

**CITY COUNCIL
REGULAR MEETING
JULY 12, 1999**

CALL TO ORDER BY THE MAYOR

The regular meeting of the City Council of Mount Holly was called to order at 7:00 P.M. by Mayor McLean. The following were present:

Mayor Frank McLean

Mayor Pro-Tem Phyllis Harris

Councilman Michael Helms

Councilman Jim Hope

Councilman Bobby Black

Adm. Services Dir. Sherry Borgsdorf

Public Works Director Eddie Nichols

City Attorney Kemp Michael

Police Officer

Planning & Zoning Dir. Danny Jackson

INVOCATION

The invocation was led by Rev. Kenneth Langsdorf.

PLEDGE OF ALLEGIANCE

Councilman Bobby Black led the Council and audience in the ceremony of the Pledge of Allegiance.

UNFINISHED BUSINESS

UFB#1 Filling City Council Vacancy

Councilwoman Harris nominated Pat Hubbard, seconded by Hope. There were no other nominations. The Council voted, the vote was unanimous in her favor. Pat Hubbard came forward and took the oath of office before Kemp Michael, as a Notary Public. The Mayor and Council welcomed her and invited her to take her seat.

UFB#2 To Consider Annexation of Stone Water Bay Subdivision.

A. Update on Purchase of Water's Edge by Trust for Public Land. Christine Mitchell, Trust for Public Land, appeared. She informed the Council the Trust has an option to purchase the land from Tom Waters, which must be exercised by July 30th by signing a contract. In the past, land was purchased on Meck. Co. side and on the Lincoln and Gaston County side that have been bought already by grant funds. The Trust has studied the area and identified the watershed areas and streams and creeks that should be protected. We have approached the City of Gastonia, and they have agreed to put forth \$9.4 million. Councilman Hope asked if there is any plan to purchase the Stone Water Bay property? She said, No, it is her understanding that it is not available.

Motion: Councilman Hope **MOVED** to adopt Res. #7-12-99(A) to extend the effective date for annexation of StoneWater Bay Subdivision property to be August 30, 1999. Seconded by Councilman Helms.

Vote: Five ayes zero nays. **CARRIED.**

B. Presentation of Revised Annexation Report

The report is not completed and will be presented at the next meeting.

- C. Water and Sewer Line Extensions. City Manager David Kraus said the parties met today to review the annexation agreements to see who is contractually liable for the utility installations. Danny Crew, City Manager for City of Gastonia, has presented the City Manager of Mount Holly a formal letter asking the City of Mount Holly to relieve the obligation to construct the water and sewer trunk lines in the Waters Edge property. Mr. Waters plans to go to bids for utility extensions in the next few days and will get bids within a couple of weeks; he will then let bids and proceed. Mr. Kraus said that this issue involves more than just providing services to this property, since there are other properties to be developed. The water and sewer lines will fall within the Dutchman Creek outfall which drains to Lake Wylie not Mountain Island Lake. So the issues can be separated. Councilman Black asked if we have to decide about the railroad crossing right now; Mr. Kraus said no, that we have three years, and Council can wait to see what Gastonia plans to do with the property before it decides. No action taken.
- D. Extension of ETJ. We may want to request ETJ be released by the County to us for the border of property annexed. Mr. Kraus said at Councilman Helms' request he spoke with Mr. Hurlocker that day and asked about the status of Gaston County's watershed amendments; he was told they are at least a month away from public hearings. City Attorney Kemp Michael said Council will need to submit a map with the request to the County so that it is specific as to the property involved. Councilman Helms asked if the City would be locked into getting the ETJ if we request it. Kemp Michael said that the City can delete ETJ at any time, and that the County will serve whatever property is not covered by a municipality. Councilman Black said he wants to protect the two tracts plus one mile around Waters Edge and StoneWater Bay properties. Mr. Kraus will get a GIS map from the County tax office by next month's meeting.

CONSENT AGENDA

Councilman Helms **MOVED** to accept and approve all two items on the consent agenda, seconded by Councilwoman Harris; and unanimously carried. They are:

1. Approval of Budget Amendment

One amendment (copy attached)

2. Approval of Tax Releases

Taxes for 1988 in the amount of \$40.24, and for 1989 in the amount of \$245.12 taxes and \$3.00 tag fees.

NEW BUSINESS

NB #1 To Consider Reclassification of Personnel Technician Position

Sherry Borgsdorf presented to the Council the job description for this position which includes weekly payroll and benefits all being done by one person when a lot of towns use two people. She requested the amendment to more accurately reflect the value of the position from a Grade 11 to a Grade 13.

Motion: Councilman Black **MOVED** to approve, seconded by Councilwoman Harris.
Vote: All in favor. CARRIED.

NB#2 To Consider Resolution to Approve Revised Resident Selection and Lease-Up Policy for Holly Hills Apartments

Diane Pritchett said that the new federal law now requires 40% of new admissions each year must have incomes below 30% of the area median income. They still give Mount Holly residents precedence. This will also have to be approved by HUD.

Motion: Councilman Black **MOVED** to adopt Res. #7-12-99B to approve Revised Resident Selection and Lease-Up Policy for Holly Hills Apartments, seconded by Councilwoman Harris.

Vote: All in favor. CARRIED.

NB#3 Amendment to Housing Authority Loan at Rollins Square

Diane Pritchett said she recommends an increase in the annual payment to the Reserve Account because the HAP will expire in April of 2003 and the Reserve Account will be needed to offset the rent loss.

Motion: Councilman Black **MOVED** to approve Res. #7-12-99 C to increase annual payment to \$18,000 to the Reserve Account for Rollins Square Apartments, seconded by Councilwoman Harris.

Vote: All in favor. CARRIED.

NB#4 To Consider Increase in Adult Fees for Recreation

Recreation Director Zip Stowe said there has arisen a need to increase adult fees to offset the need for scorekeepers, umpires and referees, so that staff can do their intended jobs. Councilman Hope asked if he felt this will cover the needs. He did. Councilman Black noted one item has inside resident fee getting a larger increase than outside. Councilman Hope asked how this list would relate to other cities; Mr. Stowe said it would now be in line with other cities. Councilwoman Hubbard said we can correct that one item to \$245 and then the increase would be the same amount.

Motion: Councilwoman Harris **MOVED** to adopt the new recreation department adults fee schedule with amendment on basketball fee to \$245 for inside; seconded by Councilman Black.

Vote: All in favor. CARRIED.

NB#5 To Consider Approval for Mt. Holly Recreation Association, Inc. Fundraiser

City Manager Kraus said originally he thought this needed permit approval, but after review he realized it does not.

NB#6 To Consider Interlocal Agreement for Tax Collection

Administrative Services Director Sherry Borgsdorf said that the collections are well done by June Barker. However, the costs for billing, postage, and delinquent accounts are best contracted out to the County. This would free up June for other duties which have been discussed with her, and the staff is amenable. City Manager Kraus said the front area

with three personnel will be trained to help the public with general questions including basic zoning and applications.

Motion: Councilwoman Harris **MOVED** to approve the Interlocal Agreement for Gaston County to collect our taxes; Councilman Black seconded.

Vote: All in favor. CARRIED.

PUBLIC COMMENT

Mayor McLean opened the floor for public comment.

Pam Beck, 405 Nivens Cove Road. She reminded Council that Crescent has said it will use the overlay for the Meck. Co. buffer and the City should hold them to that. She urged Crescent Resourcees instead to donate the land to the Public Trust so that it would be preserved. She asked to read into the record a letter. Diane Reames wrote about the recent annexation by Mount Holly. She said that Mr. Kraus said city services protects the water quality better than septic tanks. She said this is not true. She said Scott Wilson from the County said the risk is relatively small from septic tanks. The NC Environmental office said that malfunctions occur many times each year from municipal systems, including Mount Holly's system. Mrs. Beck stated that Crescent did not offer the land to its neighboring property owner, Gastonia, or the Trust, before selling it to a developer, Tom Waters, and so with his profits and the expenses of development, the price for buying it now is much more than it had to be. Mrs. Beck also stated that the City of Mount Holly contributed to the larger price by approving the annexation, and it should not make Gastonia pay for those water and sewer lines.

David Hostetler, Sr., a Volunteer Fireman, owner of property in City of Mount Holly. StoneWater Bay subdivision/ Duke Power/ Crescent, or whatever name they go by, they build their own developments now. But a few years ago, he leased a piece of land from Duke Power which is now where a developer wants to put a marina. He said he spent thousands of money for the lease, and now they are canceling the lease. He had an offer to buy but all the closing dates were filled up before the deadline, so he lost it. They use unfair practices, and the City should not be doing business with them. He said the Council need to zone them so they cannot put so many houses on it.

ROUND TABLE

Councilwoman Phyllis Harris stated that she had sat here for months and had heard people say that the Council persons did not know what they were doing. She said she wanted everyone to know that was not true, and that they acted on what matters were presented before them, which was never a purchase of the land. It was an application for voluntary annexation. She said she believed the City Council made the only decisions it could with the information presented before them, and she will stand behind what they did. She said it was not this Council's fault if people did not make these trust offers to Mount Holly, and if developers and trust funds and other cities went behind our back and did other things without informing us. She said it is nice that Gastonia has that kind of money.

Councilwoman Phyllis Harris said that Mount Holly should be proud of Ashley House, Miss Mount Holly, stating that she came in third in the Miss NC pageant.

Councilwoman Pat Hubbard asked the City Manager to check the Lentz Springs property.

Councilwoman Phyllis Harris stated that she hopes the existing residents up there on Mountain Lake will now step up to the plate and recognize and voluntarily observe the strict watershed regulations on their own even though they are not officially under our jurisdiction.

Mayor McLean said he was told we need to have bridges inspected. The City Manager will check on that.

City Manager Kraus said that Richard Duren and the Greenway committee will be completing the application for preserving the depot. Mr. Duren said there is a meeting coming up and we are trying to get state and federal grant funds.

ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made, by Councilwoman Harris, seconded by Councilwoman Hubbard, and carried unanimously, at 8:20 PM.

Clerk

Frank E. McLean

Mayor

cpm