

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, November 9, 2009
Council Chambers
7:00 pm

Call to Order

Mayor Robert Whitt called the meeting to order at 7:00 pm. The following were present:

Mayor Robert Whitt	Eric Davis, City Manager
Mayor Pro-Tem David Moore	Jamie Guffey, Assistant City Manager
Councilman Jerry Bishop	Danny Jackson, Assistant City Manager
Councilman Frank McLean	James Friday, Director of Utilities
Councilman Benny Brookshire	Dale Oplinger, Fire Chief
Councilman Perry Toomey	David Belk, Chief of Police
Councilwoman Carolyn Breyare	Mike Santmire, Streets and Solid Waste Director
Kemp Michael, City Attorney	
Brooke Lopez, Attorney, Kemp Michaels' office	

Call to Order by Mayor Whitt

Mayor Whitt called the Mount Holly City Council meeting to order at 7:00 p.m.

Invocation

Reverend Jeremiah Robinson, retired pastor of the New Zion Baptist Church, lead the invocation.

Pledge of Allegiance

Boy Scout Troop 59 of the First United Methodist Church in Mount Holly led attendees in the Pledge of Allegiance.

Set Agenda

Mayor Whitt asked for any changes, additions or deletions to the November 9, 2009 Council Meeting agenda. Mayor Pro Tem Moore added a resolution dedicating the Welcome to Mount Holly sign to Pinewood Elementary School to *New Business* item #1. Councilwoman Breyare added the following items to *Other Business*, Water Bill Discussion, Media Contract, Police Department Substation, Inmate Supervision, Police Presence Downtown, Media Relationship, Costumer Complaint Software, Annexation as it relates to the Convenience Store, and Committees. With no changes to the agenda, Councilman Brookshire made a motion to approve the agenda as amended. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. **(Motion carried)**

CONSENT AGENDA

1. Call for a Public Hearing on a Text Amendment to Section 3.26, *Definitions*, **Restaurant**, to the City of Mount Holly Zoning Ordinance

Mayor Pro Tem Moore made a motion to approve the consent agenda as amended. Council McLean seconded the motion. All Council Members present voted in favor. (Motion carried)

MINUTES

1. Approval of the minutes for the September 14, 2009 business meeting.

Councilman Bishop made a motion to approve the minutes of the September 14, 2009 business meeting as presented. Councilman Toomey seconded the motion. All Council Members present voted in favor. **(Motion carried)**

2. Approval of the minutes for the September 28, 2009 work session meeting.

Councilman Toomey made a correction to the September 28, 2009 work session minutes concerning his statement regarding the resident on Tomberlin Drive. Councilman Toomey made a motion to approve the minutes of the September 28, 2009 work session meeting as amended. Councilman Bishop seconded the motion. All Council Members present voted in favor. **(Motion carried)**

PRESENTATIONS

1. Presentation of Resolution Commemorating Veteran's Day on November 11, 2009

Mayor Whitt asked members of the VFW and any other Veteran's that were present to come forward to be recognized for their time serving our Country. All the Veteran's came forward and stated which branch of the military they served. Mayor Whitt read the resolution and then proudly presented it to our Veteran's.

2. Presentation of the Fiscal Year 2008-2009 Audit Report

Mr. Collis presented the Council with the 2008-2009 Audit Report. He advised that the City had a growth of approximately \$400,000 which will be transferred to the Fund Balance. He advised that the only significant debt incurred by the City is the \$1.6 for the elevated water tower loan. Mr. Collis further advised that the water and sewer funds were down approximately \$280,000 from last year but that is to be expected with the water restriction that were in place most of the year. Mayor Whitt thanked Mr. Collis for being here tonight and asked that he come back to the work session meeting to answer any questions Council may have after they have time to look over the final draft of the audit. Staff will place this item on the November 23, 2009 work session agenda.

PUBLIC COMMENT – Three (3) Minute Limit

Kathy Brackbeal

107 Crest Street

Mount Holly, NC 28120

Ms. Brackbeal was present to complain about her neighbor at 108 Crest Street. She advised that there are two (2) school buses, campers and various vehicles in the yard. She advised that he cleans out HUD houses and has filled his house up with the HUD items and therefore lives in the camper that sits outside. Mayor Whitt advised that someone from the Zoning Department will be getting in touch with her.

Todd Young

Assistant Vice President of the BB&T Bank

Todd Young, Vice President of the BB&T Bank in Mount Holly and his Staff was present to express their appreciation to the Police Department for their help during the recent bank robbery.

OLD BUSINESS

1. Consideration and Approval of "Piggyback" Contract for the Roll-Out Recycling Containers

Mr. Santmire reported that the grant that the City has received to share in the expense of the rollout recycling containers regulates the size of the container and the collection of the recycling. Mr. Santmire advised that the grant awarded to the City is in the amount of \$100,000. He further explained that the grant states to go with biweekly collection the City will have to purchase the 95 gallon recycling containers. The City would be piggybacking off a bid that Otto Environmental Systems was awarded by Salt Lake County, Utah. Mr. Santmire reported that the vendors price is \$43.17 per can plus the identification tag that will tell the collection company when the container is rolled out. Mayor Pro Tem Moore commented that he definitely feels that the larger container with biweekly pickup is the direction the City should go. Mayor Whitt asked if the City staff has checked prices of the rollout recycling containers with other companies. Mr. Santmire replied that Otto was much cheaper than other companies. Councilman Bishop made a motion to approve the purchase

of the 95 gallon rollout recycling containers with Otto Environmental Systems contingent upon the approval of a collection contract. Councilman Brookshire seconded the motion. All Council Members present voted in favor. (Motion carried)

2. Acceptance of Infrastructure in Westland Farm

Mr. Beal advised that the Westland Farm Development was approved in 2005 and completed in 2006. Final inspection on the infrastructure was completed by Bob Cooke. All of Mr. Cooke's findings have been corrected. Planning Staff believe that the intent of the Ordinance has been met and therefore Staff recommends that Council move forward with the acceptance of the infrastructure of Westland Farms. Councilwoman Breyare asked if there is a contract stating that the City will take over the infrastructure. Mr. Beal explained that the guidelines are administered by the City subdivision ordinance. Councilman Bishop made a motion to accept the infrastructure of Westland Farm. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. (Motion carried)

3. Update on Greenway Easements

Mr. Michael reported that the survey has been submitted to the Clarant Staff. We are waiting for comments from Clarant and then any issues will be addressed. Mr. Michael advised that he received the A&E survey today.

NEW BUSINESS

1. Mayor Pro Tem Moore reported that the Beautification Committee is recommending that the City dedicate the Welcome to Mount Holly sign at Pinewood Elementary School to the students of the school. It will be the responsibility of the students to take care of the plantings at the sign during the school year. That being said, Mayor Pro Tem Moore made a motion to approve the resolution dedicating the Welcome to Mount Holly sign to Pinewood Elementary School, (#110909A). Councilman Bishop seconded the motion. All Council Members present voted in favor (Motion carried)

OTHER BUSINESS

1. City Website

David Jordan came before Council at their request to review the status of the website. He advised that all information that he has received from City Staff has been placed on the website except for pictures that he is reformatting. He advised Council that the software he uses to update the site is user friendly and should not pose a problem for Staff to make their own updates.

2. Water Bill Discussion

Councilwoman Breyare commented that she feels if the City would switch to a paper water billing method that a monthly newsletter could be included in the same envelope. This would keep the citizens informed on a monthly basis on ordinance changes as well as city events. She advised that sometimes when the quarterly newsletter is mailed the dates and the information included in the newsletter have already passed. Mr. Guffey reported on a minimal cost, \$150 to \$200 per month, switching from post card billing to paper billing. He advised that if the City did away with second notices that cost would be a wash. There was discussion among the Council regarding the second notices. Council directed Staff to look into this further and come back at the next meeting with more definite cost estimates.

3. Media Contract

Councilwoman Breyare asked if the City has a contract with H&S Media. Mr. Davis reported that the City uses them on an as needed basis. Mayor Whitt advised that when the City first hired H&S Media, things were going out to the public that was more or less incorrect. Since H&S Media has been coming to the meetings and working with City Staff this does not happen nearly as often. It was the consensus of the Council to discuss this item at the Council Retreat. -

4. Media Relations

Mayor Whitt commented that he believes Staff's relationship with the media needs improvement. Mr. Davis disagreed and commented that the City has procedures in place to deal with the media and he feels it

works very well. He advised that Department Heads are allowed to speak to the press if it is dealing in their field of expertise. Mr. Michael emphasized that any hard news articles should come from the City Manager.

5. Police Presence Downtown

Councilwoman Breyare reported that eleven (11) sets of the solar lights Downtown have been vandalized. She commented she would like to see the Police Officers walking through the downtown area and maybe police cars placed downtown as well.

6. Police Department Substation at Tuck Park

Councilwoman Breyare reported that she mentioned at a previous meeting the possibility of putting a Police Officer at Tuck Park on a fulltime basis. She advised that a satellite office could be set up at the Tuck Building. Staff advised that they would check into the cost and bring it back to Council at the next meeting.

7. Inmate Supervision

Councilwoman Breyare advised that she has received reports that the inmates that are working at Tuck Park are not being properly supervised and are not wearing their vests. Mr. Davis advised that he would direct Staff to discontinue the use of inmate labor at the park.

8. Customer Complaint Software Status

Mr. Guffey reported that there will be a Staff training session next week and the City is looking to have a soft launch of the system for internal use sometime in December. After all the bugs are worked out it will then be made available to the public.

9. Annexation as it Relates to the Convenience Store

Mr. Jackson reported that a Convenience Store located just outside of the city limits has contacted the Planning Staff in regard to being annexed so they can sell beer and wine. It was the consensus of Council to let them know the City is not interested in annexing them.

10. Committees

Mayor Whitt advised that there are Committees that were established by the Mayor upon the time of his election. He emphasized that these Committees were created to assist in the decision making process of the City as well as give the citizens a chance to come forward and take an active role in the City government. He advised that he hopes these Committees will remain active after his term as Mayor has ended.

MANAGER'S REPORT

Mr. Davis reported that there is a gas leak on Main Street. The natural gas company is getting ready to fix the leak and going to be digging in the area hopefully starting tomorrow. Councilman Toomey emphasized that if the gas company damages the Streetscape it will be their responsibility to replace it.

Mr. Davis reported that Code Enforcement has started towing junk vehicles. Mayor Whitt asked about the school bus problem on Crest Street. Mr. Beal advised that Staff is aware of the school bus problem but there is currently nothing in the City Ordinance that regulates school buses. Mr. Michael advised that Council can pass a text amendment that will regulate this type of vehicle in residential areas.

Mr. Davis reported that the City has set a February target date for the acceptance of credit cards.

Mr. Davis reported that the City received four (4) proposals for the Recreation Master Plan. Each agency will present to the Recreation Commission on Thursday night.

Mr. Davis reported that the PARTF is on schedule to be complete in December.

Mr. Davis reported that the speed humps and road striping should be complete next week.

Mr. Davis reported that Performance Measurements will be ready for Council's review in the near future.

Mr. Davis reported that there will be a Staff retreat on Friday for all Department Heads. He advised that there will be some team building activities as well as networking.

REPORTS

Councilwoman Breyare mentioned the November 30th Recycling Meeting. Councilwoman Breyare, Councilman Toomey, Mr. Davis and Mr. Michael all committed to attending.

Councilwoman Breyare advised that she plans to walk in the parade in this year and invited the rest of the Council to do so as well.

Councilman Toomey advised that at the last Economic Development Committee Meeting, they talked about writing Food Lion a letter requesting a cleaner and bigger store. Council directed Mr. Davis to write the letter.

Councilman Bishop advised that a letter needs to be sent to Mike Legendre thanking him for his time on the Utility Committee

Mayor Pro Tem Moore reported that the Council Christmas Party is booked for December 7th at 6:30 at the Sports Page in Denver.

Mayor Whitt suggested that new City employees be brought before Council and introduced when they are hired.

Mayor Whitt questioned the Incidents in District on the Fire Department monthly report.

Council brought up the Jack Ferrell sewer situation. It was the consensus of Council to charge him from this time forward for his usage. Mr. Michael advised that he would check with Mr. Ponder and see if he can recall any details in regard to the situation and update Council at the next meeting.

CLOSED SESSION

At this time, Councilman Bishop made a motion to enter into closed session. Mayor Pro Tem Moore seconded the motion. It was 9:53 p.m.

Mayor Pro Tem Moore made a motion to come out of closed session. Councilwoman Breyare seconded the motion. All Council members voted in favor. **(Motion carried)**

Mayor Whitt advised that no action was taken during closed session.

ADJOURN

With no additional items for discussion, Mayor Whitt entertained a motion to adjourn. Councilman McLean made the motion to adjourn the November 9, 2009 Council meeting. Mayor Pro Tem Moore seconded the motion. All members voted in favor. **(Motion carried)**

The meeting adjourned at 10:45 p.m.