

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, September 8, 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
Mayor Pro-Tem David Moore
Councilman Jerry Bishop
Councilman Frank McLean
Councilwoman Carolyn Breyare
Kemp Michael, City Attorney

Eric Davis, City Manager
Joann Scruggs, Finance Officer
Danny Jackson, Assistant City Manager
James Friday, Director of Utilities
Dale Oplinger, Fire Chief
Greg Beal, Senior Planner
Mike Santmire, Streets and Solid Waste Director
David Belk, Chief of Police
Brooke Shepherd, Attorney, Kemp Michaels' office

Council Members Absent:

Councilman Bennie Brookshire
Councilman Perry Toomey

Call to Order by Mayor Whitt

Mayor Whitt called the Mount Holly City Council meeting to order at 7:03 pm.

Invocation

Councilman Frank McLean 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 Pro Tem Moore made a motion to approve the agenda as presented. Councilwomen Breyare seconded the motion. All Council Members present voted in favor. Motion carried.

CONSENT AGENDA

1. Call for a Public Hearing on Zoning and Design Guidelines for the South Gateway Corridor
2. To Appropriate Funds for the Recreation Department
3. Call for a Public Hearing to Consider Rezoning a 11.9 acre tract of land located at 1000 Marina Village Drive

Councilman Bishop made a motion to approve the consent agenda. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. Motion carried.

MINUTES

1. Approval of the minutes for the August 11, 2008 business meeting.

Councilman McLean made a motion to approve the August 11, 2008 meeting minutes. Councilman Bishop seconded the motion. All members present voted in favor.

PRESENTATIONS

There were no presentations.

PUBLIC HEARINGS

1. Consideration of the A & E Rush Plant Re-Zoning from LI to R-8 *Greg Beal*

Mayor Whitt opened the public hearing regarding the A&E Rush Plant Re-Zoning request. Mr. Beal explained that this matter was approved unanimously by the Planning Board. He advised that seven (7) people came to the public involvement meeting and presented no opposition for the proposed project. At this time, Mr. Beal introduced Mr. McCallister, the developer for this project. Mr. McCallister advised that this is a thirty-two (32) acre mill renovation project pending approval from the State for tax credits. This project consists of turning a light industrial property into an apartment complex. Mr. McCallister added that there will be amenities included with this project that will include a pool and club house. The only new construction included with this project is the addition of four (4) townhomes. Mr. McCallister advised that he has renovated similar type properties in Gastonia. Councilman Bishop shared concerns regarding the ingress and egress for emergency vehicles. Mr. Beal advised that the TRC met and toured the property and determined that there is enough space for the ingress and egress of emergency vehicles. Mayor Whitt asked about the size of the apartments. Mr. McCallister reported that they would be anywhere from 650 to 1200 square feet. Mayor Whitt advised that the only problem he has with the project is the four (4) townhomes that are planned for the front of the building. There was no one signed up to comment on the item therefore, Mayor Whitt closed the public hearing. Council agreed to continue this discussion at the next meeting when the entire Council will be present for a final decision.

2. Consideration of the 110 McGinnis Street/Reiser Annexation *Greg Beal*

Mayor Whitt opened the public hearing regarding the 110 McGinnis Street annexation request. Mr. Beal gave a brief history stating that this proposed project first came up for discussion several months ago. He added that the main concern from Council seems to be the issue regarding the sewer. At this time Mr. Beal introduced Mr. Rieser, the developer of the proposed property. Mr. Rieser presented his proposal for a townhome community. He added that each home would be approximately 1200 square feet and targeted toward the fifty-five (55) and older age group. They will be mainly brick with some vinyl and well landscaped courtyard areas with plenty of trees. Council's main concern was the sewer capacity. Mr. Rieser commented that he is looking at installing a two (2) inch forced main but the issue is still up for discussion.

At this time Mayor Whitt thanked Mr. Rieser for his presentation and asked the first person signed up to comment to come to the podium.

Charles McGinnis
McGinnis Street
Mount Holly, NC 28120

Mr. McGinnis commented that his family who lives on McGinnis Street has been promised city services for several years. He asked if the proposed property receives the City services, if they will be extended for the rest of the road.

Earnest Roseman
McGinnis Street
Mount Holly, NC 28120

Mr. Roseman shared his concerns regarding the condition of McGinnis Street and the wear and tear that will occur with the added traffic from a townhome community.

Dan Quarry
1009 Old Hickory Grove Road
Mount Holly, NC 28120

Mr. Quarry commented that he is not originally from Mount Holly but is very familiar with the proposed project. He added that he is here to speak for the project. Mr. Quarry advised that he is grateful the old buildings have been torn down and is looking forward to an increase in property values for the proposed area.

At this time, Mayor Whitt closed the public hearing. It was the consensus of Council to direct staff to research the sewer issue further and bring back for further discussion at the September work session meeting.

3. Consideration on Financing of the Water Tank and Booster Pump *Joann Scruggs*

Mayor Whitt opened the public hearing regarding the financing of the water tank and booster pump. Ms. Scruggs advised that last month Council approved the award of the loan for the new water tank and booster pump to BB&T. As part of the loan process, the City has to submit an application to the LGC which requires a public hearing. Ms. Scruggs advised that if everything regarding the financing is acceptable by Council then two (2) resolutions need to be adopted after the public hearing. The first resolution authorizes the City to apply with the LGC and the second resolution is required by BB&T to approve the financing terms. The terms of the financing is an installment loan of up to 3 million dollars at 4.27% for 20 years. Mayor Whitt asked if there is a prepayment penalty. Mr. Michael pointed out the section of the second resolution which includes a prepayment penalty. With that being said, Councilman Bishop made a motion to approve resolution (#090808A). Councilwoman Breyare seconded the motion. All members present voted in favor. **(Motion carried)**

Mayor Pro Tem Moore made a motion to approve the second resolution (#090808B) with the elimination of the prepayment penalty. Councilman Bishop seconded the motion. All members present voted in favor. **(Motion carried)**

PUBLIC COMMENT – Three (3) Minute Limit

Sara Perry
117 Old Mine Road
Mount Holly, NC 28120

Ms. Perry reported that she is here tonight to speak for the trees in Mount Holly. She advised that she remembers a time when builders used to build around trees instead of clear cutting lots before building houses. She further advised that Mount Holly is losing native plants which affect the oxygen and the air quality.

OLD BUSINESS

1. Discussion of the Sewer Force Main on Old Hickory Grove Road

James Friday

Mr. Michael reported that there is a two (2) inch forced main down Old Hickory Grove Road. The City gave Mr. Ferrell permission to construct the private two (2) inch sewer line and pump sewer from his property on Old Hickory Grove Road to Deerfield subdivision. The city

entered into an agreement with Mr. Ferrell providing that the City would have no responsibility for maintenance of the line or pump station and the line can only be used for Mr. Ferrell's property. Mr. Michael commented that there are two (2) issues facing Council. The first, does the City want to create small satellite annexations that will require City services and the second does the City want to allow tie-ins to a two (2) inch forced main. Mr. Rieser, who Council heard from earlier, plans to tie into the two (2) inch main. Mr. Davis commented that Staff would like more time to work on this issue. This will come back before Council for additional information at the September work session.

NEW BUSINESS

1. Discussion of an Employee Pay/Benefit Study

Eric Davis

Mr. Davis advised that Staff would like Council's approval to move forward with a pay and benefits study. He advised that the last time the City had a pay and benefits study was fourteen (14) years ago. He further advised that the study will be done by an outside source through the NC League of Municipalities. Mr. Davis added that there are available funds in the contingency fund to pay for the project. The study should be complete before the budget process starts therefore can be implemented with next years budget. Council shared concerns regarding the implementation process and agreed to continue this discussion at the September work session.

2. Discussion of a Property Development Plan with Duke Energy

Eric Davis

Mr. Davis reported that he has met with Duke Energy to discuss development potential of the property located where Dutchman's Creek and the Catawba River come together. Mr. Davis asked for Council's permission to check feasibility of the four (4) acres of property as well as a topographic survey. It was the consensus of Council to move forward with the project.

3. Discussion of Utility Rate Structure

Eric Davis

Mr. Davis advised that this item has been discussed briefly in the past. In the upcoming budget year we are looking at how to manipulate the city's rate structure that would mainly target the high volume customers. Mayor Whitt asked that staff put together a proposal and bring it before the Utility Committee for a Council recommendation at the November meeting.

OTHER BUSINESS

Mr. Davis reported that the October meeting date conflicts with the NCLM Annual Conference of which several Council and Staff plan to attend. He asked if Council would agree to move the meeting to October 6, 2008. Council agreed.

Mr. Michael reported that in January, Council held public hearing regarding an annexation on a piece of property at 121 Morris Street. Council voted in March to annex the house and lot but a few days before the property changed hands. Therefore the Council has to repeat the process. Mr. Michael explained that this annexation is mainly to clean up the tax records because the property owner was already paying city taxes and receiving city services. Mr. Michael informed Council they would need to pass a resolution for the Clerk to investigate sufficiency and also call for a public hearing for the October meeting. Councilman McLean made a motion to approve the resolution (#090808C) to direct the Clerk to investigate sufficiency of the property at 121 Morris Avenue for annexation. Mayor Pro Tem Moore seconded the motion. All members present voted in favor. **(Motion carried)**

In a second motion Councilman McLean made a motion to call for a public hearing on the annexation of 121 Morris Avenue at the October meeting. Mayor Pro Tem Moore seconded the motion. All members present voted in favor. **(Motion carried)**

Mayor Whitt asked when the last time the Storm Water Committee has met. He advised that he would like to see a list of storm water projects come before Council.

Mayor Whitt asked that the information received from Time Warner Cable be included in the next newsletter.

MANAGER'S REPORT

Mr. Davis reported that he is still working on waste treatment options. He advised that he has met with the Manager from the Town of Stanley and brought them up to speed with the options.

Mr. Davis advised that the Citizens Center will be complete before the dedication.

Mr. Davis advised that Staff met daily regarding the preparations for Hurricane Hanna. Luckily the area had very little impact from the storm.

Mr. Davis presented a plaque that states appreciation to Citizens South Bank for providing the Council Chambers with the audio equipment. He advised that the plaque will be mounted somewhere in this room.

REPORTS

Councilman Bishop advised that the Retail Committee will meet the first Thursday of each month.

Mayor Whitt advised that several of the Council members were in attendance at the Foundation Meeting. Mayor Pro Tem Moore gave a brief update regarding the Foundation meeting. Councilwoman Breyare suggested that the Foundation be encouraged to attend the Council meetings for periodic updates.

Mayor Whitt reported that Mr. Michael is continuing to negotiate the right of way with A&E.

Mr. Davis reported that there will be a meeting on Wednesday night in the training room with Representative Neumann and Senator Hoyle. They will be meeting with property owners regarding the railroad right of way.

Councilwoman Breyare commented that she would like Council to adopt a resolution in honor of Rick Painter who recently passed. She advised that Rick was very active with the City and always reported the street lights that were out. Council agreed to pass the resolution at the October meeting.

Councilman Bishop asked the status of the AT&T lines. Mr. Guffey replied that it took Duke Energy a considerable less time for their project then expected. Therefore AT&T had not planned to start burying there lines until the five (5) week time frame that was given by Duke Energy had expired.

Councilman Bishop asked what happened to the Mountain Island Monitor box that was out front. Mr. Davis replied that somehow the box was moved from outside the building to inside the Grand Hall. He advised that he asked them to move it out of the Grand Hall and the box disappeared completely. Council agreed that it was ok for the Mountain Island Monitor box to be placed outside the building.

Councilman McLean asked if the City can regulate where home day care facilities can be located within the City Limits. Mr. Davis advised that Staff would look into the statutes regarding daycare facilities.

Mayor Pro Tem Moore reported that there has been a problem with parking along the fence at the Middle School during events although there are no parking signs posted. Councilman Bishop advised that the signs are not city regulated signs and therefore cannot be enforced by the city police.

CLOSED SESSION

There was nothing to discuss in closed session.

ADJOURN

With no additional items for discussion, Councilman McLean made a motion to adjourn the September 8, 2008 Council meeting. Mayor Pro Tem Moore seconded the motion. All members present voted in favor. **(Motion carried)** The Council meeting adjourned at 8:55 p.m.