council closed that portion of the road up near St. Anthony's church, because people use it for a dump and other unsavory things. We need to get a gate up right away, and clean up the garbage.

Councilman Helms asked if the new sign has been installed at the city limits on Highway 16. Jamie Guffey said the man who is doing the sign wants to know whether you want a wood one or a brick one. They will send the two options out in the next packet.

Councilman Hope stated that Butch Van Dyke, at Country Squire Barber Shop, had a water bill over \$900. It is usually about \$50. When it was last read they had to pump water out of the meter to read it. A car had run over it even though it is in the grass. The repair has been made. We would like it to be read again to be sure the problem has been corrected, and then bill an average of the last year for that month. Councilwoman Hubbard noted that in the past we have not made adjustments for businesses; are we changing the policy? Councilman Hope said no, but considering that the problem was at the meter, we feel this adjustment should be made. Councilman McLean said the committee felt that this circumstance warranted allowing the adjustment. Council concurred.

Councilman Hough thanked the City Manager and city employees for the tour councilmembers had on Saturday.

Councilman Hough requested an update on the project sheet. Mr. Kraus apologized that he did not get that to you before tonight. He said he also still needs to call Spruill Chevrolet.

Councilwoman Hubbard stated that this Thursday is the first meeting for Springfest.

Mayor Black said we need to get the phone book matter addressed. Mr. Kraus said the squeaky wheel gets the grease, especially with them. Councilman Hope said we are larger than Belmont so he did not understand why Bell South just put us under the Belmont section with no heading. Councilman Hough pointed out that we are the second largest city in the county, and he felt this is ridiculous. Councilwoman Hubbard said she talked with someone at Bell South, and explained our problem, and the woman tried to say it was to save paper; but I told her that has no impact on the tabs. Councilman Hough asked that this be reported in the paper. They urged citizens to make complaints.

Mayor Black stated that we have had complaints about our going along with the connector road that is planned. However, I have gotten a copy of a letter that says the current plan for the connector road will not work because of the new subdivisions and conservation trust lands; they will have to select a different route.

Mayor Black said he also appreciated the tour, and the CIP information. He asked Council members to give Mr. Kraus any issues you want on the agenda for the retreat. The retreat will be on Feb. 8 & 9 at Kemp Michael's house. Reeves McGlohon will be our facilitator.

Mayor Black asked for an update on John Calder, one of our firemen. Chief Ekiatis said he has had several tests to see if he can continue treatments or not, and they are going to try to continue treatments.

Mayor Black noted that the paper had reported that our auditor Trent Wilson's son passed away suddenly, and the funeral is tomorrow.

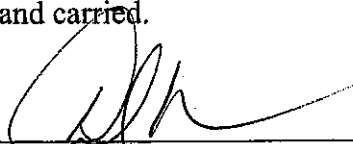
Mayor Black reminded Council the Heart of Mount Holly first public meeting is Jan. 21st, a Thursday.

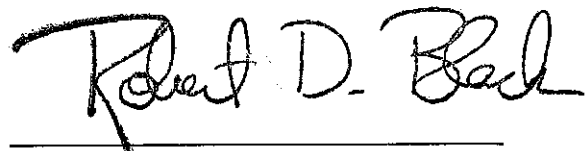
Mayor Black said that on Sunday, Feb. 10 at 3 PM we are invited to East Gaston High School to hear Heath Jenkins, Chairman of the County Commissioners give his proposal to run sewer line to the school.

ADJOURN

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

8:25 PM


Clerk


Mayor

cpm