Regular Meeting
Mount Holly City Council
January 14, 1991

The meeting was called to order at 7:30 P.M. by Mayor Charles B. Black, Jr. Present were Mayor Pro-Tem Bob Jessen, Councilwomen Faye S. Little and Lib Nichols, Councilmen Archie Small, Myles Biggerstaff, and R. L. Duke, as well as City Manager Greg Young, City Attorney Kemp Michael, Director of Public Works Eddie Nichols, Zoning Administrator Gary Roberts, and Police Chief Jerry Bishop.

The invocation was led by Reverend Cyrus Frazier.

The minutes of December 10, 1990 were approved as written upon motion by Councilwoman Little, seconded by Councilman Duke, and carried unanimously.

Mayor Black recognized the 1991 Spring Festival Chairwoman, Marlene Huggins. Mrs. Huggins said she trust the plans for the Spring Fest will be carried out as planned despite the war in the Gulf, and asked for the Council's support, and requested they pass on to her suggestions or complaints. She thanked them for their confidence in her, and welcomed all volunteers.

Mayor Black stated that he wanted to dispel the rumor that the Rankin Avenue bridge has not been opened because the City cannot pay for it; he said the auditors have checked the books and they are in good standing.

The floor was opened to complaints or petitions not on the agenda. Mr. Gary Roberts asked the Council to grant a thirty day extension for housing compliance on 404 and 408 West Charlotte Avenue. The time he had given expired on January 8, and there has been progress made. Councilman Small moved to grant the thirty day extension, seconded by Councilman Duke, and carried with a unanimous vote. There were no other complaints or petitions.

The regular meeting was recessed and the public hearing for consideration for a non-conforming use change was called to order. John Fite's request is for property at 701 Belmont-Mount Holly Road to be changed from real estate office to barber/beauty shop on it's non-conforming use status. Mrs. Gladys Fite was recognized and said this will not detract from the neighborhood. There were no other comments. The public hearing was adjourned and the regular meeting resumed. Councilwoman Little moved to grant the request of John Fite upon a finding that the substituted non-conforming use would have no greater harmful effects upon the surrounding properties than the existing one, and the change is in harmony with the general purpose and intent of the zoning ordinance and is not injurious to the neighborhood or detrimental to the public welfare. Councilman Jessen seconded the motion, and it carried by unanimous vote.

Mr. Bill Miller requested a public hearing be held to consider rezoning his property on Legion Road from R-12 to L-I. Mr. Roberts had found the old zoning map in 1972 in the City Hall basement, and found it had this area as L-I which is different from the current zoning map dated 1985 (the official map hanging in City Hall now). City Attorney Michael said although this was a mistake they should have a hearing and rezone it so there can be no dispute. Councilman Biggerstaff moved to set a public hearing to consider this rezoning request at the next regular meeting, which was seconded by Councilwoman Little, and unanimously carried. Councilman Biggerstaff moved that the $50.00 fee be waived since this is probably the City's mistake on the new zoning map, and this property was previously zoned L-I on the old map. Councilman Jessen second this motion, and it passed by unanimous vote.

Phoenix Management gave a report about the public housing and presented its schedule of maintenance charges for units which they use on all HUD and FmHA projects. They did not have a copy of the prior list. Councilman Biggerstaff said they do not seem to be out of line. Councilwoman Little asked how they are collected; he said they collect directly from the tenant, or it comes out of the deposit, or a collection action is taken. Councilwoman Little moved to approve the schedule of maintenance charges as presented by Phoenix Management Systems, seconded by Councilman Duke, and unanimously carried.

The Council next considered the proposed agreement between the County and City regarding the North Main Street sewer line to Northpoint Industrial Park. City Attorney Michael said the contract has some errors in that it discusses water and sewer in some places and only sewer in others; so this should be amended. Also, it has the same reference to the county-wide water system which was disputed by the City when the Gateway Area contract was negotiated. City Manager Young went to his office to get that contract for reference. (the Council took a five minute recess)

The proposal was reviewed from W. K. Dickson Engineers to prepare standard construction details for the City of Mount Holly regarding hydrants and water lines. Mr. Eddie Nichols said this will be in the form of a book which will be available for sale by the City to contractors or others. Later he intends to have them prepare written specs in book form as well. Councilman Jessen wondered why it costs $12,000 if they used Gastonia as a model. Mr. Nichols said theirs is not on computer and part of this is the cost to put ours on computer (AutoCad); this would allow later changes more easily. He has a good deal of his time taken by contractors asking voluminous questions and he must go down through the book to answer each one; this would be more accurate and free Mr. Nichols' time. Councilman Jessen asked how much ours would be different from Charlotte, Raleigh, or the State. Mr. Nichols said it has some things the same and some unique to Mount Holly. This matter was tabled until the next meeting for more information upon motion by Councilman Duke, seconded by Councilman Jessen, and unanimously carried.

Returning to the City-County contract proposed for North Main Street, City Attorney Michael said the provision about not overusing our surplus should be included. A discussion followed regarding the capacity of this line and what surplus the City actually has. Councilwoman Little moved to adopt the contract numbered 1-14-91 between the city and Gaston County for the sewer line to Northpoint with the amendments made to correct it to refer to sewer lines, to restrict the City's obligation regarding county-wide systems, and for expenses and costs. Councilman Jessen seconded the motion, and it carried unanimously.

Mr. Greg Allen, representing Triangle Real Estate, presented architectural plans for a proposed apartment complex on South Main Street. This will be 138 units in twelve buildings which are two story on the front and three story on the rear, the apartments being two bedroom. The trees and site have been protected. The Planning Board suggested a connector road at the back side off Tuckaseege and gave an option of providing recreational space dedication or cash in lieu thereof. The pool and clubhouse would be one story and are near South Main Street. Buffers and berms would be placed. They request the Council approve the concept and advise them as to access, placement of through or dead end streets, and decide which way the City wants the recreational requirement to be done. Councilman Biggerstaff says that anyone who lives in Mount Holly knows that is a traffic problem already and he is concerned that they need to exit across from Carey Street, rather than make a new intersection, and urged a rear entrance be made onto Tuckaseege. Councilwoman Nichols agreed. Mr. Allen said the route to Tuckaseege would be extensive to go around swampy areas and up a steep hill and would be very costly. Someone suggested they buy right of way at the back of the property on the higher end. Mr. Allen said they plan to cut away some of the curve on South Main and install another lane, which would aid the traffic situation, but the Council wanted a traffic control expert to advise about that. All of the Council liked the project drawings, but the consensus was that they need to have a traffic control study on South Main and a rear access to Tuckaseege. There was no action regarding the recreational requirement.

The Council took a five minute recess.

The Council went into executive session for attorney-client matters upon motion by Councilman Duke, seconded by Councilman Small, and unanimously carried. The Council returned to open session upon motion by Councilwoman Little, seconded by Councilman Duke, and carried unanimously.

The proposed agreement between the City and Gaston County Schools for school-community cooperation was considered. It is a renewal of the 1982 agreement. The Council had corrections made to

Section VIII regarding indemnity, to correspond with the old agreement, omitting the sections in parenthesis and replacing it with "arising out of, related to, connected with the use of the Board's property by the City pursuant to this agreement" and omitting the rest of the sentence. This was repeated later in the section for the use of the City's property by the Board. Councilman Biggerstaff moved to adopt the agreement with the amendments recommended by the City Attorney. Councilwoman Nichols seconded this motion, and it carried with a unanimous vote.

City Manager Young presented a proposal by W. K. Dickson for conducting a CT study for the Mount Holly Water Treatment Plant. New requirements are forthcoming in June of 1993, and the City needs to know what structural changes are needed to comply with them. He negotiated the contract down $1,000.00 to $2,900.00. Councilwoman Little moved to approve the proposal not to exceed $2,900.00, seconded by Councilman Biggerstaff, and unanimously carried.

Another proposal from W. K. Dickson was considered for conducting engineering work for the water line improvements on Hilltop, Waverly, West Charlotte, and Woodside. The City Manager recommended this be left in with the bond referendum matters along with the elevated tank and sewer improvements. Councilwoman Little stated that with the economy being down this is not the right time for a bond referendum, to which Mr. Young agreed; however, he expressed concern for the City's contractual obligations which must be met in the near future. The Council concurred that it wants alternative routes and shortcuts for these items. The Board authorized for staff to proceed with these lines.

The State DOT proposal for railroad crossing signals at First Street and West Central Avenue at $7,000 for each project plus maintenance was reviewed. Councilman Small suggested this be substituted by a crossing at Kendrick Street. The Council concurred although they realize this will put us back in the cycle, and it will not be done immediately.

Mr. Young presented the contract for sandblasting at $9,584.00; but the Council said they believe this has been passed already and stated this is what they want done, and he should proceed. He had bids on the brick work and window replacement, but the Council took no action in that regard.

Crowder Construction had requested the City grant an easement across the City of Mount Holly's raw water intake property. After discussion, Councilwoman Nichols moved to reject the request, which motion was seconded by Councilman Duke, and unanimously carried.

City Manager Young presented a bid for replacement of approximately 300 feet of sewer line in the Moore Street area which has a serious infiltration problem. This is close to the Morris Street Lift Station. Councilman Duke moved to approve the recommendation and award the bid to Fred Payne Grading and Septic Tank Installation for the sum not to exceed $3,670.00, which was seconded by Councilman Jessen, and unanimously carried.

Councilman Biggerstaff moved to grant tax releases, seconded by Councilman Small, and unanimously carried.

TAX RELEASES
January 14, 1991

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|---|---|---|---|
| Bel Associates | R#13107 | Val. 142,900 | 657.34 |
| Bel Associates | R#13106 | Val. 17,800 | 81.88 |
| Ford, James L. | R#14629 | Val. 8,110 | 37.31 |
| | | 2 tags | 2.00 |
| Hoechst Celanes Corp. | R#14772 | Val. 15,000 | 69.00 |
| Kale, Janice B. | R#14800 | Val. 3,070 | 14.12 |
| | | 1 tag | 1.00 |
| Spencer, Kathleen | R#14734 | Val. 7,990 | 36.75 |
| | | 1 tag | 1.00 |
| 1990 Total Taxes | | | 896.40 |
| Total tags | | | 4.00 |
| Davis, Wm. Jr. & Phyllis | #14739 | Val. 1,710 | 5.04 |
| | 1988 Special Levy Releases | | 5.04 |

Mayor Black shared with the Council the list of issues taken to the County by the Mayors in the cities of Gaston County, including: 1. the County incinerator--they still do not know what they will do; 2. they asked for a synopsis of the County's contract for the incinerator--not given; 3. the status of recycling center and meeting the state requirements--no definite project; 4. status of tipping fees, particularly if they will go county-wide--they will remain the same; 5. communications improvements for emergency personnel--not high on their priority list; 6. The Watershed Protection Act--they are interested and will send a representative to the hearings; 7. funding of the Stanley to Mount Holly water line connection--not until after two years as they are funding Crowder Creek project now.

Mayor Black asked for a report from Zoning Administrator Roberts on the results of his actions. Councilwoman Little asked Mr. Roberts to check into a complaint that someone is living in a trailer at Don Floyd's place.

Councilman Jessen asked the Council to seriously consider acquiring real estate for a municipal complex including City Hall, the Police Department, and Fire Department. Councilman Jessen asked why the sidewalk on North Main has not yet been repaired. Mr. Young said he had contacted DOT repeatedly and offered to have Mr. Skidmore do it for $300, and they rejected the offer. The man's insurance company agreed to fix it three months ago. The Council agreed they want it fixed now and send the bill to whomever should get it.

Councilman Jessen inquired about the street lights on the new bypass. Mr. Young said the State DOT has been given the documentation twice and rejected Duke Power's plan. Councilman Biggerstaff suggested the state representative be contacted for assistance in this matter.

Councilman Duke announced the Cog meeting in Statesville the next Wednesday, and the Elected Officials Seminar in Dallas on the 23rd. Councilman Small stated that the lighting on Highway 27 West needs to be improved. Mr. Young said Duke Power is supposed to correct that situation after their review.

Councilman Small recommended that the City start requiring mandatory drug testing for city employees. After discussion, Councilman Biggerstaff moved to instruct the City Attorney to provide a proposed drug testing policy for all city employees and bring it to the next meeting. This motion was seconded by Councilwoman Nichols, and unanimously carried.

Councilman Small reported he has had more complaints about the garbage men piling up the bags ahead of time and maybe even an hour before the truck comes, and sometimes the dogs get into them.

Councilman Biggerstaff asked when the West Central Avenue bridge will be reopened; Mr. Young said he was told the water line is too expensive to move and the plans were sent back to the engineers who changed the wing walls, so now the plans are with the State for it's approval.

City Manager Young had a request from Benny Brookshire to go from dumpsters to cans; he has apartments on two lots and only has two meters and he has locked the dumpsters. Councilman Small said the policy must be followed, and if the cost is a problem he may have to raise the rent. The Council concurred.

City Manager Young presented the proposal for signs at the bupass bridge and the Rankin Avenue bridge. For bronze plaque at 24" x 10" - $388.00; for bronze on granite stone set in concrete - $920.00; for letters in stone - $895.00. The Council felt this was too much money to spend, so asked for small date plaques, or having it etched in the bridge so it cannot be stolen.

City Manager Young asked for the Council opinion about whether or not to send someone to inspect the fire truck before he makes the preliminary payment.

Councilman Jessen moved to go into executive session for industrial recruitment and personnel matters, which was seconded by Councilwoman Nichols and unanimously carried.

The Council returned to regular session and adjourned upon motion duly made, seconded and carried.

The Board reconvened at the close of executive session. Councilman Biggerstaff made the motion to adopt the submitted privilege license section entitled Section 10-18, subject to those listed fees that are not in conflict with Schedule B. Mayor Pro-Tem Bob Jessen seconded the motion, and all were in favor.

Councilman Biggerstaff made a motion to enter into an agreement with W. K. Dickson engineers to study and evaluate the City's raw water intake at Mountain Island Dam, and it's relations to the City of Gastonia's intake. Councilman Duke seconded the motion, with all in favor.

Councilman Small made a motion to adjourn, with a second by Councilman Duke, with all in favor.

City Clerk

Mayor

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