

City of Mount Holly
Mount Holly City Council Work Session Meeting
Monday, November 25, 2013
Council Chambers
6:30 pm

Call to Order

Mayor Hough called the meeting to order at 6:30 pm. The following were present:

Mayor Bryan Hough	Danny Jackson, City Manager
Mayor Pro-Tem David Moore	Jamie Guffey, Assistant City Manager
Councilman Jerry Bishop	David Johnson, City Engineer
Councilman Jim Hope	Dale Oplinger, Fire Chief
Councilman Perry Toomey	James Friday, Director of Utilities
Councilman J. Jason Gowen	Mike Santmire, Director of Streets and Solid Waste
Councilwoman Carolyn Breyare	Don Roper, Police Chief
Attorney Kemp Michael	Greg Beal, Director of Planning and Development

Invocation

Councilwoman Breyare led the Council, staff and attendees in prayer.

Set the Agenda

With no changes to the agenda, Councilman Gowen made a motion to approve the agenda as presented. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. (Motion carried)

1. Public Hearing on petition to close streets or portions of streets as requested by Caromont Health, Inc. and related entities at the location of the proposed emergency complex to be constructed along highway 27

Marie Anders advised that CaroMont Health made a request to close a section of Wilson Street between Charlotte Avenue and Elm Street as part of their efforts to construct a new Emergency facility in Mount Holly. She advised that all the requirements have been met and if after the Public Hearing the Council feels it would be in the best interest of the City to close the proposed streets then a motion will needed to approve the Street Closing Order.

At this time, Councilman Bishop made a motion to enter into the public hearing. Councilwoman Breyare seconded the motion. All council members present voted in favor. (Motion carried) With no one signed up to speak, Councilman Bishop made a motion to return to regular session. Councilwoman Breyare seconded the motion. All Council Members present voted in favor. (Motion carried)

Councilman Gowen made a motion to approve the Street Closing Order (resolution 112513A) which would allow for a section of Wilson Street, between Charlotte Avenue and

Elm Street to be closed for the purpose of CaroMont Health building an Emergency care facility. Mayor Pro Tem Moore seconded the motion.

2. Presentation of the 2013 Audited Financial Statements

Ko Tang Cha Moses with Martin and Starnes came before the City Council to present the 2013 Audited Financial Statements. She thanked Ms. Otis and her staff for being very cooperative and helpful during the audit process. Ko Tang advised that the available fund balance increased \$656,749. She reviewed the different funds and advised that the Financial Statements have been sent to the LGC for approval.

3. Public Hearing, regarding a request made by the Arnold Companies, to rezone a 10.9-acre tract of land, located at 1000 Marina Village Drive, identified as Tailrace Marina, Tax Parcel ID # 207541 from Conditional District Multifamily/Commercial, approved on April 12, 2010, to Conditional District Multifamily/Commercial, based on a new development plan.

Mr. Beal advised that the Planning Commission took public comment at their last meeting and have asked for additional time to study the proposal regarding the development of the proposed marina. At this time, Councilman Bishop made a motion to enter into the public hearing. Councilman Toomey seconded the motion. All council members present voted in favor. (Motion carried) Mayor Hough advised that comments will be limited to 3 minutes.

Misty Rae
212 Riverfront Parkway
Mount Holly, NC 28120

Ms. Rae advised that she is the HOA President of the Master Board at Riverfront. She thanked the Council and Planning Commission for their patients and understanding with this proposal. She advised that this is a huge development and the HOA has been given the opportunity to talk with the developer and the number 1 goal of the parties involved is to do what is best for the community as a whole. Ms. Rae asked that the City Council postpone their vote on this project until the Developer and HOA can get together and address any issues.

Michael Patruska
152 Lighthouse Way
Mount Holly, NC 28120

Mr. Patruska commented that he sees and thousands of dollars coming into Mount Holly with this proposed development. He advised that he can hear the live bands from Whitewater and doesn't imagine that noise coming from the marina area would be much louder. He commented that it is the developers land and they should be allowed to do what they wish with it.

Zelda Lawrence
241 Riverfront Parkway
Mount Holly, NC 28120

Ms. Lawrence advised that she has been in the neighborhood for 14 years. She has served on the HOA Board and is concerned about the proposed apartments bringing crime into their neighborhood. She advised that she opposed to live bands on the weekends and the restaurant/bar.

Jim Barberio
161 Lighthouse Way

Mount Holly, NC 28120

Mr. Barberio commented that all this is a little confusing and overwhelming and asked the City Council to please postpone the vote until the next meeting

Dan Phillips

121 Huckleberry Lane

Mount Holly, NC 28120

Mr. Phillips commented that he is concerned about the 5 story apartment buildings and the roof pitch. He has not seen this anywhere else in Mount Holly.

Michael Haubert

133 Lighthouse Road.

Mount Holly, NC 28120

Mr. Haubert spoke in favor of the rezoning and commented that is high time we move forward. Vote yes

Donna Ledoux'

225 Rock Ridge Lane

Mount Holly, NC 28120

Ms. Ledoux commented that she is up the street from the proposed building. She advised that the City needs the Economic Development and the tax revenue. She advised that this is a positive development and believes it will be a great opportunity for the City.

Jeff Meadows

140 Tom Sawyer Lane

Mount Holly, NC 28120

Mr. Meadows commented that approval of this project will be a step in the right direction. He asked Council to postpone the approve until the next meeting to give the Planning Commission a little more time to review.

John Chesser

120 Huckleberry Lane

Mount Holly, NC 28120

Mr. Chesser commented regarding his disapproval of building rental properties where homeowners are investing their savings.

Adam Desoutels

124 Huckleberry Lane

Mount Holly, NC 28120

Mr. Desoutels commented that this is the best plan they have seen so far and it looks to be very promising. He asked the Council to delay their final decision until the next meeting to give the HOA, Planning Commission and the Developer more time to work out the details of the proposal.

At this time the Developer, Ben Arnold came before Council and presented the plans for the marina property. He explained that the proposed marina will be very similar to their marina in Columbia, South Carolina. He advised that there would be 5 story apartment buildings on the waterfront, lush landscaping and an upscale restaurant. With no one else signed up to speak, Councilman Bishop made a motion to return to regular session. Councilman Toomey seconded the motion. All Council Members present voted in favor. (Motion carried)

Mayor Hough advised that the Council would postpone the final decision regarding the marina proposal until the next meeting therefore giving the Planning Commission time to make a recommendation.

4. Public Hearing to amend Article 12 of the Zoning Ordinance, concerning the rules, regulations and decision-making powers of the Board of Adjustment, as required by Session Law 2013-126, effective October 1, 2013.

Mr. Beal advised that the proposed amendment is mandated session law. He advised that the proposed changes are for the better and supported at the Staff level and the Planning Commission made a unanimous decision to make the proposed changes.

At this time, Mayor Pro Tem Moore made a motion to enter into the public hearing. Councilwoman Breyare seconded the motion. All council members present voted in favor. (Motion carried) With no one signed up to speak, Councilwoman Breyare made a motion to return to regular session. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. (Motion carried)

Councilman Bishop made a motion to approve the amendment to Article 12 of the Zoning Ordinance, concerning the rules, regulations and decision-making powers of the Board of Adjustment, as required by Session Law 2013-126, effective October 1, 2013. (Resolution #112513B) Councilwoman Breyare seconded the motion. All council members present voted in favor. (Motion carried)

5. Public Hearing to amend Article 13 of the Zoning Ordinance, concerning the membership of the Planning Commission, which is proposed to be reflective of representation and therefore, composed of 8 members, who reside in the city limits, and one representative who resides in the ETJ.

Mr. Beal advised that the proposed amendment would require the Planning Commission consist of only one ETJ member and one additional inside-city member.

At this time, Mayor Pro Tem Moore made a motion to enter into the public hearing. Councilman Bishop seconded the motion. All council members present voted in favor. (Motion carried) With no one signed up to speak, Councilman Bishop made a motion to return to regular session. Councilman Gowen seconded the motion. All Council Members present voted in favor. (Motion carried)

Councilman Gowen made a motion to approve the amendment to Article 13 of the Zoning Ordinance, concerning the membership of the Planning Commission, which is proposed to be reflective of representation and therefore, composed of 8 members, who reside in the city limits, and one representative who resides in the ETJ. (Resolution # 112513C) Councilman Bishop seconded the motion. All Council Members present voted in favor. (Motion carried)

6. Public Hearing to amend Section 5.18 Historic Overlay District, to establish a Historic District for Downtown Mount Holly, based on its placement on the National Register of Historic Places.

Mr. Beal advised that the Planning Commission made a unanimous recommendation to adopt only the established district map.

At this time, Mayor Pro Tem Moore made a motion to enter into the public hearing. Councilman Gowen seconded the motion. All council members present voted in favor. (Motion carried) With no one signed up to speak, Mayor Pro Tem Moore made a motion to return to regular session. Councilman Toomey seconded the motion. All Council Members present voted in favor. (Motion carried)

Councilman Gowen made a motion to approve Downtown Mount Holly Historic District Map. (Resolution #112513D) Councilman Bishop seconded the motion. All Council Members present voted in favor. (Motion carried)

7. Public Hearing to amend Article 9 Signs of the Zoning Ordinance

Mr. Beal advised that two owners have come forward and asked for amendments to the sign ordinance. One is to allow for banner signs and the other is to allow for 100 square feet of signage for multitenant shopping centers over 25,000 square feet at 12 feet in height.

At this time, Councilman Gowen made a motion to enter into the public hearing. Mayor Pro Tem Moore seconded the motion. All council members present voted in favor. (Motion carried) Elwood Smith signed up to speak but had left the meeting. Mayor Pro Tem Moore made a motion to return to regular session. Councilman Toomey seconded the motion. All Council Members present voted in favor. (Motion carried)

The City Council discussed the proposed amendments and came to the consensus that they wanted to discuss the sign ordinance in more detail at the Council Retreat. There was no motion made at this time.

8. Presentation of the 2014 Road Improvement Projects

Mr. DuPont advised that the City has successfully completed the last set of road projects. He advised that the 2014 Road Improvement Projects include resurfacing Rankin Avenue from Oak Grove Street to West Catawba Avenue and to include a new section of sidewalk from Scott Street to West Catawba Avenue. The second project will be the intersection improvement of Ferstl Avenue and Beatty Avenue.

Councilman Gowen made a motion to approve the 2014 Road Improvement Projects as presented. Councilman Toomey seconded the motion. All Council Members voted in favor. (Motion carried)

9. Discussion of the 2014 Council Retreat

It was the consensus of the City Council to stay local for the 2014 Council Retreat on February 6th and 7th. Council also agreed that they would like to have a facilitator for the retreat and would like to have a group dinner on Thursday night.

10. Call for a public hearing, regarding a request by Regional Developers, LLC to consider rezoning 20.59-acres of land, located at 210 Beatty Drive, Parcel ID #'s 209095, 184769 and 184771, from B-3 General Business South Gateway Overlay District to Conditional District Office/Manufacturing

Councilman Bishop made a motion to call for a public hearing, regarding a request by Regional Developers, LLC to consider rezoning 20.59-acres of land, located at 210 Beatty Drive, Parcel ID #'s 209095, 184769 and 184771, from B-3 General Business South Gateway Overlay District to Conditional District Office/Manufacturing. Councilman Hope seconded the motion. All Council Members voted in favor. (Motion carried)

11. Closed Session (*pursuant to NCGS 143-318.11 (a) (5)*)

At this time Councilman Gowen made a motion to enter into closed session pursuant to NCGS 143-318.11 (a) (5). Councilman Toomey seconded the motion. All Council members present voted in favor. (Motion carried)

Mayor Pro Tem Moore made a motion to return to open session. Councilman Gowen seconded the motion. All Council members voted in favor. (Motion carried)

Mayor Pro Tem Moore made a motion to approve the purchase of the property owned by Sam Stiegler not to exceed the amount of \$120,000 along with the budget amend for the

purpose of erecting the North Fire Station. Councilman Gowen seconded the motion. All Council members present voted in favor. (Motion carried)

12. Adjourn

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilman Bishop made the motion to adjourn the November 25, 2013 Council Work Session Meeting. Councilman Gowen seconded the motion. All Council members present voted in favor. (Motion carried)

The meeting adjourned at 8:47 p.m.