

**CITY COUNCIL & PLANNING COMMISSION
SPECIAL MEETING
NOVEMBER 16, 1998**

CALL TO ORDER BY THE MAYOR

The special joint meeting of the City Council and Planning Commission of Mount Holly was called to order at 6:30 P.M. by Mayor McLean. The following were present:

Council:

Mayor Frank McLean

Mayor Pro-Tem Phyllis Harris

Councilman Jim Hope

Councilman Bryan Hough

Councilman Bobby Black

City Manager Phil Ponder

Zoning Administrator Danny Jackson

Public Works Director Eddie Nichols

Code Enforcement Officer Myron Tessener

Planning Commission:

Carlton Broome

Joel Hubbard

Jerry Miller

Jack Stevenson

Hazel Michael

George Cauthen

Mayor McLean thanked the Planning Commission for their hard work.

#1 Thoroughfare Protection Ordinances

Mr. Bob Cook, Gaston Urban area MPO, was recognized. He had made a presentation to the Planning Commission recently to update them on the Thoroughfare Plan. The recommendation is to protect the corridors by ordinance. They suggest 50 feet setback from the center of the road on a major thoroughfare and 40 feet on a minor one. The idea is to keep structures from being built in that area, although parking lots and things like that would be allowed within the area. Another way to protect the thoroughfare is called "density credit" ordinance, to compensate for having to allow for the thoroughfare. He is encouraging the Council to adopt the proposed ordinances because they will help roads to be constructed due to the fact that it keeps the cost down for right of way acquisition. Mount Holly is impacted now because of being close to Charlotte. The officials in Stanley have used these ordinances. Gastonia has also put them into use. He is aware of concerns that we have and was available to answer them. Councilman Black asked about the procedure for adopting these. The model ordinances have been given to the Planning Commission and the council in the past. The Planning Commission would make recommendations to Council. The models can be changed as needed for the local criteria.

#2 Decorative Street Lighting

Public Works Director Eddie Nichols stated the City has had a recent subdivision where the developer did not want to put up decorative street lighting, which costs them a one-time fee charged by Duke Power, but the homeowners wanted it. The cost for the special lights now has increased to \$320 per light or more according to a notification from Duke Power. We do not require decorative street lights. If Council is going to require them for all new subdivisions, the ordinance must be changed. The traditional ones actually light the street better. Most houses are sold before the street lights go up. Wooden pole street lights do not cost a special fee. The special ones are hard to replace when damaged according to Duke Power Company. The question before the Boards now is whether to leave the matter to the developer's choice, or to change the ordinance to require them. Carlton Broome asked if street lights are required. Mr. Nichols said the City provides lights, the standard ones, and pays the monthly bill for the power to burn them to Duke Power. Mr. Nichols did not have a recommendation, but would like the Boards to make a decision so staff can give a clear answer to the applicants for development. Mr. Broome said that we could require lights be there before any houses sold on a street; but Mr. Nichols said Duke Power likes to wait until almost all the houses are built because of damage to the poles by construction equipment. Mr. Stevenson asked about what would happen outside the city. Mr. Nichols said he had that come up in Mr. Dimmer's subdivision off Westland Farm Road, and the County assessed for it.

#3 Street Surfacing

Public Works Directors Eddie Nichols informed the Boards that Mint Hill's ordinance provides that in new subdivision road a base is put in with 1-1/2 inches of asphalt until the development is at least fifty percent occupied and the old asphalt has been there for a year; after which the developer must pay to install the final one inch asphalt. Mr. Nichols recommended that these provisions be adopted in our ordinance. We would need to establish a time the second layer would be put on, either at acceptance by the city, or during the warranty period. This would minimize the damage that occurs during construction with heavy equipment. He also recommended the Boards look at another of Mint Hill's ordinances requiring that they verify a certain compaction of the subgrade. We inspect it now by proof rolling it, but it would be a big help if a certain compaction is required and you put the burden on the developer to prove he has met it. Hazel Michael asked what the specs would be. He replied it would be 100% on the top six inches; on filled area, it would be compacted in 6-inch layers at 95%, with the top 6 inches being 100%. Mr. Stevenson asked if he agrees with those figures; Mr. Nichols wants to do more research. They also require removal of vegetative material. Mint Hill requires an 8 inch stone base, but he does not feel we have had a problem with the 6 inch base.

#4 Tree Preservation

Zoning Administrator Danny Jackson said he has done research on this by contacting other cities. He found a lot of them do not do anything. He found it is hard to administer. He understands the concern of the Boards, but is not sure it is practical in Mount Holly to adopt. He contacted some developers, and they did not like it, and explained their reasons in terms of cost. Councilman Hough said they go in and take it all down, and he

would like to see them leave some behind. Mr. Stevenson asked if the City has personnel who can determine which trees would be preserved on a site. Mr. Jackson said he needs direction if this is adopted, as to size of trees to be kept, and so on. Mrs. Michael said that if the topography is such that they will be disturbing the soil, it may not be possible for them to keep the trees we select. Mr. Stevenson said that septic tanks impact that also. Mr. Jackson also asked what you want to do if a property owner comes in after buying the lot and wants to take a tree down, and we refuse, and then if the tree falls, we might be responsible. Councilman Hope said most ordinances he has seen do not use taxpayers money to administer them, but require a certain number of trees per acre, which can be left or planted by the developer, on the entire tract. Sometimes the land is not previously treed; then what? Consensus was to have Danny research it on the aspect of so many trees per tract.

Mr. Jackson also recommended the Boards adopt the DOT regulations for street improvements, while you are looking at amendments.

Mayor McLean opened the floor for questions.

Mr. Ponder said Mrs. Michael made a good point that the amendments should be done all at one time. He said Mount Holly is going to have to consider thoroughfare protection ordinances. The 8/10 mile on Hwy. 273 has an estimate for right of way acquisition at \$¼ million, which they expect the city to share. It is important for the Boards to protect the roads in new subdivisions. On tree preservation, it would be a nightmare to administer specific trees being maintained by survey; give thought to the types of trees to be replanted. Mr. Stevenson asked for someone to be asked to come in to advise on what type of trees.

The Planning Commission was adjourned. City Council continued.

COG representative, Bob Henderson, was recognized. Mr. Henderson said per City Manager Ponder's request he prepared a proposal for a job description for city manager. He said he was unsure of how much Council wishes COG to do. Councilman Hope agreed that should be clarified, and said it is his understanding we will be using COG's services on an as-needed basis. Mr. Henderson suggested we start with a 20 hour block of free services which are available. Council agreed. Mr. Ponder said these free hours are included with our annual membership dues.

With regard to an ad for city manager, Mr. Ponder had prepared a proposal based on the ad which he responded to in 1991. Mr. Henderson recommended the municipal experience be amended to add "supervisory capacity", and that a masters be required. Councilman Hough said the figures he saw on salaries in this area opened his eyes as to what we may have to pay. Mr. Hough suggested "masters preferred" be added. Councilman Black asked if cities our size usually expect that. Mr. Henderson said it varies, but it would be feasible to ask that. Mr. Hough said he wants "supervisory" added in front of municipal experience, and he felt 5 years is good. Mr. Ponder suggested ir

read "minimum of 5 years municipal experience in an administrative capacity". Council agreed to add "and supervisory" to that. Mr. Hough asked if we want to dress up the ad to make it attractive by mentioning benefits and that it is a growing city. Mr. Henderson felt that this city will have a draw because of the area and the growth expected, and you are a couple rungs above wanting someone to start their career here. Councilman Hope wanted to change the deadline for response to January 8. Council agreed. Councilman Black asked if we want to put the salary range rather than "negotiable", but they did not.

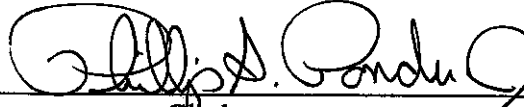
Councilman Hope also wanted to clarify that he and Councilwoman Harris and Mayor McLean will divide the applications into those that meet the specs and those that do not, and bring them all to the Council meetings available for their review. Council agreed.

Councilman Black asked for deadlines. The League's magazine deadline is this Wednesday. Southern City is soon after. They will publish those magazines in December. The ad will go in the Charlotte Observer and Raleigh News, and the Wilmington and Asheville papers as well, by Council agreement, on the first Sunday in December.

Councilman Hough asked who will narrow the list down to the final ten. Councilman Hope and Councilwoman Harris said they want the whole Council to do that. Mr. Hough asked Mr. Henderson if they can set up assessment centers. He said they have done that, and would help Council with that if wished. Councilwoman Harris said we want to keep this confidential, and we may not want to do a visible assessment. Councilman Hough asked if we are going to talk about what we are looking for in the candidate. Mr. Henderson said he could be a facilitator for that.

A tentative meeting for December 17 was set for Council to discuss the interview process.

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


Clerk


Mayor

cpm