

**CITY COUNCIL
REGULAR MEETING
September 19, 2005**

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 Hough. The following were present:

Mayor Bryan Hough	Jamie Guffey, Assistant to City Manager for Finance/Administration
Mayor Pro-Tem Michael Helms	Danny Jackson, Assistant to City Manager for Community Development
City Attorney Kemp Michael	Benson Hoyle, Police Chief
City Manager David Kraus	Dale Oplinger, Fire Chief
Councilman Jim Hope	Ryan Baker, Fire Inspector
Councilwoman Phyllis Harris	Mike Santmire, Street & Solid Waste Director
Councilman Frank McLean	Greg Beal, Community Dev. Officer
Councilwoman Pat Hubbard	
Councilman David Moore	

INVOCATION

The invocation was led by Reverend Ken Langsdorf.

PLEDGE OF ALLEGIANCE

Councilman Frank McLean led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with Change of public comment to limit at three minutes upon motion by Councilperson Harris, seconded by Councilperson Moore, with all in favor.

CONSENT AGENDA

Councilperson Hubbard **MOVED** to approve the Consent Agenda, seconded by Councilperson McLean, with all in favor. The items approved were:

- CA#1. To Accept and Approve the Minutes.
- CA#2. To Approve of Final Plat Phase 3 Creekside Subdivision.
- CA#3. To Make Reappointments to Planning Commission.

PRESENTATIONS

PR#1 Storm Water Plan By Mr. Jim Gilpin – I actually wrote initial application in March of 2004. Permit in part is for MH to prepare storm water management plan. It is open for editing. City staff has looked at it with some controversial points noted. There is much concern about the quality of water getting into the lakes and streams in NC. The first major source is industry effects on storm water, second phase is for municipalities and smaller industries. There is a section in the permit that requires city to make public knowledgeable, educated

regarding storm water. Encourages public participation. Control of construction site is a topic that has been well addressed with agreement in place with Gaston County on soil erosion control. There is post construction storm water control for redevelopment. Good Housekeeping section ensures city does its part to control storm water impacts on the city. Requests council reads the storm water management plan and he will work with them to make it workable and acceptable to the city of MH. In the long run, this will be submitted to the state within the next three months or so approximately. Deadline of mid December to early January before submittal to the state.

PR#2 Request for Water and Sewer for Dutchman's Creek Subdivision by Nancy Pascal. Ms. Pascal is an attorney in Gastonia, representing owners of Dutchman's creek subdivision. She states she is here to request approval of providing water and sewer to Dutchman's Creek. TG Daniel is with her, the owner of the property. Annexation was denied in February but at end of that meeting council was asked to provide water and sewer. Many meetings during the past year with city officials / staff regarding water and sewer service. The information with respect that was agreed to with the contract has been provided to council. I had copies of pertinent points for council review. These issues are the ones identified by MH City staff and agreed to by Dutchman Creek developer. The current capacity for water and sewer from MH has been confirmed by city manager. Facilities would be engineered and structured by developer at no cost to the city of MH. According to the staff, they have analyzed revenue stream with respect to water and sewer and it would yield 8.5 million dollars over a 12 year span. These are provided in agenda package. In the first year, it shows a positive income stream to the city in over ½ million dollars. At year six, it becomes 725,000 and at year 12 at almost 1 million dollars which would continue on past year 12. Lines would be means of existing and future developments to utilize with no additional cost to the city. Economic impact is a big positive as well as economic positive for the city. The extension by the City of MH to this area would also make available these services for other citizens in this area. If we are turned down by the city of MH we will proceed with permitting from NC for a community system or we will proceed with development as the city will allow with a loss of revenue to the city. The major issues have been previously resolved with satisfaction of staff of MH. We request council take action this evening with specific contract to be finalized with staff and attorney.

PR#3 Presentation of Budget for Tuckaseege Park Expansion and Discussion of Brick Pavers. Steve Wayland with WK Dickson provided samples of brick pavers for council's selection. Mayor Hough recommended that two council members Ms. Harris and Ms. Hubbard to work with Steve to pick out pavers. Mr. Hope and Mr. Moore also want to be involved. Mayor stated that Council meeting has to be called due to four participants. At round table, we will set date per Mayor Hough. After 5 minute recess / break, Ms. Hubbard requested to be removed from this committee.

Regarding park expansion, Mr. Wayland presented a map regarding park expansion. We will be using most items that were in park layout originally. Dog Park will be kept on west side of the park next to Tuckasee Road. Perimeter walking trail around whole park. The center will still be the staging and grass areas for assemblies. Two picnic areas and restroom designated. The other areas along river edge, consensus to do some picnic areas as well as elevated walkways as boardwalk effects but also used for fishing, viewing river, etc. There will also be access with easement next to Riverfront. There will be a skate park in the area set up where the existing playground is and playground will be shifted over to grass areas. Cost estimate including all extras is 1,372,998.00 Mr. Kraus stated that in park this size we will be seeking grants. If we agree on this master plan and budget, we can start setting up phases, and look at grants for completion. Part F will cover this as we already own / control this property stated Mr. Kraus. Mayor Hough asked for deadline. Steve says we have to have this done by January. Mayor Hough stated they are looking favorably at MH due to development speed at this point. Ms. Harris asked if we will recommend phases and recommends we send this back to recreation committee. Council agrees.

UNSCHEDULED PUBLIC COMMENT

Dan Brantley, 501 Nivens Cove Road and just bought 113 Creekview Court. We chose to buy home in MH and keep our house on the lake. Mt Holly Huntersville Road has 37% foreclosure selling at 10 to 20% below tax value. I believe the reason for this is because they are R8 developments, jam packed together. Allowed to move in with no closing cost, no down payment. There is nothing wrong with people trying to buy affordable housing. The article in Charlotte Observer this weekend with houses being developed in Dutchman's meadow. \$65.67 dollars per sq foot. On the next page you have Lincolnton paying \$150 per sq foot. Belmont at \$110. Gardner park at 100. Denver at 155. You can't buy and sell a decent house for 65 per sq foot. Is this what MH wants? I am totally against this. I chose Creekside due to size of lot and spacing of lots. Do we want to be West Mecklenburg or MH. West Mecklenburg has nothing but crime and problems.

Vance Furr, 1033 Kelly Road – A train came at 8 am on Westland Farm Road and people were leaving from EG, breakfast, etc and cars were backed up past Grace Baptist. This is in an area that we are going to add houses to probably soon. The traffic is horrible. Our hometown newspaper today says 85 Gaston teachers have no home. 26 teachers use stages as classrooms. EG has 1800 students built for 1200. Our schools are overcrowded as they are. We need a plan. Some of you realize this and are working on this. We need a plan that council can control developers instead of vice versa.

Mike Davis, 1209 Rainbow Drive – It takes a lot of nerve for a man from another part of the state to come in and tell us who vote for. A house burned in Birkdale over the weekend in a neighborhood such as the one proposed for Dutchman's

Creek. This developer will move back to Greensboro. It is all about money for him not about our quality of life. As long as owner / developers are led by money, the answer to their request should always be no. If two lane farm roads are subjected to thousands of new cars per day and schools are overcrowded, then this should be no. I will give the rest of my time to the city attorney to hear school board's opinion on this if he wants to use it.

Drew Foster, 108 Antelope Drive – here tonight due to article in MH news this week. I ask the city council to reopen the votes or nominations for ABC board. I don't think the citizens had a fair chance. I know three people who are interested. Please consider reopening.

Kelly Ellis, 1711 Old Hickory Grove Road – I have two children at EG – shoulder to shoulder every day in the halls. I sub at MH Middle. Student to teacher ratio is 30 to 1. Teachers state they would not let their kids go to our schools. We have no place to put children from these new developments. Long term effect is going to be overwhelming to the city of MH. Can council slow it down, make lots bigger so fewer homes come in. I love MH. Been here all my life. I am proud of my town and the people in it and I am looking out for my town. That is why I am up here speaking.

Robert Whitt, 116 Forest Hills Drive – I would like to address the three issues that you may vote on tonight. Commend idea of having public forum on moratorium. Citizens will support you in this. I think Landcraft should fall into moratorium. Why not make them a part of that. It is 500 houses. There is a mountain out there – There won't be when they are thought. There is not a conditional use for slab on grade construction. Could you make conditional use from 0 to 5 degree slope. Then the mountain will stay. I think you have hard decisions. I have been up here and argued before and it is not always black and white. Water and sewer to Dutchman's Creek - if you were going to do that you should have annexed them. Agricultural use zoned by county and certain portion of that is agricultural preservation area. You won't have capacity to do much else if you give them water and sewer. JP Developers – across from Freightliner should be part of moratorium as well.

5 minute break called by Mayor Hough.

PUBLIC HEARINGS

PH#1 To Consider Rezoning of Property Adjacent to Pinewood Elementary for JP Development.

Councilperson Helms moved to go into public hearing, **seconded** by Councilperson Harris, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider rezoning request by JP Development .

Mr. Jackson stated The planning commission recommended denial for petition of rezoning and annexation.

Mr. Michael stated the annexation of areas under consideration is totally up to Council. It is a legislative enactment by council and is not controlled by moratorium. You are free to do whatever you want to do and are not restricted by this new legislation. Moratorium proposed was only on annexation which is not regulated by new statute.

Mayor Hough swore in all parties speaking.

Rick Judson, JP Development, here to respectfully request zoning and annexation for 83 acres across from Freightliner on HWY 273. I will deliver presentation in two forms. I would like to address industrial versus community attributes. Property has been marketed by Crescent for 12 years they have had zero offers for industrial development. They did receive and accept our offers. The topography, wetland study, survey of area proves not to be suitable for industrial. It is adjacent to an elementary school which industrial developers shy away from. On the other side of the street is a residential development. It has been extremely challenging to develop for industrial use. There are no other foreseeable buyers and they agreed to accept our offer. There are only a few level spots on the site. As a residual community, I will explain how we can develop this. A twist in the past week to ten days is that we have been in discussions with Fontanne Modifications, corner of 273 and Morningside Drive. He would like to consolidate their business to that site. We offered to sell a portion of land to them. They will deliver 70 jobs to this city. Payroll is in excess of 2 million dollars. We feel like in terms of our community and their offer of jobs is a win/ win situation. We are here tonight requesting our full plan , entire zoning of the parcel. We are going on record with my word if Fontanne goes hard with their contract within the next two weeks, they will put up a nonrefundable binder, we will come back and reduce size of our lots to accommodate their needs, 5 acres. We will come back immediately and request rezoning back to industrial. Assuming they do that, the net affect of this is 40 million dollars of tax, and their jobs for the community. We are calling this "Dutchman' Ridge". We will provide sewer from our property about 2000 feet off site to accommodate entire basin and allow access and fallout from elementary school. This will eliminate need for lift stations and will allow for expansion of sewer capacity and school capacity which is maxed out currently. Our community would have two lot sizes, 60 and 70 ft. We would be high end of R8 spectrum. Calls for up to 12 units per acre, we are at 2.7 units per acre. We are doing exactly what was proposed and quite successful at Dutchman's Meadow, high end of R8 sizing, larger houses, smaller lots. We can provide a great deal of open space, backing up houses to wetlands. We intend to maintain trees. At Dutchman's' Meadow we won award for tree program. We are creating a buffer on the perimeter of the property and access to the school. Amenities will include pool, cabana, open space and school connectivity. Alignment with Wester Road is positive for traffic control. In

closing, we respectfully request R8, reducing our acreage, reduce number of lots in compliance with rezoning you give us if you so choose to accommodate need of Fontanne. I should be noted that no surrounding property approaches value. Total tax base of our community will exceed that of Freightliner. Values will start at 175k and go up to 240 k. Minimum sq footage will be placed on recorded map as conditions. Maps handed out to council members.

City Manager David Kraus stated that the Planning Commission recommended denial. There were no comments for or against.

Denny Emerson, 120 Brook Hollow Drive, I ask for your approval. I live in Dutchman's Meadow. We have a beautiful community and it is still being built out. I am a member of the board of directors and have been able to work hand in hand with JP Development. Extremely complying company, very environmentally conscientious. I think their proposal is a much better use of the land next to an elementary school than a business park or industrial area. I ask that you consider their request.

Lane Holbert, 4025 ? Charlotte, NC. Hired by Crescent to list this property. We specialize in leasing industrial buildings and land. We have had this listing for over a year. We only had one offer. We did have other interest but it has all be residential. From my 13 yrs of experience in industrial sales, the industrial user is avoiding public schools or any institution with children. The traffic safety is an issue. Every industrial prospect that looks at the sight does have issues with the topography of that site. They have all looked at cost of providing over 2000 lineal feet of sewer line to serve.

Jimmy Stone, 406 A E Catawba Ave – I had opportunity to go to Mt. Holly Middle and EG . I work for Fontanne and intend to retire there. I think this is a great opportunity for the city and for Fontanne.

Councilperson McLean moved to go out of public hearing, **seconded** by Councilperson Helms , and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

Ms. Hubbard asked what are minimum sq footage requirements? Mr. Judson replied the single story house minimum of 1425 and two story minimum of 1800. If trend holds true, that will ratchet up quickly. That property is in the watershed district, so impervious requirement for each lot .

Ms. Hubbard asked Mr. Jackson if sidewalk condition is something we should agree to due to impervious requirement? Mr. Jackson replied 4 ft sidewalk on both sides of street required. On environmental standpoint, look at watershed regulations. Depends on school of thought. As a matter of procedure, the next order is to establish findings in outline. I would urge you to consider the plan, presentation, conditions before you enter into findings.

Hough stated council needs to review findings prior to making decision.

PH#2 To Consider Annexation of Property adjacent to Pinewood Elementary for JP Development.

Councilperson Helms **moved** to go into public hearing, **seconded** by Councilperson McLean , and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider voluntary annexation upon request by JP Development.

Mr. Jackson stated 36 acres are outside of city limits. Mr. Judson stated this property is on the back side between 273 property and Dutchman's Creek. City Manager David Kraus stated that I would recommend not making decision on annexation until council makes decision on zoning. The Planning Commission recommended denial. There were no comments for or against.

Councilperson Harris **moved** to go out of public hearing, **seconded** by Councilperson Moore, and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

PH#: 3. To Consider Reducing Speed Limit to 25 mph in Dutchman's Meadow.

Councilperson Harris **moved** to go into public hearing, **seconded** by Councilperson McLean , and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider reducing speed limit in Dutchman's Meadow.

Denny Emerson, 120 Brook Hollow Drive. Board of Directors at Dutchman's Meadow. Speed limit is 35 mph. too fast for amount of children in community, wish to reduce to 25 mph.

Councilperson Harris **moved** to go out of public hearing, **seconded** by Councilperson Moore, and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

Motion: Councilperson Harris **moved** to reduce speed to 25 mph in Dutchman's Meadow.. **Seconded** by Councilperson Hubbard.

Vote: All in favor. CARRIED.

Mr. Santmire stated he will have signs up in two days.

PH #: 4 To Consider Stop Sign at Corner of Lee Street and Catawba Street.

Councilperson Harris **moved** to go into public hearing, **seconded** by Councilperson McLean , and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider stop sign at corner of Lee and Catawba streets.

Don Rierson – 7032 Chaparral lane, Charlotte. I work for Clarion. Gave out map. East and South Leg are private roads. North and west legs are public roads. No stop sign at approach from Lee street to Catawba. From Charlotte on 27, at Lee street, you will note you are going downhill and pick up speed quickly. Asking for stop sign to balance that intersection and make safer. Mayor Hough asked do you feel there is enough room for car to stop in front of railroad? Mr. Rierson answered 200 feet. Mr. Kraus stated the private roads designated are roads city council had designated to close – used only for Clarion.

Councilperson McLean **moved** to go out of public hearing, **seconded** by Councilperson Hubbard, and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

MOTION: Councilperson Hubbard **moved** to approve stop sign at corner of Catawba and lee streets. **Seconded** by Councilperson Harris.

VOTE: All in favor. CARRIED.

UNFINISHED BUSINESS

UFB#1 To consider rezoning on Westland Farm Road. Mr. Jackson stated In August, we had presentations from developer, ESP associates, public comment, discussion about conditions. I met with Landcraft and ESP following the council meetings to ensure requirements were in place. Mayor Hough asked do you have to go through all five findings if council decided not to do the development to vote on it? Mr. Jackson and Mayor Hough discussed only discussing findings in the positive, not in the negative. All agreed this was appropriate requirement. Mr. Jackson stated since there is annexation petition on same property, typically you make decision on rezoning and allow developer to withdraw annexation petition should they not get rezoning approval.

Mr. Kraus stated the public hearing on moratorium next month will not apply to this development. The moratorium applies to outside our ETJ. The vast majority of this project is within our ETJ. As currently worded, the moratorium would not apply to the majority of this project.

Tabled.

UFB#2 To Consider Annexation of Property on Westland Farm Road. Tabled until next meeting.

Mr. Kraus stated you could theoretically deny annexation and that would not necessarily effect the rezoning. Mr. Hope asked what advantage does council have by not making decision tonight? Ms. Harris stated If you make a motion, I know how I am going to vote. Mr. Hope asked again what is advantage? Mayor Hough answered none.

NEW BUSINESS**NB #1 To Consider Request for Water and Sewer for Dutchman's Creek Subdivision.**

Mr. Helms inquired If city okays water and sewer to Dutchman's Creek, then won't citizens of MH ultimately pay the price with increase in fees?

Ms. Hubbard asked if we denied annexation and we expand water / sewer – will that come out of water / sewer fund? Mr. Kraus answered yes that debt will be paid out of water / sewer fund and affect rates for MH. Outside City will pay double the price from inside the city.

Mr. Kraus stated on revenue projection. it includes additional crews, meter readers, etc but no other revenue generated costs. You won't get any revenues other than double the inside rate.

Mr. Helms asked have we calculated what is on the slate to be approved, total percentage that will be needed for waste treatment plant? Mr. Eller answered I don't think so. Mr. Kraus asked what is current use? Mr. Eller answered around 60%. Mr. Kraus stated at 80% we have to expand mandatory. Mr. Eller stated Mr. Guffey calculated that this and the other subdivision would bring us over 90%.

MOTION: Council person Harris **moved** to deny request for water and sewer for Dutchman's Creek subdivision **seconded** by Mr. Hope .

VOTE: All in favor. CARRIED.

NB#2 To Investigate Annexation Petition and Call for Public Hearing for Annexation of National Gypsum Property.

Motion: Councilperson Helms **moved** to make resolution to investigate potential seconded by Councilperson Harris. Resolution GS 1601-31. 091905.

Vote: All in favor. CARRIED.

Mr. Kraus recommended a public hearing be set for Oct 10, 2005.

Motion: Councilperson Hubbard **moves** to call for public hearing regarding annexation of National Gypsum Property, **seconded** by Councilperson Moore. 091905B.

Vote: All in favor. CARRIED.

NB#3 To Consider Purchase of Backup Emergency Generators. Lowest price found by Mr. Eller. He stated we can purchase one this year and one next, or lease / purchase both. Mayor Hough asked when we did contract with Stanley, we asked them to pay for half of the generator and I thought we already had this. Mr. Kraus stated once council decides how to proceed, we will go to Stanley. Ms. Hubbard asked how much money. Mr. Eller stated a total of 153,000. Mr. Hope asked what is covered in this – installation, servicing?. Mr. Eller stated it is turn-

key. Mr. Kraus stated there is additional yearly maintenance fee. Mayor Hough asked can this wait until next work session? Mr. Kraus stated yes and stated budget is 100,000. Got bids from DP, Caterpillar, Gunny, and one other. Mayor Hough asked can we bring this information to work session? Mr. Hope stated I want to see specs on generator so we can compare apples to apples. Ms. Hubbard asked Mr. Kraus to get information on Stanley contract as well.

NB#4 Consider Appointment to ABC Commission. Ms. Hubbard stated after work session I have had many calls that were distress that we did not have a Mt. Holly person on list of nominees. We have had a Mt. Holly person to submit his resume to council.

MOTION: Council person Hubbard **moves** to reopen nominations. **Seconded** by Councilperson Hope.

VOTE: All in favor. **CARRIES.**

Ms. Harris stated we have been talking about this since May. We all had the opportunity to give nominations. I asked several people that said no. I wish we could get this word out. We even asked ABC Board for nominations. I wish article had said council was struggling to get nominations. How do we get this information out to people if they do not come to the council meetings. Mayor Hough stated I do think it highlights the importance of the newsletter. The internet is a good measure to do this. We depend greatly on the newspapers to get out the news. Ms. Harris stated about it being a Mt. Holly person, the ABC board does not answer to city council it is a separate board. Some of the people that have been nominated may not live here but were born and raised here. Mayor Hough stated nominations were closed because there were no more nominations. Mr. Hope stated I made the motion to close because we had no more nominations. The council was not trying to do anything underhanded.

Ms. Hubbard stated I would like to propose name of Joseph Danzy, 513 Stonewater Bay, MH for ABC commission. Mr. McLean stated to leave nominations open until next meeting. Ms. Harris stated I think we have put this off for several months. This position needs to be filled. Mr. Hubbard I think I saw Carlton Broome here earlier. Can we ask him if the postponement will cause damage. Mr. Broome stated I don't think it will hurt to wait. We should get temporary store open in the next two weeks. It will not hinder us by waiting. Ms. Harris stated if we are going to do this, we are seeking nominations for the ABC Board and have been seeking them since May. Mayor Hough stated we will only accept nominations before 12 noon on September 30th at the City Hall, delivered to Paula Wright by 12 noon. Mr. Hope stated we try to do the best we can do in every situation. With the crowd here tonight, it frustrates me to think we appear to be on the left foot. We need to make sure our right foot is forward in front of our citizens. Ms. Harris stated In the future I hope we can get information out. I don't like to keep postponing things when council has made decisions to move forward. We need to work on getting information out to the public.

PUBLIC COMMENT

Mayor Hough opened the floor for public comment.

ROUND TABLE

Ms. Hubbard - Last week watching news, I learned that Charlotte is collecting storm water fee to solve problems on private citizen's property? Mr. Kraus stated Charlotte and Gastonia have a budget priority system that addresses these issues. Gastonia uses one of the criteria of how much private homeowner is willing to contribute? Ms. Hubbard stated it sounded like storm water fee collected is going towards that. Mr. Kraus stated a portion of it goes toward that fund. Ms. Hubbard asked is the only thing that keeps us from doing that is our practice not to go on private history? Mr. Kraus stated never had a program to establish those funds. Ms. Hubbard additionally stated also in our packet we got information on a portable stage, was that something that recreation recommended or just something to review? Mayor Hough answered just for review. Ms. Hubbard stated I don't see a real need for the portable stage. Ms. Harris stated we all agree with that.

Ms. Harris - Regarding Friedl's, is that complete? Mr. Kraus responded they have an October deadline to respond.

Mr. Helms - I want to make sure we are where we need to be on house bill for lottery. I gave Danny a copy of this bill. There is a section 18C-170 that needs to be looked at. Mr. Jackson stated the state has established terms. It is not at local level yet. Also, tax collection. Do you need any direction or help from council on collecting back taxes? Mr. Kraus stated in the past we have always used every method appropriate to try to collect past due taxes short of foreclosures or liens. We have garnished wages, checking accounts, etc. We have not ever done foreclosures or liens. If council would like us to be more aggressive we can do so. Mr. Michael stated I would like to mention that any time taxes are past due for prior years, they do become a lien on that real estate and continue to be a lien until paid. Many times the amount owed is less than cost would be to pursue legal action. The city is part of a foreclosure proceeding regarding a large lot at the corner of W. Glendale and Hawthorne. The county did start foreclosure on that. The city joined in that. Ultimately the tax will be paid or at sale city will get portion. I have written letters, etc as needed. Mr. Helms we have some seniors that are on limited income and make payment sand then we have businesses and citizens that owe for years. It bothers me. If council needs to be tougher, we can. The problem is not going to go away.

Mr. Hope - none.

Mr. McLean – The sidewalk at Food Lion is covered by rock and debris from construction. Mr. Kraus stated we will get that taken care of.

Mr. Moore – There needs to be better communication especially when we change council meetings, etc. Last week, many people showed up for meeting and it was this week. Recycling Center Flag at Water Plant is a disgrace. It is in pieces. It needs to be replaced tomorrow! Mr. Eller stated we will replace tomorrow if at all possible.

Mr. Michael stated I have a proposed notice of public hearing on annexation moratorium. I want to make sure this includes what council wishes to have on it. It will run the week after next. (attached). Mr. Kraus stated this is on all annexations. Originally it was for annexations outside the ETJ. Mr. Michael stated I can change it. You can add whatever you want. Ms. Harris stated we should leave it. Mayor Hough asked if there were any deletions or additions by council. Ms. Harris asked do we need to put in 12 months deadline? Mayor Hough responded it is important that staff has a deadline that we are working toward. Mr. Michael stated this is a little different. This is wide open. Annexation is in your court entirely. Mr. Kraus stated we do request that you vote on the specific wording.

Mayor Hough stated if we do not include prior petitions in moratorium, we may just want to make decision and then going forward staff can make recommendations. Mr. Hope stated I agree. Mr. Kraus stated both properties contain parcels within our ETJ. Even if we vote down annexations that does not kill zoning. Mayor Hough stated technically you are right. Mr. Michael stated your authority to deny annexations is absolute. Purely legislative enactment and you are the legislative body.

The City Council agreed to the following requirements for proposed moratorium:

The public will take notes that the City Council of the City of Mount Holly has called a public hearing at 7:00 pm on the 10th day of October 2005 at the Municipal Building, 131 South main Street, for the purpose of considering a resolution establishing a moratorium on annexations of residential subdivisions into the City of Mount Holly and Continuing until such time as the City Council has enacted a strategic plan to include land use and the marketing and economic development of the City of Mount Holly. The proposed moratorium shall not apply to areas within the ETJ of the city of Mt Holly and the duration of this shall not extend past a one year period unless approved by action council. This moratorium shall not apply to petitions submitted prior to 09/19/05.

ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made by Councilperson Harris , seconded by Councilperson Hope, and carried.

10:15 PM

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 Clerk _____ Mayor *Mayor M. Hough*
 jmb