CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, August 11, 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
Councilman Bennie Brookshire
Councilman Perry Toomey
Councilwoman Carolyn Breyare
Kemp Michael, City Attorney

Eric Davis, City Manager
Jamie Guffey, Assistant City Manager
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

Call to Order by Mayor Whitt

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

Invocation

Reverend Jeff Bost pastor of Westview Presbyterian Church 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 Whitt advised that he would like to allow citizens five (5) minutes for public comment instead of the standard three (3). He also asked that all cell phones be turned off during the meeting. Councilman McLean asked that Item #3 under the consent agenda *Call for Public Hearing to Consider Annexation on 110 McGinnis Street/Reiser* be removed to item #7 under Old Business. Mr. Davis asked to remove Item #1 under New Business, *Discussion of an Employee Pay/Benefit Study*. He advised that this item will be discussed at the September 8, 2008 Council Meeting. Councilman McLean made a motion to approve the agenda as amended. Mayor Pro Tem Moore seconded the motion. In a voice vote, all voted in favor. ***Motion passed unanimously.***

Consent Agenda

Mayor Whitt entertained a motion to approve the consent agenda. Councilman Bishop made a motion to approve the consent agenda. Councilman Toomey seconded the motion. In a voice vote, all voted in favor. ***Motion passed unanimously.***

Minutes

Councilman Toomey commented that he pointed out some typographical errors to Mr. Davis on the July 14, 2008 Business Meeting Minutes. Mr. Davis commented that he forwarded the corrections to Ms. Miller. With no additional changes to the July 14, 2008 minutes, Councilman McLean made a motion to approve the minutes as corrected. Mayor Pro Tem Moore seconded the motion. In a voice vote, all voted in favor. ***Motion carried unanimously***

Councilman Toomey commented that he gave some typographical changes to Mr. Davis on the July 28, 2008 Work Session Minutes. With no additional changes, Councilman Toomey made a motion to approve the minutes as corrected. Mayor Pro Tem Moore seconded the motion. In a voice vote, all voted in favor. Motion carried unanimously.

Public Hearings

Lindsey Hobbs presented the proposed Gateway Corridor Regulations. He advised that the Highway 27 corridor is the next step in reaching Council's goal as stated in the Strategic Vision Plan. Mr. Hobbs advised that the first recommendation would be to take out the turn lanes on Highway 27. This would make the entrance to the downtown much more attractive.

Mr. Hobbs explained that staff also recommends two (2) new zoning districts in the corridor area. The first is Gateway Commercial District. The purpose of gateway commercial is to establish a zoning district along Mount Holly's main entry corridors for mixed use commercial buildings with retail and office required on the first floor and office and residential uses allowed on the upper levels. The regulations for this district will produce development which indicates the entrance into the City of Mount Holly and meets the design requirements of the *Downtown Mount Holly Plan*. Mr. Hobbs presented visuals of how these buildings would appear. Mr. Hobbs continued with the details that will be required within the Gateway Commercial District if approved by the Council.

The second district would be the Residential Downtown Zoning District. He advised that the purpose of a residential downtown district is to establish a residential zoning district for the City of Mount Holly's downtown area which promotes increasing residential density to support the Central Business District retail and office development and incorporates the Design Guidelines of the *Downtown Mount Holly Plan of 2005* into the recent *Downtown and Riverfront Corridor Plan*. Mr. Hobbs went into detail regarding the uses and requirements for the proposed residential downtown zoning district.

At this time, Mayor Whitt asked for the first speaker that signed in to come forward and state their name and address.

Darren Honeycutt
117 N Alexander Street
Mount Holly, NC 28120

Mr. Honeycutt advised that he has lived in Mount Holly for 22 years. He further advised that he is a lover of history and therefore would like to see the City concentrate on preserving the areas in the gateway corridor that have a historical presence such as Alexander Street.

Rodney Williams
4915 Hickory Grove Road
Mount Holly, NC 28120

Mr. Williams advised that he owns property on both the Highway 27 corridor and the Highway 273 corridor. He further advised that he has looked at the corridor plan and tried to imagine a two (2) story building on one of his fifty (50) foot lots along with sidewalks and parking in the rear. He imagines that the appearance would be somewhat similar to a smokestack. Mr. Williams went on to quote a book he used to read as a small child called the *Emperor Has No Clothes*. He commented that he did not want to see Council running around without clothes.

Edna Chirico
121 East Charlotte Avenue
Mount Holly, NC 28120

Ms. Chirico advised that she is a realtor that specializes in commercial property. She added that the proposed changes to the gateway corridor is a great vision for the City of Mount Holly, but the commercial market has been very slow in the past few years. Therefore she does not think that it is a good time to put the corridor changes in place. Ms. Chirico further commented that the proposed changes should be phased in during the next few years for a gradual transition.

Jim Hope
104 Stoneridge
Mount Holly, NC 28120

Mr. Hope advised that he wanted to commend Council for recognizing the need for the proposed text amendment going into the City's Gateway. He further advised Council of the two (2) issues facing them, the text amendment and the downtown overlay district. He added that he played an instrumental part in the Visioning Plan. Mr. Hope reported that one of the deciding factors in regard to the need of the visioning plan was when downtown buildings were being torn down and replaced with more modernized facilities. However the demographics are different on Highway 27 than that of downtown therefore the overlay needs to be tweaked. Although, as the property owner of the property at the intersection of Highway 27 and 273, he has to deal with several factors, the five (5) lane highway, the railroad, the sewer lines etc and therefore he cannot support the overlay district.

Keith Featherson
1010 Pierce Avenue
Mount Holly, NC 28120

Mr. Featherson advised that more thought needs to be put into this proposed gateway corridor plan. If Council agrees with the gateway plan it will render the use of several properties and therefore the City should be prepared to condemn properties and pay fair market value.

With no one else signed up to speak; Mayor Whitt closed the public hearing. Mayor Whitt thanked all those who spoke and explained that Council and Staff are trying to plan for the future as well as enhance property values by proposing the new regulations in the City's Gateway. It was the consensus of the City Council to table this discussion at the current time.

At 8:25 p.m. Mayor Whitt called for a short recess

Mayor Whitt reconvened the meeting at 8:39 p.m.

Public Comment

Eddie Wilson
407 Timberlane Drive
Mount Holly, NC 28120

Mr. Wilson thanked the Council for co-sponsoring the Sports Hall of Fame Banquet. He advised that there will be seven (7) legends inducted into the Sports Hall of Fame and there will also be an unveiling of a plaque that recognizes one hundred forty four people. He asked

Council to please consider a location to hang the plaque. Mr. Wilson also asked when the fitness center would reopen he advised that the center has been closed for seven (7) weeks.

Rodney Eppes
107 S Hawthorne Street
Mount Holly, NC 28120

Mr. Eppes reported that he is very passionate about illegal signs. He advised that he makes a habit of taking down the illegal signs that are in the right of way or hanging on utility poles.

Jefferson Fortner
143 East Catawba Avenue
Mount Holly, NC 28120

Mr. Fortner advised that his property is located in the downtown district and is very excited that the City is moving forward with the progress that started almost five (5) years ago with the Visioning Plan. The downtown residential part of the plan needs to be addressed as well. The greater the density of the downtown the more support there will be for the development of the corridors. Mr. Fortner added that he has attended several meetings relating to the corridor plan and is yet to hear anything regarding the downtown residential. He asked that Council consider the downtown residential as a separate issue.

Discussion of the Grand Hall Rental Policy

Councilman Bishop reported that the Committee inspected several different policies and took ideas from all of them. He advised that the Committee decided to be successful in renting the Grand Hall a small kitchen needs to be outfitted in the retail space. Therefore the Committee is recommending approval of the policy to include a budget of $20,000 to outfit a kitchen and handle the costs of promoting the Grand Hall. Mayor Whitt reminded the Council that the issue of alcohol also needs to be a consideration. Councilman Toomey made a motion to approve the Grand Hall Rental Policy with the exception of alcohol. Councilman McLean seconded the motion. With a show of hands, Councilman McLean and Councilman Toomey voted for the stated motion and Councilwoman Breyare, Councilman Bishop, Councilman Brookshire and Mayor Pro Tem Moore voted against. Motion failed.

In a second motion, Councilman Bishop moved to approve the Grand Hall Rental Policy as submitted to Council allowing the use of alcohol. Mayor Pro Tem Moore seconded the motion. In further discussion, Councilman Brookshire suggested to allow beer and wine only. The motion stood as stated. In a vote by show of hands, Councilman Bishop, Councilwoman Breyare, and Mayor Pro Tem Moore voted for the motion. Councilman Toomey, Councilman McLean and Councilman Brookshire voted against the motion. The vote was tied 3-3; therefore Mayor Whitt cast the deciding vote, voting for the motion, the motion carried with 4 ayes and 3 nays. Mr. Michael advised that a change to the City Ordinance is required to allow the use of alcohol in a public building, therefore a 2/3 majority is needed. Being the motion did not pass by the 2/3 majority, a second reading and vote will be required at the August Work Session.

Mayor Pro Tem Moore made a motion to approve a budget not to exceed $20,000 for the Grand Hall for the construction costs associated with outfitting a small kitchen and advertising to promote the Grand Hall. Councilman Bishop seconded the motion. Mayor Whitt asked where the $20,000 will come from. Mr. Davis commented that it can come from the contingency fund. In a voice vote, all voted in favor. Motion carried unanimously.

Discussion of Credit Card Payment Option

Mr. Guffey explained that most credit card companies charge any where from a 1% to 3% fee for each credit card transaction. He advised that Staff needs direction as to how to handle these fees. The only two options are for the City to absorb the fees or charge the fees back to the customer as a convenience charge. It was the consensus of Council to let the customer pay the convenience charge for credit card transactions.

Consideration and Approval of Tuck Park Phase II

Billy Royal with WK Dickson was present to review a few major points for Phase II of the Tuck Park Project. He advised that Phase II will include an area amphitheatre, dog parks and a new concession stand. Councilman Toomey made a motion to approve Tuck Park Phase II and move forward with the bid process. Councilwoman Breyare seconded the motion. The motion carried unanimously.

Award Bid for the Elevated Water Tank on Huitt Street

Mr. Guffey reported that the Utility Committee made a recommendation that the City award the bid for the construction of an elevated water tank on Huitt Street to CB&I Constructors. He advised that CB&I came in with the low bid at $1,997,000. Mayor Pro Tem Moore made a motion to award the bid for the elevated water tank to CB&I Constructors, Inc. Councilman Brookshire seconded the motion. The motion passed unanimously.

Award Bid for Financing of the Elevated Water Tank

Mr. Guffey reported that he sent out an RFP for up to $3,000,000 for the financing of the elevated water tank and booster pump. BB&T came in with the lowest interest rate, therefore Staff recommends awarding the bid to BB&T at a rate of 4.27% interest. Councilman Toomey made a motion to award the bid to BB&T. Councilman Brookshire seconded the motion. All voted in favor. Motion carried unanimously.

Call for Public Hearing on Financing of the Water Tank and Booster Pump

Councilman Bishop made a motion to hold a public hearing on the financing of the elevated water tank and booster pump at the September Council Meeting. Councilman Toomey seconded the motion. All voted in favor. The motion carried unanimously.

Call for a Public Hearing to Consider Annexation on 110 McGinnis Street/Reiser

Mr. Beal explained that calling for a public hearing to consider annexation on the above stated property does in no way obligate Council to move forward with the annexation. Mayor Whitt asked why this item was pulled from the consent agenda. Councilman McLean shared concerns regarding the pump for the proposed property. Mayor Whitt agreed that the City would be very reluctant to take over the pump station for the purposed property. Mayor Pro Tem Moore made a motion to hold a public hearing for consideration of annexation for the property located at 110 McGinnis Street. Councilman Bishop seconded the motion. The motion carried unanimously.

Discussion of Leasing the Retail Space

It was the consensus of the City Council to appoint a committee to pursue options for leasing the retail space in the Citizens Center. Councilman Bishop agreed to chair the committee.

Discussion of Use for the Old City Hall

There was discussion regarding the best uses for the Old City Hall. Councilman Bishop suggested that the location would be a perfect place for an art and cultural museum and use the archives as part of the museum. Mr. Davis reported that the Community Development Foundation and the Chamber of Commerce has expressed interest in leasing office space in the building. Council directed Staff to continue pursuing possible interested parties to lease the space as well as develop a recommendation as to the best uses.

Discussion of the Final Location for Archives

It was the consensus of Council to pursue the Old City Hall further as a location for the Archives.

Call for Public Hearing on A&E Rush Plant from LI to R-8

Mr. Beal explained that the developer for this property is requesting the A&E Rush Plant be rezoned from light industrial to R-8 MF Conditional District. He advised that the developer intends to renovate the plant into apartment units. Councilman Bishop made a motion to call for a public hearing on the rezoning at the September 8, 2008 Council Meeting. Mayor Pro Tem Moore seconded the motion. Motion carried unanimously.

Discussion of the Citizens Center Dedication

Councilwoman Breyare commented that she did not think that it is a good idea to have the Citizen Center Dedication the same day as the Autumn on Main. She suggested postponing the dedication until the next weekend. Mayor Whitt suggested having the dedication on Sunday, October 19th. It was consensus of Council to have the dedication on October 19th from 2:00 p.m. to 5:00 p.m.

Manager's Report

Mr. Davis reported that the Public Works Department is working on the paving project. Bids should be ready by early fall.

Mr. Davis reported that the Police Department has moved into the Citizens Center.

Mr. Davis reported that there will be a presentation on the Linear Park at the August 25, 2008 Council Work Session. He advised that the City has made application to CSX for the use of the right of way for the project.

Mr. Davis reported that Staff is continuing to work on wastewater treatment options.

Mr. Davis reported that the fitness center will re-open in the next few weeks.

Mayor Whitt asked for any additional comments from Council, Councilman Toomey asked for a status report for relocating the power lines. Mr. Guffey reported that payment has been made and contracts have been signed. The process should begin in the next few weeks. Councilman Toomey suggested that there should be a Police Officer present at meetings when contentious items are on the agenda.

Closed Session

At 10:20 p.m. Councilman McLean made a motion to enter into closed session. Mayor Pro Tem Moore seconded the motion.

At 11:32 p.m. the open session reconvened.

Adjourn

With no additional items of discussion, Mayor Whitt entertained a motion to adjourn. Councilman Bishop made the motion to adjourn and Mayor Pro Tem Moore seconded the motion. All voted in favor. Motion carried unanimously.

The August 11, 2008 Council Meeting adjourned at 11:33 p.m.