

**City of Mount Holly**  
**Mount Holly City Council Meeting**  
**Monday, October 14, 2019**  
**Council Chambers**  
**7:00 pm**

**Call to Order**

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

|                               |                                                         |
|-------------------------------|---------------------------------------------------------|
| Mayor Bryan Hough             | Danny Jackson, City Manager                             |
| Mayor Pro Tem Perry Toomey    | Miles Braswell, Assistant City Manager                  |
| Councilwoman Carolyn Breyare  | Ryan Baker, Fire Chief                                  |
| Councilman Charles McCorkle   | Tony Walker, Assistant Streets and Solid Waste Director |
| Councilman Jeff Meadows       | Dave Johnson, Utilities Director/City Engineer          |
| Councilman David Moore        | Don Roper, Chief of Police                              |
| Councilwoman Lauren Shoemaker | Greg Beal, Planning Director                            |
| Kemp Michael, City Attorney   | Africa Otis, Finance Director                           |

**Invocation**

Councilman Charles McCorkle gave the invocation.

**Pledge of Allegiance**

Boy Scout Troop 59 led attendees in the Pledge of Allegiance.

**SET THE AGENDA**

Councilman Meadows requested that the Budget Amendment for Basin #3 be moved to New Business as a discussion item. Councilman Moore made a motion to approve the agenda with the amendment stated by Councilman Meadows. Councilman Meadows seconded the motion. All council members voted in favor. (Motion carried)

1. Approval of Liens for Weeds and Grass
  - 102 Maple Drive
  - 109 McLean Street
  - 164 Brookstone Court
  - 510 Belmont-Mount Holly Road
  - 103 Webb Street
2. Approval of Budget Amendments
  - Reimbursable Grant for Technology—Police
  - Fitness Training Mats—Police
  - Clean Water State Revolving Fund—Utilities
  - Source Water Protection Plan—Utilities
  - *Basin #3—Utilities (Item removed and placed under New Business)*
3. Approval of a Resolution Declaring Surplus Property
4. Call for a public hearing to consider amending the Downtown Development Manual for the Downtown Gateway Overlay District to allow for one-story restaurants.
5. Approval of the minutes of the July 8, 2019 Council Meeting
6. Approval of the minutes of the August 26, 2019 Council Work Session Meeting
7. Approval of the minutes of the September 9, 2019 Council Meeting

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Councilwoman Breyare made a motion to approve the consent agenda. Councilman Meadows seconded the motion. All Council Members present voted in favor. (Motion carried)

**PRESENTATIONS**

1. Presentation in Regard to Fixing Up Freightliner Trucks

Todd Brittain from the Daimler Trucks North America – Mount Holly Truck Manufacturing Plant, requested to repair/refurbish the Freightliner trucks owned by the City at no cost. This is an effort for Daimler to be a good corporate citizen. City Council agreed to allow the repair and thanked Daimler for this outreach.

2. Presentation of the Peace Tree

Dottie Scher, Tenant Fiber Artist and Administrator – Arts on the Greenway, presented the Peace Tree project where artists have been sewing granny squares over past several months in an effort to display them on a tree, in the shape of a Christmas tree. Over 800 squares have been sewn from acrylic yarn, some manufactured in Gaston County.

The Peace Tree will stand approximately 15 feet tall and have a metal dove sculpture placed on top. The Tree will be displayed outdoors from December 21, 2019 to January 4, 2020. The dove will be available for purchase after the tree is disassembled. The blanket will be divided into lap blankets and throws, then donated to shelters for the elderly, children and victims of domestic abuse.

Ms. Scher requested that the City's Building Maintenance Department construct the frame and that the Tree be placed on City property. A location has not been determined at this point.

Mayor Hough made a suggestion that the Farmers Market area downtown may be a good place to display the tree. Ms. Scher stated that the Tree to be near Arts on the Greenway, given an unveiling ceremony and reception will be held at their building.

Councilman Meadows thanked the Arts on the Greenway for their effort to be intentional involved in the Community.

**PUBLIC HEARING**

1. Public Hearing, regarding a request by Faison, for Annexation into the City Limits of Mount Holly for Tax Parcel ID # 210776 (Green Meadows) –***Postponed until January 13, 2020*** *Kemp Michael*

Marie Anders, City Attorney's Office, stated that the Public Hearing advertisement for the Faison annexation request has taken place, and requested that this Public Hearing be postponed until January 13, 2020.

Councilman Moore made a motion to enter into public hearing regarding a request by Faison, for Annexation into the City Limits of Mount Holly for Tax Parcel ID # 210776 (Green Meadows) Mayor Pro Tem Toomey seconded the motion. All Council Members present voted in favor. There was no one signed up to speak (Resolution #10142019A). At this time, Councilman McCorkle made a motion to continue the public hearing at the January 13, 2020 Council Meeting. Councilman Moore seconded the motion. All Council Members voted in favor. Mayor Hough advised that the public hearing will remain open and continue at the January 13, 2020 Council Meeting.

Council approved Resolution 10142019A postponing the Public Hearing until January 13, 2019.

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2. Public Hearing, regarding a request by Eastwood Homes, for Annexation into the City Limits of Mount Holly for Tax Parcel ID #'s 202122, 181227, 202690, 181214, 225889, 199264 and 180092 (Hunter's Ridge) –***Postponed until January 13, 2020***

Marie Anders, City Attorney's Office, stated that the Public Hearing advertisement for the Eastwood Homes annexation request has taken place, and requested that this Public Hearing be postponed until January 13, 2020.

Mayor Pro Tem Toomey made a motion to enter into public hearing regarding a request by Eastwood Homes, for Annexation into the City Limits of Mount Holly for Tax Parcel ID #'s 202122, 181227, 202690, 181214, 225889, 199264 and 180092 (Hunter's Ridge) Councilman Moore seconded the motion. All Council Members present voted in favor. There was no one signed up to speak (Resolution #10142019B). At this time, Councilwoman Breyare made a motion to continue the public hearing at the January 13, 2020 Council Meeting. Councilman Moore seconded the motion. All Council Members voted in favor. Mayor Hough advised that the public hearing will remain open and continue at the January 13, 2020 Council Meeting.

Council approved Resolution 10142019B postponing the Public Hearing until January 13, 2019.

3. Public Hearing, regarding a request by Hopper Communities, for Annexation into the City Limits of Mount Holly for Tax Parcel ID #'s (Jonas Property)

Councilwoman Breyare made a motion to enter into public hearing regarding a request by Hooper Communities, for Annexation into the City Limits of Mount Holly for Tax Parcel ID #'s (Jonas Property) Councilman Meadows seconded the motion. All Council Members present voted in favor.

A Public Hearing was held regarding the above reference annexation request by Hopper Communities. One person, Michael Winningham, 103 Cottonwood Drive, signed up for Public Comment, with comments that the required water taps, fire hydrants, lock gate was not being carried forward and considered this a "Bait and Switch."

Councilman Moore made a motion to close the public hearing. Councilman Meadows seconded the motion. All Council Members voted in favor. Motion carried.

Mayor Hough asked staff to comment, in which Greg Beal, Planning & Development Director, stated that the original Conditional Zoning Plan that was approved by City Council, which includes all the aforementioned conditions, is still valid and is dependent on the annexation approval. Mr. Beal continued by stating that once the annexation is approved by City Council for the Jonas Tract, the annexation agreement will reference the Conditional Zoning Plan. He added that the plan will be required to be recorded by the developer at the Gaston County Register of Deeds.

4. Public hearing for adoption of the Comprehensive Bicycle Plan.

Nat Heyward with Kimley Horn presented a overview of the Comprehensive Bicycle Plan titled Bike Mount Holly that included the Planning Process, Vision and Goals and then the actual Plan. Inside the Plan, several topics were discussed that consisted of Existing Conditions, Outreach, Facility Recommendations, Prioritization and Policies and Programs.

Council Meadows asked that Mr. Heyward explain the "Touch Points" listed in the presentation. Mr. Heyward stated that there were over 450 people who interacted during the planning process. These points were as follows:

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- Four (4) Steering Committee Meetings
- Two (2) Public Workshops
- One (1) Online Survey that had 319 participants
- Over 7,000 data points collected
- Over 400 comments received

Councilman Meadows asked how many citizens weighed in on the Plan and Mr. Heyward stated that through the survey 319 participated and many comments were received during the Public Workshops. The Steering Committee itself consisted of citizens and City Staff. Mr. Heyward added that this was a citizen led Committee.

Councilman Moore made a motion to enter into public hearing for the adoption of the Comprehensive Bicycle Plan. Mayor Pro Tem Toomey seconded the motion. All Council Members present voted in favor.

A Public Hearing was then held with two (2) people signing up for Public Comment. Jane Love was the first to speak, who stated that she is a Senior Transportation Planner with the Gaston Cleveland Lincoln Metropolitan Planning Organization (GCLMPO) and served on the Steering Committee. She congratulated staff for being awarded a grant from NCDOT Bicycle and Pedestrian Division to fund the Plan. She stated that this process was a good effort and was worthy of approval.

The second person to speak was Laverne Partlow with the Department of Health and Human Services – Public Health. She stated that their goal is to support local governments for different transportation modes. Ms. Partlow served on the Steering Committee, is in support of the Plan and emphasized the importance to adopt the Plan.

Councilman Meadows made a motion to close the public hearing. Councilwoman Breyare seconded the motion. All Council Members voted in favor. Motion carried.

Councilman Meadows made a motion to approve the Comprehensive Bicycle Plan. Councilman Moore seconded the motion. All Council Members voted in favor. Motion carried.

**PUBLIC COMMENT – Three (3) Minute Limit**

Three (3) citizens signed up to speak, and are as follows:

- 1.) Debra Brown, 225 Moses Rhyne Drive: Her concern was the water/sewer bill rate increase. She gave a letter to City Council and stated her intent of the letter was to request that Council bring the subject of water/sewer rate increase back to the Council Agenda. Ms. Brown stated that she has requested information from the City Manager and he has responded with her information requests in a timely manner and that she appreciated this. Ms. Brown states that \$27.55 is too much to go up at one time. She states that she can provide a petition if that is what it is going to take.
- 2.) Tierre Jeanne-Porter, 108 Chappie Drive: Her comments were on the water/sewer bill that it was too much for a one-time raise. She asked Council to reconsider and bring this topic back to the agenda.

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- 3.) Robert Zwanziger, 104 Daniel Efird: He stated that the entrance to Rhyne's Trace and Rhyne's Estate has sprinklers. He is proud of his neighborhood and that there are now kids in the neighborhood. His wife is a retired nurse and keeps notes. The notes compared water bills from last year to this year, with this monthly bill amounts stated.

**NEW BUSINESS**

The Approval of Budget Amendment: Basin #3 – Utilities was removed from the Consent Agenda and placed under New Business. Mayor Hough called Dave Johnson, Utilities Department Director and City Engineer to the podium to provide information regarding this item. Several questions were posed to Mr. Johnson, with his response, listed below:

**Councilman Meadows asked the question “What brought us to this point?”**

Response: The state and the federal governments imposed more stringent nitrogen and phosphorus limits on the discharge from the City's WWTP into the Catawba River. This environmental issue goes back to the mid—1990's. The City was required to meet the new environmental regulations.

In the early 2000's, the regionalization of Mount Holly's, Belmont's and Clariant's WWTP's into a single discharge into the river gained momentum with the goal of limiting financial commitments while adhering to the new environmental regulations. The idea was to eliminate three existing discharges into the river and consolidate the treatment process into one discharge.

The City began studying this issue in 2007 by hiring consultants to evaluate the City's options. It was clear that expanding and upgrading a plant constructed in the 1960's would not be financially acceptable since the upgraded treatment processes and plant capacity would cost up to \$30,000,000. Today, that cost estimate could easily surpass that estimate and may cost up to \$50,000,000.

Based on the professional analysis and input from all, the City Council entered into a Memorandum of Understanding (MOU) with Charlotte Water on January 14, 2013. Essentially, the MOU stated that Charlotte would replace the Mount Holly WWTP with 4 mgd of upgraded treatment and capacity in exchange for the nutrient discharge allocation into Lake Wylie currently assigned to Mount Holly.

From 2013 to 2018, numerous interagency meetings and regularly scheduled Council meetings were held to discuss this interlocal agreement in detail. The agreement regarding the regional sewer interconnect between the City of Mount Holly and the City of Charlotte was executed in 2018.

It is expected that the discharge from the City's WWTP into the river will be terminated and sent to Charlotte Water treatment facilities in 2022.

**Councilman Meadows asked the question “Who has been driving this process?”**

Response: State and Federal environmental agencies have imposed strict limitations on the quality of discharge from existing wastewater treatment facilities. The lawsuit between North Carolina and South

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Carolina combined with new environmental regulations, the City must comply with the imposed regulatory limitations promulgated at the state and federal levels.

**Councilman Meadows asked the question “What options do we have?”**

Response: Since 1995, the City Council has evaluating all practical options and financial commitments required to meet environmental limitations and meet anticipated future growth. Options included upgrading the plants treatment processes and expanding its capacity to meet future growth. This option could be as high as \$50,000,000.

The interlocal agreement between Mount Holly and Charlotte Water caps the City’s financial obligation at approximately \$18,000,000 which is for 100% of 4 mgd capacity and compliance with the more stringent environmental regulations.

The time for evaluating options ended with the failure of Basin #3. The independent structural engineering evaluation of the failure clearly stated that the WWTP has outlived its useful life.

**Councilman Meadows asked the question “Was this included in our wastewater plan as adopted?”**

Response: No. Basin # 3 failed almost 2-years ago and only now is the North Carolina Department of Environmental Quality elevating the need to clean-up the basin before contaminants find their way into the river. The State is requiring the City to proceed ahead of the pump station / force main completion schedule.

The budget amendment request of the Council is to fund the basin cleanup and eliminate environmental consequences of doing nothing.

**Councilman Meadows asked the question “Please describe the Utility Commission make-up.”**

Response: The Mount Holly City Council established a Utilities Committee early on to address the WWTP regionalization issues and the aging of the City’s water and sewer infrastructure. Committee members are citizens appointed by the City Council. The committee is chaired by a citizen member. Council liaison members also attend the meetings. The committee is supported by administrative, utilities, and engineering staff

**Councilman Meadows asked the question “What was the Utilities Committee vote on the Interlocal Agreement?”**

Response: The Utilities Committee voted unanimously to approve the Charlotte Water interlocal agreement and the Committee Chair presented the vote to the City Council.

**Councilman Meadows asked the question “What is the cost for the Mount Holly pump station and force main component of the regionalization plan?”**

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Response: The City has been approved for a State Water Infrastructure Authority has approved a Clean Water State Revolving Fund loan of \$18,850,000 at a maximum interest rate of 1.93%. The preliminary design is underway so the final cost will be determined by the estimate of a design-build team. The agreement caps the City's financial commitment.

We fully expect that environmental regulations will continue to evolve and become more stringent which would translate into additional costs for the City IF the City upgraded its existing WWTP. With the Charlotte Water project, the City is assured 4 mgd of WWTP capacity at a defined cost regardless of the environmental issues imposed at the state or federal levels.

Mayor Pro Tem Toomey made a motion to approve the budget amendment for dewatering and removal of contaminants from failed WWTP Basin #3 for \$50,000. Councilman Meadows seconded the motion. All Council Members voted in favor. Motion carried.

**OTHER BUSINESS**

Mayor Hough advised that the November Council Meeting will be held on November 18<sup>th</sup> due to the Veteran's Day Holiday

**ADJOURN**

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilman Moore made the motion to adjourn the October 14, 2019 Council Meeting. Councilman Meadows seconded the motion. All Council members present voted in favor. (Motion carried)

The meeting adjourned at 8:14 p.m.