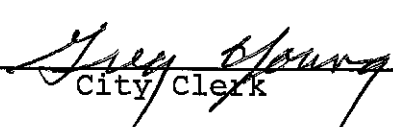


Councilwoman Little made a motion to go out of executive session, with a second by Councilman Duke, with all in favor. Then Councilman Biggerstaff made a motion to award dumpster bids to BFI, and read a letter to commercial and industrial bulk container users notifying them of the change in pickup fees. Councilwoman Little seconded the motion, and all were in favor. Then Dr. Duke made a motion to adjourn the meeting. Councilwoman Little seconded the motion, and all were in favor.

 City Clerk  Mayor

Regular Meeting
Mount Holly City Council
November 12, 1990

The meeting was called to order at 7:30 P.M. by Mayor Charles B. Black, Jr. Present were Mayor Pro-Tem Bob Jessen, Councilwomen Faye Little, and Lib Nichols, Councilmen Archie Small, Myles Biggerstaff, and R. L. Duke, as well as City Manager Greg Young, City Attorney Kemp Michael, Zoning administrator Gary Roberts and Police Chief Bishop.

The invocation was led by Reverend Lawrence Britt.

The minutes of October 8, 15, and November 1, 1990 were approved upon motion by Councilwoman Little, seconded by Councilman Duke, and carried unanimously.

Mayor Black read a proclamation recognizing November 18-24, 1990, Family Week, with the theme of "Families Matter".

Mayor Black stated that the Spring Festival Committee had been dissolved and now he is appointing Marlene Huggins as the new Chairman for 1991. He again thanked Candy Smith for her hard work.

The floor was opened to complaints or petitions not on the agenda. Ms. Dorie Shirwood, corner of Brookwood and Belton, said a street light needs to be installed on Belton Avenue at the bridge over the creek, because it is very dark and kids are stealing things and hiding them in the woods, putting nails in the road, and hanging out there. Mayor Black said the City Council has the policy to let Duke Power

establish where street lights will go, but the City Manager will relay the request.

Mr. Ron Dimmer, who owns property on Highland Street asked the Council to have the speed limit lowered to 25 m.p.h. because the visibility for the apartments' driveways is bad. Councilman Jessen said that it was lowered from 45 to 35 m.p.h. and what they need is to give tickets and enforce that so people will slow down. Mayor Black said it is a state road now and the City cannot set the limit, but they will check on that situation with the State, and enforce the speed limit there now.

Mr. Henry Massey, Chairman of the Recreation Commission, reported that the committee has found there may not be enough room to do the three fields they had hoped to develop at Tuckaseege Road, but they want to go ahead with the 300 foot softball field with lights and fence and perhaps a walking track. Mr. Stowe, the Recreation Director for the City, said if the slope is graded back fifty feet it would cut into the room for the concessions, restrooms, bleachers and picnic area, and would require moving the playground equipment just installed by the Boy Scouts under the trees. They also reminded the Council that the grant application must be filed by November 30th. City Attorney Michael suggested that they should have the surveyor locate the corners of the property so the City knows if they have more land on the upper side, or approach A & E about obtaining additional footage on that side. Councilwoman Nichols felt they should proceed to work on the large field, but they should find out exactly how much land they have before they decide where to place the field. City Manager Young recommended that they have the surveyor go look at it, and he can have the engineer look at the grading. Secondly, Mr. Stowe said the estimate for painting the gym has come from Charlotte Paint Co., and the Gaston County Schools will do the floor at the gym for \$800.00. Councilman Biggerstaff asked if they have a second estimate on the painting, but it had not been received yet. The roof is scheduled for repair the next week, with an estimated bill of \$750.00. Councilwoman Little moved that up to \$6,000.00 be appropriated for painting, etc. at the old gym. Councilman Small seconded the motion, and it carried with six ayes.

Ms. Charlene McRorie, Cove Avenue, said she is a T-ball coach, and asked if she and the other coaches may seek other sites like at Aldersgate Church for the practices, as they were short fields this year, and expect it will be worse next year. The Council said that would be alright.

Mayor Black said he had a request to table Item Five on the agenda as the survey has not been completed. Councilwoman Little moved that it be tabled, seconded by Councilman Jessen, and unanimously carried.

Mr. Miles Boyer, Crescent Land & Timber Corp., requested a public hearing be set to consider rezoning the property it owns off Highway 273. A public hearing was set for December 10, 1990 at 8:00 P.M. after proper notices and advertisement have been made, upon motion by Councilman Biggerstaff, seconded by Councilwoman Little, and unanimously carried.

Mr. Hershel Ellis, American & Efird Mills, had sent a letter to the City requesting that truck traffic be allowed on East Catawba to go to its Consumer Products at the back. Mayor Black said it might be a problem since there is a steep hill there, and Councilwoman Little was concerned that it is a neighborhood and there is no traffic light at Catawba and Highland. Ms. Pam Hollar Beck, who lives at E. Catawba and Highland, said she does not want this allowed, because it will impede traffic since trucks would have to swing wide to go onto Catawba, and traffic already backs up; it is a safety problem for children and elderly; there are already a lot of accidents there; and it is not designed for trucks. Councilman Biggerstaff said she had made several good points and was concerned that there is no turn lane there. Councilman Jessen moved to deny the request, seconded by Councilman Small, and unanimously carried.

With regard to the possible change to Section 70 of the Zoning Ordinance so that use designations could be changed in non-conforming properties, the Council was informed that the Zoning Board had discussed this matter, and was in favor of it if a favorable showing could be made to the Council on a case by case basis. Sample ordinances were obtained from Mooresville and Lincolnton. It was felt that this may be good, but the same or less offensive uses must be maintained. Councilwoman Little moved to set a public hearing at the next regular meeting after proper advertisement to consider amending the Mount Holly Zoning Ordinance to establish a procedure authorizing the City Council to allow a substitution of one non-conforming use for another upon condition(s) to be established by the amendment. This motion was seconded by Councilman Jessen, and unanimously carried.

City Manager Young recommended that the Council have Gary Roberts prepare a proposal to change Article 8 of the Zoning Ordinance, so that a developer would have clear requirements about zoning where there are differences related to the lot size and the zoning underlying. The Council concurred.

A proposed contract between Stanley and Mount Holly for an emergency water connection was presented. Councilman Biggerstaff stated that each city may hook up for an emergency at a special metered valve for a maximum of seven days. Stanley does not have toe capacity at this time however, and the hookup cannot be made without prior approval. The meter will be near the Duke Power line close

to the old pulpwood plant. Councilman Duke moved to accept the proposal as presented for an Emergency Water Connection Agreement with Stanley, which was seconded by Councilman Biggerstaff, and unanimously carried.

City Manager Young said the intent to apply for matching grant funds for recreation has been sent, and COG has presented a proposal to prepare the actual application for the grant. Councilman Duke moved to accept the COG proposal at a cost not to exceed \$1,100.00, which was seconded by Councilman Jessen, and unanimously carried. The Council agreed that the application will not be made until the project is decided, and the Council has seen the proposal.

Councilman Biggerstaff moved to grant the tax releases for that date, seconded by Councilman Duke, and unanimously carried.

Tax Releases
November 12, 1990

Barnett, Ken & Linda	R#14042	Val. 4,270	19.64
		1 tag	1.00
Beatty, Steven & Nancy	R#13143	Val. 27,200	125.12
Belton, Lisa	R#14041	Val. 4,290	19.73
		1 tag	1.00
Bethuen, Tammy	R#14050	Val. 1,180	5.43
Block, Paul S.	R#14040	Val. 6,890	31.69
Boughman, Deborah	R#14039	Val. 1,010	4.65
		1 tag	1.00
Burch, Ferman & Mary	R#14038	Val. 5,060	25.61
		1 tag	1.00
Butler, David	R#14049	Val. 300	1.38
Byars, Kenneth	R#13477	Val. 14,490	66.65
		3 tags	3.00
Cope, Jamie	R#14037	Val. 9,140	46.24
Davis, Amy S.	R#14036	Val. 2,370	10.90
		1 tag	1.00
Davis, Wm. Jr. & Phyllis	R#14053	Val. 2,500	11.50
Deberry, Joe & Eula	R#14035	Val. 32,360	163.75
		2 tags	2.00
Drumm, Jerry	R#14048	Val. 940	4.32
		1 tag	1.00
Floyd, Nancy	R#14047	Val. 14,180	70.19
		2 tags	2.00
Hannagan, Rory & Terri	R#14034	Val. 4,190	19.27
		1 tag	1.00
Harkey, Tracy & Gregory	R#14046	Val. 21,600	99.36
		2 tags	2.00
Hayes, Wilma	R#13184	Val. 12,000	55.20
Helms, Jeffery	R#13500	Val. 9,400	43.24
		1 tag	1.00

Helton, Allen & Lisa	R#13499	Val. 26,840	123.46
Holt, Tammy G.	R#13498	Val. 4,850	22.31
		1 tag	1.00
Horton, hazel	R#13138	Val. 300	1.38
Lampighter Crafts	R#13432	Val. 3,442	15.83
Morlock, Carlos J.	R#13497	Val. 1,560	7.18
		1 tag	1.00
Morlock, Kimberly	R#13496	Val. 920	4.23
		1 tag	1.00
Morris, Joann	R#14045	Val. 5,200	24.01
Nixon, Ella Heirs of			
c/o Betty Grice	R#13187	Val. 8,150	37.49
Painter, Johnny & Glenda	R#13935	Val. 1,980	9.11
Patrick, Mary	R#13162	Val. 1,600	7.36
Phillips, Margie	R#14044	Val. 7,810	35.93
Planton, Eric	R#13815	Val. 1,030	4.74
Poole, Barbara	R#13495	Val. 4,150	19.09
		1 tag	1.00
Porterfield, Barbara	R#13494	Val. 5,690	26.17
		1 tag	1.00
Pysell, Debra	R#13493	Val. 10,880	50.05
Sisk, Crystal	R#13492	Val. 4,570	21.02
		1 tag	1.00
Snipes, Tammy	R#13491	Val. 770	3.54
		1 tag	1.00
Stroupe, Hubert & Betty	R#13490	Val. 53,260	245.00
		2 tags	2.00
Tar Heel Leasing Co.	R#13645	Val. 6,900	31.75
Tar Heel Leasing Co.	R#13653	Val. 21,399	98.43
		1 tag	1.00
Trull, David	R#13489	Val. 3,230	14.86
		2 tags	2.00
Tyler, Gregory & Melodie	R#13774	Val. 40,200	<u>184.92</u>
1990 taxes released			\$1,811.73
tags released			29.00
Davis, Wm. Jr. & Phyllis	R#14053	Val. 2,500	<u>11.50</u>
1989 taxes released			11.50

Councilwoman Little noted that the sidewalk repair on West Central looks very good.

Councilman Jessen had a request from Gaston Federal Savings & Loan that they be allowed to install a separate water meter for the landscaping system and want to not have a sewer charge attached to that bill. Councilwoman Little said the City cannot allow that as they charge others who only use water, so they should just install one meter. Mayor Black said the sewer charge is automatic even if watering the yard or garden.

Councilman Jessen suggested that the brochures about the City which have been printed be distributed in an organized fashion, perhaps to Raleigh or various industries, etc.

Councilman Small stated that the new railroad crossing on the loop is dangerous because the road has sunken, and asked that the State be notified.

Councilman Small said the stop sign has not yet been installed at Lee and Central, and asked the City Manager to follow up on that.

Councilwoman Nichols asked if there is an ordinance about yard sales and/or politicians' signs, etc. coming down the roadside after the event. The City does have an ordinance about that, and so does the County. City Manager Young said sometimes the City picks them up and keeps the stakes and uses them.

Councilwoman Nichols stated she has noticed that there is a large dirt pile at Superior Yarn Mill which is contaminated, and it is getting larger and larger. It is covered by plastic and hay, but children play on it and around it, and she is concerned that the environmental people are not keeping a close watch. City Manager Young said the State is already involved, but he will contact them and keep informed.

Councilwoman Little said someone is filling in the gully next to Grant's Fish House on Highway 273, and is not putting in much drainage pipe. The City Manager said he has called the soil and erosion people twice already, but will keep in touch with it.

Councilwoman Nichols said a Mrs. Auten said she has had stumps, bicycle parts, and tires dumped on some of her vacant land and asked what she can do about it. City Manager Young said it is a violation of state law and she can take action against whoever did it if she knows who it was.

Mayor Black stated that since the District Attorney did not get re-elected, it is now unsure what will be done with the City's case involving misuse of funds at the housing projects, and he was concerned since it has been three years, and it should have come to trial already.

The COG meeting was announced for the following Wednesday in Albermarle.

City Manager Young had sent to the Council prior to the meeting information about Morris Street lift station, and he requested authorization to spend up to \$1,100.00 to have W. K. Dickson run tests, which was approved upon motion by

Councilman Biggerstaff, seconded by Councilwoman Little, and unanimously carried.

City Manager Young received authorization to move \$6,432.36 in the Recreation Comm. savings account to the general fund upon motion by Councilwoman Little, seconded by Councilman Biggerstaff, and unanimously carried, to be used for Tuckaseege Park improvements.

Mayor Black appointed Councilman Small and Councilwoman Nichols to the Employee of the Year Committee.

The Elected Officials Seminar was announced for the following November 29th at 6:30 P.M.

The Council took a five minute recess.

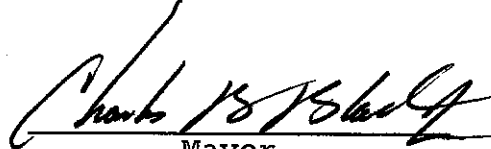
Councilman Jessen moved to go into executive session for personnel, attorney-client, and land acquisition purposes. Councilman Duke seconded the motion, and it carried unanimously.

The Council returned to regular session upon motion by Councilwoman Little, seconded by Councilman Jessen, and unanimously carried.

The meeting was adjourned upon motion by Councilwoman Little, seconded by Councilman Small, and unanimously carried, at 11:00 P.M.



City Clerk



Mayor
