CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, October 12, 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 Bennie Brookshire	Dale Oplinger, Fire Chief
Councilman Perry Toomey	David Belk, Chief of Police
Kemp Michael, City Attorney	Mike Santmire, Streets and Solid Waste Director
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 Scott Anderson, pastor of the Good Shepherd Lutheran 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 October 12, 2009 Council Meeting agenda. With no changes to the agenda, Councilman Brookshire made a motion to approve the agenda as presented. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. **(Motion carried)**

Mayor Whitt noted that Councilwoman Breyare is absent from tonight's meeting.

CONSENT AGENDA

1. Approval of A Resolution Opposing Various Electricity Rate Increases for North Carolina
2. Approval of a Lien for 200 River Street for High Grass and Weeds
3. Approval for Mount Hollydays to use the Council Chambers for the Silent Auction during the Masquerade Ball
4. Approval of the Solid Waste Policy

Councilman Bishop requested that item #3 be taken off the Consent Agenda and added to New Business. With the change noted, Councilman McLean made a motion to approve the consent agenda. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. **(Motion carried)**

MINUTES

1. Approval of the minutes for the August 24, 2009 work session meeting.

Councilman Toomey made a motion to approve the minutes of the August 24, 2009 work session meeting as presented. Councilman McLean seconded the motion. All Council Members present voted in favor. **(Motion carried)**

PUBLIC HEARINGS

1. Public Hearing on the Tree Trimming Ordinance

At this time, Mayor Whitt opened the public hearing. Mr. Beal advised the Council has made it a priority to protect the tress in Mount Holly. Therefore staff has reviewed and amended the Landscape Guidelines section of the City Code. These proposed amendments came before Council at the last meeting and Council reviewed and submitted additional changes. The changes were made and went back before the Planning Commission for final approval. Mr. Beal advised that Planning Commission voted unanimously to adopt the proposed ordinance amendment to section 10 of the City Zoning Ordinance. With no one signed up to speak and no additional comments from Staff, Mayor Whitt closed the public hearing. Mayor Pro Tem Moore made a motion to approve the amendment to section 10, entitled Landscape Guidelines, of the City Code of Ordinances. Councilman McLean seconded the motion. All Council Members present voted in favor. **(Motion carried)**

2. Public Hearing on the Re-Zoning of 110 McGinnis Street

At this time, Mayor Whitt opened the public hearing. Mr. Beal gave Council a quick refresher on the history of 110 McGinnis Street/Reiser Annexation. He reviewed the process from the time application was made up until the time Council approved the annexation with the condition that the Developer run an eight (8) inch gravity sewer line to Deerfield and the Developer maintain a private pump station and line for the purposed development. At the last Council meeting, Council agreed to move forward with the hearing for the rezoning before making a final decision on the annexation. Therefore, the Planning Commission held a public hearing on this matter at their meeting on October 5th. The Planning Commission voted to approve with certain conditions, one of which concerned the sewer issue. It was the consensus of Council that the main concern still lies with the sewer issue. Mr. Beal advised that the Planning Commission's regulation regarding the sewer, states that a 2-inch line and pump station be approved by the State as a private line. If the State denies the private line, the City may mandate conditions on accepting and approving the sewer line. At this time, Mr. Reiser came forward to answer questions from Council. Mr. Reiser advised that he has taken the appropriate steps with the State regarding the sewer and is waiting to hear back regarding their decision. Councilman Bishop asked when he expected to hear from the State. Mr. Reiser replied that he would hopefully hear something in 30 to 60 days. He advised that he would let Council know when a decision came down from the State level. At this time, Mayor Whitt recognized the first person signed up to speak at the public hearing,

Roger Hawkins
942 Deerfield Drive
Mount Holly, NC 28120

Mr. Hawkins spoke in support of Mr. Reisers development. He advised that there are similar units in Cramerton and surrounding areas and this is the type home that is very attractive to single women. He advised that there is a waiting list for this type home in this area.

Marty Armstrong
113 McGinnis Street
Mount Holly, NC 28120

Mr. McGinnis advised that he lives across the street from the subject property. He is concerned that he and his neighbors will be forced to hook onto city water and sewer if this development passes. Therefore he is against this development.

With no one signed up to speak and no additional comments from Staff, Mayor Whitt closed the public hearing. At this time, Mr. Reiser asked that Council consider tabling their decision until he gets approval from the State regarding the sewer issue. Councilman Brookshire made a motion to table the decision. Councilman McLean seconded the motion. All Council Members present voted in favor. **(Motion carried)**

2. Public Hearing on the Levy of Occupancy Tax

At this time, Mayor Whitt opened the public hearing. Mr. Guffey reviewed that regulations associated with the levy of Occupancy Tax. He advised that the next step is for Council to pass a resolution outlining all the details of the levy and the naming the members that Council wish to serve on the Tourism Development Board and the terms of office. With no on signed up to speak and no additional comments from Council, Mayor Whitt closed the public hearing. It was the consensus of Council to appoint a five (5) member board and pass the resolution at the October work session.

PUBLIC COMMENT – Three (3) Minute Limit

Jim Guin
118 Forest Hills Drive
Mount Holly, NC 28120
Mr. Guin came before Council to invite them to the Annual Christmas Tree Lighting on November 29th at 5:30 p.m.

OLD BUSINESS

1. Update on Greenway Easements

Mr. Michael advised the he is continuing to work on the greenway easements. He advised that he is working with Clarant on the survey and it has taken two (2) weeks to get a signature after the survey work was complete. Mr. Michael further advised that he has made contact with the Attorney from A&E and is making progress on the easement with them.

NEW BUSINESS

1. Consideration and Approval of Transportation Improvement for Highway 273

Mr. Jackson advised that the Planning Staff is here tonight to present the Streetscape Plan for Highway 273 corridor. He further advised that the streetscape improvements are a transportation aspect that is in line with the Strategic Vision Plan, the Highway 27 Corridor Plan and the Highway 273 Corridor Plan that has been adopted by Council. Mr. Jackson reported that these improvements are necessary for the development of the corridor as it relates to the existing zoning overlay. Mayor Whitt asked if this plan is part of the Strategic Vision Plan and the Corridor Plan what does staff get out of approving the Streetscape Plan. Mr. Davis advised that this would give staff direction as to the direction Council wishes to go. Mayor Pro Tem Moore made a motion to adopt the Streetscape Plan along the Highway 273 corridor. Councilman Brookshire seconded the motion. All members present voted in favor. (Motion carried)

As a second part to the Highway 273 Transportation Improvement Plan, Mr. Dupont asked Council to move forward with the approval of the Highway 273 traffic study. He advised that staff put this project out to bid and Kubilins came in with the low bid. Mr. Dupont advised that there is $20,000 budgeted for this project therefore if Kubilins is within price range of the budgeted amount. Councilman Bishop made a motion to contract with Kubilins for the Highway 273 Traffic Study. Councilman Toomey seconded the motion. All Council Members present voted in favor. (Motion carried)

2. Consideration and Approval of Piggyback Bid for Roll Out Recycling Containers

Mr. Santmire reported that staff would like Council's approval to move forward with the purchase of the roll out recycling containers using a piggy back bid option. He advised that Otto Environmental Systems out of Charlotte has bid the same cart to a City in Minnasota that Mount Holly intends to purchase. Therefore the bid is eligible to be piggybacked off of. There was discussion regarding the collection Mr. Santmire explained that the collection would be bid out and brought back to Council for final approval of the contract. Mr. Santmire had a sample recycling container available for Council to view. He explained that the blue container with the grey lid is the standard color for a recycling container. Mr. Santmire advised that $180,000 was budget to cover the start up costs associated with recycling. He further advised that he feels very confident that the City will have one of the strongest grant applications that will help with the costs of the recycling containers.

Councilman Bishop made a motion to move forward with the appropriate advertising to piggyback bid for the purchase of roll out recycling containers. Councilman McLean seconded the motion. All Council Members voted in favor. (Motion carried).

3. Request to use the Council Chambers for the Silent Auction during the Masquarde Ball
   Mr. Guinn advised that he is going to withdraw his request. He explained that after looking closely at the Grand Hall they realized there would be enough room for the silent auction in there.

OTHER BUSINESS

1. Consideration and Approval of Amendments to the Grand Hall Rental Policy

Mr. Jackson advised that he is coming before Council with two recommendations from the Grand Hall Committee. The first, would be a recommendation to allow anyone that books the Grand Hall for a wedding to use the Grand Hall the night before for rehearsal at no charge. The second is a recommendation that would require an additional $200 for anyone serving alcohol at an event in the Grand Hall. It would be $100 for the north end. Mr. Michael further advised that "off duty" has been struck from the wording of the policy as well. Councilman Toomey made a motion to approve the policy as amended. Councilman Bishop seconded the motion. All Council Members present voted in favor. (Motion carried)

MANAGER'S REPORT

Mr. Davis reported that the medical facility across the street has received Certificate of need for medical facility across the road. He advised that that the number of emergency treatment rooms was caped at nine (9). He further advised that this facility would cost approximately $24 million to build and create approximately 90 jobs.

Mr. Davis reported that he received notice from Duke Power and they are planning in installing four (4) roof top solar panels on the City Hall as an experimental project.

Mr. Davis advised that Staff checked on the complaint at 129 Tumber Lane and there was no code violation.

Mr. Davis reported that 200 River Street is slated to be burned end of November. The Adrain houses to will be burned in December.

Mr. Davis reported that staff will meet with representatives from the Holiday Inn Express and Robins Nest in regard to the Occupancy Tax levy.

Mr. Davis reported that the building permit has now been issued for the water tank.

Mr. Davis reported that the Certificate of Occupancy has been issued for Tuck Center.

Mr. Davis reported that Gaston County Senior Games is scheduled for tomorrow at 11:00 at Tuck Park.

Mr. Davis reported that the lights at Tuck Park have been in stalled and construction is beginning to start on concession stand.

Mr. Davis reported that the mud issue at Tuck Park is being addressed.

Mr. Davis reported that the RFP has been mailed to six (6) firms for the Recreation Master Plan.

Mr. Davis reported that all of the appropriate permit will be obtained before the upgrades are made to the fire station.

Mr. Davis reported that the customer complaint is scheduled for live training for Staff at the end of month.

REPORTS

Mayor Pro Tem Moore reported that the Beautification Committee met and with keeping America Beautiful program. He advised that they made plans to take some of the plantings out at the old city hall and replant it a Tuck Park. He further advised that the Committee is planning to get together October 31st and redo the planters' downtown.

Councilman McLean reported that it has been reported to him that the pool on the corner of South Main and Crest Street has not been treated with the appropriate chemicals.

Councilman McLean reported that there is a House on Madison Avenue that has grown up. Mr. Daivs advised him to get with Mr. Dupont in that regard.

Councilman Brookshire reported that he has been promised that the pictures will be up in archives room this month.

Councilman Bishop reported that it was reported at the last Utility Committee meeting that Mr. Ferrell has not been paying for sewer according to the City records due to what Mr. Ferrell says was a Council decision several years ago. Staff was directed to research this issue.

Councilman Toomey reported a pot hole on Tuck Road.

Mayor Whitt advised that the City will discuss Long Range Plans at the November Work Session.

ADJOURN

With no additional items for discussion, Mayor Whitt entertained a motion to adjourn. Councilman McLean made the motion to adjourn the October 12, 2009 Council meeting. Mayor Pro Tem Moore seconded the motion. All members voted in favor. **(Motion carried)**

The meeting adjourned at 9:07 p.m.