

**Mount Holly City Council
Work Session
August 1, 2000**

CALL TO ORDER BY THE MAYOR

The work session meeting of the City Council of Mount Holly was called to order at 8:30 p.m. by Mayor McLean. The following were present:

Mayor Frank McLean	City Manager David Kraus
Mayor Pro-Tem Bobby Black	Administrative Services Officer Jamie Guffey
Councilman Michael Helms	Public Works Director Eddie Nichols
Councilwoman Phyllis Harris	Planning & Zoning Director Danny Jackson
Councilman Jim Hope	Fire Chief John Ekiatis
Councilman Bryan Hough	Parks & Recreation Director Zip Stowe
Councilwoman Pat Hubbard	Police Chief Ricky Davis
City Attorney Kemp Michael	

The Invocation was led by Councilman Jim Hope.

Item # 2 on the Agenda -- Duke Energy petition for voluntary Annexation.

City Attorney Michael said the first piece of business that needed to be done was approval of final petition agreement between Duke Energy and the City. The main hold up on the agreement was whether or not Duke needed FERC approval to transfer the land to the City. It has been learned that they do not need approval.

Council asked Attorney Michael for a summary of the agreement.

Attorney Michael stated that the agreement dealt with 3 pieces of property. The first is an approximate 96 acre tract that is bound by the Stone Water subdivision, Highway 16, the Riverbend Steam Station and Mountain Island Lake. This property is known as the Boat Landing Property. Duke Energy will petition for voluntary annexation of this tract. A public hearing was called for at the September Council Meeting. This annexation will make Stone Water contiguous with the City.

The second piece of property in an approximate 100 to 150 acre tract that contains the Riverbend Steam Station. On the effective date of the Boat Landing Property annexation, Duke Energy will submit for annexation the Steam Station. This annexation will be effective June 30, 2014. In lieu of paying property taxes on the property until the annexation date, Duke will be paying money to the City on a set ascending schedule. After annexation, Duke will pay property taxes as required.

The third parcel is known as the Hydro Facility and consist of the part of the Dam that is Gaston County and the Power house. The City can require Duke to submit this property for annexation at any time until June 30, 2013 and the effective date of this annexation will be June 30, 2014. City Attorney Michael said that this was done in this manner

because the City is not sure yet if they wish to annex property that is in Mountain Island Lake.

City Attorney Michael said that there is no legal challenge to the agreement expected, but if there is a challenge the City will pay the first \$25,000 to defend the agreement, then the rest of the cost will be split evenly with Duke. He also stated that the agreement has received an opinion from the Attorney General's office stating that it is constitutional.

Councilwoman Hubbard asked if the 5 acre donation of land to the City was still in the agreement. City Attorney Michael said that yes the donation was still in the agreement and that staff is currently looking for the best tract to get. The transfer of land will happen 30 days after the effective date of the annexation, or when the City selects the parcel that it wants, whichever is longer.

Councilman Hough **MOVED** for the adoption of The Annexation Agreement with Duke Power Resolution 08-01-00A as presented by City Attorney Michael. The motion was seconded by Mayor Pro-Tem Black and passed with no opposition.

Item #3 on the agenda – Duke's petition for Voluntary Annexation.

Duke Energy lawyer Maynard Tipps submitted Duke and Crescent Resources petition for voluntary annexation of the Boat Landing Property to the city attorney.

Councilwoman Hubbard **MOVED** that council adopt Resolution 08-01-00B to have the City Clerk investigate the petition. The motion was seconded by councilwoman Harris and passed with no opposition.

City Clerk Kraus certified that the petition was correct and asked Council to set a public hearing. Councilman Hough made a motion to adopt Resolution 08-01-00C setting the public hearing on September 12, 2000 on the annexation petition. The motion was seconded by Councilwoman Hubbard and carried with no opposition.

Item #4 on the agenda – Duke Energy's request for rezoning of the Boat Landing Property.

Duke attorney Tipps submitted a rezoning request to the Council for the Boat Landing Property. The request calls for approximately 2/3 of the tract to be zoned RA – recreational and for the remaining 1/3 to be zoned HI – high industrial. City Attorney Michael stated that Duke wanted the minimum amount possible to be zoned high industrial and the majority of the tract will still be recreational as is normal for lake front property. He also stated that the high industrial zoning is for land that currently being used by Duke for industrial purpose. The rezoning would better reflect the current use of the land.

Councilwoman Hubbard made a motion to call for a public hearing on the rezoning petition on September 11, 2000. Councilwoman Harris seconded the motion and it carried with no opposition.

New item not on agenda – Rezoning in Autumn Woods subdivision.

An informational hearing was held on a request to rezone some of the area within the Autumn Woods subdivision from R10 & R12 to R8 RFC. This new zoning would reduce the number of multifamily areas and increase the number of family lots without increasing density. Also this zoning assures that no manufactured housing will be on the site. There is also no planned recreation for the open spaces, although the homeowners association may choose to put some in. A public hearing was set for the September Council meeting.

Item #5 on the agenda – Telecommunication Towers

Nextel Communications has been looking at other sites within the City for their towers but the best location is still on City land behind the current fire station. A site across from the fire station would also be acceptable, but it is not owned by the City and Nextel would rather pay the City for the land. Councilman Hough asked what the height of the tower would be and the answer was 100 feet. Mayor McLean asked how much land would be needed and was giving the answer of 50x30. Councilman Hough asked about the possibility of adding additional carriers to the pole and it was said that up to five additional carries could be added to the pole. Mayor McLean asked about the possibility of the tower interfering with sewer lines. Public Works Director Nichols said that it would not interfere with the lines, but he is not sure if the City owns the land behind the fire station. City Manager Kraus said that would be look into and that Council will need to rezone the land.

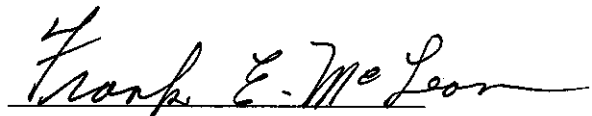
Item #6 on the agenda – Alexander Street Stop Sign.

City Manager Kraus said that staff was against the stop sign and the item was dropped without any further discussion.

The meeting was adjourned at 9:40.



City Clerk



Mayor