CITY COUNCIL
REGULAR MEETING
December 8, 2003

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 Bryan Hough
Councilwoman Pat Hubbard
City Attorney Kemp Michael
City Manager David Kraus
Asst. to City Mgr-Finance Jamie Guffey
Asst. to City Mgr-Community Development Danny Jackson
Utilities Director Don Price
Police Chief Benson Hoyle
Street & Solid Waste Director Mike Santmire
Community Development Officer Greg Beal
Fire Inspector Ryan Baker
Communication Director Megan Hanks

INVOCATION
The invocation was led by Rev. Jerry Stanfield, Grace Baptist Church.

PLEDGE OF ALLEGIANCE
Troop 59 under the supervision of Rick Connell led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA
The agenda was approved with no corrections, upon motion by Councilman Helms, seconded by Councilwoman Hubbard, with all in favor.

CONSENT AGENDA
Councilwoman Harris **MOVED** to approve the Consent Agenda with three (3) items, seconded by Councilman McLean, and carried with all in favor. The items approved were:

CA#1. To Accept and Approve the Minutes. Minutes for the November 10, 2003, meeting were approved as written.

CA#2. To Consider Final Plat for Phase 1 & 2, Map 1, for Kendrick Farms.

CA#3. To Consider Final Plat of Phase 3 Section 3 Deerfield Subdivision.

PRESENTATIONS
PR#1 Employee Service Awards.
Mayor Black and Mayor Pro-Tem Hope presented awards for city employees for five years of service, with the entire Council's congratulations:
Toby Oakes
Teresa Watts, absent
Wade Lemons, absent
Mark Walls
Wesley Monroe

Rene Jackson, in school
City Manager David Kraus

Mayor Black said Mr. Kraus does a wonderful job for our citizens and staff and we are glad to celebrate your fifth year with us.

Next, the Mayor and Council commended a City employee for twenty-five years of service, namely, Andy Godfrey. Mr. Godfrey was joined by his friends. Mayor Black said Mr. Godfrey exemplifies what our fire department does, and we have been honored to have him as a City employee. He was presented with an award.

PR#2 Employee of the Year Award.
Mayor Black stated that having served on the Council for six years, he had gotten to know a lot of our employees and they all do a good job. The Employee of the Year Award is special because it is based on nominations from the other employees. The employee chosen this year has worked for the city for 19 years, and drives the automatic garbage pickup truck with the arm. He never calls in sick, is willing to work extra hours, and even work odd hours.
Woodrow Wilson Varney ("Tex") was presented with a plaque and a check. The Mayor and Council thanked him for what he does for us day in and day out.

PR#3 Oath of Office.
Mayor Black introduced the Honorable Jesse B. Caldwell, Superior Court Judge. Judge Caldwell said he enjoys coming to Mt. Holly. He recalled when a child his father came to see Frank Rankin and Max Childers, and J. C. Whitt about supporting a candidate for governor. He wished all the best to Mayor Black and stated that it was an honor to be here for the swearing in ceremonies.

First to be sworn in was Councilwoman Phyllis Harris, accompanied by her son and daughter in law, and her husband, Ronnie. The oath of office of Councilwoman was administered by Judge Caldwell.

Next, Councilwoman Pat Hubbard was sworn in, accompanied by her husband, Joel Hubbard. The oath of office of Councilwoman was administered by Judge Caldwell.

Councilman Jim Hope accompanied by his wife of 35 years, Barbara, along with their twin daughters, Allison and Angelia, his two friends, Buddy Barnhill and Jim Wilson, his son in law, Jeff Black, and his granddaughter Samantha. The oath of office of councilman was administered by his daughter Allison Hope, a Notary Public.

Councilman Bryan Hough, was accompanied by his wife, Gina, his parents, mother in law, their two children, and his sister, to be sworn in as Mayor. Mr.

Hough said that the support of his family and extended family is very important to him. The oath of office of Mayor was administered by Judge Caldwell.

Mayor Hough recognized Toby Oakes, an employee who has served the City for five years of service.

PR#4 Presentation of Gavel

Mayor Hough announced that his first official duty is not an easy one. A Proclamation for outgoing Mayor Robert D. Black was read by Mayor Hough. Mr. Black was presented a plaque with gavel by the Mayor and Council. Mayor Hough stated that Bobby Black is a leader, a visionary, and a friend, and they were elected together. He believed that Mr. Black had helped create a frontier, and they wanted him to have something special to remember what he has done for the City. He was given a framed collage with remembrances from his years of service and hard work on building a new future for Mount Holly.

Outgoing Mayor Black said that he can't thank enough everyone that's here tonight and in the city for six years of joy. It has been hard work, you don't do it for the money but because you love it. He stated that when he decided to run for Council and he sat in the middle seat, and next to him sat down Bryan Hough, and that's how they met, and now we are good friends. He had the privilege to work with some wonderful people. The staff is great; they do a wonderful job. He said he only gets mad when people say bad things about our employees, they do a good job. This City Council is like a family and has been a great family. Kemp Michael, the City attorney, was already a friend. One of the most memorable things has been what he went through last year; we appreciate Kemp. His staff at his business office has been a great support, including his daughter, Anna; they have had all kinds of people come into his office with city matters and they have been good to handle them and get them to the right place. Mount Holly is a great place. Also, his wife, Melanie, for six years she has put up with a lot; he is so proud of her, because people would call our house and come up to us all the time and she has been very patient. My children have grown up while I was here. This is a sad time in a way. Yet when he was cleaning out a drawer the other day he found a copy of a letter he wrote to the citizens in the newspaper. He had challenged all Mount Holly, and citizens came out and volunteered and came to lots of meetings, and even though everyone does not agree, we respect one another and the city is making progress. He is proud to have been a small part of it. He will continue to stay interested and be involved and encouraged all of us to be involved too. He said, "Thank you from me and my family; it has been a wonderful opportunity."

The Council took a five minute recess.

Mayor Hough called back the meeting back to order.

PR#5 Citizen Presentation on Skateboard Park.
Mr. J. Hinkle was not present.

PR#6 Family Care Facility.
Karen Hefner, 319 Ridge Drive. She stated that the City of Mount Holly is known as "The Little City with a Big Heart". That portrays a quiet community, but recently our community has been affected adversely by the issuance of a permit at 324 Ridge given to a group home. Two treatment facilities are being run out of one home. We have had several problems. The Gaston County Police have been there almost twenty times. We had clients from the group home steal bikes from our children, publicly display obscene behavior, and cause a great increase of traffic flow because of visitors and employees. We have seen counselors chase children running away. The City has permitted a zoning permit for this home to take place because it is in the ETJ. Now we have another facility that will be next door at 326 Ridge. The permit was issued before the deed was even filed. When we first asked for a copy of the zoning permit the City employees could not produce the copy. We are concerned about this. We have residents in this subdivision who are living in fear. Many cannot relocate to another place because they are on fixed income and cannot afford it. Is this what you would want in your neighborhood? We started at the planning and zoning commission, and now we are seeing you tonight. We will take this further if we have to. We have a petition that has been signed by almost every resident, which she presented. We have signatures in Deerfield Subdivision adjoining this also. We are not in the City but in the ETJ, but Deerfield is in the City. She said that attached to the petition is a map indicating where the people who signed it live in the community. There are only three homes that have not signed, and one of them is vacant. These kids have set the house on fire and we have no fire hydrants. The closest fire hydrant is on Hickory Grove Road. I have the report from the State of North Carolina showing deficiencies in the group home, citing lack of supervision, not getting medication, and general care. Mayor Hough recognized Zoning Officer Danny Jackson who said he spoke with Ms. Hefner after she came in. He has looked into the matter and sent a memo out to the Council about the issues. If the Council wishes him to look into this matter further, he will. He had looked into the State statutes and our code is written to match it. Our ordinance does not bind the City to look into ownership or rental or other such issues. According to the Statute we cannot exclude this use of the property. Also, in the state statute it provides a separation of one-half mile but we do not have that in our code. Mayor Hough stated that since Mr. Jackson has looked into the matter, and our ordinance meets state statute, the City has no other authority in this matter. With enforcement issues related to this property we only have zoning jurisdiction, we have no other jurisdiction. If there are other agencies that enforce the areas of concern you are interested in, we will be happy to help you contact those resources. Ms. Hefner said they have a community watch, and had almost no problems until recently when the group home opened.

PR # 7 Report of Audit

Trent Wilson, Jr., (TJ) from Cherry Bekaert & Holland, accountants, gave the annual report of the audit of the City's finances for fiscal year ending June 30, 2003. Total cash assets $9,120,372, a reduction primarily to debt reduction and capital improvements. Total liability about $8 million. Revenues $6 million; expenditures $7 million. Fund balance $6 million. Each fund is detailed as to assets, liabilities, expenses and fund balances. The levy for property taxes was $2,976,067.00 with a collection of 96.77%. He stated that overall the financial condition of the City is sound. He just wanted to point out to the council that the water and sewer fund has experienced some negative funds in the last couple years. You may want to consider your rate schedules. Any questions?

City Manager Kraus stated that the figures for the fund balances on page 5 are one half million less than originally budgeted, due to cost savings administered.

PUBLIC HEARINGS

PH#1 To Consider Speed Limit on Norton Drive

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 the speed limit on Norton Drive upon request by Ms. Angie Freeman.

City Manager David Kraus stated that Angie Freeman came with a petition from the residents on Norton Drive. Staff agrees that it would be a good idea to lower the speed limit. They had already installed speed limit signs and "Slow—Children Playing" signs. Mr. Kraus said a notice of the hearing was distributed door to door on December 4th. Her neighbor was in attendance and stated she is in favor. There were no other comments for or against.

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.

Motion: Councilwoman Hubbard **MOVED** to approve lowering the speed limit on Norton Drive to 25 mph, seconded by Councilman McLean.
Vote: five ayes. CARRIED.

NEW BUSINESS

NB#1 To Make Appointments

---Council Seat to be Filled by Council Action:

City Attorney Kemp Michael stated that at the last Council meeting, the Council adopted a procedure to fill the vacant Council seat. This evening, the council members will be nominating persons. The ballots will be written and signed ballots. The nominee with the majority vote will be elected. If there is no majority, the person(s) with the least votes is eliminated, and there is a re-vote on the ones who tied.

Mayor Hough opened the floor for nominations.

Councilman Helms nominated David Moore.

Councilwoman Hubbard nominated Drew Foster, stating he has been at all council meetings since springtime.

Councilman McLean nominated Jerry Bishop.

No other nominations were made, so Mayor Hough closed nominations.

City Attorney Michael passed out ballots for the vote. After the votes were made, Mr. Michael collected the ballots, and then tallied the ballots. David Moore received three votes, and is therefore elected to the vacant council seat. Mayor Hough stated that at the next regular council meeting, we will have the new councilmember sworn in.

---*Staff Positions to be filled by Council action:*
Mayor Hough stated that the Mayor Pro Tem has historically been selected from the next highest votes. If Council wishes to continue that tradition, then the council member with the next most votes is Michael Helms.

Mayor Hough stated that the following are staff positions that the Council selects and their current appointees, which the Council may retain or replace:

A. City Manager, City Clerk, and City Finance Officer: David Kraus
B. City Attorney: Kemp Michael
C. City Auditors: Cherry, Bekaert & Holland
D. City Tax Collector: Leigh Ann Carpenter

Motion: Council Hubbard **MOVED** to approve the appointment of Michael Helms as Mayor Pro-Tem, and to retain the same appointees as read by Mayor Hough, seconded by Councilman McLean.
Vote: Unanimous. CARRIED.

---*Committee Appointments to be Named by the Mayor:*
Mayor Hough named the following persons to the following committee appointments:
COG Delegate: Harris, alternate-McLean.
TAC: Harris, alternate-_____.

TCC: Kraus, alternate-Jackson.
Special Events: Hubbard, Kraus, Hanks, Harris.
Economic Development: Hubbard, Helms.
Leak Adjustment: McLean, Hope.
Beautification: vacant.
Image: Megan Hanks.
Archives: Bobby Black, Lee Beatty.
ABC: Helms.
Recreation: Harris, Hope, _____.

NB #2 To Consider Naming Additional Code Enforcement Officers

City Manager Kraus said that we have three employees with code enforcement power: Ryan Baker for structural issues, Shane Gill for Solid Waste issues, and John Hope for zoning and general enforcement matters. We don't have anyone working on stormwater enforcement issues. Jimmy Haas and Ricky Davis have worked on complaints but have no authority to enforce regulations, and Mr. Kraus would like them to have code enforcement status. They hold two temporary positions in the utility department. Councilwoman Hubbard asked how such a change would impact the budget. Mr. Kraus replied it would have no impact on the budget. This would just allow them to do citations. Councilman Helms asked if they are part-time? Mr. Kraus said, yes, Mr. Haas works in the morning and Mr. Davis works in the afternoon. Councilman Helms asked if Mr. Haas still has duties at the water plant? Mr. Kraus replied that he still has some.
Motion: Councilwoman Hubbard **MOVED** to give authority to enforce city codes and enforcement of City regulations to the employee positions currently held by Jimmy Haas and Ricky Davis, seconded by Councilman McLean.
Vote: Five ayes. CARRIED.

NB#3 To Consider Acceptance of Donation of Land

City Manager Kraus stated that Ms. Stowe would like to donate three parcels of land to the city. One parcel is at the corner of Highland and East Central at the bypass (tax parcel 123837) which may be a good addition to the greenway or for City signs, and two parcels between Norton and Cedar (tax parcels 123523 & 123517). The last two parcels have flooded in the past year, and have no current use to the city but may be useful in solving stormwater issues in that area. Mr. Kraus recommended acceptance. He had discussed this with the City Attorney, and he requests the council look into this; we may need an environmental study done, because we will be responsible for maintenance and upkeep of the properties if we accept the donations. Councilman Helms asked if tonight the Council is just agreeing to do the study before we decide to take the property or not? Yes. Councilwoman Hubbard asked, did you say just one parcel would be studied? Mr. Kraus said yes, on the corner at the bypass; we want to look into it because it may have been used for a dry cleaner business. Council concurred to check environmental on it. Mr. Kraus asked the Council

what they want to do about the other two parcels. Councilman McLean asked if having that property would help those homes on Cedar Lane. Mr. Kraus said he thinks that if it is cleaned out the flow of water will improve. Kemp Michael said this is behind the water tank behind the old Woodlawn Mill, and he would ask you to consider getting an estimate for cleaning that area up, because if you take this, you will be caring for a big gully permanently. Council consensus was to look at due diligence, and estimate cost of maintenance.

NB#5 Downtown Revitalization Presentation

Lee Beatty, Chairman of the downtown committee, as a representative of a lot of people who have served on these committees, spoke to Council with an update about the committee's recommendations. He stated that about 20 people put this presentation together, and he thanked the hundreds of people who have shown they are passionate about Mount Holly. He said he would talk about expanding The Vision. In January 2003 we started with 150 citizens, who came up with a family-oriented vision for revitalization of Mount Holly. It was agreed that a positive image that is publicly recognized would be vital. Then the Vision Executive Committee of twelve members met to prioritize projects that can actually be done. They decided the first focus should be on economic impact and quality of life. At the March 18th public hearing, about 300 people were there. He felt this was a milestone in Mount Holly's history. This process generated elevated expectations, a forum for communication, and new advocacy groups. Another culmination was the June 3rd vote. The voters supported Downtown projects, sidewalks in Catawba Heights, the greenway park, and approved the ABC referendum. The vote was a 2 to 1 majority in favor, and we had the highest turnout in recent history, making it a mandate for progress. Those who had campaigned for the bonds were citizens for a progressive future. Our group also had a private bond feasibility study done. They contacted citizens in this community, and 551 voters before the election were favorable. Citizens for Progressive Future asked if we spend $1 to $3 million with no tax increase from City general funds, and 90% were in favor. Now, where do we go from here? How do citizens get involved? How do companies get involved? We have 20 volunteers in this Community Foundation, incorporated in September 2003 as a non-profit organization. We have had weekly meetings from June to November. The Mt. Holly Comm. Development Foundation resources will be directed toward supporting and funding projects for advancement of The Vision. This is a 501(c)(3) charity organization. It is not a grant-making group, not like Gaston Community Foundation, who responds to requests. We will raise the money and we will do the work. The Board of Directors has been elected. We have room on our board for four more people, if any of you would like to offer to serve on it. I want to point out Carl Elliott ("Buzz"). Mr. Elliott grew up in Mount Holly. He is an even better business consultant than a trombone player. We have raised $20,000. We had a capital campaign study done and the results are promising.

We also want to thank Kemp Michael putting together the application for the incorporation, and Steve Sisk for helping us get our tax exempt status. As a

Board of Directors, we will use action leaders to direct five committees. Our five-year program has a main theme of diversifying into the 21st century economy. We will promote our sense of history, community connection, economic development, idea generators, and quality of life. For Economic Development we support: city districts critical for improvement of our economy, the highway, the Catawba River and Dutchman's Creek, and the downtown district. We see the Whitewater Center as a big opportunity, so we would like to make Mount Holly synonymous with it. We will use Junior Leaders to put together things for youth. There is a new university in Charlotte, Johnson & Wales, for culinary training, with which we hope Mount Holly will make connections. We would like to see comprehensive elder care, greenways, a multipurpose indoor facility, and an outside gathering place. We would like to assist with investment downtown, tax credits, new jobs, and a historic district. The State Preservation office decides about historic districts, but I have sent them photos, and they said you qualify, but just barely, so we need to protect historic buildings. Image enhancement, the gateways at I-85 and Highway 27, need to be addressed, with a focus on "green and historic", a cohesive identity. We believe the City will need an executive director, to handle administrative duties to coordinate these efforts. The Visitors Center on I-85 that is coming is another opportunity. We commend you for forming an economic development commission; we need someone working on this every day. The five year goals we have set are: Jan. 2009, 1,500 new jobs, $20 million capital investments, eight miles greenway, an attractive downtown, an efficient staff, two new gateways. The money we have now is from local residents and businessmen. Buzz is talking to big companies in the entire region, at banks, with corporate executives, contacting foundations, and meeting with civic leaders. He is planting the seed to invest in Mount Holly. We have a couple of entities talking six figure donations. We need a comprehensive land use plan, a master plan for streetscapes, and greenways. Then we will have a roadmap of where to go, and a yardstick to measure our progress. We need an ED director. We have to sell our City to others. We treasure our manufacturing industries, but we also have new industries. We have to do it ourselves, because no one else will do it for us. It is important to maintain a strong sense of urgency. It is vital to protect our precious assets. About 30 years ago there was a song that goes something like, "don't it always seem to go, we paved paradise and put up a parking lot." Our hope is that Mount Holly will make wise choices. We have a petition we would like citizens to sign to get the historic district, and to ask for these needs. I also want to say that am here tonight and have been here this last year because of Bobby Black. So many people say don't make it personal, it is only business, but he turned it around and made it personal. I hope that we can keep The Vision going for Mount Holly.

Mayor Hough thanked Mr. Beatty for a great presentation, and said that he and the Council look forward to working with the foundation, and pursuing all opportunities for this City.

UNFINISHED BUSINESS

UFB#1 To Consider Approval of Interlocal Agreement on Sales Tax

City Manager David Kraus stated that the County has put us in a position so that if we don't adopt this agreement, we will lose our cut of the sales tax distribution from the State.

Motion: Councilman Helms **MOVED** to adopt Res. #12-8-03A approving the Interlocal Agreement on Sales Tax presented by the County, seconded by Councilwoman Harris.

Vote: Five ayes. CARRIED.

UFB#2 To Consider Awarding Contract for Sidewalk Construction

City Manager Kraus stated that Lee Skidmore, Inc. is the low bidder for sidewalk construction on Henry Street and First Street. This is the first project related to the bond money. However, this bid award will be paid from the Powell Bill money part of the project. Councilwoman Hubbard recalled that it had been said that staff was not comfortable with some aspects of Skidmore's previous stormwater work. Mr. Kraus said that in the past Mr. Skidmore's employees had damaged other systems when installing contract items, but it is in this contract that repairs would be at his expense.

Motion: Councilman McLean **MOVED** to award the bid for sidewalk construction on Henry Street and First Street in Catawba Heights to Lee Skidmore, Inc., to be paid from Powell Bill funds, seconded by Councilman Helms.

Vote: five ayes. CARRIED.

UFB#3 To Consider Architectural Firm for Bond Projects

City Manager Kraus reported that he and staff have talked with all three architectural firms again, namely, HDR, ColeJenest, and Woolpert. Woolpert at first had given us a price of $100,000, and then after we talked, they amended their scope of work and the price was $89,000. Now, after continuing to talk with them, after amendments to their scope of work, their current price is $43,000, which is more in line with what we had budgeted. HDR came in over $50,000, and their proposed scope of work was very different from Woolpert. Woolpert's approach is to do site analysis, prepare two plans for streetscapes, have a public forum, and choose one plan perhaps even a combination from both. The other firms wanted a three-day charette, and would come in and get everyone together at once and walk out with a plan and move forward. ColeJenest has a quote of $25,000, but I felt certain things were left out of their proposal. With ColeJenest, the plan will be schematic in nature and a more detailed plan would come next with more expense. With Woolpert, the proposed plan will be more thorough, more detailed. A representative from the Woolpert group was present and stated that they want to have their scope of services coincide with what the City wants. Mr. Kraus said that once the plan is done, you can go to construction

documents, and then to build. In the next phase, any architectural firm you choose will charge a percentage of the construction development cost over and above this design fee. That fee will probably be 7-10%. Councilwoman Hubbard stated that if she understood correctly, with ColeJenest the public input was up at the beginning, but with Woolpert it is in the middle. Mr. Kraus said there is less public input overall with Woolpert. Mayor Hough stated that we have had citizen input, and then we instructed a group of citizens to select an architectural firm, and they recommended Woolpert. City staff went to negotiate the fee and meet the scope of services we need. They had to go to other firms to see that we were getting these services at the best price possible for the services we want. The ColeJenest proposal is less because the services offered are less, but their prices are comparable. Councilwoman Hubbard asked if is staff comfortable that we will get what we need from Woolpert for the $43,000? Mr. Kraus said yes.

Motion: Councilwoman Hubbard **MOVED** to award the architectural design contract for the bond projects to Woolpert, seconded by Councilwoman Harris.
Vote: Five ayes. CARRIED.

UFB#4 To Consider Change to Sewer Surcharge

City Manager Kraus reminded Council that as a part of this year's fiscal budget the Council adopted a sewer surcharge. We have found that our utility department computer software is incapable of placing this surcharge on the bill. Jamie Guffey stated that it cannot tie two separate items together. The company that installed that software said that reprogramming it will cost $110 hour, and they estimate the cost at $10,000 with a projected completion in March. There are two solutions; one is just add it to the existing rate and pull it out after it is collected, or we can come up with a flat fee to put on the bill which the software will do. Mr. Kraus stated that staff recommends this surcharge be added to the existing sewer rate, and we would divide the proceeds into the correct budget lines after it is collected. He felt that a flat fee would put a greater burden on those without much usage. Councilwoman Hubbard noted that we already approved it as part of budget based on usage, at 32 cents a thousand gallons.
Motion: Councilwoman Hubbard **MOVED** to put the sewer surcharge on the bill by combining it with the existing rate as recommended by staff, seconded by Councilman McLean.
Discussion: Councilman Hope asked if staff sees any other need for an increase other than this. Jamie Guffey said there may be a need in the future. Councilman Hope asked if that would be in the immediate future? Mr. Kraus stated that the auditor advised that we watch the water and sewer funds closely. Mr. Hope said that he prefers to do it all at once, not multiple times. Mr. Guffey stated that we historically do this only at budget time. Mayor Hough asked if we add this in this way, how will a future Council know that this needs to be removed at the appropriate time in the future when the surcharge is no longer needed to cover the expense it is intended to cover? Mr. Guffey said that this will show up as a separate line item for the surcharge in the budget for sewer rehab every

year and audit. The projected date is ten years for this debt payoff. A Council at that time would see that it has been paid by the numbers in the budget.
Vote: five ayes. CARRIED.

UFB#5 To Consider Sufficiency of Annexation Petitions
City Manager Kraus stated that we need to table the sufficiency statement on the Jeremiah Robinson et als. property.
Motion: Councilwoman Hubbard **MOVED** to table the sufficiency statement on the Robinson and other property, seconded by Councilman McLean.
Vote: five ayes. CARRIED.

City Manager Kraus stated that he has the tax map and information for tax parcel #184271 with regard to the Circle K convenience store property. It goes to the intersection with Woodlawn Avenue and we believe it is contiguous with the existing city limits. The property already has water service, and the property owner will run the sewer line at his expense. City Attorney Michael stated the title exam is completed to determine that the proper signatures are on the petition, and they are. Mr. Kraus then gave and read the Certificate of Sufficiency as the City Clerk on the Circle K property. Mr. Kraus stated that if Council wishes to proceed, they need to set the public hearing.
Motion: Councilwoman Hubbard **MOVED** to approve Res. 12-08-03B, and to set the public hearing for January 12, seconded by Councilwoman Harris.
Vote: five ayes. CARRIED.

PUBLIC COMMENT
Mayor Hough opened the floor for public comment.

J. David Bradshaw, 406 N. Hawthorne Street. He said that Mount Holly has an asset we have enjoyed for many years, that has been under published. It is our water and sewer rates. For the last several years, he has been concerned that we have had regular increases, and he has not seen any reason for increases. He has the same sewer service and water pressure, and now we have rollout garbage which is less service. Out of curiosity he prepared a ten year summary, and was surprised that from 1992-2000 it went up 12%, but between 2000-2003 it has almost doubled. My concern is not wasted. We have annexed the large area of Catawba Heights, and there are new buildings all over the place. He felt the taxes we charge and fees for tapping on and the water and sewer bills should cover that. When will these fees come down? Like I heard you say, some of it needs to come off. We need a "sundown rule" on it. Make it such that it has to be reviewed in a few years to see if can be taken off. I am ready to pay my part, and I know Mount Holly pays less than any other town, which is an asset. Maybe it should be charged individually. He'd like to know where the money is going. When he first came here over 25 years ago, his fee was under $3.00 per month.

Evelyn Ervin, 909 Timberlane Drive. She had previously submitted a petition of neighbors and had been approached by neighbors to see if there is any outcome yet, has it been discussed, and is there any way the City is going to clean that drainage ditch out. Mr. Kraus stated that staff has met with Ms. Ervin on several occasions. Ms. Ervin had not heard since she presented the petition. Mayor Hough asked if she wants formal response. Yes, she does. Ms. Ervin said she hears tonight you can now give citations, so she wants the City to give the neighbor with the stopped up ditch a citation. Mr. Kraus said now that they have the ability to issue citations, they will go out there and they will look at it and if there is a violation they will issue a citation.

Mike Johnson, a resident of Gastonia, and a property owner in Mount Holly. He said he was in South Carolina working on a project and got several phone calls about what he considers a historic building that may be in jeopardy. Through the vision process a lot of time with the public was spent and the Council invested a lot in establishing a Vision for the City. He believes it was pretty clear from the group about the look of downtown we wanted to see. He would hope and encourage the leadership that the buildings we have in place will be maintained and remodeled. As Dr. Beatty said there has already been one building taken down a few years ago and we don't want any more. Mayor Hough stated for the record that the old Farrar building and Rhyne building is in negotiation with a corporate entity for its sale, and that entity may tear it down for a commercial use perhaps for a CVS drug store and KFC restaurant in the middle of downtown. Mr. Johnson said that with all the other opportunities for development they can put those types of concepts in another place besides there. Mayor Hough said he had heard about this, and had called Mr. Kraus, and asked what can we do about that? Mr. Kraus, Danny Jackson and the City Attorney have looked into this matter; what can we do to stop development until we get the downtown streetscapes plan in place. Mr. Michael said he is not an expert in this field, so he conferred with the Institute of Government. He learned that essentially the City Council can create a special district by amending its zoning ordinance and establish regulations as to structural changes in that district. If anyone comes to get a permit before you establish the district, it would be too late, and they could operate under our existing ordinances. There are a number of cities that have established these districts and we can look at their regulations. You may want to consider a resolution stating your intent to establish such a district and a proposed boundary for it right away. Mayor Hough asked if Council passes a resolution for a public hearing, and somebody came tomorrow and bought that property tomorrow, before the public hearing, would they be able to do anything? Mr. Michael said the City's argument would be that they would have notice and could not do anything. Danny Jackson said that Belmont said they did not go through a public hearing to set a moratorium. Mr. Michael said no, a moratorium could be done tonight. Councilwoman Hubbard asked if we do this, who will get notice of the public hearing? Danny Jackson said the property owners in the district you establish. Mr. Kraus said we

would also put it in the newspaper and notify the reporters. Mr. Michael read a proposed resolution. Danny Jackson suggested that the boundaries be: North to North Main (so that it encompasses Alsace Mill), West to include the old Woodlawn Mill, South to East Glendale, West to Oakland, East to Highland.
Motion: Councilwoman Hubbard **MOVED** to approve Resolution 12-08-03C as read to establish a moratorium up to 120 days and set the public hearing on January 12th, seconded by Councilman McLean.
Vote: Five ayes. CARRIED.

ROUND TABLE

Councilman McLean said there is a project Mr. Dimmer is working on located on Tuckaseege Road, and the next door neighbor has expressed a concern. Mayor Hough said he spoke with Ms. Smith and she has now talked with Mr. Dimmer.

Councilwoman Harris thanked whoever fixed her chair.

Councilwoman Hubbard commended Mr. John Hope; he is doing a good job. She got phone calls from him last week about items I had asked him about.

Mayor Hough stated that the next night would be a County Commissioner meeting concerning naming of the Highway 27 bridge. Mr. Kraus said he had contacted the Board's secretary, Ms. Jordan, and she said she does not have it on the agenda as she was not notified to do so, so now it will be in January. However, we need to go to this meeting to resolve the water and sewer district issues.

Mayor Hough said that Council needed to set a date for its annual retreat. After discussion, the Council set the retreat for January 16th and 17th.

Mayor Hough said he will be trying to set up a joint meeting in January with the Community Foundation and the Business Association to coordinate our efforts.

ADJOURN
There being no further business, the meeting was adjourned, upon motion duly made by Councilwoman Hubbard, seconded by Councilman Helms and carried unanimously.

9:50 PM

Bryan M. Hough

Clerk Mayor

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cpm