

**Regular Meeting
City Council
August 12, 1996**

The regular meeting was held at City Hall, and was called to order by Mayor Frank McLean at 7:30 P. M. Those present were Councilwoman Phyllis Harris, Mayor Pro-Tem Michael Helms, Councilmen Jim Hope, R. L. Duke, and David Hostetler Jr., as well as City Manager Phil Ponder, City Attorney Kemp Michael, Police Chief Jerry Bishop, Zoning Administrator Danny Jackson. Councilman Andy Stewart was absent due to a death in his family. Public Works Director Eddie Nichols was absent due to attending a conference in Asheville.

The invocation was led by Rev. Roger Grassfield.

Councilman Helms **MOVED** to approve the minutes of July 8, 1996, with the following corrections: Councilman Stewart's first name to "Andy". This motion was seconded by Councilman Hostetler, with all present in favor.

Mayor McLean presented a plaque and watch to Mr. Greg Miller, a city employee who has served for twenty years.

Mayor McLean recessed the regular meeting and called a public hearing for consideration of the proposed community block grant application for Sadler Road, Glenn Drive, and Wenda Place. Mr. Bill Duston and Mr. Anthony Robinson, from Centralina Council of Governments, were present. Mr. Duston said this block grant is for infrastructure improvements only (not for roads), with the funds, up to \$850,000, coming from HUD and being administered by the State of North Carolina. Income and severity of need are criteria, and so the selection of the area is important. The application is due on September 27, with a decision by early 1997. The grants are in two-year cycles, meaning the applications are only taken every two years and those not funded the first year are considered the second year. To be competitive, the City must "contribute" money, approximately \$20-25,000, and get engineering drawings and cost estimates. The State requires two public hearings and a neighborhood committee of about four persons along with an elected official. Mr. Duston reported he has had good response from the residents but he needs an interview on each resident, whether they qualify or not. Danny Jackson had sent out flyers and gave him a list of the owners. They will again contact those not already interviewed. There were no further comments. The public hearing was adjourned and the regular meeting resumed. Councilman Helms **MOVED** to set the second public hearing for the September 9 regular meeting to consider the CDBG application, seconded by Councilman Duke, with all present in favor.

Upon request by Council Stewart, the matter of Central Park expansion was tabled until next month by **MOTION** of Councilman Hostetler, seconded by Councilman Helms, with all in favor.

Marshall Huffstetler and Mrs. Springs were present from the Recreation Committee. Mr. Huffstetler stated the Committee is always interested in expanding, but this is not a priority on the capital expenditure list, and there are five other priorities they are working on currently. He said, however, the Committee is ready to support and work on this also if the Council decides to do it.

Councilwoman Harris **MOVED** to table until next month the matter of yard waste collection upon request by Councilman Stewart who had initiated this discussion, seconded by Councilman Hostetler, with all in favor.

Mr. Bill Duston, of CCOG, discussed the services available from CCOG related to an annexation study. He said the proposed legislation which would change the annexation law did not pass. A study is required to show the services to be provided, the cost, and a finding that it will be in the best interest of the city. The Council can select the area or have CCOG do a cursory exam of all surrounding areas and recommend feasible areas to the Council. He reminded them that annexation and establishing ETJ are two different things. Mayor McLean asked about the time involved. Mr. Duston said the study takes two to three months, followed by adoption of a Resolution of Intent. A public hearing is held 45-90 days thereafter, with the Annexation Order being adopted 15-90 days after that. The effective date must be at least one year later. It is required that the utilities be installed within two years after the effective date. The police, fire, and garbage services are immediately provided. The study must state the amount of source of funding for these improvements and services. City Manager Ponder said he had asked Mr. Duston to discuss this matter because, although annexation is a very controversial matter, the City has had three requests for voluntary annexation in the last year, and he suggested a proactive rather than reactive approach might be more feasible. The Council took the information under advisement.

City Manager Ponder said Maya Lodging, the owner of the property on Highway 273 near First Health, is ready to develop the property and has requested water and sewer service. He reported that sewer was not provided to that property during the annexation of Catawba Heights, probably because of it being undeveloped. The Public Works Director, Eddie Nichols, estimates the cost to be \$10,000. Councilman Duke **MOVED** upon the recommendation of the City Manager, to approve the installation of a sewer line to the Maya Lodging property, not to exceed \$10,000, seconded by Councilman Helms, with all present in favor. The City Manager will bring a budget amendment back to Council.

Councilman Hope **MOVED** to reduce the speed limit to 25 mph and to install speed limit signs, as well as "Children At Play" signs in the East End area, seconded by Councilwoman Harris, with all in favor. Councilman Hostetler said he would like to go to their community meetings but had not been informed as to when. The

City Manager said he will pass on to the Council any information he receives about their meetings and events.

Councilman Hope **MOVED** to set a public hearing for the September 9 regular meeting to consider the rezoning request by Shugart Enterprises for 4.14 acres in Autumn Woods Subdivision, from R-12 to R-8MF, seconded by Councilman Helms, with all present in favor. Mr. Shugart has encountered problems with the terrain. Danny Jackson reported the Planning Commission recommended setting the public hearing. The acreage requested is a small portion of the project which covers about 150 acres.

Councilman Hope **MOVED** to set a public hearing for the September 9 regular meeting to consider the rezoning request by Squires Enterprises for approximately 150 acres on Tuckasee Road, from R-12 and L-1 to R-8MF, R-10 and B-3CU, seconded by Councilman Duke, with all present in favor. Mr. Ponder reported that the Land Use Plan proposes this area be developed as residential. The developer had requested and was granted by the City Manager use of City Hall for a public information meeting to be held on August 20 between 7 and 8 P.M. The business zone would be for a marina on the Catawba River.

Diana Pritchett and Teresa Sides of Priority One Management presented the Public Housing Management Assessment Program Certification for Holly Hills Apartments for the fiscal year ending 6/30/96. The indicators show an improvement for the fourth consecutive year. The percentage of 92.89 puts it in the High Performer category for the second year. Councilman Hostetler **MOVED** to adopt Resolution #8-12-96(a) approving the PHMAP Certification, seconded by Councilman Duke, with all in favor. (copy attached)

Diana Pritchett presented an Addendum to the management agreement for the Rollins Apartments which is being required by FmHA. The management salary will be based on a flat \$55.00 monthly per unit, instead of the percentage basis previously used. City Manager Ponder reported he had confirmed this with Sandy Lawrence of FmHA. Mr. Ponder stated the amount is close to that previously paid. Councilman Hope **MOVED** to approve Addendum No. 2 to the Management Agreement for Rollins Apartments as presented, seconded by Councilman Duke, with all in favor. (copy attached)

Public Works Director Eddie Nichols had recommended to the City Manager by memo of August 6 that the City hire a certified operator for part-time duty at the Wastewater Treatment Plant. He plans to hire a retired individual to fill in when operators are on vacation or out sick, who is already familiar with our plant. Mr. Ponder said this will cover the need outlined by the study, and will avoid costly benefits. Councilman Hostetler **MOVED** to establish a part-time position at the WWTP as recommended by the City Manager, seconded by Councilman Helms, with all present in favor. Councilman Hope asked if he will be able to get insurance benefits through the City if he pays for

them; Mr. Ponder will check on that.

Chief Bishop requested the Council authorize the purchase of night vision goggles out of the reserve account for law enforcement purposes, funded by forfeiture money from drug enforcement, at a cost of \$2,395.00, to be used for surveillance, night searches and lost individuals. A budget amendment was presented to move the funds into the expense account. The purchase and budget amendment were authorized upon **MOTION** by Councilman Hope, seconded by Councilman Duke, with all present in favor. (copy attached)

The bid tabulation for chemicals was presented in the agenda package by Public Works Director Eddie Nichols. He recommended the low bid on all items except the phosphate, which he requested be bought from the same company the City has used for 20 years because of the success the City has had with the product. Councilman Hostetler said that he deals with chemicals and is not aware there is a difference in phosphate, and requested more information. Councilman Hostetler **MOVED** to award the bid for chemicals to the following:

Chlorine--Jones Chemical Co., \$400/ton
 Alum--Peridot Chemicals, \$157.67/ton
 Caustic--Prillaman Chem Corp., \$293/ton
 HFS--Prillaman Chem Corp., \$154/ton

This motion was seconded by Councilman Helms, and carried with four ayes, and one nay (Duke). The bid award for phosphate was tabled until next month upon **MOTION** by Councilman Hostetler, seconded by Councilman Helms, with all present in favor.

City Manager Ponder presented a sketch of downtown showing the present location of new benches, trash containers, and planters. He asked for input for the Council before he makes one final order to the company because he had requests for more. Councilman Hope said he wants to be sure there are not too many so they will be used and are not just there. Councilman Hostetler wanted more on North Main Street and to have them more evenly distributed and bolted down. Councilman Hostetler **MOVED** to add two planters to North Main and 1 trash can on the corner of South Main, seconded by Councilman Helms, with all present in favor.

The Planning Commission had made recommendations to replace John Brinkley and Charlene McRorie who are moving. Councilwoman Harris **MOVED** to approve the recommendation and appoint George Cauthen, Jr. as regular inside member, and Max Rhyne as alternate inside member, seconded by Councilman Helms, with all present in favor.

The floor was opened to complaints and petitions not on the agenda. Linda Carrigan was recognized. She goes to work between 6:30 - 7:30 A. M. and travels past the Yield sign on Beaty Road at Highway 273. She stated drivers do not look and she has been almost hit several times. She requested the sign be changed to a

Stop sign. The City Manager said that may require DOT approval. Councilman Hostetler said he sympathized with her but he requested traffic reports and suggested waiting until the next meeting after seeing them before deciding on this matter, so the decision can be substantiated. The Council concurred.

Caroline Means, Forney Avenue, Belmont, was recognized. She said she comes to Mount Holly to see her mother sometimes. She stated she was going to the Driver's License Office in Creekside Shopping Center down Highway 27 and turned left into the parking lot immediately behind another car. A police officer pulled her and gave her a ticket but did not give one to the driver in front of her. While he was writing the ticket, they watched several others do the same, but he did not give them a ticket either. She said he had to point out the sign to her and showed her the turn lane, which she feels looks like it goes to the car dealer. She said the only other ticket she saw him give was to a woman with a New York tag. She was told by the dry cleaning person that the officer had told a white woman he was letting it go. She felt she had not been treated fairly, and they should not give her a ticket unless everyone got one. She said the first officer she talked with was very nice, but the other one that came by was very rude. Councilman Hostetler thanked her for coming, and suggested the City Manager look into a larger sign and moving it up the road some, and perhaps asking the owner to put an entrance sign at the turn lane. City Manager Ponder said the Council had instructed the sign be put back up, and warnings were given for some time, but the Police Chief had instructed his officers to begin writing citations. He reported that 30 were written just the prior weekend for that one location. The ticket itself is handled by the court system and she was referred to them about that. A woman in the audience said she lives in Mount Holly and did not know there was a No Left sign there and suggested it be put in the paper. Councilwoman Harris noted there were reporters present and perhaps they will publish it.

Councilwoman Harris reported she attended the East End community "Night Out" event. The matters they want the City to help with are:

1. No Parking sign on Alexander;
2. street light at a dark corner vacant lot
3. clean out drains filled with dirt
4. parking limited for safety reasons at certain locations.

Councilman Helms said he was there and he is in favor of having all these requests met. Mrs. Harris said they had a large crowd, and they walked around the block and talked with neighbors.

Councilman Duke noted that in Southern City he read that Greensboro has a program in which the City gives a \$4.00 rebate to anyone who buys a toilet "flapper" that saves water, and he thought the City should consider doing something similar to that.

Councilman Hostetler shared an article in People magazine which featured Mount Holly's entrance sign and Archie Small.

Councilman Hostetler said the sidewalk on South Main Street stops at the old P&N Railroad tracks, and he asked that an extension up to the corner at the bypass be included in the plans for future sidewalk work. He also encouraged the maintenance of the present sidewalks in support of a letter received from Bobby Black, and asked that the money budgeted for that be used.

Councilman Hostetler inquired when the City Seal plaque will be installed in the Council Room. Mr. Ponder said it has arrived but will not be put up until after the Council table is reconfigured, which he hoped to be before the September meeting.

Mayor McLean stated that Carl Moore Stroupe, North Main Street, complained of mud and excess water coming off the development across the street (Runneymeade Subdivision). Mr. Ponder said he has written Mr. Ledbetter with DOT, but has not gotten much response. He plans to write Mrs. Gaither. Councilwoman Harris asked if he had water problems before; he did, but not so much. Mrs. Harris suggested that when the grass and shrubs are planted it will improve. Mr. Ponder had called the erosion control department and they will come back out to look at the situation.

City Manager Ponder had received a phone call from an executive with ICI-Rayca who said the company has been bought by a firm in Brittain, and they may be closing that plant on Tuckaseege Road.

City Manager Ponder reported an estimate from Mr. Skidmore to curb Central Avenue to hold the gravel from the railroad off the street, in the amount of \$11,000, for 620 linear feet, which is not presently in the budget. Councilman Hostetler said the gravel might pile up and spill over a curb, and CSX needs to do its maintenance. Councilman Duke said he had in mind a retaining wall. Councilman Helms suggested a metal edge might be cheaper to maintain. Mr. Ponder will check on this matter further.

Councilwoman Harris requested the Council allow her to look into doing a "River Walk" to tie-in the Squires development or marina with Tuckaseege Park, and perhaps up the other way to the new YMCA. Councilman Hostetler said any park in an urban area is a greenway no matter what it is called, and he is in favor of expanding those, but he wants it to be done equally for all areas of the City, not just one. He did not believe this would be used, and he prefers have a five year plan established with a structured criteria. Councilwoman Harris said she is not asking for any money or to purchase any property. Councilman Helms said he had no objection to her approaching citizens for any reason. Councilman Duke said it was okay with him. Councilman Hope said he would want to know what the City's liability would be for that type facility. He also said a certain percentage of the development has to be donated for recreation purposes. Mr. Hope did not believe she needed anyone's permission to bring a proposal to the Council and what homework she did beforehand was up to her. Mayor McLean said the watershed regulations require greenway areas.

City Manager Ponder received a request from Mrs. June Dellinger for the Lincoln Genealogical Society to use a room in the basement of City Hall temporarily for storage and meetings. They would need a key. The Council did not object, but asked the City Manager to use caution with regard to the key and access to the building without a City employee presence.

City Manager Ponder asked for Council direction about having a consultant come with regard to the fire department. Councilman Hope said he does not want consolidation, so there is no point in spending the money. Councilman Helms agreed. The Council agreed he should not have the consultant come.

Mr. Ponder also reminded the Council of the N. C. League of Municipalities seminar in Winston-Salem for October 13-15, the National League of Cities conference in San Antonio on December 7-10, and the Annual Conference of Small Cities (transportation theme) in Greensboro on October 2-4.

There being no further business before the Council, the meeting was adjourned, upon motion by Councilman Duke, seconded by Councilman Helms, with all in favor.

Philip Ponder
City Clerk

Frank E. McLean
Mayor
