

**CITY COUNCIL
REGULAR MEETING
December 13, 2004**

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 Hough. The meeting was held at the Tuckaseege Center due to a large crowd. The following were present:

Mayor Bryan Hough	Jamie Guffey, Assistant to City Manager for Finance/Administration
Mayor Pro-Tem Michael Helms	Danny Jackson, Assistant to City Mgr for Community Development
Councilman Jim Hope	Benson Hoyle, Police Chief
Councilwoman Phyllis Harris	Dale Oplinger, Fire Chief
Councilman Frank McLean	Don Price, Utilities Director
Councilwoman Pat Hubbard	Mike Santmire, Street & Solid Waste Director
Councilman David Moore	Greg Beal, Community Dev. Officer
City Manager David Kraus	Ryan Baker, Fire Inspector
City Attorney Kemp Michael	Megan Hanks, Communication Director

INVOCATION

The invocation was led by Rev. Jerry Stanfield.

PLEDGE OF ALLEGIANCE

Troop 59 and the Cub Scouts led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with no changes, upon motion by Councilman Helms, seconded by Councilman Hope, with all in favor.

CONSENT AGENDA

Councilman Helms **MOVED** to approve the Consent Agenda with seven (7) items, seconded by Councilwoman Harris, with all in favor. The items approved were:

CA#1. To Accept and Approve the Minutes. The minutes of November 1, 8, 2004, were approved as written.

CA#2. To Set City Council Calendar. The calendar for city council meetings was set for 2005.

CA#3. To Call for Public Hearing to Close Unopened Section of Seventh Street. The public hearing was set for January 10, 2004.

CA#4. To Approve Final Plat Phase 3 Map 2 of Autumn Woods Subdivision. The developer must provide a financial guarantee for the infrastructure.

CA#5. To Approve Engineer Contract. The contract for engineering of the streetscape improvements on Main Street, West Central Avenue, and East Charlotte Avenue, was awarded to W. K. Dickson Engineers for \$185,000.00.

CA#6. To Approve Extension of Autumn Woods Letter of Credit. The letter of credit was extended to October 10, 2005 for Autumn Woods.

CA#7. To Approve Resolution of Support of Pedestrian Planning Grant. Support for a pedestrian planning grant from the NC DOT.

PRESENTATIONS

PR#1 Employee Service Awards

Mayor Hough and the City Council recognized city employees for continuous service:

Five Years:

Larry Boswell
 Tammy Earney
 Kyle Clingerman
 Roger Richards
 William Faile
 Robert "Mike" Santmire
 Susan Willocks
 Tony Stilwell

Ten years:

Arthur Rankin "Sonny"

Fifteen years:

Isaac Lynch, Jr. "Doc"
 Charles "Buddy" Rogers

Twenty years:

Woodrow "Tex" Varney

PR#2 Employee of the Year Award

Nominations for Employee of the Year are made by the employees and chosen by Council. The Mayor and Council presented this year's award to Suzette Parker.

HARPER

UNSCHEDULED PUBLIC COMMENT

None.

PUBLIC HEARINGS

Mayor Hough read a preliminary statement setting forth the order for the public hearing (copy attached). He stated the Council will hear from the public but no decision will be made tonight. They do not have a staff recommendation, and no recommendation from Planning and Zoning Commission yet. They are waiting

for reports from DOT, and from environmental consultants, as well as school officials. All city departments are looking at the impact to their departments for all growth areas. The first part of the public hearing will be an overview by the city staff, the second part a presentation by the developer, and the third part to hear from the general audience, those who wish to speak must please sign up. He informed them that for the second hearing on zoning anyone who speaks must be sworn in to give testimony.

PH#1 To Consider Annexation for Dutchman's Creek Subdivision

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider annexation of 778 acres to be known as Dutchman's Creek Subdivision upon request by Southern Home Management.

City Manager David Kraus showed two maps to the Council and audience. The yellow showed the area under consideration for voluntary annexation. There has been a proposed annexation agreement where the developer will install water and sewer lines. The water line will run along Sandy Ford Road, the sewer line will run along Dutchmans Creek. The Planning Commission has made no recommendation.

T. G. Daniel, landowner in Riverbend, 2178 Stanley Lucia Road. We and 15 other property owners ask for voluntary annexation up Sandy Ford Road. We have lived and love the rural nature of the land, but know that development cannot be stopped and want to have a say in the development of that land. We want to do it as planned growth. Mt. Holly leaders realize that future growth is coming and have planned for growth by water and sewer plants. We feel that this planned growth, voluntary annexation before growth, allows the city to adequately plan for such growth.

Rusty Rozzelle, 1214 Rainbow Drive, with over 25 who stood that he is speaking for. I want to speak on the environmental impact. This development could negatively impact the water quality in our area. This occurs when development occurs. I have not seen any plans from the developer, although there are things that can be done to minimize that. Cutting trees and building roads and having rooftops causes more runoff, meaning more pollutants run to the creek, the oils, grease, copper, lead, etc. They accumulate in the creek and the volume and velocity of the water causes erosion, increase of sediment, and other things that cause a negative impact. During construction erosion control is necessary to prevent mud and so forth going into the creek. These negative impacts should be an important factor to you, since Dutchman's Creek runs into Lake Wylie, and since there is planned to be a greenway along the creek. I have 25 years experience in Mecklenburg County seeing damage to creeks, and we are now spending a lot of money to restore the water quality in those creeks. I implore you to do what is right to protect this creek. It is expensive on the front end, but it

can be done with proactive measures and good planning, and the cost at the end is worse if you have to go in and clean it up later. This will ultimately protect the character of Mount Holly. He presented a written statement for the record. (enclosed)

Allen Medlin, 1859 Stanley Lucia Road. I worked in Mount Holly from 1980 to 1986, and I was the first recipient of the employee of the year award. In NC, between 1990 and 1997, an increase in development began. By 1998 40 percent of farms were lost because of sprawling development. It causes environmental degradation. Urban sprawl is promoted by the desire for the lifestyle of the rural setting with an urban convenience. I looked at Mt. Holly's growth from 1995 to 2003, there were 126 homes built per year. There are 2,000 lots on the books to be developed now. This development should be about 14 years to build which is a lot of time before you recoup the money invested. You need recreation land for the people who will move into such a development. Also, my property should not be included in the area, but it appears to be included on the map presented.

Richard Rankin, Jr., 2591 Pinewood Road, Gastonia, NC. I am from Mount Holly, and work in Gastonia. I lived on that land that was in the family for hundreds of years. We worked on the conservation trust to preserve it. We need to take care of the land God gave us. First, what I see is that the golf course planned comes to the water edge with no buffer; if Dutchmans Creek is dirty, your goals will not be realized. Second, you have an ambitious greenway plan, if this development cuts off that plan, that is a problem. Third, this development adjoins 800 acres in the Stanley natural area, which is a jewel in our area and in all the state; think about the effects this development would have on that natural area. Four, ask the developer to explain the environmental violation on its Mooresville development and assure us that will not occur on the Dutchman Creek development.

Commissioner John Torbett. Thank you for opening up this meeting. I am here as a citizen of the surrounding area of this proposal. It will affect my family and my neighbors. I am glad to hear you are going to hear our issues and are waiting for information from traffic and schools. I humbly ask you weigh the information carefully and wait for answers.

David Toomey, Lucia Riverbend VFD. We are looking at this from a fire and EMS protection viewpoint. Back in the spring we talked with Mr. Kraus about the lack of response of EMS calls. Manpower issues caused you to ask us to handle Lucia Riverbend calls, so why are you going to add to this problem with a subdivision like this. You could not put two paid men in Lucia, but now you would have to empty downtown to cover a call for that. You will actually need six more men for this area. You have a good water line now but you tap for that development you won't have water pressure so you would need a tank which will cost more money. You took in Waters Edge, the guy sold it out, and you lost

money there. At StoneWater Bay, they have not sold lots as they had planned so Mount Holly is paying for personnel to cover the area but not getting revenue. Will this be the same?

Mike Johnson, 520 Woodlawn Avenue. The concern I have is with the commercial development proposed, about 200,000 square feet, and combine that with the Crosland development at Mt. Holly-Huntersville Road. Now you are trying to revitalize downtown Mt. Holly, when they will have that there. Also, as a property owner on Highway 273, what will be the result to us property owners on Dutchmans Creek downstream from that? The creek was dirty when I was a child, so it already needs to be cleaned up. My property along the creek is affected by runoff from upstream.

John Anulies, 438 Cox Lake Road. He pointed out his property on the map. My back yard floods right now from a tributary of that creek. If this property is developed, the runoff will go down that creek and back up into the tributary and onto my property. Who do I complain to when my property floods? In addition, the traffic will be worse, and I already have trouble getting out.

Grover Barfield, 407 Rutledge Road. He gave a written statement of his comments. (attached) Question: Why do you satellite annex and not contiguous? You are passing over people who have done business in Mount Holly for years. How will this affect future elections? What impact will this have to the ratio of white and black voters? Have you reported to the US department of Justice? The traffic study is faulty, you need to be aware they only did it one day, a Thursday, just morning and evening for two hours. They had to go back to count the traffic off of Willowside and then did not use the same formula. One of the people fell asleep because one of the residents went over to the car and thought he had a heart attack but was asleep. And, it only looked at accidents in the last three years. That road is winding, with unusual intersections. Freightliner traffic is heavy at shift changes. They have no plans to change the roads. Also, at the multi family units there is no left turn lane on the plans.

Rodney Eppes, 107 S. Hawthorne Street. DOT has put a stop on new roads, and is not maintaining them. Autumn Woods, Mtn Island Village, Riverfront, etc. are already being built. Cabarrus County raised their school fee to \$1,000. We need ten year growth plans for traffic and schools. They will shop up there, in Stanley, or on Mt. Holly-Huntersville Road. They will not come into Mount Holly. Revenue will not cover the cost of fire and police protection. We must pay the VFD when we take their area. Deertrack is the best development we have, with nice lot sizes, and a variety of houses. Highland Creek lists one third of its acreage as open area. Water runoff will affect the water quality; even the strictest methods cause harm. Autumn Woods is using the right methods. Mtn. Island Village is not.

Doug Caldwell, 225 Sandy Ford Road. I am concerned that the Council and staff does not have a good handle on how this development versus expenditures out will impact the city. Most of the cost is front end and this will take about 15 years to develop, so there will not be enough revenue to cover these costs. Did you consider economy downturn? Council seems to always approve requests, don't know any refused. I think if we didn't have all these developments, we wouldn't need a larger tax base. I think the county should expand water and sewer, not the city. Six miles down the road they are planning businesses, when you are trying to develop downtown. I think downtown is too fixed on new development and not thinking about older areas. Think of all of Mount Holly and not just a few. Don't ruin Mount Holly, a small town feeling. I think this development is wrong for Mount Holly, Gaston County, and the area it is proposed in.

Sara Jenkins, 246 LinMar Drive. Who are we trying to impress? The golf course will go into weeds like the others because there is no demand. The multifamily will be low rent and needing police. This will cost you more than you realize. You have not done your homework. Look beyond the taxes and to our future. If the future is well thought out it might be bright.

Robert Rhyne, 1181 Stanley Lucia Road. My children are the seventh generation on our farm. The road follows almost the same path. Our farm is one of 33 still being farmed by the same family. I am not against large homes on large lots. My concern is increased traffic, slab houses, cutting trees. There are no dairies left here. Charlotte is full, so they are coming here. Our roots will be outnumbered. The size of this development rivals Stanley. We are already full at our schools, the fees paid by developer won't even pay for the plans for new schools. You will always be behind and the burden will fall on the taxpayers. I recommend no more than two houses per acre. And make them put in crawl spaces, no slab houses. Give the kids somewhere to play. This could be like Charlotte, what a sickening thought, you have the power to save us.

Roger Richards, 148 Rhyne Springs Road. This growth is a well needed plan. I live in the area to be annexed. The creek is already muddy every time it rains. It is not big enough to put a boat on. Living close to a city you will have annexation sooner or later. The commercial development will be good for us. I hope the city goes forward with it.

Mike Henderson, 1006 Stanley Lucia Road. Some months ago there was a hearing at Gastonia about zoning, where they were asked tough questions like those expressed like tonight. They were to bring back answers. Then all of a sudden it was withdrawn and brought to Mount Holly because you could do satellite annexation. You are in the driver's seat, nothing happens unless you say so. Two realtors said it might hurt rather than help my property. You need a good traffic study, this will need fire and police personnel and facilities, and there are schools issues. The roads will have to be widened, because it is a

dangerous road. The choices are simple, either disapprove or approve, delay it, or like in Concord, issue a moratorium on new construction. Keep in mind you will have a great impact on us who have made our homes there for many, many years.

Bob Friedl, 250 N. Main Street. I agree with what has been said. The leadership of Mount Holly has promised a lot of things, but has not kept up with what it has promised and I hope some day you will do that.

Linda Price, 1103 Rainbow Drive. Many of the property owners who live out there oppose this development. Many of our concerns have been brushed aside by the developer. We hope you will listen; smart growth is important. Learn from mistakes made in Mecklenburg County. The plan says it increases property values. Other golf courses have failed, have they looked at whether this will work? The development does not need a commercial component. It will conflict with what is being done downtown. Could it be the developer is trying to hoodwig or fool Mount Holly? They are in it for the money. They have had over a year that this has gone through the process to provide information. Let him go somewhere else, not on a two lane country road.

Ed Wallace, 1209 Alexis Lucia Road. I am downstream from this property on the creek. The roads need to be developed before this much development; also, it is in the fallout area if the Duke Power nuclear plant has an emergency. Areas like this will cause the creek to come down at high volume and velocity and erode itself. It is part of the Lake Wylie watershed. A plateau like this will run off a lot of water. Like Dr. Forrester said, you need environmental impact studies, the runoff from a development like this will affect water quality and wildlife.

Dallas Crotts, 1527 Stanley Lucia Road. I live across the street from the proposed development. I understand that growth and development is inevitable, and am not against it, and it is best to control the growth as we go. I ask you that as we grow that we also plan for the increase of traffic. As all these developments do, as they mature in 15 years, don't leave this for DOT then, but plan for it now. It is a winding road. Highland Creek has a parkway run through the middle to help the traffic; consider ways to deal with that.

Traci Burnett, 1407 Stanley Lucia Road. They have talked about water quality. I am concerned about the sewer lines that will run along the creek. Mount Holly has problems with spillage and backups. Due to the economy, the developers put up a security bond, but they are not selling like they had thought in the other subdivisions. The two small towns of Mount Holly and Stanley are dying, and this huge development will wipe them out. He says it will make jobs, but the people that would work there can't afford to live there. Hopefully you will listen to our families. We live out there because we want to. We are not Charlotte and don't want to be.

Becky Davis, 1209 Rainbow Drive. There are a lot of unanswered questions even though this started in May. I want to convince you to vote no. First, environmental aspects. This area is a jewel, but only if it is kept in a setting that can sparkle and shine and it won't do that in this development. They have not lived up to the expectations of communities they have built in before. Our community values will be harmed; we need to work on downtown Mount Holly instead of out there. Schools. Traffic. Fire and emergency coverage. Water pressure. Sewer issues. Duke Power emergencies. A good plan that is thoughtful and sensitive should have a number one priority. When you get the answers, remember that we would like to know the answers you get and share them with us and allow us to understand, make sure it is the right thing to do.

James Pope, 376 Sandy Ford Road. I lived in Morningside for 35 years. You took in Freightliner but not us. We want the city to annex us but you won't even talk to us. Now here you come over us and go out there. This will create a lot of traffic. Morningside has septic tank and well problems because of development, and traffic problems. I have 40 acres and use my tractor and go on the road, but what will I do then? I hate to see it come out there like on Highway 273.

Reginald Sanders, 501 Sandy Ford Road. There is nothing in Mount Holly, everything is closed down, there's nothing to do. Cars fly down that road like it is a race track on Sandy Ford now. We have 15 acres been in our family for a long time. There is no "country" left anymore.

Ed Grindstaff, 1008 Frasure Lane. I am a new resident for three years. I came from Charlotte. The development over there is tearing up the land. I live off of Cox Lake Road, and all these roads will have commuters. I have a 5 year old child, and I don't want her to wind up a fatality on my country road.

Patti Camps, 406 Rutledge Road. I don't like it. As far as growth goes, I have a seven year son. He has a country life now, with wildlife that we enjoy. That will be wiped out. No wild deer, raccoons. The road is narrow and winding. This development is too big, our road cannot handle it. Schools are also a main concern. We have trailers at the schools now. Neither Stanley nor Mount Holly will benefit from this. This will be its own town and is only for those people trying to get out of Charlotte. The development will have commercial, so why should those residents come to Mount Holly? There will be fire and police needs. We know residential will come but give us something we can live with. Bigger lots so children have a place to play. Where we won't have to worry if one house catches fire the whole street will go.

There were no further comments.

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

No action.

The Council took a 15 minute recess.

Prior to recalling the meeting to order, Mayor Hough had Danny Jackson and those who had signed up to speak at the rezoning public hearing to raise their right hand and affirm that they would tell the truth and nothing but the truth.

PH#2 To Consider Rezoning Request for Dutchman's Creek Subdivision

Mayor Hough read a statement regarding the order of the hearing, sign ups, and rules for speaking. (copy attached)

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider rezoning of the property to be known as Dutchman's Creek Subdivision upon request by Southern Homes.

Danny Jackson stated that the developer has planned single family, multi family, senior housing, and a commercial conditional use. A site plan is required. Conditions will be placed on the development. Currently it is zoned RR and RA, by the county. The Planning Commission recommended to table action for further review. We are awaiting traffic reports, although I was called by Gary Swangler, I am waiting for the state office report. Also, we do not have information from the school system. The environmental impact study is not in yet.

T. G. Daniels. I will try to address some of the concerns of the community. I personally want to respond and talk with persons who have concerns. I have spoken with about 25 already. For years I have worked with neighbors, the city and county, and put together a team familiar with the area. We have the site design by a local firm, Ed Schweitzer, of Land Design, who is personally involved in Mount Holly and Gaston County. Mr. Massey, prepared the traffic study in accordance with state law. We have a wetlands study. We have a plan for erosion control management. Many other individuals and consultants will be involved. Every effort has been made to involve the neighbors. Many changes have been made already due to their concerns. We welcome comments and input. The main entrance will be from Highway 16, not from Mount Holly or Stanley. We have to have a development that attracts higher end, which is what the city has indicated it wants. We need amenities to make it viable. The mixed uses will be a plus. The individual houses will not be built by the developer but by various contractors. Many have questioned the sections for multi family, but these are only planned *if* there is a market for it. He introduced Ed Schweitzer,

Land Design. He gave a brief overview and talked about why the site is good. An interchange at Highway 16 onto 485 is near it. In the Gaston County land use plan, this area was targeted as a growth plan two, to be developed in a planned community procedure. The first area in the northeast section is mixed use, the second area is a golf course and community with larger lots, the third part in the western section is a variety of residential lots. The neighborhood commercial area is a proposal of a grocery store, drug store, to support the local population; it is in a village setting rather than strip mall concept. It is accessed without going onto Stanley Lucia Road. An office development with small buildings no more than two stories, and about 10,000 square feet only. The Condominiums, perhaps senior citizen facility, overlooks the golf course. There is mixed residential, cluster homes, townhomes, apartment flats. In Section Two: a golf course, and estate lots half acre size. A full service club house. Third Section: the Sandy Ford Road side, lots will back up to Stanley Lucia Road (not face it, so no driveways), with 175 foot depth and buffers. Also there are some townhomes with smaller lots. This section has a smaller clubhouse with a pool, and tennis courts. The total number of lots: single-family, 938 lots, of that 287 estate lots. 160,000 square feet retail and 80,000 square feet office space. The concerns expressed tonight are legitimate. We have had wetlands study, and are awaiting the final report, that will be surveyed and will go to the corps of engineers. We know we will have to do that and plan to take the measures required by the state of NC to catch runoff and treat it. The flood plains are protected, with no development except the golf course. Storm water retention facilities will be installed, as well as water quality facilities. When we go for our permit, any residential over 35 % impervious will have to have facilities for stormwater and water quality facilities. We have identified the need for erosion control, and will work with the state and county and Mt. Holly to make sure we comply with watershed regulations, and protect Dutchmans Creek. We recognize the need for the greenway, and we would like to identify the location of the greenway trail with 50 foot buffer along the creek. He introduced Terra Geniuses. Mitch Maddox and Jeff Boyd, environmental company, erosion control services. We will have oversight to be sure standards are complied with, and will do weekly inspections and written reports. Our job is to identify problems and future problems, insure they are corrected, communicate with the parties involved, whether individuals, companies or government. We have ten years experience, and are licensed and familiar with government regulation. Next, Amy Massey, with KimmonsHorne, spoke. Professional engineer, state of NC. We did the traffic study, but do not have NC DOT comments back yet. That is expected the end of this month or in January. What we try to do is project the amount of new traffic that would be added by new development, determine the impact of added traffic, and identify transportation improvements that would accommodate that added traffic. We don't usually do accident data but did so in this case, and three years is the typical time frame for that. We did receive any fatality reports in the study area. The study area was identified by the NCDOT. The agencies also work with us to develop a traffic plan, and we believe the majority of the traffic will be from NC 16. The recommendation shows future

traffic signals at Lucia Riverbend Highway and Stanley Lucia Road, and at NC 273 and Sandy Ford Road. There will be turn lanes at main turnoffs, as well at subdivision entrances. The traffic studies are based on established policies used across the country, we worked closely with the agencies. We expect comments from DOT, there always are. We did an addendum this month because of changes in the plan. Mayor Hough asked her, when you recommend a stop light, DOT has to put it in, so what determines if it gets put in or not? She said that the criteria is that it has to be warranted, traffic itself will determine when that happens; they do not do it in advance. Mayor Hough asked, what is the threshold? She said 150 cars for a minor road. Mayor Hough stated, I did not hear anything about road widening, what is the criteria, how many is that road made for and how many does it take for it to be widened? She said we look at intersections or constraints, we did not look at the main road itself. There are two criteria, the national standard by placing letter grades on how much delay cars withstand; second, the local standard, turn lanes are determined by the NC State manual. Mayor Hough asked, at what point would the main road need to be a three or four lane as opposed to two lanes? They did not know. The Land Design representative said the plan has changed since the public and neighborhood meetings. We eliminated one retail area on the west side. And moved the retirement community from the west side to the east side closer to Highway 16, and reduced the number of units by 180. We eliminated 50 foot lots altogether and put in 70 foot lots. We eliminated condos in area 2. In total reduced by 276 residential units. The estate lots were 90 foot, but now are 100 to 120 feet wide. We placed buffers around the perimeter and put in only neighborhood commercial. The developer will pay for costs to extend water and sewer lines at the developer's cost. It will be oversized for future use. Councilwoman Hubbard, was concerned about the retirement community. He said they will be two and three story. Will that be stairs? No, Elevators. Will they be rented? No, they are for sale. Ed Kale, the developer, spoke next. He handed the Council information booklets called "Design Guidelines". We plan for mixed use in the long range, but we may convert that to all residential if we find no market for that. It takes two years before any houses will be built. It will probably take 11 years to develop. He had a handout to represent the tax values and revenues as it stands today; then estimates for after lot division with yearly estimates. 32 lots per quarter is the estimated sale rate. He also had estimates for multi family use. Reports will be sent by your attorney for annexation law requirements. The golf course, club house and common areas will be owed by the HOA and taxed. Councilwoman Hubbard asked, did you amend these figures after the site plan changes? Yes. Mrs. Hubbard asked, do you have minimum square feet on the houses. Mr. Kale said it varies but 1800 square feet is the smallest on the single family, and we require restrictions with HOA. He also had an economic impact report on the community.

The Council took a five minute recess.

Allen Medlin. Twenty people stood also, that he is representing. Conditional use zoning should be used for firm development plans, not a plan that may vary. The developer said commercial may go or not go; that is not acceptable, but case law in 1971 says that you cannot change it after it is approved. 10,000 cars a day on these roads is a lot more dangerous than on a smooth road like Highway 27 or 16. The county plan should be looked at by you. These roads are listed on the major thoroughfare map but the speed limit is 35 because of deaths in the past. This is not really a "planned community development" because persons should be able to walk to work and activities, and it needs more vacant land like for ballfields. If you do approve commercial, I would suggest a central area in the subdivision rather than out on the road, with density around it, like at Birkdale. Private roads should not be allowed because you won't get Powell Bill funds and the residents will have to pay for the maintenance. Also, you should talk to the Schiele Museum; they have environmental information. Most of the people will go to Charlotte to work. All these improvements, cities can contract with State, but they will use the money you need for downtown out there. When the roads are needed later, it will cost you, so you need to make them pay for it. There will have to be right of ways perhaps condemned. This needs more than two lane roads.

Rusty Rozzelle. He gave written information to the Council, and a petition signed by over 200 people in opposition to this development. We know there was a fatality this summer in the curve near Mr. Rhyne's home, so I don't know where the traffic study area was that she had that said no fatalities. People compare this to Birkdale, but that development is just off I-77, with at least a four lane road to it. We ran a model for this project, and estimate the sediment increase to the creek to be three fold, and runoff 13 fold, and bacteria increases. They plan to install state requirements, but you need to put it in your conditions, not just retention ponds; also, steep slopes need to be protected, you should put strict restrictions on the conditions of zoning and not rely on the state. Construction activity and erosion control, double silt fences, and requiring inspection on site at all times not just periodically. Make the conditions stricter.

Grover Barfield. According to Scott Seibert, the developer would generate 17,000 trips per day, and commercial 16 times the amount capacity rated for at this time on those roads. Who will develop the roads, the state? And how many deaths will it take? The SR number changes on that road, so she did not get complete information. The 19 parcels in this proposal, he says \$2.64 million valuation; how old is their data? Because what figures I have are not like theirs.

John Anulies. I am against this project. Cox Lake Road ties in to that; they will use my road to cut through and won't go out to the main highway like they said. I am an engineer also. We are responsible for safety. The young men who are environmental consultants are missing the point; the water quality traps are not water quantity traps; that water will roar down the creek and it will back up on our land.

Doug Caldwell. Mike Schronce died in front of my house last Christmas, and a young man near Mr. Rhyne's house this summer, so I question the traffic study. At Dutchman's Meadows they said there were no artifacts there, but I collect them and I have collected over 4,000 artifacts out there with my friend. I see that we cannot do anything about this, and you have to follow procedures. But take what they say with a grain of salt. The commercial aspect is a real concern, that means 18-wheelers will be coming to deliver, and that is extremely dangerous. Also, it means an increase of crime. A man died at CiCi's Pizza, also at Birkdale and they have had to hire a professional security firm to bring down problems they are having. Make this a housing development we can be proud of, make it a Mount Holly not a Charlotte development; protect the streams as well as the creek, and make it something we can be proud of.

David Jenkins. Area One has 319 units, also has apartments; that will wind up being projects. My property is right next to where it says "condos". The police station is 8 miles away. Who is going to protect me and my family and my property? This is being brought into my back yard, and there is nothing there to protect me; I will hold Mt. Holly responsible. Do your homework; don't just rely on these guys, they don't always tell truth. This is a small city, and this will need fire and police facilities and a park. I was told there would be no apartments in this, and now there is.

Reggie Henkle, when you were sworn in as councilpersons you made a commitment to the betterment of Mount Holly. Downtown is dying, Mt. Holly Furniture and Hardee's are gone and others are struggling. A planned growth community will help revitalization. We need a greater economic base, and tax revenue. We need new jobs. Plants have closed, businesses left town, unemployment in Gaston County is high. Opponents talk about better roads, schools, etc. But we can't have these unless we have tax base to pay for them, and have a large enough community voice to support it.

Joyce Burt. Look at your neighborhood, we know tons of houses are being built all around, and has really increased in the last four or five years, what good has it done? No more jobs, it has not helped. I believe if this is built there will not be a Mount Holly or Stanley.

Roger Richards. I have listened to concerns about accidents; it is a tragedy, but they don't just happen on two lane roads. Also, it is usually the driver not the car or the road. The erosion control, maybe we need to look at closely and even have more. This year with the hurricanes and all we had flooding everywhere not just on that creek.

Ann Black Daniel, 412 Fisher Park Circle, Greensboro. I am T. G. Daniel's wife. I was raised on Stanley Lucia Stanley Road. For five generations we lived on that family land. There was no one left to farm it. Lots and tracts sold here and

there in pieces. Mobile homes, landfills, no plan, whatever happened went there. We want to set a tone, and plan the growth, instead of having the sort of growth that has been going on out there. In response to the concerns these residents have, you must have enough population to get new schools. The whole economy is suffering with closing of small businesses and textile industries. People leave to find work. Planned orderly development brings jobs and a better economy and a viable community that will demand better services from its municipal leaders.

Linda Price. According to Mt. Holly conditional use requirements, a development cannot harm the area. Traffic is a public safety hazard; it is your duty to think about that. The fire district is VFD and they said they cannot handle this development in their area without more facilities and equipment. The property is 7 minutes from the fire department. More population will increase crime, will the police be there to watch over us? We only have two county police officers now, will we be penalized? Air and light pollution will increase; we moved from Charlotte so we could see the stars at night, and breathe clear air. This will affect our properties. The development has to be in harmony with the area; this does not, because we are rural. We want single family residential on one acre lots.

Traci Burnett. This will have an impact on schools. Currently, all our schools have the same buses, and our schools are overpopulated. Mr. Kale went over tax revenue before, and one of the people asked how many homes are being built? There are too many, it is not realistic. I have been to all the meetings and I still have no answers to my questions. This will have a major impact on me. We need our questions answered, about schools, traffic, environmental, police, and fire.

Becky Davis. I feel the same as the others. Also, One, I admit I cringe that Mr. Daniel calls himself a neighbor, they are landowners only, but not neighbors, they live in Greensboro. Second, there are allusions as to what could be in this development, but we need to see a solid plan. Mr. Kale handed out benefits of the development; I work in a company that does cost estimates. We need to see cost estimates, not just revenues. What will city and county citizens have to pay? Will the return be what you think it is?

Allison Pell. 2166 Stanley Lucia Road. I have known the Daniels quite a while since I bought their grandparents house. I appreciate them and what they want to do as far as planning for the future. They listened to criticism and made adjustments to the plan. I think Gaston County has learned from mistakes made by other counties and cities. Constructive criticism as to how this could improve should be considered, and I encourage you to look at these and require the strictest conditions and improve the plan.

Patti Capps. I am not for this development. It is a fine plan but it needs to be somewhere else, maybe up on Highway 16. The traffic study needs to be done right. I don't live in the City of Mount Holly, but ambulance time takes Gaston County 20 minutes; how long will it take to get up there, also the fire and police coverage issue. Crime will be there. About schools, there are trailers already. East Gaston is packed to the gills. Some teachers don't even have rooms. Environmental issues are a big concern; I am an animal lover. Bulldozers will run these off. How will this help Mount Holly? The jobs won't be there. And at the golf course, after the pesticides and fertilizers are put down, and the newness is gone, what will we be left with? This is our future. Don't make a hasty decision. Get your own impact study done.

Mr. Daniels. This project is not the cause of the current traffic and school conditions. There just was a school bond referendum and where has it gone? This development will pay its fair share of taxes just like the rest of us, for years, before any costs or services are even needed. Studies have shown that communities get annual revenue; this developer will pay \$500 each lot as a gift for schools, have you ever had to do that? Gaston County wants planned development, not scrawl. This developer will pay water and sewer line extensions at our expense. On the traffic issues, as with all required development, permits have to be obtained from the State and will be complied with as required. We need a commissioner and senator who will work for planned growth. We need jobs and economic growth in our part of the county.

Ed Wallace was sworn in. Thank you that we can be heard. Last week I attended a meeting of the planning commission. Last year Mr. Daniels approached me to sell, but I did not. He came to me again, and I met with him. I don't want the sewer line on my side of the creek, I bought my land to be untouched for hunting. There were two people who died on that road last year. On Sandy Ford Road there have been deaths also. These people are not doing their homework, and their facts are not right.

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

No action.

UNFINISHED BUSINESS

UFB#1 To Consider Contract for Water Sales to Town of Stanley

David Kraus, the response from Stanley was in the memo for the week. They made three changes. They want to be able to sell to customers in their future ETJ and "sphere of interest". Second, they want us to drop any reference to the water tank and any revenues from it. Third, in Section 6, they want specificity for testing for water quality, and permits by state. Attorney Michael has not

reviewed the changes yet. Council wanted to have him review and make recommendations before responding.

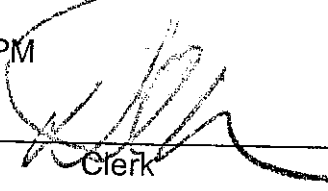
ROUND TABLE

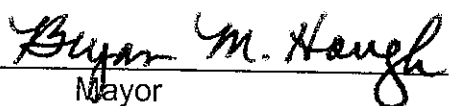
None.

ADJOURN

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

11:15 PM


Clerk


Mayor

cpm