

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, October 6, 2008
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	Greg Beal, Senior Planner
Councilwoman Carolyn Breyare	Mike Santmire, Streets and Solid Waste Director
Kemp Michael, City Attorney	David Belk, Chief of Police
	Brooke Shepherd, Attorney, Kemp Michaels' office

Call to Order by Mayor Whitt

Mayor Whitt called the Mount Holly City Council meeting to order at 7:04 p.m.

Invocation

Reverend Brian Childers pastor of the First Baptist Church led the invocation.

Pledge of Allegiance

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

Set Agenda

Mayor Whitt advised that number two (2) on the *Consent Agenda* needs to be moved to item two (2) under *Old Business* and replace item two (2) on the *Consent Agenda* with Consideration and Approval of the Rieser Annexation. Mayor Pro Tem Moore added Discussion of Irrigation and Sod as item two (2) *Other Business*. With no other changes to the agenda, Councilman Toomey made a motion to approve the agenda as amended. Councilman McLean seconded the motion. In a voice vote, all voted in favor.

CONSENT AGENDA

1. Approval of the Resolution Honoring the Memory of Richard M. Painter, Jr.
2. Consideration and Approval of the Rieser Annexation
3. Approval of the Resolution in Support of the Greenway
4. Call for Public Hearing on the Highway 27 Corridor
5. Approval of the Sensitive Information Policy
6. Appointment of Mike Santmire to the Centralina COG Recycling Group
7. Approval of Public Housing Resolutions

Councilwoman Breyare made a motion to approve the consent agenda. Councilman Toomey seconded the motion. In a voice vote, all voted in favor (Motion carried)

MINUTES

1. Approval of the minutes for the August 25, 2008 work session meeting.

On page two (2) of the August 25, 2008 work session minutes, Councilman Toomey advised that the parcel of property located at the Holiday Inn was also marketed by Ms. Chirico. With no other changes to the minutes, Councilwoman Breyare made a motion to approve the minutes of the August 25, 2008 work session as amended. Councilman Toomey seconded the motion. In a voice vote, all voted in favor. (Motion carried)

2. Approval of the minutes for the September 8, 2008 business meeting.

Councilman Bishop made a motion to approve the September 8, 2008 business meeting minutes. Councilwoman Breyare seconded the motion. In a vote, all voted in favor. (Motion carried)

PRESENTATIONS

1. **Presentation of the Resolution Honoring the Memory of Richard M. Painter, Jr.**

Mayor Whitt presented a resolution honoring the memory of Richard M. Painter Jr. to his wife, Mrs. Painter and the family.

PUBLIC HEARINGS

1. **Public Hearing on Zoning and Design Guidelines for the South Gateway Corridor**

Planning staff reviewed the proposed changes to the area known as the South Gateway Corridor. A list of proposed motion language was provided to Council by the Planning Department. The proposed motions are listed as follows:

- 1) Motion to amend **Article IV Establishment of Zoning Districts Section 4.1.13** to include Gateway Commercial District.

- 2) Motion to amend **Article V Schedule of District Regulations Section 5.13** to include regulations and setback criteria for Gateway Commercial District.

- 3) Motion to amend **Section 5.18 I-85 (South) Gateway Overlay District** to extend South Gateway Overlay District Map (adopted 2006) to E. Henry Street as presented.

- 4) Motion to amend **Section 5.18 I-85 (South) Gateway Overlay District** to adopt proposed **Section C Design Regulations**.

- 5) Motion to rezone 31 parcels between E. Henry Street to Pearl Beatty Road from R-A Residential Agriculture, R-12 Single Family and B-3 General Business to Gateway commercial as identified by the following: Parcel ID #'s 183914, 183916, 183923, 184732, 184734, 184735, 184736, 184755, 201745, 201746 and 203505 are proposed to be rezoned from R-A Residential Agriculture to Gateway Commercial. Parcel ID #'s 183913, 183917, 183919, 183920, 184505, 184506, 184523, 184524, 184527, 203504, 203506, and 203507 are proposed to be rezoned from R-12 SF to Gateway Commercial. Parcel ID #'s 183927, 184394, 184722, 184726, 184727, 184730, 184731 and 184733 are proposed to be rezoned from B-3 General Business to Gateway Commercial.

- 6) Motion to rezone 7 parcels on Pearl Beatty Road from R-A Residential Agriculture to B-3 General Business and L-I Light Industrial to B-3 General Business as identified by Parcel ID #'s 184742, 184746, 184747, 184748, 184749, 184751 and 184739 respectively.

At this time, Mayor Whitt opened the Public Hearing for those citizens that had signed up to speak.

Christine Beatty
308 Beatty Drive
Mount Holly, NC 28120

Ms. Beatty commented that her property is a parcel that will be rezoned from residential to gateway commercial. She is concerned that her children want to someday build a house on the family property that they will not be allowed to do so. Ms. Beatty also shared concerns in regard to the taxes on her property. She is concerned that her taxes will increase because she will live in a Commercial District.

Tom Brasse

Waters Edge

Mount Holly, NC 28120

Mr. Brasse declined the opportunity to speak at this time.

Roger Webb

310 East Catawba Drive

Mount Holly, NC 28120

Mr. Webb delivered a written statement to Council. He advised that he is a State Certified Appraiser. Mr. Webb commented that the absorption of the proposed regulations will take some time. However after tonight's discussion he feels much better in regard to the restrictions.

Vanessa Webb

310 East Catawba Drive

Mount Holly, NC 28120

Ms. Webb yielded her time to speak to Roger Webb.

James Beatty

300 Pearl Beatty Drive

Mount Holly, NC 28120

Mr. Beatty declined his opportunity to speak.

Rodney Williams

4915 Hickory Grove Road

Gastonia, NC

Mr. Williams advised that he lives outside the Mount Holly city limits. He commented that he appreciates the concerns regarding development to the gateway. However tonight is the first time he has heard anything mentioned about the 2-story buildings. If the 2-story requirement is approved then he feels that any old run down service stations that are here now will still be here fifty years from now because the property will become impossible to sell.

Jeffrey Booker

Airport Center Parkway

Charlotte, NC

Mr. Booker declined his opportunity to speak.

The City Council agreed to defer taking action on this item. They agreed that the Planning Board should have the opportunity to make a recommendation to Council on all of the proposed changes.

At this time, Mayor Whitt called for a short recess.

The meeting reconvened at 8:32 p.m.

2. Public Hearing to Consider Rezoning a 11.9 acre tract of land located at 1000 Marina Village Drive

At this time Mayor Whitt opened the public hearing.

Mr. Beal reported that the Planning Commission voted unanimously in favor of the proposed rezoning with the following conditions placed upon the project:

- No vinyl, metal or aluminum siding used on site.
- That conditions from 1997 be added to this Conditional District rezoning

- Townhome units be owner occupied
- The marina connect to the future Catawba River Greenway in some fashion (more than likely a sidewalk connection)
- The proposed development adhere to all of the standards

Mr. Bob Wilson introduced himself as the Developer of the property. He advised that his plans include a restaurant, full service marina gas station, an outfitter store and upscale condo's. At this time he turned the presentation over to Mr. Dudley, the architect for the project. Mr. Dudley explained that the plan consists of three (3), three (3) story condos with pent houses for a total of thirty-four (34) units, 20,000 square feet of retail/restaurant space and 5,000 square feet of office space. Mr. Dudley advised that the condos would be 2 and 3 bedrooms with approximately 1,500 to 2,000 square feet. The projected value of these condos will be between \$300,000 and \$400,000. Mr. Dudley touched on the parking for the area as well as the proposed full service marina of which includes a gas station. Mayor Whitt commented that he would like to see the amenities built before the condos are put in place. Mr. Wilson advised that he has no intention of building the condos until the market turns but does have full intentions of building the gas station first.

At this time, Mayor Whitt asked the first citizen signed up to speak to come forward advising that each speaker is limited to three (3) minutes.

Chris Turner
229 Rock Ridge Lane
Mount Holly, NC 28120

Mr. Turner shared his concerns regarding the proposed height of the condos, business parking, light pollution and the possible odor that would come from the waste station.

Adam Desautels
124 Huckleberry Lane
Mount Holly, NC 28120

Mr. Desautels expressed concerns regarding the condos and the 25 foot setbacks. He also advised that there is a lot of history in the Riverfront area because he has found numerous arrowheads.

Marc Sopar
232 Riverfront
Mount Holly, NC 28120

Mr. Sopar commented that he has lived in the area for 10 years and this is the best proposal that has ever come before Council. He advised that as a citizen he is fully in support of the proposal.

Angie DiLillo
313 Rock Ridge Lane
Mount Holly, NC 28120

Ms. DiLillo's main concern is that the Riverfront community is more of a pedestrian community. Bringing in commercial traffic will take away the sense of the pedestrian atmosphere.

Jeff Meadows
140 Tom Sawyer
Mount Holly, NC 28120

Mr. Meadows advised that the proposed development is very compatible as far as the community. Mr. Meadows added that from what he has seen so far, the general requirements put forth by the Developer are very stout.

Tony Hornick
202 Riverfront Parkway

Mount Holly, NC 28120

Mr. Hornick advised that he very much likes what has been proposed here tonight. His main concern was the parking issue but it looks like that has been addressed. Mr. Hornick further advised that this development will increase property values for the entire community.

Charlene Aviles

156 Tom Sawyer Lane

Mount Holly, NC 28120

Ms. Aviles commented that she wants to reiterate things that others have said. Her concerns are the level of parking, the sense of community and a buffer around the gas station. Ms. Aviles is pleased with the possibility of property values increasing.

With no one else signed up to speak, Mayor Whitt closed the public hearing.

At this time, Council discussed the proposal made by Mr. Wilson. Council had many of the same concerns brought forth by the citizens are in favor of the development. Mayor Whitt emphasized that he would like to see the amenities built first. Council agreed. Therefore, Councilman Toomey made a motion to approve the proposed rezoning with the five (5) conditions set forth by the Planning Commission as well as an added condition that require the amenities to be built first. Councilwoman Breyare seconded the motion. In a voice vote, all voted in favor. (Motion carried)

3. Public Hearing on the Annexation of 121 Morris Avenue

Mr. Jackson reported that the proposed property is located at 121 Morris Avenue. He advised that Gaston County declared this property in the city limits although legally not in the city limits and the property owner has requested they be in the City.

At this time Mayor Whitt opened the public hearing. With no one signed up to speak, Mayor Whitt closed the public hearing.

Councilman Bishop made a motion to approve resolution #100608A, annexing the property located at 121 Morris Avenue into the City of Mount Holly effective October 31, 2008. Mayor Pro Tem Moore seconded the motion. In a voice vote, all voted in favor. (Motion carried)

Mayor Whitt called a short recess. The meeting reconvened at 10:28 p.m.

PUBLIC COMMENT – Three (3) Minute Limit

There was no one signed up for comment at this time.

OLD BUSINESS

1. Discussion of an Employee Pay/Benefit Study

Mr. Davis reported that the contract with the MAPS group consists of a very detailed pay and benefits study and will also include updating the City personnel policy. Mr. Davis further reported that the COG will do a study which will utilize membership hours and only include the pay and benefits study for a far less amount. Councilman Toomey commented that he felt obligated to have this information before the next budget season to ensure employees are being compensated appropriately. Councilman Toomey made a motion to approve the contract with the Centralina COG for the purpose of compiling an employee pay and benefits study. Councilman Brookshire seconded the motion. In a voice vote, all voted in favor. (Motion carried)

2. Approval of the Resolution to Extend the Moratorium in Specific Gateway Areas

Councilman Bishop made a motion to approve resolution #100608B extending the moratorium in specific gateway areas until December 9, 2008. Councilman Toomey seconded the motion. In a voice vote, all voted I favor. (Motion carried)

NEW BUSINESS

There was no new business at this time.

OTHER BUSINESS

1. Update on the Citizens Center Dedication

Councilwoman Breyare explained that the Citizens Center Dedication is scheduled for Sunday, November 2, 2008 from 2:00 p.m. until 5:00 p.m. She advised that the ribbon cutting ceremony would take place first and then we would move inside for the Mayor and former Mayors Hough and Black to give a brief history of the Citizens Center. After the ceremony, the Citizens Center will be opened for self guided tours. The question of archives came up and if the committee was going to have anything ready to display before the dedication. Council emphasized that the Mayors pictures should be in place before the dedication. Councilman Brookshire advised that the archives committee decided to ask the local industries for displays that detail the product they manufacture. There was opposition from Councilmen Bishop, Mayor Pro Tem Moore and Councilwoman Breyare. Their thoughts on the matter are that the dedication is for the citizens of Mount Holly, not a chance for the industries to promote their business. Mr. Brookshire was concerned because these businesses have already spent money on a display. Councilman Toomey made a motion to move forward with the Archives Committee original plan. Mr. McLean seconded the motion. In a show of hands, Councilmen Brookshire, McLean and Toomey voted for the motion. Councilmen Bishop, Mayor Pro Tem Moore and Councilwoman Breyare voted against the motion. The vote was tied therefore Mayor Whitt had to cast the deciding vote. Mayor Whitt voted against the motion. (The motion failed.)

Mayor Pro Tem Moore passed out bids for the irrigation and sod at the Citizens Center. He advised that one bid was for an irrigation system and organic seed and fertilizer. It was the least expensive bid and was highly recommended by the contractor. After further discussion, the basic consensus of the Council was each contractor should have the opportunity to bid to the same specifications. Therefore the Council agreed to secure bids from the potential contractors for irrigation and sod. After bids have been secured, then a committee of Mayor Pro Tem Moore, Councilwoman Breyare and Councilman Toomey will make the final decision as to which contractor to go with.

MANAGER'S REPORT

Mr. Davis reported that the City has received the Powell Bill funds. It was anticipated during the budget process that there would be an increase in funds but due to the turn of the economy, funding is down.

Mr. Davis reported that the proposed development A & E Rush Plant was denied the tax credits due to some construction that was made back in the 1950's.

Mr. Guffey reported on a list of items that are still pending in regard to the completion of the Citizens Center. He advised that the items should all be completed before the dedication ceremony.

REPORTS

Councilman Toomey reported that the pre-bid meeting for Phase II of Tuck Park will be held on Wednesday at 2:00 p.m.

Councilman Bishop reported that there will be a Utility Committee meeting Thursday at 10:00 a.m. He also reported that the Retail Committee hopes to have a recommendation to Council at the November meeting.

Councilman Bishop advised that the City needs to amend the skateboard ordinance to include the Citizen Center.

Councilman McLean reported on a house on Madison Drive that has a carport full of junk.

Mayor Pro Tem Moore reported that directional signage needs to be placed on each door of the Grand Hall.

Councilwoman Breyare commented that she would like to see Police Officers walking the downtown area from time to time.

CLOSED SESSION

There were no closed session items for discussion at this time.

ADJOURN

With no additional items for discussion, Councilman McLean made a motion to adjourn the October 6, 2008 Council meeting. Councilman Brookshire seconded the motion. In a voice vote, all voted in favor. **(Motion carried)**

The October 6, 2008 Council meeting adjourned at 11:57 p.m.