CITY COUNCIL
REGULAR MEETING
July 11, 2005

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 Hough. The following were present:

Mayor Bryan Hough
Mayor Pro-Tem Michael Helms
City Manager David Kraus
City Attorney Kemp Michael
Councilman Jim Hope
Councilwoman Phyllis Harris
Councilman Frank McLean
Councilwoman Pat Hubbard
Councilman David Moore

Jamie Guffey, Assistant to City Manager for Finance/Administration
Danny Jackson, Assistant to City Manager for Community Development
Benson Hoyle, Police Chief
Dale Oplinger, Fire Chief
Ryan Baker, Fire Inspector
Mike Santmire, Street & Solid Waste Director
Greg Beal, Community Dev. Officer

INVOCATION

The invocation was led by Reverend Bob Winecoff.

PLEDGE OF ALLEGIANCE

Mount Holly Boy Scout Troop led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with addition of update on bonds by Mr. Kraus. Mayor Hough recommends deletion of recognition of Hillary Schronce due to her inability to be present. Agenda approved with noted changes upon **MOTION** by Councilperson Harris, seconded by Councilperson Moore, with all in favor.

CONSENT AGENDA

Councilperson Hubbard **MOVED** to approve the Consent Agenda seconded by Councilperson McLean, with all in favor. The items approved were:

CA#1. <u>To Accept and Approve the Minutes</u>. The minutes of June 13, 2005 and July 5, 2005 were approved as written.

PRESENTATIONS

PR#1 – <u>Presentation of Purple Heart Award to Corporal Mark Connolly</u>

Mayor Hough and the Council went down to the council floor as Chief of Police, Benson C. Hoyle presented Corporal Mark Connolly with his Purple Heart Award. Corporal Connolly was injured in the line of duty on April 11th, 2005 following a brief pursuit and traffic stop on Adrian Street in Mount Holly. Chief Hoyle read a proclamation in recognition of Corporal Connolly. (Copy attached).

PR#2 Recognition of Cindy Michael Upon Her Retirement.
Mayor Hough and the Council remained on the council floor in honor of Cindy Michael's service of over 28 years completing minutes for the City Council. With great appreciation, Mayor Hough presented a gift to Mrs. Michael.

PR#3 Tabled.

PR# 4 Recognition of the 2005 Springfest Committee.
Councilwoman Hubbard recognized the service and success of the 2005 Springfest Committee. She stated the Springfest Committee decided to make 2nd charity the Mt. Holly Community Development, and presented them with a check for $1000.00. She also presented a check to CRO in the amount of $5000.00.

PR #5 To Consider burning permit by Ronnie Murphy--- on Clearwater Lake Road.
Mr. Murphy stated his father owns 20 acres of land on Clearwater Lake Road. He stated that trees knocked down during tornado / wind shear in July of 2003 came from adjacent lots. His father is 83 years old and needs additional time to burn tree debris. He has gone through numerous channels to try to gain approval for burning of these old tree materials. Mr. Murphy wishes for council to approve burning permit. Mayor Hough states it will be decided and the city will get back to them. Mayor Hough asked amount of time needed – Mr. Murphy stated 30 days would be sufficient.

PR #6 Tabled.

PUBLIC COMMENT
Mayor Hough opened the floor for public comment. There were no public comments.

PUBLIC HEARING
PH #1 To consider rezoning of 622 Legion Road from R-12 and L-I CU upon request by Jerry Pace. Mr. Pace is the owner of Gaston Iron Works. Request presented by Danny Jackson and Mr. Jackson recommends approval.
Motion: Councilperson Harris **MOVED** to approve rezoning of 622 Legion Road , seconded by Councilperson Hope.
Vote: unanimous. CARRIED.

Next, the Council considered the Condition Use Permit Findings for Property Located at 622 Legion Road. Councilperson Moore read the five findings for condition use, and the staff's comments are recited here, as follows:

Finding #A

Staff's response: The proposed use is permitted within the designated zoning district, as specified in Article VI (Table of Permitted and Special Uses) of the Mount Holly Zoning Ordinance.
Motion: Councilman Moore **MOVED** to find in the affirmative #A, for the reason stated, seconded by Councilwoman Harris.
Vote: Unanimous. Carried.

Finding #B
Staff's response: The property owner proposes to use the subject lot as an office only, a more restrictive use than the existing adjacent industrial operation. This property owner is not proposing to increase traffic flow, parking will be restricted to the existing driveway.
Motion: Councilman Moore **MOVED** to find in the affirmative #B, for the reason stated, seconded by Councilwoman Harris.
Vote: Unanimous. Carried.

Finding #C
Staff's response: The property owner has submitted a survey of the subject property, depicting all structures and driveway involved with the proposed use of the property.
Motion: Councilman Moore **MOVED** to find in the affirmative #C, for the reason stated, seconded by Councilwoman McLean.
Vote: Unanimous. Carried.

Finding #D
Staff's response: The property owner does not propose to make changes to the existing property, indicating that the property values of the adjoining properties should not be negatively impacted.
Motion: Councilman Moore **MOVED** to find in the affirmative #D, for the reason stated, seconded by Councilman McLean.
Vote: Unanimous. Carried.

Finding #E
Staff's response: The proposed use as an office will be conducted in the existing dwelling and should not be intrusive to the surrounding properties.
Motion: Councilman Moore **MOVED** to find in the affirmative #E, for the reason stated, seconded by Councilwoman Harris.
Vote: Unanimous. Carried.

Mr. Pace was sworn in by Mayor Hough and agreed to the findings noted above.

NEW BUSINESS

NB#1 To Consider Approval of Platt 3 for Autumn Woods. Danny Jackson needs approval contingent on staff working out details.

Motion: Councilwoman Hubbard **MOVED** to approve final Platt 3 contingent upon details of infrastructure to Mr. Jackson's satisfaction. Seconded by Councilman McLean.
Vote: Unanimous. Carried.

NB#2 To Consider Amendment of Chapter 3 Section 3-10 of the Mount Holly City Code of Laws.
_Mr. Jackson requests amendment to increase livestock setback to 500 feet. No resolution involved.
Motion: Councilwoman Hubbard **MOVED** to approve amendment as proposed by Mr. Jackson. Seconded by Councilman Hope.
Vote: Unanimous. Carried.

UNFINISHED BUSINESS

UFB#1 Mr. Kraus would like Council to authorize 650,000 dollars in park bond money to be spent as Clean Water Management Trust fund match to acquire park land for city's gateway.
Motion: Councilwoman Hubbard **MOVED** to authorize 650,000 dollars in current bond sale for purchase of park land . Seconded by McLean.
Vote: Unanimous. Carried.

ROUND TABLE
Councilwoman Hubbard stated Pentecostal Holiness Church requests approval for yard sale on 7/16.
Motion: Councilwoman Hubbard **MOVED** to grant approval for yard sale. Seconded by McLean.
Vote: Unanimous. Carried.

Councilman McLean asked for water line update regarding Friedl property to street. Mr. Kraus states that he had a good discussion with her and she wishes to wait for her husbands' return from trip to finalize plans.

Councilman Moore mentioned purchase of property for Street and Solid Waste department. Due to attorney / client privilege for the purpose of purchasing land, this was discussed in closed session.

Mayor Hough addressed opening of ABC board seat. Mr. Whitt has resigned his seat on the board, effective 7/01/05.

Mayor Hough opened discussion of burning permit requested by Mr. Murphy. Councilwoman Harris stated that should be entirely up to Fire chief. Councilman Hope stated the city should work with their request.

Motion: Councilwoman Harris **MOVED** to allow Mr. Murphy 30 days to burn tree debris, with plans being coordinated with fire chief. Seconded by Councilman Hope.
Vote: Unanimous. Carried.

ADJOURN
There being no further business, the meeting was adjourned, upon motion duly made by Councilman McLean, seconded by Councilman Moore and carried.

8:22 PM

Clerk

Bryan M. Haugh
Mayor

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jmb