**CITY COUNCIL**
**REGULAR MEETING**
**January 8, 2001**

## CALL TO ORDER BY THE MAYOR

The regular meeting of the City Council of Mount Holly was called to order at 7:00 P.M. by Mayor McLean. The following were present:

Mayor Frank McLean

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| Mayor Pro-Tem Bobby Black | Adm. Services Officer Jamie Guffey |
| Councilman Michael Helms | Public Works Director Eddie Nichols |
| Councilwoman Phyllis Harris | Planning & Zoning Dir. Danny Jackson |
| Councilman Jim Hope | City Attorney Kemp Michael |
| Councilman Bryan Hough | Police Chief Ricky Davis |
| Councilwoman Pat Hubbard | Fire Chief John Ekiatis |

## INVOCATION

The invocation was led by Rev. Mike Stanton Rich.

## PLEDGE OF ALLEGIANCE

Councilman Hough led the Council and audience in the ceremony of the Pledge of Allegiance.

## APPROVAL OF THE AGENDA

The agenda was amended to add an item on New Business, #5, a change order on the Fites Creek project, and to move New Business #1 to immediately after Presentations. Motion to approve the agenda so amended was made by Councilman Helms, seconded by Councilwoman Harris, and carried unanimously.

## MINUTES

Councilman Black **MOVED** to approve the minutes of December 11, 2000, as written, seconded by Councilman Hough, with all in favor.

## PRESENTATIONS

PR#1 Report on Current Marine Commission Activities on Mountain Island Lake and Lake Wylie

Mike McLaurin of Centralina Council of Governments gave the Council a progress report on the Marine Commission since Mount Holly adjoins both lakes. In 1989 and 1997, this commission was formed by legislative action, requiring cooperation by county, state and federal government entities. They are charged with improving environment and safety matters extending up to 1000 feet above the high water mark. He has worked with several commissions and has had a variety of commissioners with different viewpoints. The Commission works as a catalyst to initiate action by city, county, and state governmental bodies. They are working on buffers such as what Mount Holly has adopted. They work on Clean Sweep, actually picking up trash and cleaning up debris. They communicate with governmental bodies about development along the water and its effect on water pollution, including docks, no wake zones, law enforcement, etc. They are attempting to have uniform regulations adopted. He presented to Council a copy of the new lake maps which includes meeting schedules for the commission and the names and addresses of the commissioners. He thanked the City for letting the Mountain Island Lake Marine Commission have its monthly meetings here at City Hall.

**NEW BUSINESS**

NB#1 To Consider Revisions to Mutual Aid Agreement Sponsored by CCOG

City Manager Kraus stated that CCOG has requested changes to the mutual aid agreement. Mike McLaurin said the regional agreement was authorized previously by resolution, but their attorney felt the resolution was insufficient and they have a new resolution to be adopted.

Motion: Councilman Hough **MOVED** to approve the resolution adopting the mutual aid agreement as presented, seconded by Councilwoman Hubbard.

Vote: six ayes, zero nays. CARRIED.

**PUBLIC HEARINGS**

PH#1 To Consider Petition for Voluntary Annexation of Mooreland Estates

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, with all in favor. Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of the voluntary annexation petition by Mr. and Mrs. Woodrow Moore for their property on old Highway 27.

City Manager Kraus said this is a satellite annexation, and the petition, resolution to investigate, certificate of sufficiency, and resolution of intent have been done, and this hearing has been duly advertised. The city sewer line runs through the property, but water would need to be extended from Deertrack Subdivision to the site. The site plan shows 47-50 homes. City Attorney Michael had an annexation agreement prepared which would need to be approved before the annexation, and reported that the Moore's letter of credit was delivered today. Mr. Michael read the requirements for satellite annexation approval and pointed out that all the requirements have been met. Mr. Kraus said that the property owners between this property and the city limits may be voluntarily annexed in the near future.

The only question from the audience was how many acres are in the tract; Public Works Director Eddie Nichols said about 25 acres. There were no further comments from the audience for or against, and no comments from Council.

Councilman Helms moved to adjourn the public hearing, seconded by Councilwoman Harris, with all in favor. Mayor McLean adjourned the public hearing and resumed the regular meeting.

City Attorney Michael discussed the annexation agreement. Mr. Moore would be required to extend the water line to his property at his cost, but the City will pay for it to be upsized to twelve inches. He is required to have his plans approved by the State and to have a licensed engineer draw the plans. He has a period of eleven months to complete the infrastructure. Councilman Hough asked what the tract was zoned. City Manager Kraus said it is R-10 or R-12.

Motion: Councilman Black **MOVED** to adopt Resolution #01-08-01A, seconded by Councilman Hope, for approval of the annexation agreement.
Vote: six ayes, zero nays. CARRIED.

Motion: Councilman Harris **MOVED** to approve Resolution #1-08-01B to annex the Moore property, seconded by Councilman Black. (copy attached)
Vote: six ayes, zero nays. CARRIED.

**UNFINISHED BUSINESS**

UFB#1 To Consider Local Option Sales Tax Dedicated to Gaston County Schools

City Manager Kraus said the County has requested this resolution be adopted by all municipalities, in which the County would request the state legislature to adopt a one cent sales tax to be used solely for capital improvements in Gaston County Schools. City Attorney Michael said that the resolution prepared for the City Council is different from the one they proposed in that we are restricting the money to be used only for the schools with no option of it being put into the County general fund.

Motion: Councilman Hough **MOVED** to adopt Resolution #01-08-01C to request a one cent sales tax to fund Gaston County Schools capital improvements; seconded by Councilwoman Hubbard.
Vote: unanimously CARRIED.

UFB#2 To Consider the Final Plat of Phase I, Map 3 of Riverfront Subdivision

City Manager David Kraus said that staff has approved this plat subject to providing financial guarantees and completing the "punch list" items.
Motion: Councilman Black **MOVED** to approve the final plat for Phase I, Map 3, of Riverfront Subdivision, contingent upon receipt of financial guarantees and completion of the "punch list" items, seconded by Councilwoman Harris.
Vote: unanimously CARRIED.

**NEW BUSINESS**

NB #2 To Consider Supplemental Appropriation for Thermal Imaging Devices of Catawba Heights Volunteer Fire Department Balances.

City Manager David Kraus said that there is a balance in the cash account at Catawba Heights VFD after completion of the merger, and we now need to make a budget amendment to move it into the City fire department fund, specifically for use at the Catawba Heights station. The firefighters requested it be used for thermal imaging devices. Chief Ekiatis said the device allows you to go into a smoke filled area to enable quicker rescue of people, but can also enable tracking of people by footprints and find energy leaks in structures. There will be one at each station. Mr. Kraus said we do

intend to allow the Catawba Heights volunteers to have a say in how they want this money spent.
Motion: Councilman Hubbard **MOVED** to approve the budget amendment as presented to appropriate the remaining funds from Catawba Heights VFD into a capital account, seconded by Councilman Helms. (copy attached).
Vote: six ayes, zero nays. CARRIED.

NB#3 To Consider Change Personnel Policy Concerning the Accumulation of Vacation Time

City Manager Kraus said that vacation time is basically considered a benefit earned. A problem occurs when too much vacation time accrues. Our policy has had us only allow 30 days carried from year to year, and anything over that one half is applied to sick leave and the rest is lost. He asked for the change so that every January 15 half the lost balance (over 30 days) would go to sick days and the rest would be paid out to the employee. Mr. Kraus felt this would keep senior employees from having to take time off at the end of the year whether they want to or not.

Police Chief Davis said he feels this is a better way of handling the situation. Public Works Director Eddie Nichols agreed, saying this will prevent the scrambling they always have at the end of the year. Jamie Guffey said that the most they can collect is 10 days at any one time, from a practical standpoint. Councilman Hough felt it is important that they take the vacation time they are allowed.

Motion: Councilwoman Harris **MOVED** to approve the personnel policy change regarding vacation time as presented, seconded by Councilman Helms.
Vote: six ayes, zero nays. CARRIED.

Mr. Kraus said he will bring a reprinted personnel policy with the changes made to Council for adoption.

NB#4 To Consider Approval of Purchase of Computer Server
City Manager Kraus said he intended to budget to purchase a computer server next fiscal year, but this one has to be replaced. He will use the money budgeted for an archival system for this and put that in next year. The $8,500 is for the computer server. Mr. Guffey said that ICS will charge $1,000 for one day plus $150 expenses. Mr. King will charge $110 per hour.

Motion: Councilman Helms **MOVED** to approve the purchase and installation of a new computer server, seconded by Councilwoman Harris.
Vote: six ayes, zero nays. CARRIED.

NB#5 To Consider Change Order Fites Creek
Public Works Director Eddie Nichols stated that the line that the cross over feeds into has major root intrusion, and an additional 150 foot of 15 inch p.v.c. line will be required to

replace that defective section. The total additional to the contract would be $5,000 if we use the $3,000 contingency in the contract.

Motion: Councilman Hope **MOVED** to approve Change Order #1 to the contract with TransState Construction for the Fites Creek project, seconded by Councilman Hough.
Vote: unanimously CARRIED.

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

CA#1. Approval of Preliminary Plat for Phase II of the Autumn Woods Subdivision. Contingent upon the addition of five more fire hydrants.

CA#2. Approval of Agreement Concerning Wireless 911 Funding.

CA#3. Acceptance of Off Site Water and Sewer Lines Serving StoneWater.

CA#4. Approval of Financing Terms for the Lease Purchase of Vehicles. Resolution #01-08-01D approving financing with BB&T.

CA#5. Approval of Reduction of Easement for Textun Weaving, Inc. To allow the City's right of way to be reduced where a portion of the structure is encroaching into the right of way off Caldwell Avenue.

Councilman Black asked about the guardrails in Autumn Woods. Mr. Kraus said they have agreed to install the guardrails in Phase I. Mr. Nichols stated that the site superintendent met with him and they have come to an agreement about the installation.

**PUBLIC COMMENT**
Mayor McLean opened the floor for public comment.

Tracy Whitlock, 513 North Main Street, just found out about the fire department being built at the corner of North Main Street and Killian Street. She understands the need for the larger building, but does not feel it is a good location. The station is only moving 3/10ths of a mile. That will not help the Mountain Island area. There are other locations that could be considered further out perhaps near the water plant. The area coming in and out there is a heavy traffic area. She is concerned about the noise as well. She was asking the Council to reconsider the location to put it at a location further out nearer to Mountain Island area. She had a petition from immediate residents asking that the City not construct the fire station building next to them.

Joe Butler, 521 North Main Street, near the property for the new fire station, and he was here to find out about the process. He just found out about this from the newspaper. He went to the zoning meeting about the new subdivision, and a home occupation matter, but did not know about this. They are concerned about the residential nature of the area. He wants to know what the current plans are. Mr. Kraus said perhaps a meeting could be set up between the fire department and the neighborhood residents so we can answer questions about the plans and why that site was selected. The Council suggested it be advertised so any citizens could attend. They suggested that it be on January 25th. Mr.

Kraus stated that the City has purchased the land and we are in the process of meeting with the architect. We will be constructing another fire station on the north end of town in the Mountain Island area within the next five years.

**ROUND TABLE**
Councilwoman Hubbard reported complaints about a pothole on North Main Street near the bridge.

Councilwoman Hubbard stated she noticed that the Christmas lights did not burn some evenings. Mr. Kraus said that they were on times so they may be malfunctioning; he will check on that.

Councilwoman Hubbard asked Chief Ekiatis about CO2 detectors, which are required in Charlotte. She asked, Do we need that? Do we get calls from people here to have it checked? Chief Ekiatis said that they do get calls and sometimes they do get a reading when they go out. City Manager Kraus said they will ask the Fire Marshall's office about getting them in same the circumstances that they get free smoke detectors.

Councilwoman Harris said she heard from Hoyle that the traffic light at A&E was funded. Mr. Kraus said he heard that also.

Councilman Helms thanked the Fire Chief for seeing that the broken fire hydrants were replaced.

Councilman Black reminded Council of the meeting with YMCA the following day at 2 PM at City Hall.

Councilman Black reminded Council that the Downtown Revitalization committee will meet Jan. 16 at 7:00 at Tuckaseege Community Center.

Councilman Black said he wants more information on the Nextel, and the GIS system. Mr. Kraus said he will set that up.

**ADJOURN**
There being no further business, the meeting was adjourned, upon motion duly made, seconded and carried.
8:22 PM

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| Clerk | Frank E. McLean<br>Mayor |

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