

Regular Meeting
Mount Holly City Council
October 8, 1990

Mayor Charles B. Black, Jr. called the meeting to order with Councilwomen Faye Little and Lib Nichols, Councilmen Myles Biggerstaff, Archie Small, R. L. Duke and Mayor Pro-Tem Bob Jessen all present, as well as City Manager Greg Young, City Attorney Kemp Michael, Police Chief Jerry Bishop, Public Works Director Eddie Nichols, and Zoning Administrator Gary Roberts.

The invocation was led by Reverend Wilson Rhoton.

The minutes of June 23, September 10 and 17, 1990 were adopted as written. A Motion was made by Councilwoman Little to adopt minutes as written, seconded by Councilman Duke, and unanimously carried.

Amendment to City Council minutes of September 10, 1990.

Due to the seriousness of the comments read and entered into the record of the Mount Holly City Council meeting of September 10, 1990 by former Councilman Richard Eldridge, I submit the following as an amendment to the minutes of that meeting:

By now the entire population of Mount Holly is aware of the controversy over an abandoned automobile located on Cove Avenue. It is no secret that the vehicle creates an eyesore and has become an embarrassment for our City. What people may not realize is that this is not a new situation, and due to some rather technical and confusing language, the City has been unable to legally have the vehicle removed. And we must, above all else, deal in a legal manner.

Furthermore, this issue is not new. It first came to the attention of the City Council about eight years ago. It must be noted that Mr. Eldridge was serving on the City Council at the time, and therefore is fully aware of the circumstances surrounding the issue. If he is not, he should be. It's been a subject of conversation on many occasions.

Mr. Eldridge left the Council in 1988, and until recently has had no contact with anyone at City Hall about the vehicle. He then came to the August, 1990 meeting and occupied at least one hour of the Council's time because, as he put it, he was a concerned citizen, and that the Council should do something about the problem. What has brought about such citizen outrage from Mr. Eldridge after all this time? The answer is obviously self-serving since he is now a real estate agent and has property at the end of Cove

Avenue, and the car now presents him with a personal problem.

Not only did Mr. Eldridge feel the need to admonish the City Council about something he was very aware of, but he further chose to level unsupported and untrue allegations at the City Manager, thereby placing him in a position of personal embarrassment. Such action is totally unacceptable.

Throughout the entirety of this very sad scenerio remains the still unanswered question. Why is this vehicle kept on the street by it's owners? To stay legal they must buy tags and insurance for the car each year. Anyone can see that the vehicle is a nuisance and a health hazard. Obviously, it is being maintained for the sole purpose of creating a public embarrassment for this City and to satisfy some false sense of self-importance for the owners. And it not only is an embarrassment for this City, but by association, to all the citizens of Mount Holly. There must be a reason for such irrational behaviour! But when questioned by me about their reasons, the owner could not, or would not, provide a definitive reason for his activity.

All in all, it is a sad commentary that the only visible contribution made by this citizen is to maintain a dilapidated, abandoned, eyesore of an automobile on a city street when so many others are working hard to make our community a better place to live. To accomplish this is not always as easy and simple as each of us may think, but we would all be better served if City and Citizen alike would move forward together in a positive way, rather than the self-serving, negative manner demonstrated by some during recent months.

Robert F. Jessen
Mayor Pro-Tem

Mayor Black introduced Congressman W. W. Kickson, who had introduced a bill into the assembly on behalf of the inventory tax for Mount Holly, which was successful. He noted that this is a non-partisan Council, but he was allowed to speak to the Council, and he said he was happy that the bill for Mount Holly was successful as it was his first major bill, and hoped he would be allowed to continue to serve.

Mayor Black issued a proclamation in support of CRO food collection efforts and a Share Our Abundance Day, October 27, 1990.

Mayor Black declared October 14 as Children's Day in Mount Holly, and announced that the functions and activities are

being directed by Scott Griffin, a teacher at Ida Rankin Elementary School.

Dennis Pack, Sadler Avenue, came with other residents of Sadler Avenue and said they have signatures for all but two properties for voluntary annexation. These two are vacant lots and they want to know if they must get those signatures as well. The answer was yes they must sign the petition. They asked how long before water and sewer are put in after annexation. Mr. Young said there would be a few months for the engineering, then submission to the State for approval, and then the letting of bid, and contract time of ninety to one hundred and eighty days, which would mean six months to a year probably for the whole process. If they do not get all the signatures, what can they do. They would have to follow the city policy for paying for the materials, etc. Some wondered how much the city taxes would be, and they were told that the tax collector could tell them exactly how much it would be for this year if they were in the City now, which would give them an idea. It was pointed out that the water and sewer bill rate for inside customers is one-half the outside rate. Jesse Fields asked if it would take less time if they only got water; Mr. Young said it would about the same amount of time, maybe less.

Diane Medlin, Chairwoman of the Gaston Chapter of Mothers Against Drunk Driving, announced Project Red Ribbon. In the past this has mainly been with the police department in Gastonia, but is county wide this year. They asked everyone to tie up a red ribbon to visibly remind drivers to drive sober and safe. Councilwoman Little moved to join them in this campaign and set aside November 20, 1990, to January 1, 1991, for Project Red Ribbon, which was seconded by Councilman Biggerstaff, and unanimously carried.

Frankie Johnson, Pastor of Message of Love on the corner of Pearl Beatty Road and Highway 273, said the church is requesting a rezoning of a part of it's property from R-A to B-3, which they wish to sell for business use. This would leave two acres in the R-A where the church is located. Councilwoman Little moved to set a public hearing to consider this request for November 12, 1990, with advertisement being properly made and notices sent. Councilman Duke seconded the motion, and it carried by unanimous vote.

Jerry Gibson requested the Council to have his property on Westland Farm Road at Lane Road removed from the extra territorial jurisdiction of Mount Holly. Mr. Roberts said he had measured this property to be more than one mile beyond the city limit, being at about 5,500 feet from the Hoover Street line. Mr. Gibson wanted all of his property removed; a map had been prepared of the area with proposed changes. City Attorney Michael said a public hearing would

have to be held to change the ETJ boundary, but if it is not within one mile, it is not in the City's jurisdiction by statute and the Council may or may not choose to take action to fix the ETJ map accordingly. Councilwoman Little moved to set a public hearing to amend the ETJ on Westland Farm Road near Lane Road possibly to the western boundary of parcel 5.02 on that tax map, seconded by Councilman Jessen, and unanimously carried. The City Manager and City Attorney were instructed to check Mr. Roberts' calculations to be sure whether or not Gibson is outside the one mile jurisdiction area.

Laura Ferguson appeared with Gladys Fite and for John Fite regarding property on Belmont-Mount Holly Road. They stated that when the property was annexed it was zoned residential, but this building was always used for a barber shop. At the annexation it was being used for a realtor's office, but that has closed, and they wish to rent or lease the property for a barber shop or beauty shop. Councilwoman Little noted that Col. Fite had been here for the Board of Adjustment meeting from Washington and there was no quorum. She also recalled that the realtor had come and obtained permission to put up a sign. Mr. Roberts said the entire block is R-12, with Bing's Home Improvement being in R-12 as a non-conforming use. Mr. Michael said the zones were done by a man hired by the City to determine the majority use of an area; there was no way to isolate a single lot; they would have to petition for rezoning as business with the other owners of property adjoining them so that there would not be any spot zoning. The Board of Adjustment had been petitioned by them to add a use to their non-conforming status as a real estate office so they can operate a barber or beauty shop. Mr. Michael said the Council cannot determine a non-conforming use. Ralph Michael, Pearl Beatty Road, was recognized, and he stated that he believes the property also has a residential house on it; they agreed it does but said they would be willing to divide the lot if needed. The City Attorney and City Manager were instructed to be at the next Board of Adjustment meeting to assist that board in resolving this problem legally.

Lavonne Payton, Phoenix Management, gave a status report on the housing projects, with Debbie Wells. Ms. Payton is the newly hired Site Manager, and was hired out of their company from another position; she lives in Charlotte, She is in the office from 10 A.M. to 4 P.M. Monday through Friday. They have a long waiting list. They are not full at present as they are cleaning out and painting two newly vacated apartments, and interviewing applicants for them. Ms. Wells announced that they will be managing an elderly housing project called Woodridge Homes off Houston Street, which has 42 units, and will be for persons 62 years or over or disabled. The matter of the name change for the project off

Noles Drive has been turned over to Rita Blackmon. The year end audit is being done per FmHA and HUD rules.

Mr. Henry Massey and Mr. Huffstetler and Mrs. Springs reported on the Recreation Committee's progress with regard to improvement of Tuckaseege Field. Mr. Carl Baber, Head of Gaston County's Recreation Committee, has given them assistance; they were asking that the Council formally request his assistance from the County Manager by letter. They believe the best plan is to work on the central area first with a 300 foot regulation ballfield, fence and lights. Mr. Baber stated to them the City may be able to purchase the fence and lights through the State at a major saving; they believe this field can be done for about \$30,000.00. Later the two junior ballfields would be done in the corners; and still later the bathrooms, stands, and canteen would be built. A walking track can be built easily. The committee would like to do this first field now with budget money and apply for matching grant money to do the other. Councilman Biggerstaff said the old map they were using had concerned them before, and still concerned him, regarding hitting balls from the large field into the small fields, and there is no place for soccer. Mr. Huffstetler said a young soccer field could be incorporated in the large field. Mr. Michael suggested moving the big field down nearer the road, so a regulation soccer field could go in the middle, which would also separate the fields. They said this was possible, but require some grading. Mayor Black said he has gotten notice of state matching funds up to \$75,000, but the application must be in by November 30, and they will not notify until next spring; however, he felt the City should apply. Councilman Jessen asked if the City could go ahead and use its part of them matching funds; they will have to read the grant program regulations to find out. Councilman Biggerstaff moved to authorize the Recreation Committee to use the \$25,000 in the budget as a basis for application for matching grant funds, and if the grant is denied, then they may expend the \$25,000 for improvements of Tuckaseege Park. Councilwoman Little seconded this motion. After discussion, this motion was struck and replaced by Councilman Biggerstaff with the motion that the Recreation Committee be authorized to apply for county matching grant funds, and whether they are granted or not, that they be allowed to expend up to \$25,000 already in the budget for Tuckaseege Park improvements, seconded by Councilwoman Little, and unanimously carried. The Committee was instructed to apply for federal/state money also. Councilman Biggerstaff moved that a letter be sent to Phil Hinely from the Council signed by the Mayor requesting the assistance of Carl Baber as needed, which was seconded by Councilwoman Little, and unanimously carried. Mr. Massey said he believed that with a good base by the City, they will be able to obtain citizen donations for the park improvement as well.

Councilman Duke moved to adopt the proposed resolution to amend the Charter of the Centralina Council of Governments so that distribution of dues shall be based on current population figures, rather than every ten years, which was seconded by Councilwoman Little, and unanimously carried.

Next, the Council considered an addendum to the City contract with Westinghouse for disposing sewer plant sludge, so that they will dispose of the water plant sludge. Mr. Nichols said the sludge must be removed and this is the most economical way of doing so; right now \$5,000 should be allotted for the analyzing, sampling and testing for the application to the federal government for this to be included in our contract. The primary element they look for is aluminum to be sure the dump site is not overloaded. Councilwoman Little moved to approve the expenditure of up to \$5,000 for the testing and permit for the water treatment plant sludge and agree to the change order to our contract with Westinghouse dated April 17, 1989. Councilman Jessen seconded this motion, and it carried by unanimous vote.

Councilwoman Little moved to approve the one year contact with Carpenter Installations for erecting Christmas decorations, seconded by Councilman Duke, and unanimously carried.

Police Chief Jerry Bishop had presented to the Council prior to the meeting his revised Pursuit Driving Procedure, and Use of Force Policy for the Mount Holly Police Department. He said it is more detailed, incorporates standard training procedures with samples from other cities, and requires more accountability of officers. He plans to implement them immediately, and requested the Council to give any input or changes they might suggest. They did not have any, and the Chief said the policies will go into effect the next Friday.

Tax releases for October 8, 1990 were approved upon motion by Councilman Biggerstaff, seconded by Councilman Small, and unanimously carried.

The Council went into executive session for attorney-client matters upon motion by Councilwoman Little, seconded by Councilman Jessen, and unanimously carried.

The Council came out of executive session upon motion by Councilwoman Little, seconded by Councilman Duke, and unanimously carried.

TransState has sent documentation dated September 21, 1990 to the engineer, and the engineer's recommendation to the City is dated October 3, 1990. Councilwoman Little moved that, in light of the information received since the last meeting, the Council rescind the motion to pay \$6,160 made at the September 10, 1990 meeting; and that the Change order

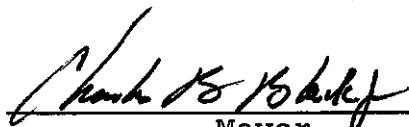
extension through June 29, 1990 be granted; and that liquidated damages be assessed from June 30, 1990 through August 3, 1990, inclusive, at \$200 per day for 35 days, totaling \$7,000.00. This motion was seconded by Councilman Biggerstaff, and unanimously carried.

Councilman Duke moved to go into executive session for attorney client matters, seconded by Councilwoman Little, and unanimously carried.

Councilwoman Little moved to come out of executive session, seconded by Councilman Small, and unanimously carried.

The meeting was recessed until the following Monday, October 15, 1990, at 7:30 P.M. in the Council Room, since the hour was 11:45 P.M.


City Clerk


Mayor

Special Meeting
Mount Holly City Council
October 15, 1990

The Council met for a special session to continue the unfinished business not reached at the Regular Meeting on October 8, 1990, with the meeting called to order at 7:30 P.M. by Mayor Black, and all Councilpersons, the City Manager, City Attorney, Police Chief and Director of Public Works being present.

The invocation was led by Councilman Small.

Councilwoman Little suggested that cross guards be placed at Highland Street since it is four lanes now (for the school children).

Councilwoman Little said that the Hugo storm had uprooted a big tree at a house on West Central, and the sidewalk is torn up. Since children walk from school there, she would like that repaired as soon as possible. They have agreed to allow the City to cut the roots even though this might kill the rest of the tree that is left. Councilman Small said he had already spoke to the City Manager since Pastor Williams has tripped there recently. Councilwoman Little said that if it is within the budget she moved that as soon as proper bids are done and the City Manager approves it, the sidewalk