CITY COUNCIL
REGULAR MEETING
OCTOBER 12, 1998

CALL TO ORDER BY THE MAYOR
The regular meeting of the City Council of Mount Holly was called to order at 7:00 P.M. by Mayor McLean. The following were present:

Mayor Frank McLean
Mayor Pro-Tem Phyllis Harris
Councilman Michael Helms
Councilman Jim Hope
Councilman Bryan Hough
Councilman Bobby Black

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

INVOCATION
The invocation was led by Rev. Joe Hardin.

PLEDGE OF ALLEGIANCE
Cub Scout Troop 504 led the Council and audience in the ceremony of the Pledge of Allegiance.

MINUTES
Councilman Helms **MOVED** to approve the minutes of September 14, 1998, as written, seconded by Councilwoman Harris, with all in favor.

PRESENTATIONS
PR#1 Resolution Honoring Mr. Yates Springs for Service to the Planning and Zoning Commission
Mayor McLean read a resolution expressing the appreciation of the City for the years of volunteer service rendered by Mr. Yates Springs to the Planning and Zoning Commission, and presented him with a framed copy. Mr. Springs thanked the Mayor and Council and stated that he was glad to have been of service.

PR#2 Proclamation Declaring October 19-23, 1998 as Medical Assistants Week
Mayor McLean read a proclamation declaring October 19-23, 1998 as Medical Assistants Week, in recognition of their contribution to the quality of health care in our country.

PUBLIC HEARINGS
#1 To Consider Renewal of Franchise Agreement with Time-Warner Cable and Revision of Cable Communications Ordinance
City Manager Ponder presented the results of several years of negotiation and effort by himself and other managers with Time Warner Cable. Mr. Ponder reported that he had delayed a conclusion to this matter until the franchise renewal deadline and until after Time Warner completed its agreement with Gastonia. He stated that the cable company

has no competition in this area and therefore we do not have much leverage over it to get all the things we requested. He pointed out that the FCC regulates most of their operation, and there are actually only a few matters that the city has any control over at all. Mr. Ponder explained the procedure to be followed to revise our ordinance and to renew the franchise agreement. He was continuing to request some details before the final adoption to be considered at the November meeting. City Attorney Michael had reviewed the proposed documents.

Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of revision of our cable communications ordinance and the renewal of the franchise agreement with Time-Warner Cable.
No comments from audience for or against. No comments from Council.
Motion: Councilman Helms **MOVED** to continue the public hearing until next month's regular meeting, seconded by Councilman Hough.
Vote: four ayes, one nays (Hope). CARRIED.

UNFINISHED BUSINESS
UFB#1 To Consider Agreement with City of Belmont Regarding Use of Traffic Control Device
City Manager Ponder presented the agreement prepared by the City of Belmont's attorney for use of the Traffic Control Device by Mount Holly and Belmont.
Motion: Councilman Helms **MOVED** to adopt the agreement and authorize its execution, seconded by Councilman Black.
Vote: five ayes, zero nays. CARRIED.

UFB#2 To Consider Changes to Regulations Impacting the Fitness Center
The Recreation Commission has reviewed the request made by Mr. David Berg for the City to change its policy with regard to use of the fitness center by persons under age sixteen. City Manager Ponder had, at the Commission's request, inquired of our insurance carrier about the request, and found that there would be no change in premium if the request is granted. Recreation Director Zip Stowe reported the Recreation Commission's recommendation.
Motion: Councilman Black **MOVED** to allow fourteen and fifteen year olds to use the fitness center upon written doctor's permission statement and only if accompanied by a parent during the entire time the minor is in the fitness center, with no more than two minors per parent present at all times, seconded by Councilwoman Harris.
Vote: five ayes, zero nays. CARRIED.
Councilwoman Harris said she would like to see a follow-up report on this matter in a month or so.

CONSENT AGENDA
Councilman Hough **MOVED** to accept and approve all six items on the consent agenda with no changes or deletions, seconded by Councilwoman Harris; and unanimously carried. They are:

1. Approve the closing of the streets in Deerfield Subdivision to accommodate its Halloween Festival.

   This was requested by the Homeowners Association, and is allowed subject to cooperation with fire and police departments.
2. Approve Tax Releases

   Tax releases for September 1998 totaling $3,129.72.
3. Approve Budget Amendments.

   Three budget amendments (copies attached).
4. Set Public Hearing for the November 9th regular meeting to consider the rezoning of a portion of a lot located at the intersection of Old Hickory Grove Road and West Catawba Avenue from R-12 to B-3.

   This public hearing is requested by Reg Robinson Real Estate, and the Planning Commission recommended that the public hearing be held.
5. Approve Resolution #10-12-98(A) supporting Clean Water Bonds.

   Requested by the League of Municipalities, the bonds would provide revolving loan money to local governments to make improvements to utility systems. (copy attached)
6. Accept improvements for Phases One and Two of Section Two of the Deerfield Subdivision.

   Streets, water and sewer improvements, curb and guttering, and sidewalks are accepted subject to completion of "punch list" items noted by the Public Works Director, with the one year warranty period beginning on October 1, 1998; and with a reduction in the letter of credit to $48,053.00 allowed.

NEW BUSINESS

NB #1 CAROL ANN FEATHERSTONE TO DISCUSS MISS MOUNT HOLLY PAGEANT

Mrs. Featherstone is the sponsor for the Miss Mount Holly Pageant. She presented an eleven minute video about the pageant for the Council. Ms. Lankford was with her and spoke in behalf of the pageant as a source of confidence building and scholarships. Mrs. Feathersone stated that Miss Mount Holly acts as a public relations agent for our city wherever she goes. She requested a donation from the City to the scholarship fund.

Motion: Councilman Black **MOVED** to provide a one time contribution to the scholarship in the amount of $500.00; seconded by Councilman Hough.

Discussion: Councilman Hough pointed out that there are many young people in the community deserving and in need of a scholarship, but the city does not provide them. Councilman Hope stated it is not a good idea to start a precedent of donating since there are civic organizations that give scholarships too.

Vote: three ayes, two nays. CARRIED.

NB #2 WANDA MCELVEEN TO DISCUSS CHRISTMAS PARADE

Wanda McElveen and Daphne Barton appeared before Council and asked for assistance with the Christmas Parade. Ms. Barton said it costs about $5,500 to put on the parade, and so far they have collected $828.00. They expect float sales to pay for the float dealers in the amount of $2,660.

Motion: Councilman Black **MOVED** to support the Christmas Parade in the amount of $1,500.00, seconded by Councilwoman Harris.
Vote: five ayes, zero nays. CARRIED.

NB#3 MR. LEE CARTER TO DISCUSS NORTH CAROLINA CAPITAL MANAGEMENT TRUST

Administrative Services Director Sherry Borgsdorf recommends the city move some of its funds in certificates of deposit into the North Carolina Capital Management Trust, for diversity and return. This Trust is endorsed by the Local Government Commission, and is an investment pool for local governments manage by Fidelity Management & Research Company. Mr. Lee Carter, a former Institute of Government instructor, appeared before Council to present the information and answer questions. City Manager Ponder stated that staff will shift funds into the trust unless Council has objections. The Council had no objections.

NB#4 TO CONSIDER PRELIMINARY PLAT APPROVAL FOR PHASE I OF THE AUTUMN WOODS SUBDIVISION

City Manager Ponder reported that Shugart Enterprises, Inc. has extended sewer lines to their development site, and has presented a preliminary plat. Danny Jackson said they have requested a variance from our subdivision regulations to allow for longer dead end roads because of steep topography. The Planning Commission has recommended approve of the preliminary plat, subject to Council approving the longer dead end streets, and with Shugart changing the plat to enlarge the cul-de-sacs to accommodate large city vehicles.
Motion: Councilman Hope **MOVED** to approve the preliminary plat for Phase I of the Autumn Woods Subdivision with the variance allowed for longer dead end roads due to the topography, and subject to the cul-de-sacs being enlarged; seconded by Councilman Helms.
Vote: five ayes, zero nays. CARRIED.

NB#5 TO CONSIDER BIDS TO REPLACE ROOFING AT THE ROLLINS APARTMENTS

Diane Pritchett received bids for roofing at Rollins Apartments, and recommended the low bidder.
Motion: Councilwoman Harris **MOVED** to award the bids for roofing at Rollins Apartments to Royston Roofing Company in an amount not to exceed $42,615.00; seconded by Councilman Hough.
Vote: five ayes, zero nays. CARRIED.

NB#6 TO CONSIDER RESOLUTION 10-12-98(B) INCREASING UTILITY ALLOWANCES AT THE HOLLY HILLS APARTMENTS

Diane Pritchett recommended that the utility allowances at Holly Hills Apartments be increased, for the first time since August in 1994. HUD has approved the request, which is based on an annual utility study.

Motion: Councilman Helms **MOVED** to adopt Resolution 10-12-98(B) as presented; seconded by Councilman Black.
Vote: five ayes, zero nays. CARRIED.

NB#7 TO CONSIDER ESTABLISHMENT OF HANDICAPPED PARKING SPACE ON CENTRAL AVENUE
Mr. W. D. Hipp of Wild Bill's Taxidermy requests that a handicapped parking space be placed in front of his business on Central Avenue. City Manager Ponder stated that Police Chief Bishop and Public Works Director Nichols support having a handicap space designated but made no recommendation as to its location. Councilman Black said he spoke with the manager of Charlie's Drug Store, and his request is that he designate the first space in his parking lot next to that building as a handicap space, instead of on the street. Council concurred not to change the Official Traffic Map in support of the suggestion that the handicap space be in Charlie's Drug Store parking lot.

NB#8 TO CONSIDER REQUEST OF MR. RON DIMMER TO ABANDON UTILITY EASEMENT NEAR NANTZ AVENUE
Mr. Ron Dimmer has requested the City abandon a utility right of way near Nantz Avenue because he is developing some property there. Mr. Nichols said the line is not in use and probably would not ever be used again, although there is no way to predict all the future needs of the city. City Attorney Michael said he would like to have a map showing where the old line is located, and a copy of the recorded right of way. He requested Mr. Dimmer have his attorney send a copy of those items to him so the release can be prepared.

NB #9 TO CONSIDER CHANGES TO THE CITY'S SUBDIVISION REGULATIONS
The Council had expressed a desire to change the subdivision regulations to include rules about street lighting and tree preservation. This matter was referred to the Planning Commission, which has been studying it for several months. At its October meeting, the Commission recommended the Council amend the regulations to require decorative street lighting. They are not ready to make a recommendation on tree preservation yet. A public hearing would be required to change the ordinance. Council decided to take no action that evening. A joint meeting of the Planning Commission and City Council was set for November 16th .

NB #10 TO CONSIDER PROPOSAL FROM THE CENTRALINA COUNCIL OF GOVERNMENTS TO CONDUCT ANNEXATION STUDY
Due to concerns over the contract with Judi Simac for the annexation study, City Manager Ponder brought back the CCOG proposal in the amount of $16,243.
Motion: Councilman Hough **MOVED** to award the contract for the annexation study to CCOG; seconded by Councilman Helms.
Vote: five ayes, zero nays. CARRIED.

NB #11 <u>TO CONSIDER ENGINEERING PROPOSAL OF D. S. ATLANTIC FOR THE DESIGN, ADMINISTRATION AND INSPECTION OF SIDEWALK PROJECT ALONG TUCKASEEGE ROAD</u>
The engineering services for the sidewalk project along Tuckaseege Road are included in the budget for the entire project. Public Works Director Eddie Nichols recommended the engineering services be awarded to D. S. Atlantic for $21,300.00, contingent upon the City Attorney's approval of the contract.
<u>Motion</u>: Councilwoman Harris **MOVED** to authorize the execution of contract with D. S. Atlantic for engineering services on the Tuckaseege Road sidewalk project for a sum not to exceed $21,300.00; seconded by Councilman Black.
<u>Vote</u>: five ayes, zero nays. CARRIED.

PUBLIC COMMENT
None.

ROUND TABLE
Councilman Hough asked about the two different spellings for Tuckaseege/Tuckaseegee Road.

Councilman Hough inquired of the City Manager about the impact on the city budget from the sanitation department changes. The City Manager stated that an evaluation would have to be done.

Councilman Black stated he was happy about the new paint on the light poles downtown.

Councilman Black said the residents in Woodland Park have expressed their thanks for the new speed limit signs.

Councilman Black said the Crop Walk went well, with about 200 people; he thanked Chief Bishop and the Police Department for their assistance.

Councilman Helms pointed out that Runneymeade Subdivision is still not complying with erosion control ordinances properly.

Councilman Helms stated that he has had reports of people going into Central Park and doing things they should not; he requested that the entrance be cleaned up, with the trees and walkway trimmed, and that a light be put up at the playground equipment.

Councilwoman Harris informed the Council that Senator Sue Myrick would be visiting Mount Holly on October 27th.

Mayor McLean said there would be a Springfest Committee meeting on October 22nd.

City Manager Ponder reminded the Council that its contract with Catawba Heights Volunteer Fire Department would expire on October 25th. Council agreed to extend it for two months.

ADJOURNMENT
There being no further business, the meeting was adjourned upon motion duly made, seconded and carried.

Clerk

Mayor

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cpm