City Council
Regular Meeting
November 10, 1997

The regular meeting of the City Council of Mount Holly was called to order at 7:30 P.M. by Mayor McLean. The following were present:

Mayor Frank McLean, Jr.
Mayor Pro-Tem Michael Helms
Councilwoman Phyllis Harris
Councilman Andy Stewart
Councilman Jim Hope
Councilman R. L. Duke
Police Officer

Adm. Services Dir. Sherry Borgsdorf
Public Works Director Eddie Nichols
Planning & Zoning Dir. Danny Jackson
City Attorney Kemp Michael

The City Manager was at a conference. Councilman Hostetler was away on other business.

A Proclamation was read by Mayor McLean honoring our Veterans on Veterans Day and establishing November 9-15 as Vet Week in Mt. Holly; he then asked the veterans and/or their wives present to stand and be recognized. He then led in giving the pledge of allegiance.

Councilman Stewart MOVED to approve the minutes of October 13, 1997 as written, seconded by Councilwoman Harris, with all in favor.

Mayor McLean recessed the regular meeting and called to order the public hearing scheduled for consideration of a request for rezoning a lot located at 701 South Main Street. Danny Jackson said the Planning & Zoning Commission tabled this matter since the applicant was absent. The applicant has asked this be tabled until it is heard by the P & Z board, but Mr. Jackson requested the public hearing be held and action tabled until next meeting. The Mayor opened the floor to the public; there were no comments. Mayor McLean declared a recess on this public hearing until the next regular meeting in December.

The Consent Agenda was considered next. Mayor McLean opened the floor for removal of any items or approval. There were no removed items. Councilwoman Harris MOVED to approve all items #1-5 on the Consent Agenda as presented, seconded by Councilman Stewart, with all in favor. The items approved are as follows:

1. Amendment to the Purchasing Policy to increase the threshold required for formal purchase of equipment from $20,000 to $30,000, reflecting a recent change in N. C. General Statute 143-129(a).
2. Amendment to the contract with Gaston County to increase the annual fee from 57 cents to 75 cents per voter for conducting our municipal elections and maintaining voting data.

3. Adoption of resolution approving the agreement with N. C. DOT for bridge inspections and authorizing its execution at a cost to the City of 20% of the expense with the remaining 80% being paid by the federal government.
4. Approval of two budget amendments (copies attached).
5. Approval of the tax releases on the November 10, 1997 list, totaling $2,297.95.

The Council next considered the unfinished business of the garbage dumpster located near 303 Beatty Drive. Danny Jackson had studied the matter and written a memo to the City Manager which was in the agenda package. Mr. Jackson said he could contact the owner if the Council wants him to. Mr. Kepley was present and said he would like the dumpster to be moved but it would violate our code if it is moved. Councilman Stewart asked if the Council waives the $75.00 application fee for a variance application, would the owner be willing to move the dumpster. Councilman Stewart also wanted to be sure the owner cannot use this waiver, if granted, for something else. City Attorney Michael said that, if the owner is willing to apply for a variance, then the Council might waive the application fee, but the decision to grant the variance or not would be decided by the Board of Adjustments. Councilman Stewart MOVED to waive the $75.00 fee for an application fee for a variance if filed by the owner of Twin Oaks Apartments for the purpose of moving its dumpster, seconded by Councilwoman Harris . Councilman Hope said the Council needed to state a reason for granting this waiver. Councilwoman Harris said it is because the City is asking the owner to move their dumpster to accommodate the request of another citizen, and that moving of the dumpster will cost them. Sherry Borgsdorf said staff needs direction as to who will contact the apartment owner about this waiver. Councilwoman Harris said staff should do it. Motion carried with all in favor. Mr. Kepley asked what happens next. Councilman Hope said he wanted to make it clear that the owner must apply for a variance and it would be heard and decided upon by the Board of Adjustments, and the result of the decision is not guaranteed by this action.

Danny Jackson said the Planning & Zoning Board is recommending approval of the final plat for the first portion of Riverfront Subdivision, if we are provided financial guarantees. Councilman Duke MOVED that the final plat for Phase I, Maps 1 and 2, of Riverfront Development, as submitted by Squires Enterprises, Inc., be approved provided they provide financial guarantees and the appropriate agreement, seconded byCouncilwoman Harris, with all in favor.

Mayor McLean stated Mr. H. T. Paschal had recently died, and that a vacancy now exists on the Fireman's Relief Fund Board of Trustees. Chief Godfrey said that 1/10th of 1% of fire insurance is paid to the Fire Department for the Relief Fund yearly. The Board of Trustees takes care of the business. Jim Fuller has been nominated. There were no other nominations. Councilwoman Harris MOVED to appoint Jim Fuller as Trustee on the Fireman's Relief Fund, seconded by Councilman Duke, with all in favor.

Mayor McLean said that 1,300 acres of land in Gaston and Lincoln Counties, that goes up beyond Highway 16 along the Catawba River, is being considered for acquisition for our watershed protection, since our water supply, as well as Gastonia and Charlotte's water supply comes from Mountain Island. A Resolution was read by Mayor, which requests CCOG develop a grant application to receive funding for this acquisition. Councilman Hope MOVED to adopt Resolution #11-10-97B; seconded by Councilman Helms, with all in favor.

Councilwoman Harris said at the Recreation Commission Meeting, the members were glad the City is not charging people to come to the gym, but still think outside users should pay; she felt that could be determined by their address off of their driver's license or other identification. They have suggested $5 visit/$25 month. Councilman Stewart agreed that the provision is for our citizens and he agreed the fee would be fine. Councilman Hope said he felt only citizens of Mt. Holly should use the equipment. The Council concurred to charge the fee as suggested by the Recreation Commission, for outside users.

Councilman Helms gave the Council a sheet about the Christmas Parade. The committee that organizes it every year is not getting contributions as they have in the past. Daphne Barton and Wanda McElveen said some of the usual contributors are not contributing. They have never asked for the City to contribute before. Councilman Helms said he would hate not to have the parade. Councilman Stewart said he would suggest they get their donations and the City make up the difference between that and the estimated cost of $2,500.00. They said they would not know until December 1 and the parade is on December 4th, which is before the next council meeting. Councilman Duke MOVED that $1,500 be allocated for the Christmas Parade, with the funds to be handled by Daphne Barton and Wanda McElveen, seconded by Councilman Stewart. Councilman Duke said if they need more they can come back to request it.

Councilman Helms said the current move by the County is to change the restrictions for communications towers, and he wanted Danny Jackson to keep abreast of that so we match their restrictions here also. Mr. Jackson said he has already been in contact with the County officer to obtain information from him.

Councilwoman Harris said she had been asked to have the Council take note that the Christmas decorations the City owns and uses are very old and need to be changed. Eddie Nichols said they are close to 20 years old. Mayor McLean said this matter could be considered when next years budget is discussed.

Councilman Duke said he appreciated the staff removing the old signs on the poles. Councilwoman Harris also said the overhead street signs look good.

Sherry Borgsdorf said the matter of the YMCA road needed to be discussed. Minutes for Nov. 11 were on the table showing when Council approved assistance on the project. The Y would like approval of its sketch plan. Danny Jackson displayed the sketch plan prepared by the Y's architect/engineer. They want an endorsement as to the roadway shown thereon. It will go from Hwy. 273 past the Y property so that it opens up the rest of the Crescent Resources property. They will then prepare a final plat to bring back.

Councilman Helms asked if that is the best possible place for that road. Danny Jackson stated the architect and engineers will do tests as to the lay of the land before the final plat is drawn. City Attorney Michael said when staff met with the Y representatives and their attorney, Robert Whitt, discussion followed about contingencies, one of which is a feasibility study so the road would not only serve the Y but the remaining part of Crescent's property. If it did not, the contingency would not be met and other routes could be considered. The second contingency is for the gas line company to approve crossing their easement. The third is that Crescent itself give approval. Fourth, the Y must dedicate a public right of way about 60 feet wide to the City. Lastly, a formal reimbursement agreement will be drawn and adopted between the parties. A proposed resolution had been prepared. Councilman Helms said it looks like that road would not help the major portion of the Crescent property. City Attorney Michael said that aesthetically the Y wanted another road rather than Caldwell Drive, and staff also feels best to have two roads for such a large tract. Councilman Helms said he just wants to be sure that land can be developed as quickly as possible so the taxpayers money will be well spent. Councilman Stewart asked if Crescent has had input about this; Mr. Michael said they have. Mr. Michael said item numbers 1, 2, and 3 of the contingencies would have to happen before 4 and 5 could happen. A proposed resolution prepared by the City Attorney was read by Mayor Mclean for consideration. Councilwoman Harris MOVED to approve the proposed resolution as read, seconded by Councilman Stewart. Mayor McLean asked if the YMCA representatives present had any comments. Mr. Whitt said it has been reviewed by them and they understand it.

Sherry Borgsdorf said the results on the bond referendum on the sidewalk issue were given to her today by the County Board of Elections. City Attorney Michael said this is a legal technicality. Councilman Stewart MOVED to approve Resolution #11-10-97A, declaring the result of the special bond referendum on the sidewalk bond issue, seconded by Councilwoman Harris, with all in favor. (copy attached)

Sherry Borgsdorf said the announcement went out to employees for nominations for employee of the year. Mayor McLean appointed Councilwoman Harris and Councilman Stewart to a committee to review the nominations and select the employee of the year.

Sherry Borgsdorf said the City Manager Ponder wanted the Council to have an update on the computer upgrade. Hopefully, the computer bids will be to Council at the January meeting.

Mayor McLean said Brian Hough and Bobby Black were present, who are the newly elected councilmembers, and congratulated them. He also congratulated Michael Helms for winning his seat back.

There being no further business, Councilman Duke MOVED to adjourn, seconded by Councilman Stewart, with all in favor, at 8:30 P.M.

Phillis Ponder — City Clerk

Frank E. McLean — Mayor