CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL
Work Session
October 2, 2007
6:30 pm

Members present: Mayor Robert Whitt, Councilmen Jim Hope, David Moore, Jerry Bishop, Councilpersons Pat Hubbard and Phyllis Harris.

Member absent: Councilman McLean

Staff present: Eric Davis, City Manager, Jamie Guffey, Assistant City Manager, Danny Jackson, Assistant City Manager, Kemp Michael, City Attorney, David Belk, Chief of Police, Dale Oplinger, Fire Chief, James Friday, Director of Utilities, and Mike Santmire, Utilities

Others present: Brooke Shephard, Attorney, Kemp Michael's office

CALL TO ORDER BY THE MAYOR

Mayor Whitt called the meeting to order at 6:30 pm.

INVOCATION

Councilman Hope led the Council and staff members in prayer.

SET THE AGENDA

Mayor Whitt requested that Item 3 on the Agenda be presented by the Construction Committee instead of Mr. Davis. He stated that there will be a closed session tonight for discussion of a contractual nature. He asked for any more additions or changes to the agenda. There were none.

Motion: Councilperson Harris made a motion to set the agenda as amended. Councilman Moore seconded the motion and the motion passed unanimously.

Mayor Whitt stated that for the record Councilman McLean is absent from the meeting tonight as he is recovering from knee replacement surgery and is recuperating very well.

AGENDA

1. Unified Development Ordinance (UDO) Update, presented by David Williams, Gaston County Planning Director

Mr. Williams thanked the Mayor and Council for allowing him to speak on behalf of the Gaston County Commission, the Gaston County Planning Board and the Steering Committee. He thanked Danny Jackson and Greg Beal for their participation in the UDO for the city of Mt. Holly.

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Mr. Williams stated that the UDO involves many areas of the county and every municipality as well as the school system. The UDO has had a three year process of meetings and information gathering. He was pleased that a copy of the UDO was available for City Halls in Gaston County for questions or comments and that there is contact information in the front cover.

The UDO contains a combination of all ordinances pertaining to land use codes, subdivisions, manufactured homes, stormwater, watershed, water supply, and commercial development among other topics. The UDO process started with the Comprehensive Plan that the Gaston County Commissioners adopted. He thanked Mr. Michael for his participation in the UDO during his tenure on the Gaston County Planning Board.

The Comprehensive Plan encourages the development and preservation of small town character. As he drove into Mt. Holly this evening, Mr. Williams stated that he appreciated and was impressed by the careful planning, the streetscape, the landscaping, the downtown businesses, and the homes that make up Mt. Holly.

Mr. Williams stated that GCAMP was formed as an outshoot of the UDO where planners from the different municipalities in Gaston County come together every three months to work on the UDO, land use matters, and other issues.

All GCAMP planners in our area participated in the UDO process. All planners had a say in it and there was a lot of consensus. Our goal was to make the UDO enforceable and that it made sense.

Some of the highlights of the UDO are the raising of standards in zoning districts, that it be pedestrian friendly and it encourages ways to keep ozone levels down.

Mr. Williams stated that Bessemer City has already adopted the UDO and other cities are currently reviewing it. It affords an opportunity to reposition ourselves in the region now and in 10-20 years from now. There will be 6 public information/community meetings scheduled which will be open to the public and would be of interest to property owners, businesses and industries. Comments will be reviewed by us and then by the Planning Board for them to determine whether to call for a Public Hearing. Final comments and recommendations will go to the Gaston County Commission and by February, the UDO will hopefully be approved and adopted.

As an additional information point, Mr. Williams stated that the County has a hotline telephone number where citizens can call and ask how these regulations will affect their property. County staff will also be available for any questions or comments.

Mr. Williams stated that the Comprehensive Plan with its Vision Statement - *enhancing our past while creating our future by planning wisely, funding responsibly, building thoughtfully and growing together* - was the starting point for this process.

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Mr. Williams turned the remainder of the presentation over to Mr. Jerry Campbell, Vice Chairman of the Gaston County Planning Board.

Mr. Campbell stated that our UDO is readable and understandable. UDO raises the bar for commercial, industrial and residential uses. The key factors in planning are Quality, Uniformity, and Consistency. Quality of Life such as open spaces, parks, walkability, etc. is also important.

Mr. Campbell stated that Gaston County and Mt. Holly will work hand in glove to resolve problems or issues. The UDO can be customized to what Mt. Holly needs.

Mayor asked for any questions?

Mayor Whitt asked if the UDO has been presented to the Mt. Holly Planning Board? Mr. Williams said it has not been presented as yet. Mayor Whitt asked does it replace our current zoning? Mr. Michael stated that the zoning designations can be different or they can stay the same – the City can adopt as much as it wants of the UDO. For instance, our residential guidelines in Mt. Holly are of a higher standard and they would have to be discussed with Gaston County. Mr. Campbell stated that Mt. Holly guidelines would be discussed and that a compromise would be reached.

Mr. Davis stated that the City should look at where there is common ground and what is the most different. This will involved further discussion between the County and City staff and the Planning Board.

It was the consensus that further discussion was necessary before adoption of the UDO by the City of Mt. Holly.

2. Presentation regarding Real Estate disposal, presented by CB Richard Ellis Group

Brian Purcell and Frank Larsen of CB Richard Ellis Group introduced themselves.

Mr. Larsen stated that CB Richard Ellis is a one hundred year old company located in 58 countries with 400 offices worldwide. The Charlotte office, located in the uptown area, employs 600 employees and one of its major clients is Bank of America. In 2006, they merged with Trammel Crowe forming the single largest real estate company in the world with over 5 billion in sales. They consider themselves as a collection of small real estates offices located throughout the world.

They offer a depth of services to clients such as brokerage, asset services, leasing and sales, consultation, advisory, evaluation and project management.

Mr. Purcell stated that in retail services, CB Richard Ellis has $435 million in sales. They have a salaried in-house staff with 7 in-house appraisers. They provide services such as investment sales, leasing with tenant representation, global services, property and facilities management, project extension management, development, strategic investment planning and investment sales. They represent major retailers and help in making the right tenant mix.

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Mr. Purcell stated that in the heart of Mt. Holly, demographics are strong, there is minimum retail competition, great visibility, and a daytime population for restaurants and shops. For challenges, there is a lack of a major retail presence, minimum pedestrian activity, especially during the day. Preleasing should not be done too soon as there are timing factors involved.

He stated that there is opportunity and the Citizens Center can be a center capitalizing on new age growth with historical integrity and appeal. To market selling this area in the city, clients can see sustained growth, a healthy historic family atmosphere, parks, greenways, the nearby Whitewater Center and the Catawba River.

Mr. Purcell stated that exposure of these properties will encompass a marketing blitz with press releases, listing the property on all websites, and cold call prospecting. They will tailor the approach with open communication with the City with a 30 day review period.

Mr. Larsen stated that the standard retail listing fee ranges from 4% – 6% for a 5 year lease; outside brokers bringing in the tenant would increase the fee to 6% with 4% going to the outside team and 2% going to us. Half of the fee is due upon the execution of the lease and the other half is due when the first month rent from the tenant is received. Mr. Larsen added that there is a 6% fee on Sales and a 12 month contract for their service.

Mayor Whitt asked if they have seen the properties the city has for sale? Mr. Larsen stated that he gone by them in his car but hasn't gone into them. Mayor Whitt asked what property have they sold recently here in Gaston County? Mr. Larsen stated that one property was the Progressive Textile building in Bessemer City near the Dallas Cherryville Highway.

Mr. Purcell felt that a restaurant would fit in particularly well at the Citizens Center as well as small retail or office.

There were no other questions or comments at this time. Mayor Whitt thanked Mr. Purcell and Mr. Larsen for their presentation.

3. Report on the Citizens Center, presented by Councilman Hope, Construction Committee

Councilman Hope expressed his appreciation to all the members of the Construction Committee for all their efforts and work regarding the Citizens Center.
Councilman Hope pointed out a few highlights of the progress at the Citizens Center. The back wall is gone and all the steel in the grand hall is in place. There will be temporary power coming in shortly. The wallboard is hung. He said he got a call from John Mixon, the contact person from National Gypsum. We will be receiving a credit of approximately 50% toward the cost of replacing the sheetrock on the second floor of the Citizens Center due to the windows situation. The building will be secured with plywood until the doors arrive. Everything is moving on schedule. Change orders will come out of the contractor's contingency fund. He added that the Committee will look at some administrative changes recommended by Mr. Davis in the next few weeks.

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Mayor Whitt thanked Councilman Hope for his report.

4. Discussion regarding Greenway Easements, presented by Eric Davis, City Manager

Mr. Davis stated that the Foundation is heading up some of the key easements issues with the significant property owners. The easements have not been acquired as yet but there has been quite a bit of movement and activity in this area.

Mayor Whitt asked if the City is at a point where we can do some drawings and prepare proposed easements for the property owners, American & Efird (A&E), Clariant and Duke Power? Mr. Michael stated that he prepared an easement for Duke Power and A&E but the negotiations have been assigned to the Downtown Community Development Foundation who will carry this forward. Mr. Michael stated that whatever they can negotiate will be reflected in the final draft.

Mr. Davis stated that the Foundation is getting all the necessary information to Duke Power who in turn is doing their due diligence and is directing all information to the proper person in their organization.

Mayor Whitt asked Mr. Bob Sutterfield what he knows about the situation with Duke Power. Mr. Sutterfield stated that the situation with Duke Power is rather fluid right now. One effort started a year ago was with Tim Gauss of Duke Power with an internal meeting about the easement on the property.

Mayor Whitt asked Mr. Michael if the A&E right of way document was prepared and Mr. Michael said it was sent almost a year ago this summer. Mr. Sutterfield stated that he was advised by Ed Munn, former interim City Manager, to have a city rep go with the Foundation to meetings with A&E and stressed that the stormwater fee negotiations were not part of the easement issue. He stated that Chuck Flink's final design report will be available in mid October. After that, it would be a good time to set up a meeting with A&E.

Mr. Michael stated that he has not had any discussions with Clariant or Duke Power on this issue as the former City Manager, David Kraus, had been in contact with them on it. Mr. Sutterfield stated that he, Danny Jackson and Ed Munn met with Clariant about three weeks ago and it was a very good meeting. There is a follow-up meeting scheduled for October 15, 2007 at 10:30 am and at that meeting we will walk their plant and then ask them for access to their property on the western edge. After this meeting, he and Chuck Flink will meet with Duke Power at 1:30 pm. Mr. Sutterfield felt that in about 45 days, we should be able to get back to staff with our report.

Mayor Whitt thanked Mr. Sutterfield for the information and that Council will wait on his future report.

5. Discussion regarding employee benefits evaluation, presented by Eric Davis, City Manager

Mr. Davis stated that at the September work session meeting, Council directed Mr. Guffey to look into the City employee benefits package. He added that we would like expand the scope of

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the entire benefits package and to consider where we stand on staffing levels. He stated that this information will be provided to Council in the spring.

Mr. Davis suggested that a college intern instead of in-house staff could help us with this project and also assist us in our move to the Citizens Center. Starting in January, the intern would catalogue what is in City Hall and would assemble the results of the employee benefits survey as well. He felt that from this survey, we should be able to determine where we are lagging behind or where we are excelling in a department or a service.

Mayor Whitt urged Mr. Davis to get back to Council with the benefit survey before the next Budget.

Councilperson Hubbard stated that this is good information and it can be reviewed at the Council retreat in February, 2008.

It was the consensus of Council and the Mayor that Mr. Davis should proceed with the scope of this study.

Mayor Whitt called for a five minute break.

Mayor Whitt called the meeting back to order after the five minute break.

6. Discussion of contract extension for the Strategic Vision Plan, presented by Eric Davis, City Manager

Mr. Davis stated that the contract for the Strategic Vision Plan expired at the end of September, 2007. There is no cost increase and there is a need for Council to approve the extension of the contract from the end of September, 2007 to the end of January, 2008.

Motion: Councilperson Hubbard made a motion to approve the contract extension for the Strategic Vision Plan with Councilperson Harris seconding the motion. The motion passed unanimously.

7. Update from the League of Municipalities regarding newly elected officials, presented by Eric Davis, City Manager

Mr. Davis stated that an issue was raised about a class for newly elected officials. Enclosed in the agenda package is a schedule of events for this class. It was the consensus of Council and the Mayor that the class would be from March 5, 2008 through March 7, 2008 in Nashville, Tennessee. The retreat for Council and Mayor would start Friday afternoon after conclusion of the class and end on Saturday afternoon after their retreat concluded. Council and the Mayor requested the same hotel rates as the League of Municipalities for the extension of their retreat. Mr. Davis stated that he would take care of this for Council and the Mayor.

8. Update regarding Tuckaseege Park Expansion, presented by Danny Jackson, Assistant City Manager

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Mr. Jackson stated that construction plans for the Tuckaseege Park expansion are complete and he turned them over to Councilman Hope and the Construction Committee for their review. He added that the advertising for the bid process will occur later in October and November.

Mr. Jackson stated that he needed direction from Council and the Mayor to go forward. It was the consensus of Council and the Mayor to move forward with the expansion process. Mr. Jackson stated that construction is tentatively scheduled for sometime in January, 2008.

9. Discussion regarding Street Resurfacing, presented by Eric Davis, Assistant City Manager

Mr. Davis stated that in the agenda packet, there was a memo from Mr. Santmire to Mr. Munn regarding a list of City streets to be repaved. Mr. Davis recommended that this project be delayed until the spring, 2008, to take advantage of the warmer weather. He stated that he will coordinate a schedule with Utilities on this resurfacing project.

Mr. Davis stated that $355,000 in Powell Bill funds has been received today by wire transfer.

Councilman Moore was concerned that First Street by Leo Drive is eroding away. A fire truck couldn't get down that drive safely at this point.

It was the consensus of Council and the Mayor that spring, 2008, would be a good time to begin the resurfacing project.

Mr. Davis pointed out that we will have to determine what streets are in the worse need of resurfacing. He stated that the Institute of Transportation Research and Education of NC State will do a study that will rate every City street by a value and give us a determination by a list and a ranking. Council and Mayor would not have to decide what streets are the worst because this study will make that determination. Resurfacing decisions, of course, would be upon Council's approval. Councilman Hope and Councilperson Harris were interested in whether this study could be paid for by Powell Bill funds and asked Mr. Davis to check on that.

It was the consensus of Mayor and Council that it would be good to have a priority ranking for resurfacing and asked Mr. Davis to bring additional information back for another meeting.

10. Update regarding Water Restrictions, presented by James Friday, Utilities Director

Mr. Friday stated that Stage III water restrictions have been implemented by the City of Charlotte. He stated that we are following Charlotte's lead on this and he needed Council's approval for Stage III water restrictions for Mt. Holly. This water restriction ban would not effect any commercial or industrial operations but the City is asking for their help in conserving water. Thirty day limited variances may be granted for new construction and erosion control or if there may be a significant monetary loss incurred by water restriction. These requests must be submitted in writing to the City of Mt. Holly Utility Department.

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Mr. Friday stated that a draft letter for direct mailing to our utility customers is included in the agenda package. The letter declares a Stage III Drought and implements tougher water restrictions. It also reads that as of midnight October 7, 2007, there will be a ban on all lawn irrigation, pool filling or topping off, and other non-essential water uses.

Mayor Whitt asked if there have been any warnings or fines given out so far? Mr. Friday said that he has been sending out two warning letters for each offense. There has been two $200 fines issued and one $300 fine.

Mayor Whitt asked if residents could do one day a week watering? Mr. Friday suggested that if we don't get any rain this month, it would not be prudent. Only trees, shrubs, and flowers can be hand watered or watered with bubble drip hose but grass may not be watered. Mr. Davis added that the Drought Management Plan allows the City Manager to change water restrictions. 2008 has been one of the driest years ever.

Councilman Bishop reminded Council that the City's revenues will be less if people are not using water. Mr. Friday added that sewer rates stay the same but the water rate does not.

Motion: Councilman Bishop made a motion to declare a Stage III Drought restriction and that a letter will be sent out to all City water customers informing them of these restrictions. Councilperson Hubbard seconded the motion and the motion carried unanimously.

Mr. Davis added that a press release will be sent to the Belmont Banner, Charlotte Observer and the Gaston Gazette regarding this matter.

11. Committee Reports

Councilman Bishop stated that recently he attended a Stakeholders meeting. There was a misconception on part of an attendee that it was a decision making meeting. This is not the case - this meeting was a fact finding meeting. Mr. Davis added that CMUD is just one option for the City to consider and at this time, we are not bound to this option.

Roundtable Discussion

Mayor Whitt complimented Councilperson Harris on the recent Alive After 5 event as one of the best. He also commented that the Streetscape Dedication was wonderful. Councilperson Harris thanked staff for all their hard work for these events.

Councilperson Harris stated that the next project she will be working on with Mr. Santmire is Veterans Day.

Mayor Whitt stated that he wished to form an Economic Development Advisory Committee made up of three local merchants and two councilmembers. He felt that this committee could help the City become more commercial in our tax base. He asked Councilman Moore to serve on this committee and Councilman Moore accepted.

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Mayor Whitt requested that City staff will be responsible for all the press releases for changes of policy such as the water restrictions, for events such as dedications, Alive After 5 events, etc.

Mayor Whitt stated that he had heard that there is a price drop down to $200,000 for the subdivision on North Main. They have scaled down the houses as well.

Mayor Whitt recalled that he was supposed to write the letter to the Travel and Tourism division of Gaston County for Councilperson Harris who reminded him that seed money of $1,500 was given to Belmont for their first Alive After 5 event. When she requested it for the City of Mt. Holly, her request was rejected because according to them, our Alive After 5 was not our first event. She asked that copies of the Mayor's letter be sent to Donnie Hicks, Director of the Gaston County Economic Development Commission and to Jan Winters, Gaston County Manager.

Mayor Whitt asked Council if they wish to place the decision of the selection of the real estate group to represent the City on the City Council agenda. It was the consensus of Council that it be placed on the agenda for that meeting.

Regarding the water tank and the Second Baptist Church easement, Mr. Michael stated that it is a work in progress with a degree of optimism.

Councilperson Harris stated that she received complaints and observed five or six young men with bikes and skateboards running all over our new brick pavers and jumping off the granite. They also go down Central on bikes or skateboards as well. There have been some complaints about the language of these young men from citizens. She said that they have been observed from about 5:30 pm on.

Chief Belk stated that we will enforce the ordinance for the downtown area. It is limited and we can't take skateboards and bikes from the offenders. However, Chief Belk said that he will warn them and then contact their parents.

Mayor Whitt stated that there is a reception on October 3, 2007 from 5:00 pm until 7:00 pm with a ribbon cutting at 5:30 pm at the new Carolina Rehabilitation Center in Mt. Holly.

Mayor Whitt asked if the speed limit was changed on 273? Councilman Bishop said it was done about a year ago. Mayor Whitt stated that NCDOT would like a Resolution to this effect. He asked that this item be added to the agenda under the Consent Agenda.

Also, under the Consent Agenda will be the donation of surplus glass beakers to East Gaston High School. Mr. Guffey informed Council and the Mayor that the chemistry class would like them.

Mayor Whitt entertained a motion to go into closed session to discuss a contractual matter.

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Motion: Councilman Moore made the motion to go into closed session with Councilperson Hubbard seconding the motion. The motion passed unanimously.

After returning from closed session, Mayor Whitt announced that the Mt. Holly City Council reviewed the sewer treatment contract with the Town of Stanly and that no decisions were made.

Motion: Councilperson Harris made a motion to adjourn the meeting. Councilman Bishop seconded the motion and motion carried unanimously.

The meeting adjourned at 9:55 pm.

Robert Whitt
Mayor

Eric Davis
City Manager

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