CITY OF MOUNT HOLLY

MOUNT HOLLY CITY COUNCIL
WORK SESSION

OCTOBER 4, 2005
CITY HALL

The Work Session of the City Council of Mount Holly was called to order at 6:30 p.m. by Mayor Bryan Hough. The following were present:

Mayor Bryan Hough
Mayor Pro-Tem Michael Helms
Councilwoman Phyllis Harris
Councilman Jim Hope
Councilwoman Pat Hubbard
Councilman Frank McLean
City Manager David Kraus

Assistant City Manager Danny Jackson
Assistant City Manager Jamie Guffey
Police Chief Benson Hoyle
Street and Solid Waste Director Mike Santmire
Fire Chief Dale Oplinger
Community Development Planner Greg Beal

The invocation was led by Mr. Jim Hope.

Mr. Kraus requested approval of agenda. Mrs. Harris **MOVED** to approve the agenda, **SECONDED** by Mr. McLean. All in favor.

1. **To Update Mount Holly Community Development Foundation.** Mr. Carlton Broome of MH Community Development Foundation stated the total contribution is $563,000 in pledges over a five year period. We are till working on capital campaign. The Foundation would like to give thoughts on request for proposals for development strategy for city of Mt. Holly. We would like to commend council for pursuing this plan. We would also like you to consider involving citizens in town meetings using input from citizens during the process. In addition we would like to see the City develop a marketing plan for specific business recruitment and discuss advantage of a historic district, and offer a comprehensive review giving clear idea of standards that apply across the city with new downtown standards.

2. **To Consider ABC Board Nominations.** Mayor Hough stated in package there were 7 applications, but only 3 nominations for Joseph Danzi, Paul Abernathy and Janice McRorie. Mayor Hough asked if Council had any additional nominations from the packages.

Mr. Hope makes **MOVED** to consider all applications as nominations, **SECONDED** by Mrs. Harris. Motion carries by unanimous vote.

Mrs. Harris stated she would like to see citizens be more involved with Planning Commission and other boards as well, including the citizens interested in ABC board as there is only one position available to be filled. Mr. Michael stated in the situation of majority vote, ballot totaling will be simple. In case of top vote number not being a majority vote, Council will have to decide how they want to count that. There are some circumstances with more than two candidates when you will not have a clear majority vote. Mayor Hough stated unless first vote was hands-down majority, Council could re-vote based on top two candidates. In case of a tie, Mayor Hough will break the tie. This will be voted on Monday at the regular meeting.

3. **To consider Amendment to Ordinance to Allow Fund Raising Signs.** Mr. Jackson stated the Planning Commission recommended a call for public hearing on this new sign ordinance. Mrs. Hubbard stated in the first paragraph, it flows better if you would say any nonprofit entity that wishes to advertise nonprofit event must comply with the following regulations. Mrs. Hubbard **MOVED** that Council call for a public hearing for the proposed amendment to sign ordnance for November meeting on 11/14/05, **SECONDED** by Mr. Hope, with all in favor.

4. **To Consider Rezoning Request for Tract Adjacent to Pinewood Elementary School by JP Development, LLC.** Mayor Hough stated the purpose of this on the agenda is for Council discussion, and action may be taken if so chosen. Mr. Moore was not able to attend this meeting, however, he provided a written statement to Mayor Hough expressing his consent toward approval of this annexation and rezoning request due to much needed infrastructure around Pinewood Elementary. Mayor Hough stated if we approve we will have to go through conditional use finding of fact with each being found in affirmative. If denied, then we move on. If one finding of fact was not found in affirmative, then that is sufficient for decision. Mr. Helms **MOVED** that we find in affirmative all findings of fact and approve rezoning request by JP Development, **SECONDED** by Mr. Hope. Mr. Helms read and **MOVED** for each of the five findings of fact, each **SECONDED** by Mr. Hope and Council found each fact in affirmative individually. Conditional Use Findings of Fact attached. All in favor. Mr. Jackson stated at this point, Council needs to review development standards as proposed by JP Development. (Attached). Square footage minimums are not listed on this sheet and need to be amended per Mrs. Hubbard. Mr. Judson stated satisfaction with conditions set forth on this project.

5. **To Consider Annexation of Tract Adjacent to Pinewood Elementary School by JP Development.** Mr. Jackson stated annexation parcel is one parcel as noted on map. Mr. Michael stated that letter of credit should be given based on contingency of annexation. Mr. Judson stated 12/31/05 effective date is okay.

Mrs. Hubbard **MOVED** to assign Resolution 100405A, **SECONDED** by Mr. Helms. All in favor.

6. **To Consider Rezoning Request of Property on Westland Farm Road by Landcraft, Inc.** Mr. Moore did inform Mr. Kraus that in his absence he does support approval of this request for annexation and rezoning. Mr. Helms **MOVED** to approve rezoning request upon finding five findings of fact in affirmative, **SECONDED** by Mr. Hope. The city shall make the following affirmative findings of fact (attached). Mr. Helms read and made a motion for each individual finding, with each finding seconded by Mr. Hope. All in favor. Mrs. Hubbard directed to Mr. Wilson that we request 1500 sq feet single story minimum requirement, and 1800 sq feet two story condition. Mr. Wilson is okay with this. Conditional notes for The Villages at Taylor's Creek reviewed by Council (attached). Mayor Hough asked for Mr. Wilson's acceptance of conditions as requested. Mr. Wilson accepted verbally.

7. **To Consider Annexation of Property on Westland Farm Road by Landcraft, Inc.** Mr. Kraus would recommend same stipulation with this developer, to ensure financial guarantees in place before extending utilities to this parcel. Mrs. Hubbard **MOVED** to assign resolution 100405 B to approve annexation petition for Landcraft making it effective 12-31-05 at 12:01 a.m. contingent upon financial letter. **SECONDED** by Mr. Helms All in favor. Mr. Michael asked to make sure property ownership had not changed since last meeting. Mr. Michael stated this will require a larger letter of credit due to larger parcel and greater number of parcels. Letter of credit has to be big enough for city to be able to run the lines even if development does not take place per Mr. Michael.

   Council recessed for 5 minute break.

8. **To Consider Demolition Contract for Citizens Center and to Appropriate Funds for Contract.** Demolition contract presented by Mr. Kraus to remove sprinkler system from existing A & E Building for $232,000.00. Mr. Hope asked where funds were coming from. Mr. Kraus stated a loan. Mr. Hope **MOVED** to approve 235,279 dollars from loan appropriations and approval of specific bid, **SECONDED** by Mrs. Harris. All in favor. Bid attached.

9. **To Discuss Donation of Property.** Attorney Robert Whit has requested that city make decision on Moore property donation option. Mrs. Harris asked if we can make decision on this on Monday rather than tonight. Council in agreement to wait until Monday.

10. **To Discuss Maple Street Sewer Rehabilitation Project.** Mr. Kraus stated if we do this project, it will create a situation where houses have water and sewer in back, we will have to redo with water and sewer in front. Quote passed out from plumber to estimate cost for this work in each house on Maple Street. (attached). Mrs. Hubbard asked if we could get one plumbing company to do all houses and

bill it to the city. Mr. Kraus stated if we hire the plumber to do the work then repairs would fall in our lap. If they hire their own plumber, then we would not be responsible for repairs. Mayor Hough stated this is a lot to ask for the property owners to pay for the work. Mr. Hope asked could we not cover this under the sewer rehab fee and avoid billing the property owners. Mr. Hope stated this is not the property owners' doings but is to their advantage. Mr. McLean asked if we have a sewer main on this street. Mr. Kraus stated it takes a turn and ends up at a property owners' back door. Mr. Eller stated it would be better to move water and sewer into the front at the same time and abandon that water line as well. Ms. Hubbard requests breakdown between street project and changes for property owners. She suggested a warranty for one year on work and after that it would be the property owner's responsibility as they will "own" it. Mr. Hope **MOVED** to approve Maple Street Sewer Rehabilitation Project and include individual taps to be paid for with same funds, **SECONDED** by Mrs. Hubbard. All in favor.

11. **To Update Council on Streetscapes.** Mr. Kraus stated there are three different color pavers in the courtyard. Choice should be made on this in the next few days, and he asked Council to look at it and make recommendation. It will cost $35,000 more to go with brick pavers versus concrete pavers. Mr. Kraus suggested Council appropriate $35000 in contingency money to cover brick pavers. Mayor Hough called a five minute break for council to look at pavers. Mr. Hope **MOVED** to approve Cornelius brick pavers and appropriate $35000 of contingency money to cover this. **SECONDED** by Mr. McLean. Mrs. Hubbard opposed all others in favor. Mr. Hope stated to make sure whatever is resolved with the curb issue does not leave us with a problem. There is an issue on the right side with it being too high and water run-off could be a potential problem. Mr. Kraus said the city stance is that the problem be fixed by the one who caused it. The road will actually "tilt" to allow water run off as storm water drains will not be in place.

12. **To Discuss Request for Pavers on Catawba Avenue.** Robert Black has requested pavers on Catawba Avenue. Mr. Kraus stated power pole has to be moved back 20 feet back to run underground conduit at that corner. Instead of going back with concrete, request is made for brick pavers to be extended from that corner to the alley leading into Jones' Brothers. Ms. Harris stated we had a cutoff and we need to stick with that. Mr. Hope said to tell Mr. black if he can pay for it, we can ask contractor to help him. All in agreement that this is not an option.

13. **A Request by Jerry Pace to Renew Lease on Legion Road.** Mr. Kraus stated we terminated lease effective in November. We attempted to acquire second Baptist property with no luck. Since that point in time, we have not had enough time on our plates to actively pursue building a new building. Mr. Kraus stated he wants to renew the lease and option to buy at time City wishes to sell. His current rent is 1200 per year. Mr. Kraus said he recommended only 3 month increments on this. Lease includes 3 acres. Mrs. Hubbard asked if we did renew for 90 days

would it handicap our time schedule in building a new building? Mr. Santmire stated 90 days is sufficient. Mrs. Hubbard **MOVED** to approve renewal of the lease on a month to month basis with a 90 day notice at same lease amount. **SECONDED** by Mr. McLean. Vote resulted in 5 for approval or request, with the remainder of Council against.

14. **To Consider Draft Agenda Items.** Mrs. Hubbard wishes to change consent agenda #1, it should say boot drive not boat drive. We need to also add acquisition of Moore property as discussed earlier. Mrs. Harris asked about agenda item banning candy throwing at Christmas Parade. **MOTION** by Mr. Helms to take this off agenda, **SECONDED** by Mr. Hope. Opposed by Mrs. Hubbard, all other members of Council in favor.

ROUND TABLE

Mr. McLean stated sidewalks look good and clean near Food Lion finally.

Mr. Hope asked why Mt. Holly sign on 273 is not illuminated. Mr. Kraus stated they will have it fixed tomorrow. He also asked about any other information on horses? Mr. Jackson stated there is a new incident on the horse situation. He brought in some additional animals. They were cited for it. Their attorney contacted me and I forwarded them to our attorney. No resolution has been made yet. They have been given a deadline to come. Once deadline arrives, legal action will be taken. Mr. Michael said he got the letter but he did not know the issues. He stated he will meet with Mr. Jackson and report back. Mr. Jackson stated there is a llama on the property now and additional goats.

Mr. Helms stated on Saturday we did $ 5200 in sales at ABC store and $1500 on Monday – first two day sales.

Mrs. Harris – no additional comment.

Mrs. Hubbard **MOVED** to approve EG port a pit signs, **SECONDED** by Mrs. Harris. All in favor. Also, she stated we had information about Medicaid in our packages – can we send something from our Council in support of state taking over funding for Medicaid and letting us keep our 15 million. Consensus by Council to have this proclamation written and signed on Monday at our meeting. She also asked, could we hold off on generator deal until after Katrina rush calms down? Mr. Hope stated this is a totally different type of generator, it will not matter in the market. Mrs. Hubbard asked would it be more prudent to have one mobile rather than two fixed generators? Mr. Kraus stated this probably cannot be done because of different motor capabilities. Mr. Hope would like to see us have the suppliers deal with Mt. Holly directly and avoid that 20% markup and then bid out installation fee. That will be the most feasible way to do this. Mrs. Hubbard is in agreement with this.

Mr. Kraus stated we are gearing up for October newsletter. If Council has items they wish to be included, please let me know.

Mr. Hough stated Oct 25 is town hall meeting with Mt. Holly Community Development Foundation at First Baptist Church. Mr. Kraus is going to put together a power-point presentation for that. We will include that in your packet so you can approve it. Mayor Hough will do a quick overview of the park project. Mrs. Harris will present it in detail to the greenway group.

Mr. Jackson stated he had a follow-up statement to make on CDF – proposing to have a Park and Recreation meeting on the 24th. On the sign issue, it has come to my attention, that the community dinner signs have not been approved. Mrs. Hubbard **MOVED** to approve community dinner signs for Oct 15th, **SECONDED** by Mrs. Harris. All in favor.

Mr. McLean **MOVED** to adjourn. **SECONDED** by Mr. Helms. Motion carries. Meeting adjourned by Mayor Hough at 8:26 P.M.

Clerk

Bryan M. Hough

jmb