

**CITY COUNCIL  
REGULAR MEETING  
July 8, 2002**

**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 Black. The following were present:

Mayor Robert D. "Bobby" Black

Mayor Pro-Tem Jim Hope

Councilman Michael Helms

Councilwoman Phyllis Harris

Councilman Frank McLean

Councilman Brian Hough

Councilwoman Pat Hubbard

Adm. Services Officer Jamie Guffey

Water & Sewer Dir. Don Price

Planning & Zoning Dir. Danny Jackson

City Attorney Kemp Michael

Police Chief Rick Davis

Fire Chief John Ekiatis

Street & Sanitation Dir. Mike Santmire

**INVOCATION**

The invocation was led by Rev. Alfred Woolbright.

**PLEDGE OF ALLEGIANCE**

Boy Scout Troop 59 led the Council and audience in the ceremony of the Pledge of Allegiance.

**APPROVAL OF THE AGENDA**

The agenda was approved with addition of NB#2 McGuire Nuclear resolution, upon motion by Councilman Helms, seconded by Councilwoman Harris, with all in favor.

**MINUTES**

Councilman McLean **MOVED** to approve the minutes of May 20, 23, June 4 and 10, 2002, with a change to June 10, on pg. 3, par. 5, "Mayor Black", as amended, seconded by Councilwoman Hubbard, with all in favor.

**PRESENTATIONS**

**PR#1 Presentation of Water System Study**

Mr. John Hanna from BP Barber and Associates gave a report of the water system hydrology model, and their proposal for a plan for the next 20 years. The Council was given a bound copy of the report and the maps. The study area was the city limits and the ETJ. They included the current system and projected growth, and governmental regulations. Growth was reviewed in consideration of I-485. The pressure requirements were considered, both low and high. The future needs for pumping and storage are modeled. They reviewed the existing water mains and their conditions, as well as the pumps. We have five tanks with different pressures, having a capacity of 4.3 million. They modeled at current time, seven years and twenty years. Pressure deficiencies were identified. Storage and operational recommendations were made, with cost estimates.

Using the planning documents they projected growth in seven years to determine estimated peak needs. The report gave two options for improvement of the system with regard to the storage tanks, pumps, and lines. They recommend Option 1. The twenty year growth projection is stated as difficult to do. They looked at it all the way up to Highway 16. He used conservative 2 houses per acre demand, and found it would require much more water than we produce now. It is recommended that the City proceed with the seven year project as quickly as possible. He predicted that in about four years we will have cycling issues if we do not proceed.

Don Price said we previously talked about a 2 million gallon tank at Second Baptist Church, but that would mean abandoning the tank at North Main, but that is a good tank and he would rather take another approach.

### **PUBLIC HEARINGS**

PH#1 To Consider Special Exemption to Zoning Ordinance for Filling Flood Plain  
Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Black recessed the regular meeting and opened the public hearing to consider a zoning ordinance exemption upon request by Bill Johnson.

Danny Jackson said Mr. Johnson's engineer does not have the required report ready. Our engineers will have to review it when received. The Planning Commission tabled this matter last week.

Don Pressley, 116 Deertrack. I object to the use of the property he has on Woodlawn Avenue. I am trying to sell my home, and that creates an eyesore for the neighborhood. He has vehicles that have sat there for over a year, including full size tractor trailers. It needs to be cleaned up or fixed up. There are vehicles he has parked out there next to Dutchman's Creek. He should not be allowed to do other things when he does not take care of what he already has.

There were no other comments. David Kraus said he is talking about both sides of the street where the pump station is.

Councilman Hough moved to go out of public hearing, seconded by Councilwoman Hubbard, and unanimously carried. Mayor Black adjourned the public hearing and resumed the regular meeting.

Councilman McLean said he has seen Dutchman's Creek up to the old mill before; where did he get the permission to put dirt on that site? Danny Jackson said we had him remove several loads of the dirt he had brought in. Councilman Hough said he understands that the engineers would have to review, but he did not want to spend our money on that if we are not going to approve it anyway, and said he already knows he will not be in favor of this. Councilwoman Hubbard also said she did not want any money spent on this until we get the report and

we decide we may allow it. City Manager David Kraus said that Danny Jackson and he met with a State rep from FEMA; and there is some real confusion on where the floodway is because the maps are under revision now. Mr. Johnson contends that if we were able to build there, then he should be able to.

Motion: Councilman Hope **MOVED** to table, seconded by Councilwoman Harris.  
Vote: unanimous. CARRIED.

PH#2 To Consider Adoption of Hazard Mitigation Plan

Councilwoman Harris moved to go into public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Black recessed the regular meeting and opened the public hearing to consider a proposed hazard mitigation plan upon request by Don Price.

Don Price stated this plan is required so that we can get FEMA funding if needed after a natural disaster. There were no comments for or against.

Councilwoman Hubbard moved to go out of public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Black adjourned the public hearing and resumed the regular meeting.

Mr. Price said there are grant funds to do the plan. Councilman Hough asked if the city has to provide matching funds? No.

Motion: Councilwoman Hubbard **MOVED** to approve the Hazard Mitigation Plan as presented, seconded by Councilman Hough.

Vote: unanimous. CARRIED.

**UNFINISHED BUSINESS**

UFB#1 To Consider Approval of Contract Environmental Impact Statement

Don Price stated that an environmental impact statement is required for the East Gaston sewer line prior to bids and construction. There is no additional funding is needed for this action.

Motion: Councilman Hough **MOVED** to approve the contract with US Infrastructure, \$43,076, seconded by Councilwoman Hubbard.

Vote: All in favor. CARRIED.

UFB#2 To Consider Approval of Engineering Contract for East Gaston Water Line

Don Price recommended that Council approve the contract presented by the County with JTH Assoc. in amount of \$80,968.00.

Motion: Councilwoman Hubbard **MOVED** to approve the contract for engineering services for East Gaston water lines with JTH Associates, LLC, for an amount not to exceed \$80,968.00, seconded by Councilman Mclean.

Vote: All in favor. CARRIED.

UFB#3 To Consider Approval of YMCA Drive Warranty

Mr. Don Price said that the YMCA Drive project is finally coming to a close; they will do a fence and a guardrail. Now, we are ready to ask for a warranty. They want to do a bond. I recommend you use 15% of the full amount. Mr. Hanna said that two years is frequently required. Councilwoman Hubbard asked for clarification. Mr. Price said they produce a bond (similar to an insurance policy) for \$37,500 in our favor for two years, with a warranty for two years. Councilman Hough asked, does this mean we are ready to accept the road, so if it breaks we have to fix it after this? Councilwoman Hubbard suggested we ask for a higher figure. Councilman Hough asked how much has been spent on the road? Mr. Price said he does not have actual knowledge, but he heard \$750,000. Councilwoman Harris asked what happens if we do not take over the road? City Manager Kraus stated it would remain a private driveway. Councilman Hough asked for Councilman Hope's recommendation. Councilman Hope said he would leave the road as it is for two years, just let it sit and see what happens, and then decide if we want to take it over at that time if it holds up. Councilman Hough asked, does that mean we go ahead and give them the money now? Mr. Price said DOT may not put up a stoplight if it is not a public street. Mr. Michael wondered who Council was going to get the warranty from? Councilwoman Hubbard asked if Mr. Price got his "as-built" drawing? Mr. Price said, no. Councilman Hope said the other option is to have them insure it or bond it for 100% instead of 15%.

Motion: Councilwoman Harris moved to table this matter until the work is completed, seconded by Councilwoman Hubbard.

Vote: All in favor. CARRIED.

UFB#4 To Consider Approval of Name for Tailrace Park

The Recreation Committee recommends the first option, but two names were offered.

Motion: Councilwoman Harris **MOVED** to name the park "Mountian Island Park at Mount Holly", seconded by Councilman Hough.

Vote: All in favor. CARRIED.

UFB#5 To Consider Approval of Solid Waste Code Enforcement Fees

Shane Gill gave a report as to compliance with the new solid waste collection procedure. After 6 months, he found that 11% are not in compliance. He reviewed three other cities' policies for enforcement. After review, he recommends that we use the citation system that is being used for our fire code enforcement. Councilman Helms asked how far back from the street is the rollout cart required to be when it is not pick-up day? Mr. Gill said it should be at least back to the building.

Motion: Councilman Hough **MOVED** to implement the civil citation system to be used for solid waste code enforcement, seconded by Councilwoman Hubbard, effective August 1.

Vote: Ayes: McLean, Hough, Hubbard.

Nays: Hope, Helms, Harris. Mayor: aye. CARRIED.

**NEW BUSINESS****NB#1 To Consider Appointment of a Committee to Draft a Soil Erosion Control Ordinance**

City Manager Kraus said that the county said they were going to do this, but has not. Belmont is interested in doing this together with us and COG. This would dovetail with the requirements we will have to provide next year for storm water phase two program required by federal law. Councilman Helms said it is a good idea to do this, and volunteered to be the council member on the committee. The Council was asked to submit nominations to Mr. Kraus to go into the weekly report, and the committee is to be appointed in August.

**NB#2 Consideration of McGuire Nuclear Site Emergency Planning Zone Changes**

City Manager Kraus said this is a new emergency zone, and includes the ten mile zone for evacuation in the event of a crisis.

**Motion:** Councilman Hough **MOVED** to adopt Res. #07-08-02A, Councilwoman Hubbard.

**Vote:** All in favor. CARRIED.

**CONSENT AGENDA**

Councilman Helms **MOVED** to accept and approve all 3 items on the consent agenda, seconded by Councilman Harris; and unanimously carried. They are:

CA#1. To Call for a Public Hearing for the Closing of a Section of Huitt Street. Hearing to take place at August regular meeting.

CA#2. To Approve Sign Permit for Intersection of NC 27 and NC 273.

CA#3. To Approve Tax Release: Taxes in the amount of \$1,513.84 and tags in the amount of \$15.00 released as presented for July 2002.

**PUBLIC COMMENT**

Mayor McLean opened the floor for public comment.

Rodney Eppes, 107 S. Hawthorne. Mr. Eppes complained that many fire hydrants in the city are old and hard to reach, particularly one in front of the gym which is sunk in the ground. He also said that speed Limits are confusing. He lives on Hawthorne and the speed limit is 20 mph. Central is 25 mph, and Catawba is 35 mph. There are a lot of different limits everywhere, and he felt having a uniform 30 mph would make it easier on citizens and the police. Also, when you go out 273 it is 35 up to Maple, but coming back in it is 45 to Henry. Also, the yellow light at Catawba is 4.3 seconds, but the caution light at Highland is only 3 seconds. We sure would like to see the four lane highway put in on Highway 273.

Don Pressley, 116 Deertrack Drive. With regard to your solid waste code enforcement fees, he had received a letter that had to roll back by 12 noon; is that reasonable? The City needs to be sure staff documents the notices and

times of violations before you cite someone. He complained that the City raised taxes but diminished services.

#### ROUND TABLE

Councilwoman Hubbard reported that her husband, Joel, attended the meeting Mr. Richardson had with other business owners and Joel will share his notes with anyone who would like to call him.

Councilman Helms said that trash needs to be cleared up at Tailrace Park. Mr. Kraus stated we have ordered trash cans on hooks and benches, as well as gates at the Duke Power Drive. He will have inmates clean it up.

Councilman Hough asked for an update report from Judi Simac on the downtown survey. Mr. Kraus said he had the scope of services in her contract out and will put it in the weekly report. She is ready to do the tenant survey and will do it one on one.

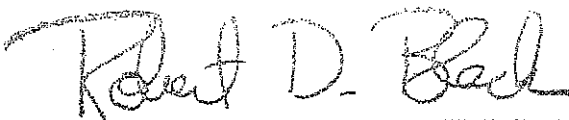
City Manager Kraus reported that W. K. Dickson, Engineers, says we can build a greenway with our matching funds of \$300,000; we are thinking about asking some developments to pitch in for the cost. Councilman Helms was concerned that this would be a recurring cost to maintain a greenway. Mr. Kraus said he had a meeting the next day with Mr. Judson and Mr. Rice, and plans to ask them. Councilwoman Harris said we cannot spend money on that if Council is not going to approve it, and so we should let someone else apply for the funds that will have support. Mr. Kraus stated that most of it is already mowed by us because of our sewer line. Councilwoman Hubbard noted that the report estimates annual cost of maintenance to be \$17,500. Councilman Hough thought it would not hurt to ask the developers what they are willing to do. The TCC has to vote on it this week, as well as TAC.

#### ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made by Councilwoman Harris, seconded by Councilwoman Hough, and carried unanimously.

9:15 PM

  
 Clerk

  
 Mayor

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cpm