CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING

Monday, August 13, 2007
City Hall
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	Ed Munn, Interim City Manager
Mayor Pro-Tem Phyllis Harris	Jamie Guffey, Assistant City Manager
Councilman David Moore	Danny Jackson, Assistant City Manager
Councilman Jerry Bishop	David Belk, Police Chief
Councilman Jim Hope	Dale Oplinger, Fire Chief
Councilperson Pat Hubbard	Kemp Michael, City Attorney
Councilman Frank McLean	Greg Beal, Planner
	James Friday, Director of Utilities

Invocation
Rev. Bill Baulding, Mt. Holly Pentecostal Holiness Church

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

Set the Agenda
Mayor Whitt reminded the audience that there are two Public Hearings on the agenda tonight and he invited citizens to sign up to speak on these items if they so wished. The two Public Hearings tonight concern considering rezoning a lot located at 106 Rose Street from B-2 to R-12 and the other Public Hearing is to consider adopting the new FEMA Flood Plain Maps and Ordinance. He added that there is a Public Comment period on the agenda tonight and invited citizens who wished to speak before Council for up to three minutes to signup for that as well.

Mayor Whitt asked for any changes or amendments to the Agenda.

Councilman Hope stated that under Unfinished Business, he wished to place the color selection of the low-e windows in the Citizens Center as Item 2.

Mr. Munn stated that there are two reports being presented tonight from the Mt. Holly Community Development Foundation. The first is from the Economic Development Committee, presented by Ms. Edna Chirico and the second is from the Greenways Committee, presented by Mr. Scott Griffin. He asked that these items be placed under Presentations as Items 3 and 4 respectively.

There were no other deletions, additions and no objections.

Motion: Councilman McLean made a motion to approve the agenda as amended. Councilman Moore seconded the motion and the motion was approved unanimously.

CONSENT AGENDA

The following made up the Consent Agenda:

1. To accept and approve the Minutes
2. To accept and appropriate a $500.00 donation to the Police Department
3. To approve policy amendments for Public Housing
4. To call for a public hearing to amend the Downtown Design Guidelines Map.
5. To approve the Final Plat for Phase 1, Map 3, Westland Farm Subdivision
6. To approve Annexation Resolutions for Clean Water Management Trust Fund properties and Public Hearing for the next Council meeting, September 10, 2007.
7. To approve contract amendment of Interim City Manager Services.

Mayor Whitt entertained a motion to approve the Consent Agenda as presented.

Motion: Councilman Bishop made a motion to approve the Consent Agenda as presented with Councilman McLean seconding the motion. The motion passed unanimously.

PRESENTATIONS

1. Resolution to recognize the Church of Jesus Christ of the Latter Day Saints for painting the Tuckaseege Park Concession Stand, presented by the Mayor and City Council

Mayor Whitt asked Council and the volunteers to join him on the floor for the recognition and presentation. Mayor Whitt read the Resolution to recognize certain volunteer members of the Church of Jesus Christ of the Latter Day Saints for painting the concession stand and restrooms at Tuckaseege Park on July 28, 2007. Those volunteers included Wanda Mull, Marian Dawson, David Dawson, Mark Oakes, Jerry Sutton, Neil Dawson, Alec Dawson, C. J. Smith, Norm Luke, Missionary Sister Pottorf and Missionary Sister Beveridge-Lassey. The Mayor and City Council on behalf of the Mt. Holly Recreation Department expressed their thanks to these volunteers for a wonderful job done at Tuckaseege Park.

2. Strategic Plan Market Study Update, presented by Frank Warren, Warren & Associates

Mayor Whitt stated that Mr. Frank Warren and Ms. Deb Ryan were here to discuss the Strategic Plan Market Study Update. An updated portion of the draft study entitled *Market Study* was handed out to the Mayor and City Council.

Mr. Warren began the discussion by stating that the Market Opportunities are summarized as six core values and are summarized as follows:

Small Town Character – Mt. Holly can set itself apart from larger cities with its assets such as the Mt. Holly Cotton Mill and Dutchman's Creek as well as its small-town character.

Natural Environment – Mt. Holly can reconnect with the Catawba River with a continuous trail system. He talked about River Street Park as currently hidden and underutilized and that it would provide numerous development opportunities.
Visionary Leadership – Mt. Holly depends on the all volunteer Mt. Holly Community Development Foundation and long term this type of volunteer organization will not survive. Mt. Holly should reclaim ownership of its economic development with a funded structure for operations and investment as well as a paid staff person championing the cause and implementing change.
Broad Business Base – Mt. Holly can accommodate a wide variety of businesses focusing on target markets for downtown and the I-85 Gateway.
Efficient Transportation – For Mt. Holly, the most critical elements are the connections between downtown, NC-27, and I-85 gateways. Sidewalks and bike paths should be present along NC-273 and NC-27 along with a greenway along the Catawba River.
Excellence in Education – Colleges and universities across the region are opening satellite campuses to serve burgeoning enrollment and Mt. Holly could provide a long-term lease for area colleges to conduct classes in city-owned buildings.

Mr. Warren highlighted the six Action Items which would implement Mt. Holly's market strategy. These Action Items include **Municipal Investments, Marketing, Regulations and Policies, Real Estate, and Education**.

Mayor Whitt stated that this is the first time we have seen this report tonight. He asked Mr. Warren if there would there be an opportunity for a work session? Mr. Warren stated that a work session might be a good idea. As many of these items have already been discussed, Ms. Ryan suggested that the last 2 pages of the study could be reviewed more closely since they are new to the Mayor and Council. Mayor Whitt stated that his goal is to have Council comfortable with all aspects of this study and that this study should not be forgotten. Ms. Ryan and Mr. Warren understood and stated that they were here at the Mayor and Council's pleasure to help in this endeavor.

3. Economic Development Committee Report, presented by Edna Chirico, Chairperson

Ms. Chirico stated that she wanted the Mayor and City Council to have the dates for September and October activities. They are as follows:

a. Small Business Breakfast meeting at the City Cafe has been moved for September to the second Tuesday, September 11, 2007 starting at 7:30 am with an 8:00 am presentation by Frank Warren.

b. The Economic Development Conference is slated for October 2, 2007 at the City Café, beginning at 7:30 am with a program split into two phases. Mayors or their designees from Belmont, Mt. Holly, and Gastonia will give us some updates on economic development happenings in their communities. We will also have speakers attend the conference to talk about topics such as Charlotte high-rise buildings and more environmentally friendly development.

In the near future, Ms. Chirico will be looking at green markets such as the co-op market in Carrboro, North Carolina and will report her findings to the Mayor and City Council at a later date.

4. Update on Greenway System, presented by Scott Griffin –Friends of the Greenways (F.R.O.G.S.) Chairman

Mr. Griffin stated that Mt. Holly is a very forward thinking city about Greenways. He said he attended a meeting with Charlotte Parks and Recreation Department and they were very excited about our greenway and wanted to know more about how to connect it to their greenways.

Mr. Griffin stated that we are on schedule and in the next year we could break ground for greenways in this community. He gave out a handout of "gentle but important" reminders. Some of the items on this list of reminders are as follows:

On September 13, 2007 there will be the last public forum for the purposes of input into the design process for the greenways for Mayor and Council and city staff to attend from 7:00 pm until 9:00 pm at the Rankin Elementary School.

Today, we met with Greenways, Inc., with city staff, and with the Foundation discussing the Green Plan and the detailed plans for the Mt. Holly Riverwalk. An Executive Summary will be available next week for the Mayor and Council to study and Mr. Griffin asked to come to a work session to discuss their findings.

Greenways, Inc. anticipates meeting all deadlines including the final Public Forum and roll out of our final plans on Oct 15, 2007. We would like to attend the Council meeting in November to present these plans and to have these plans approved.

Action items will be delegated to Council and to the Foundation. 5.2 million dollars for the greenway would be broken into four segments. From Jack's Place to Tuck Park is the first segment. Another important matter is that in the grant writing for the grant the city must be "bought in," not necessarily from a financial backing but that the city is behind this process. The Grant writing will be done with the help of Chuck Flink with the Mayor and City Council being involved. He added that by the grant writing and by corporate sponsorship donations, the Greenway will be built.

For the issue of land easement, we must have the grant writing done by December, we need to settle with A&E and lastly for the Foundation and staff to meet with Clariant. Mr. Munn stated that Duke Power will meet with us after the Flink study.

Mayor Whitt thanked Mr. Griffin for his presentation and looked forward to his report at the work session.

PUBLIC HEARING

1. To consider rezoning the lot located at 106 Rose Street, from B-2 to R-12, presented by Greg Beal, Planner

Mayor Whitt entertained a motion to go out of regular session into Public Hearing to consider rezoning the lot located at 106 Rose Street, from B-2 to R-12.

Motion: Councilperson Harris made a motion to go out of regular session into Public Hearing to consider rezoning the lot located at 106 Rose Street from B-2 to R-12. Councilman McLean seconded the motion and the motion carried unanimously.

Mayor Whitt declared that we are in Public Hearing and turned the presentation over to Mr. Beal.

Mr. Beal stated that the Planning Board recommended that this property should be rezoned from B-2 to R-12. This rezoning was done a number of years ago and he doesn't know the logic of why it was rezoned. Tax revenue will be affected if this rezoning is approved.

Mayor Whitt stated that there is one person signed up to speak and he asked Mr. Brookshire to come to the podium to speak.

Mr. Bennie Brookshire
2018 Rose St.
Mt. Holly, NC

Mr. Brookshire stated that he inherited this property from his sister. He said he never had any recollection that the property was ever rezoned to commercial until he received a tax re-evaluation and he petitioned the tax office to change it back to residential which he found out was the responsibility of the city of Mt. Holly. Mayor Whitt asked Mr. Brookshire if there was a residence on it and he said there was none. He just wanted to leave it as it is. His property touches this property and he has no desire to use it for business purposes.

Councilperson Harris stated that when she moved to Rose Street in 1977 the house at 106 Rose Street was burned down and she never realized it was rezoned commercial, just residential.

There being no other discussion, Mayor Whitt entertained a motion to go out of Public Hearing and into regular session.

Motion: Councilman McLean made a motion to go out of Public Hearing and into regular session with Councilman Moore seconding the motion. The motion passed unanimously.

Mayor Whitt asked Council what action they would like to take on this matter.

Motion: Councilman Bishop made a motion to rezone the lot at 106 Rose Street from B-2 to R-12 with Councilperson Harris seconding the motion. Councilman Hope added that for the record, this rezoning is being approved because Mr. Brookshire wasn't aware of the B-2 zoning over the years. The motion passed unanimously.

2. To consider adopting the new FEMA Flood Plain Maps and Ordinance, presented by Greg Beal, Planner

Mayor Whitt entertained a motion to go out of regular session into Public Hearing to consider adopting the new FEMA Flood Plain Maps and Ordinance.

Motion: Councilperson McLean made a motion to go out of regular session into Public Hearing to consider adopting the new FEMA Flood Plain Maps and Ordinance. Councilman Moore seconded the motion and the motion carried unanimously.

Mayor Whitt declared that we are in Public Hearing and turned the presentation over to Mr. Beal. He added that there is no one has signed up to speak on this item.

Mr. Beal began the presentation by stating that the Federal Emergency Management Agency (FEMA) and the NC Dept. of Emergency Management (NCDEM) have been working over the past few years on updating the flood plain maps and flood damage prevention ordinance. In order for Mt. Holly citizens to obtain flood insurance, the city must be a member of the National Flood Insurance Program (NFIP). In order to remain members, the city must adopt the new flood plain maps and flood damage prevention ordinance by September 28, 2007 as required by FEMA and NCDEM.

A Public Hearing was held on this matter on August 5, 2007 by the Planning Board and the Planning Board unanimously recommended that City Council approve the FEMA Flood Plain Maps and Flood Damage Prevention Ordinance.

Mr. Beal stated that two ½ page ads were placed in the Gaston Gazette and a mail out to the surrounding property owners was done. There were no calls from citizens and just two people spoke in favor of this at the Planning Board.

Councilman Hope stated that there was a higher elevation correction done that lowered the flood plain on the current map of August 4, 2006 and this has been very helpful to Mt. Holly.

There being no other discussion, Mayor Whitt entertained a motion to go out of Public Hearing and into regular session.

Motion: Councilperson Harris made a motion to go out of Public Hearing and into regular session with Councilman Bishop seconding the motion. The motion passed unanimously.

Mayo Whitt asked Council what action they would like to take at this meeting.

Motion: Councilman Hope made a motion to adopt the new FEMA Flood Plain Maps and Ordinance with Councilperson Hubbard seconding the motion. The motion carried unanimously.

PUBLIC COMMENT PERIOD

Mayor Whitt stated that no one signed up to speak during the Public Comment Period.

UNFINISHED BUSINESS

1. Parks and Recreation Report, presented by Phyllis Harris, Councilperson and Mayor Pro-Tem

Councilperson Harris stated that she and Ms. Frances Springs attended a citizens board member conference in Greensboro, NC, August 2 through August 4, 2007. Many recreation department directors and others from all over the state met at this conference. She talked about a water feature created by Site Solutions that she and Ms. Springs thought children would really enjoy at one of our Greenway sites though it would be costly.

Ms. Springs thanked Council for allowing them to go to this conference and she felt that she and Councilperson Harris came back with many ideas. Councilperson Harris stated that conference members expressed interest in the activities that are happening in Mt. Holly. Ms. Springs added that they learned more about Parks in Partnership with churches and schools as well as with merchants associations.

2. Citizens Center – Selection of Glass Panes for the Citizens Center, presented by Councilman Jim Hope

Councilman Hope stated that at a work session, the Council voted on low e windows that had been recommended for the Citizens Center in the Administration Area along Hill Street. There is a color choice of gray or bronze and he asked Council and Mayor what color they preferred. It was the consensus that gray was the best color.

Mayor Whitt asked for a five minute recess.

After the five minute recess, Mayor Whitt called the meeting back to order.

NEW BUSINESS

1. To discuss proposed regulations for Traditional Neighborhood Districts (TND) presented by Greg Beal, Planner

Mr. Beal stated that staff is looking for some feedback from Council and Mayor on regulations for a Traditional Neighborhood District (TND) where under the new design guidelines, there is a mixing of various districts. The TND is very popular with developers and allows a degree of flexibility without compromising the integrity of what Mt. Holly needs. Gaston County has a UDO process that addresses the idea of a TND ordinance and Mr. Beal stated that he would be evaluating the TND ordinance process as it pertains to Mt. Holly.

Mr. Munn stated that the TND looks like old traditional neighborhood developments, more in the sense that a larger urban area would provide. Mr. Beal added that developers can get more density and neighborhoods can have community centers, all brick homes, a library, and other requirements set in the ordinance.

Mr. Munn stated that TNDs were first developed in Florida but in rolling typography such as ours, drainage issues must be addressed and it puts a premium on engineering and design. TNDs are options only.

Councilman Hope was concerned that the city should receive a positive cash flow from developments such as this. He also didn't want citizens supplementing this type of design.

Mr. Beal stated that developers will still have to go through the Planning Board. The design guidelines would be for homes costing $250,000 and up. Mr. Beal added that homes with a $250,000 price tag on up will raise the city's tax base. Mr. Munn stated that the city can influence housing prices but it has no authority other than it can influence only by regulations.

Mr. Munn stated that TND developments must have sufficient acreage because they have a town center. They are less sprawled, have common open spaces and less infrastructure.

Mayor Whitt asked Mr. Beal if staff believes that we should pursue proposed regulations for TND neighborhoods? Mr. Beal stated that TNDs are the sign of the times and the city should pursue this idea. Mayor Whitt believed that staff is not looking for a motion to approve but rather a consensus that TNDs should be considered as an alternative for some development in the area. There was no objection.

Mr. Beal stated that he will be bringing more information back in September for their review with a possible Public Hearing in October.

2. To consider Data Cabling at new Citizens Center, presented by Jamie Guffey, Assistant City Manager

Mr. Guffey stated that there are two proposals for the cabling system at the Citizens Center. One is from Buckeye Cabling Systems, Inc. in Charlotte who will do the work for $26,600 including all taxes and fees, guarantee their wire for 25 years and put the cables in a freestanding cabinet. Buckeye added pulling cable for TVs as well as part of the quote. Councilman Hope said he knew of Buckeye's good reputation.

The other quote is from Gaston Technical Support from Mt. Holly and their quote is $39,552.16 including taxes and they will place the cables on the wall instead of in a cabinet. They require 40% due on order and Councilman Hope did not feel comfortable with that requirement.

Mr. Guffey stated that approving one of these quotes which is strictly for the cabling is pressing since the walls are now open. The cabling is for all computers and the phone system. Mr. Guffey added that Buckeye does this type of work only and Gaston Tech will have to sub the work out.

Councilman Moore asked if two quotes were enough? Mr. Guffey said that two additional companies were given the opportunity to quote and one didn't want to do the work and the other did not quote by the deadline. Mr. Guffey stated that every company that was given the opportunity to quote was given the same requirements and the same number of drops.

Councilman Hope asked where these are funds coming from and Mr. Guffey said the funds would come from the Capital Reserve.

Mr. Munn stated that a report will be provided at next month's meeting on how far the city has gone into the Capital Reserve fund.

Mayor Whitt asked what decision does the Council wish to make tonight?

Councilman Hope requested that a representative from the Construction Committee attend the contract meeting with whichever company Council selects.

Motion: Councilperson Hubbard made a motion to accept the Buckeye Cabling System, Inc. quote for the base bid of $28,600 which includes all taxes and fees with Councilman McLean seconding the motion. The motion passed unanimously.

COMMITTEE REPORT

1. Utilities Committee Report, presented by Councilman Jerry Bishop, Chairman

Councilman Bishop stated that the Utilities Committee met on August 9, 2007 with WK Dickson regarding the water tower. WK Dickson stated that they would list the requirements for a new water tank to service the downtown area and present it to us. The Utilities Committee has been talking with WK Dickson about a 1.5 million gallon water tank which would be located on a downtown site. There have been some negotiations with a church for this site and if the negotiations do not work out, we will find an alternate site.

Mr. Munn stated that WK Dickson would like to build a bigger tank with an easement off Glendale Avenue. He added that the city attorney is meeting with the church so that we can get a 40 foot permanent easement.

On another matter, Councilman Bishop stated that he and Mr. Friday will be meeting with Belmont regarding waste treatment options and the cost.

Councilman Bishop asked Mr. Friday to discuss voluntary water restrictions and when will it be necessary for mandatory water restrictions. Mr. Friday stated that at this point, there are voluntary water restrictions. We are under a low inflow protocol. He estimated that with conditions staying pretty much the same, the city has 2 months of voluntary water restrictions until mandatory water restrictions are enforced.

Councilman McLean reminded Council and the Mayor that the cities of Concord and Kannapolis wanted to take 10 million gallons from our source and the state went over our heads on that decision.

MANAGER'S REPORT

Mr. Munn stated that he received an email from Gaston County Manager, Jan Winters, asking if Mt. Holly would be interested in contributing to a county-wide utilities study and governance of that utility. Mr. Munn cautioned Council and the Mayor that the city of Mt. Holly should really be careful about participating in this since Gaston County doesn't have the experience in owning utilities and some of the other participants invited to this study have high debt and high rates. Mt. Holly does not. It was the consensus of Council and the Mayor that Mt. Holly was not interested in this study at this time.

Mr. Munn stated that he will meet with Duke Power and A&E for the easements this week.

Mr. Munn stated that the Light Factory in Charlotte has requested archival pictures of the Catawba River. Ms. Julia Smith from the Light Factory will be in Mt. Holly Thursday at 9:00 am meeting with the Archives Chairman in the Archives Room.

Mr. Munn stated that he will talk with Whitewater next week and we should get some reports from them. Their fiscal year ends in October and if it was a strong year, their deficit will shrink. Mayor Whitt requested that Mr. Munn tell them that the city expects the same reports they provide to their lenders and banks and they are bound by contract to provide them to us. Councilperson Harris stated that Whitewater is concerned about giving us written reports since once in our hands, they become public knowledge.

COMMENTS FROM COUNCIL AND MAYOR

Councilperson Hubbard stated that she was contacted by some citizens regarding the chain across the driveway at Greg Dimmer's motorcycle location. There used to be access going back to that parking lot where a sink hole has been fixed. Mayor Whitt, Councilman Hope and Mr. Beal agreed that it was a private matter and did not concern the city.

It was the consensus of Council and the Mayor that the City Council Work Session would be Tuesday, September 4, 2007, the day after Labor Day.

Councilperson Hubbard asked Mr. Munn if the light was fixed on East Charlotte Ave. by the flower shop? Mr. Munn stated that the street department has the direction to go forward with this repair as a whole line of lights went out as well.

Councilperson Harris wanted to remind everyone that on August 23, 2007 there will be an Alive after 5 from 6:00 pm until 9:00 pm in downtown Mt. Holly. Depending on water and river conditions, River Day will be on Saturday, August 25, 2007 from 10:00 am until 6:00 pm. The Streetscape Dedication is scheduled for Saturday, September 22, 2007 from 10:00 am in downtown.

Councilman Bishop asked that the new "no trucks" sign should removed from the location at North Main but should be relocated to the triangle, coming down from the fire station, because we don't have the authority to restrict trucks on a state highway so the sign needs to be moved.

Councilman Bishop said he received complaints about Toms' Auto by Cherry Street for his sign for inspections located on the sidewalk, causing a traffic obstruction. Councilperson Harris stated that the owner needs to be told. Mr. Beal stated that the owner has been warned but not fined.

Councilman Hope said that he has talked to staff about the 4 foot high weeds around where the sinkhole has been repaired and he wished staff to check on that.

Councilman McLean stated that the ditch above Robinson Street needs to be cleaned out and asked about the Holiday Inn Express and the boxes sitting out in front of the hotel. Mr. Munn stated that the Holiday Inn is doing some renovations and asked the city if they could use city property to store their furniture until the renovations were complete. Mr. Munn stated that we gave our permission for them to do that.

Councilman Moore stated that he was pleased with the clean up of the burned property on E. Glendale.

Mayor Whitt stated that he was very interested in the Market Study presented tonight and suggested that Mr. Warren should come to our work session on September 4, 2007. There was no objection.

Mr. Michael stated that there is a lease agreement for discussion and possible approval tonight. In December, 2005 the city of Mt. Holly entered into a lease agreement with Jack Setzer and Luther Mashburn on property where Mr. Setzer is the occupant of the house on the property and the caretaker of the property. We have updated the lease where repairs over $1,000 in a calendar year will be taken care of by the city. For repairs under $1,000 for a calendar year, the tenant will pay for these. This update reflects the city's ownership of the property and the lease begins July 1, 2007 with 11 months notice to the tenant if the city needs to take the property back and 6 months notice if the terms of the lease would be changed. The rent will be $350 a month with outlined maintenance responsibilities. Mr. Michael stated that the city may have up to 12 functions a year at this site but would not allow occupying of the house other than by Mr. Setzer.

Motion: Councilperson Hubbard made a motion to approve the lease with Jack Setzer and Luther Mashburn as offered by city attorney, with Councilman Moore seconding the motion. The motion passed unanimously.

There being no other business to discuss, Mayor Whitt entertained a motion to go into Closed Session for the purpose of discussing personnel matters.

Motion: Councilman McLean made a motion to go into Closed Session for the purpose of discussing personnel matters with Councilman Moore seconding the motion. The motion passed unanimously.

After the Closed Session was finished, Mayor Whitt entertained a motion to go out of Closed Session and return to the Regular Session.

Motion: Councilman McLean moved to go out of Closed Session and return to Regular Session with Councilman Moore seconding the motion. The motion passed unanimously.

Mayor Whitt entertained a motion to adjourn the Regular Session meeting.

Motion: Councilperson Harris made the motion to adjourn the regular meeting with Councilperson Hubbard seconding the motion. The motion carried unanimously.

The regular meeting adjourned at 10:30 pm.

Robert Whitt
Mayor

Edward Munn
City Manager