

**CITY COUNCIL
REGULAR MEETING
June 14, 2004**

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	Jamie Guffey, Assistant to City Manager for Finance/Administration
Mayor Pro-Tem Michael Helms	Danny Jackson, Assistant to City Man- ager for Community Development
Councilman Jim Hope	Benson Hoyle, Police Chief
Councilwoman Phyllis Harris	David Stevens, Interim Fire Chief
Councilman Frank McLean	Don Price, Utilities Director
Councilwoman Pat Hubbard	Mike Santmire, Street & Solid Waste Director
Councilman David Moore	Greg Beal, Community Dev. Officer
City Manager David Kraus	Ryan Baker, Fire Inspector
City Attorney Kemp Michael	Megan Hanks, Communication Director

INVOCATION

The invocation was led by Rev. Todd Wright, First Presbyterian Church.

PLEDGE OF ALLEGIANCE

East Gaston High School ROTC led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The agenda was approved with changes: move PR#6 to PR#4, add PR #7--#9, upon motion by Councilwoman Hubbard, seconded by Councilman McLean, with all in favor.

CONSENT AGENDA

Councilman Helms **MOVED** to approve the Consent Agenda with five (5) items, seconded by Councilman Moore, with all in favor. The items approved were:

CA#1. To Accept and Approve the Minutes. The minutes of May 4 and 10, 2004, were adopted as written.

CA#2. To Approve Supplemental Appropriation of Capital Reserve and Contingency Funds. For purchase of park land. (copy attached)

CA#3. To Approve Year-end Supplemental Appropriations. City Manager is authorized to make year end supplemental appropriations during the month of June, and will provide copies of all adjustments made to Council.

CA#4. To Approve Write-Off of Uncollectable Accounts in Housing Division. Res. #06-14-04A approving write-offs for Holly Hill Apartments for year ending June 30, 2004 are approved. (copy attached)

CA#5. To Authorize Application of Governor's Crime Commission Grant.
This grant, if received, would pay for forensic computer equipment particularly for investigation of cyber crimes, for Mount Holly, Gastonia, and Gaston County, and provide training, with no matching funds required. Permission to apply is granted.

PRESENTATIONS

PR#1 Proclamation Recognizing Dr. Scott for 42 Years of Service to Mount Holly.

Mayor Hough and the Council went down to the Council floor to present a framed proclamation to Dr. Jack V. Scott upon his retirement as a family doctor after 42 years. (copy attached) Dr. Scott was accompanied by his wife.

PR#2 Recognition of Citizens on Active Military Duty.

Mayor Hough announced that a reception was held this evening for Mount Holly residents who have recently or are currently serving active military duty. The Mayor and Council asked them to step forward and be recognized and expressed the City's collective thanks for what they do for us at home so that we can continue to have freedom. Scott Weaver, Air National Guard, with his family. Derek Rumfelt, who is in Iraq, was represented by his parents and family. Steve Clanton, and his wife and mother with him. Also recognized but not present were: Tom Bradbury, Army; Scott Wise, Army; Jeremy Tucker, Army Reserve (and a Mount Holly firefighter) in Iraq; Brent Moore, Air Force; and James DeLorenzo, Air Force.

PR#3 Recognition of Miss Amber Gibson of Pinewood Elementary School, winner of the City's 125th Birthday Card Contest.

Mayor Hough and the Council congratulated Amber Gibson on winning the City's 125th Birthday Card contest. Mayor Hough read her card and showed it to the audience, and the Council shook her hand. Her mom and dad were with her, and her mom said "she only used one piece of paper".

PR#6 Presentation by Springfest Committee

Councilwoman Hubbard asked the Springfest Committee to come forward, and they presented to Sue Loftin for Mount Holly Community Relief Organization a check for \$3,900.00. Ms. Loftin says the CRO is indebted to the Springfest and reported that the building they occupy has been paid for after only three years. She said these donations are important to CRO, especially since this past week they found out the United Way cut its allocation by \$1,600.00; so this check comes at a good time.

Councilwoman Hubbard said that the Mount Holly Police Department raises funds to donate to Special Olympics, and this year it is \$400.00, which she presented to Chief Hoyle.

Mayor Hough announced that on July 3rd a free pancake breakfast at the First Baptist Church will be open to the public as part of our 125th celebration.

PR#4 StoneWater Subdivision Concerns. John Johnson, 104 Village Glen, Mt. Holly; Joe Demarco, 108 Summer Wind; and Amy Carver, 30 Silver Cliff Dr., Mt. Holly. They represented the StoneWater community, and made the following statements: We are here to protect our property values. The last time we visited was March 2003, at the time of a request for rezoning. Crescent was going to sell to New South Homes. We were concerned they would build lesser quality homes and lower our property values. The zoning board denied their request. We wish to state that the homes constructed by New South in their other subdivisions are not the same quality as the homes in our community. We met with them a couple weeks ago, and they said they are still in a period of due diligence. We feel that they already know what they intend to build out there, but they would not say. When we questioned them what they intend to build, they said they were not sure yet. We asked what builders they would use, and they said they are undecided, but they intend to get contractors that will guarantee a certain number of constructions per year, which means to us a "house mill", rather than custom built homes which is what we have had in our subdivision so far now. We would ask what did Crescent state they would build when you granted them the annexation and permit for the subdivision? We have seen in the media that the Council has stated they would like to see high end development in the City, and we would ask that you reinforce that intent in StoneWater as it has been up to this point. Mr. Demarco said we are inviting you to come at 6:30 and we will take you on boat tour and driving and walking tour so we can show you what our concerns are.

PR#5 Tuckasee Road Code Enforcement
Donna Dowdle was not present.

PR#7 Presentation of Lake Wylie Lake Resolution

Mr. Mike McLaurin, Lake Wylie Marine Commission. This is the 100th anniversary of Lake Wylie. It provides water and electricity, flood management, and recreation. The Bass Masters Classic will be here in July. Mount Holly is fortunate in that you have two lakes, Lake Wylie and Mountain Island Lake. Please approve this resolution making July 4th Lake Wylie Appreciation Day. The lake was dammed in April 1904 and the Catawba Hydro Station began operation with rope driven generators that produced electricity for Victoria Cotton Mill in Rock Hill.

Motion: Councilwoman Harris **MOVED** to approve the resolution, Res.#06-14-04B, seconded by Councilman Moore. (copy attached)

Vote: Unanimous. CARRIED.

Mayor Hough said that Mt. Holly would ask that Mr. McLaurin let us know when an opening comes up on the Lake Wylie Commission, because we would like to be involved in that.

PR#8 Presentation by Teresa Wilde of Division of Housing

Teresa Wilde could not be present. Lessie Hope and Zetta Williams appeared before Council to let them know what is being done for young people in the community to keep them busy and out of trouble. Ms. Williams will be showing them how to use computers. They will have summer day camp. Different organizations have donated supplies, lunches, and craft activities. The children would not have an opportunity to enjoy some of these things because of their income level without this camp. Last Friday we had the fire department out there and the children got to go on the truck. Lessie Hope presented the Fire Department a framed picture of their event for them to show at the Department. They presented a picture of the children to Danny Jackson.

PR#9 Presentation by Omarr Reid

Old Highway 27 needs to be annexed because they do not get the same response as those on Highway 27. They have to go to Stanley to vote when they are not near it, and they are not a part of that community but of Mount Holly. If Mount Holly gets federal funds for Mount Holly then the people on old Highway 27 should get part of that. Need a change in the place of the Police Department. They do not have a voice in Mount Holly but are affected by it. Their address is Mount Holly. But they are not included in it.

PUBLIC HEARINGS

PH#1 To Consider Closing a Section of Costner Street

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider closing a section of Costner Street upon request by Living Witness Church.

Danny Jenkins said Living Witness ministries church has petitioned to have a portion of Costner Street closed. All appropriate notifications and publication have been made.

Dr. M. Boyd said Mount Holly is home to her. Her father is Monroe Black. The church owns property on both sides of the road and would like to close the road. The plat right of way has never been opened or used. We have a refuge center, and a Christian development center and we want to expand with day care and other things with the land donated to us by Fred White and his wife.

Ginny Yuen & husband, Shane Kirby, 212 Crest St. The land past the church property on Costner Street is their property and they plan to develop it later, and if this is approved they would lose access to that land. They have property on Crest Street where they live adjoining that lot but the location of the house prohibits them getting to the vacant lot across their house lot, so they need the Costner Street access.

Attorney Kemp Michel asked, is there a structure on your lot? They said, Not yet. Mr. Michael asked, is the street open now? No. Ms. Boyd had pictures of the property showing there is no road there, which she turned in to the Council for the record. Mr. Kirby owns tax parcel 124050 which fronts on Crest. He said there is no width on that lot to access his other parcel 124051 from Crest. They have to use Costner to get to 124051.

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

Councilwoman Harris asked if the Council has any option in this circumstance? Attorney Michael stated that the statute says you cannot close a street if anyone is denied access to their property. Councilman Helms said that is one of the findings of fact we have to make. Councilwoman Hubbard asked if this request is for the one section or both sections? It is for the first section that adjoins the Living Witness property.

Motion: Councilwoman Hubbard **MOVED** to deny the request for the reason that evidence has been presented that closing the requested portion of Costner Street would deny a property owner access, seconded by Councilwoman Harris.
Vote: unanimous. CARRIED.

PH#2 To Consider Closing A Portion of Costner Street

Councilman Helms moved to go into public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider closing a portion of Costner Street upon request by Mr. Shane Kirby.

Danny Jenkins said Shane Kirby has petitioned to have a portion of Costner Street closed. All appropriate notifications and publication have been made.

Mr. Kirby stated that he and his wife own the property known as tax parcel 124051 and we would like the 75 feet portion of Costner Street closed that adjoins their property.

Ms. Boyd said she would like to bring to Council's attention that no one came around that property out there because of drug addicts until the church came. We cleared all that out and made it a good place to be.

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

City Manager Kraus stated that if Council approves closing this street the title to the property in the street will by law go to the adjoining property owners. Mayor Hough asked, would this closing landlock anyone? Mr. Jackson said, no, because that is at the end of Costner Street. Councilman Hope asked, is there any utility right of way that needs to be reserved? Mr. Jackson said that is always a part of the resolution.

Motion: Councilman Helms **MOVED** to approve closing the last 75 feet section of Costner Street, seconded by Councilman Moore.

Danny Jackson said you will need to use the resolution I have prepared for you and it will have to be recorded at the Register of Deeds. Street Closing Order of a portion of Costner Street was read by Mr. Jackson.

Councilman Helms amended his motion to approve Res. #06-14-04C as read, seconded by Councilman Moore.

Councilman McLean asked, where the hash marks start do we not have a cul de sac there? Danny Jackson said, No. Mr. McLean asked, what about the fire hydrant? Don Price said, I believe that is near the church. Mr. Stevens stated there is not a fire hydrant at the end of Costner Street.

Vote: unanimous. CARRIED.

PH#3 To Consider Rezoning Vacant Lot at Corner Lot of Auten Circle and Beatty Drive from R-12 to B-2

Councilman Helms moved to go into public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider rezoning a vacant lot at the corner of Auten Circle and Beatty Drive upon request by Mr. Boyce Auten.

Greg Beal stated that the Planning Commission unanimously recommended the request be denied on the basis that the land development plan calls for that property to be residential. There is already a congested intersection at Tuckasee Road one block away.

Mr. Boyce Auten was recognized. He said he doesn't know why that light at Tuckasee Road would have anything to do with it. Even if a business goes onto this property there would only be room for about 8 parking spaces, so that limits what businesses could be there. Mayor Hough asked, do you have a proposed business to go there? Mr. Auten said he did not; it is in the hands of a realtor.

Robert Huffstetler, Tuckasee Road. I disapprove of it because the property is on a bank and it drops off, and all the water from Highway 273 and the service station come onto us and we are already having wash out as it is. We have a spring down below too. I don't want a tavern or whatever there.

Mr. Auten said there is a law in North Carolina that handles drainage so that would take care of that.

Sam Mitchell, 726A Tuckaseege Road. I am concerned how it would affect our properties. Will this be just the beginning of more B-2 in our area? To be able to resell our property would be harder if this is business.

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

Danny Jackson stated that one of the basic premises for land development plan is to follow the plan and that takes the pressure off of you. The businesses across the street are supposed to be residential in the land use plan so in theory you would have the right to change those to residential. Councilwoman Hubbard asked if this rezoning was approved would it be spot zoning? Danny Jackson said, no, because across Highway 273 from it is business.

Motion: Councilwoman Hubbard **MOVED** to deny the request by Boyce Auten to rezone the property at the corner of Highway 273 and Tuckaseege Road upon recommendation of the Planning Commission. No second.

Motion: Councilman Hope **MOVED** to table this matter for further information. Councilwoman Harris seconded this motion.

Vote: Five ayes. One nay (Hubbard). **CARRIED.**

PH#4 To Consider Amending Section 6.4 of the Zoning Ordinance Regarding Mini Warehouses and Storage Units.

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider amending Section 6.4 of the Zoning Ordinance regarding mini warehouses and storage units.

Greg Beal stated these structures are not clearly defined in our current ordinance. This proposal would establish that they are only allowed in Light or Heavy Industrial zones. The Planning Commission recommended approval.

There were no comments for or against. Councilman Helms moved to go out of public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

Councilwoman Hubbard asked, would these mini warehouses and storage units be no longer allowed in the business districts and this would make the existing ones non conforming and they could not expand or rebuild if they were gone for six months or more? Yes, this would make it only allowed in industrial zones.

Councilwoman Harris remembered that we rezoned that property on Oak Grove for a doctor to build a place and he decided not to build there, and then that mini warehouse got built there; that is what happened out there on Highway 273 at Oak Grove. City Manager Kraus said staff feels very strongly that this use does not belong in business zones. Councilman Hope said, I told my neighbor a couple months ago that I might build storage units on my property, but I was just being facetious.

Motion: Councilwoman Hubbard **MOVED** to amend the zoning ordinance Section 6.4 as proposed, seconded by Councilman Moore. (copy attached)

Vote: Five ayes, one nay (Hope). CARRIED.

PH#5 To Consider the 2004-2005 Budget.

Mayor Hough stated that this public hearing is a continuation of a recessed public hearing from a prior meeting. Mayor Hough said Council has reviewed the budget during work sessions.

Councilwoman Harris moved to go into public hearing, seconded by Councilman McLean, and unanimously carried. Mayor Hough recessed the regular meeting and opened the public hearing to consider the 2004-2005 budget.

City Manager Kraus passed out the submitted Annual Budget synopsis for the record. Since this submittal, the Council has made comments on changes they wish us to make which we have been working on. There were no comments for or against. Councilman Helms moved to go out of public hearing, seconded by Councilwoman Harris, and unanimously carried. Mayor Hough adjourned the public hearing and resumed the regular meeting.

No action.

NEW BUSINESS

NB#1 To Consider Approval of Signs for Stanley Town Rodeo

Bruce Adams asked to put up signs in Mount Holly for the town rodeo on July 9 and 10.

Motion: Councilwoman Harris **MOVED** to approve the request, seconded by Councilman Hope. Ms. Harris amended her motion to provide that the signs can only be up two weeks before and be taken down no later than one week after, accepted by Councilman Hope.

Vote: Unanimous. CARRIED.

NB#2 To Consider Approval of Resolution Supporting Senate Bill 1057.

Mayor Hough presented a resolution that supports Senator Forrester's bill supporting marriage as the union between one man and one woman. This bill would amend the North Carolina constitution if ratified by the General Assembly and ratified by the voters this state.

Motion: Councilwoman Hubbard **MOVED** to pass the resolution, Res. #06-14-04D, seconded by Councilman McLean.

Vote: Unanimous. CARRIED.

UNFINISHED BUSINESS

UFB#1 To Consider Mountain Island Lake Memorandum of Understanding

Rusty Rozzelle said that at a January 14th workshop, Mecklenburg and Gaston Counties met to make people aware of the importance of Mountain Island Lake, for its clean water, and recreation. We stressed the importance of protecting the lake because of growth. It was felt that the sharing of information was a positive thing, and in order to continue that a memorandum of understanding was proposed. This would enable cooperative relationships so that if there was land that could be purchased for protection we could apply together for grant funds, and share unique ideas for protection. We will probably use the Marine Commission's web site. This would not be a vehicle for one town to tell another town what to do. Mecklenburg, Lincoln, Gaston, Gastonia, Cornelius, and Huntersville have all approved it, and Charlotte and you are considering it tonight. Mayor Hough said my concern is that we don't want to be in a position that the other cities would be telling us what decisions to make; we have strict watershed regulations already. We want to be cooperative, but also as a city we like the autonomy to determine our future. This takes the step to involve controls along 1,000 feet from the high pond level. Mr. Rozzelle said, there is no other document following up this document. He lives in Gaston County, and he appreciates the separateness from Mecklenburg County. All other jurisdictions have stated that same thing to me as you just did, he said. Yes, Mount Holly has some of the best regulations, but we could perhaps provide them information from your example to help them step forward. Councilwoman Hubbard said she is very supportive of the concept. In my mind she looks at the list of nine things, and then she sees this as things that our staff has to do in addition to what they already do, and they already have a full plate. Mr. Rozzelle said this would call for an entry on the list server on the web site. There would not be an additional delay because you have a comment period already and this would be in the same time frame. Mayor Hough asked, who administers and sees if all eleven items have been done? Mr. Rozzelle said, it would be me. Mayor Hough asked, what about when you retire? Then it would someone in my position, Mr. Rozzelle replied. Mayor Hough asked, what happens if we don't do what it calls for after we sign this? Mr. Rozzelle said nothing, it is written in the memorandum, you cannot be addressed or penalized by the other parties nor any outside third party. Councilwoman Helms said he has always supported environmental issues around the lake, but one of the concerns he had is, if someone wants a boat dock or whatever, then you have send in to all sorts of groups and the bigger groups have influence on legislative items. Mr. Helms said you already have sharing of information within the marine commissions, and they do meet together. The intent of this is good, but my concern is forming another group to present things to. Mr. Rozzelle said, for

example, when you were working on rezoning at StoneWater, I worked on several issues to help you out on those things, and I think David Kraus would say that was helpful. This is different from the marine commission which does not include staff, but this would share information between staffs of the government jurisdictions involved, i.e. planners.

Referred to attorney for review.

UFB#2 To Consider Selection of Bank

Jamie Guffey stated that at the Council retreat, we discussed problems we were having with the checking account at Wachovia Bank. We took it to the people in Gastonia as we were told to do. Nothing was done by them about the problem. Council gave us the authority to look at different banks. Mr. Guffey said there are only three banks that can handle our money located in town, namely, Wachovia, BB&T, and Citizens South. We decided to get proposals. I informed the representative in Wachovia, and we were told to deal with Ms. Sarne, and she asked to speak to Council. She did not come. She turned over the issues to the local branch to resolve. As of this date, almost every one of those issues have been resolved through the work of the local branch. There are still two issues that we will have an answer for this week. All the banks gave us proposals to maximize earning potential of our funds on deposit. There would be no finance charge with the condition that a certain amount of money must be held on deposit with no interest earned. Both proposals from Wachovia Bank and Citizens South are good proposals and each has pros and cons. Citizens South does not have online banking until August. Wachovia already has online banking, but it has been difficult to use, although they are working on making it more user friendly. We have been going on the assumption that as of July 1st we would be using Citizens South, and we even ordered checks. Now, staff has been told that council might feel differently. Both banks have representatives here tonight to address council. Mr. Kraus said we have the account set up at Citizens South to start July 1st, but we are already at Wachovia and the money is there. Both accounts are funded waiting for your decision. BB&T still has some of our money because two of the wires we get from the State still go to that account. (Donna has turned in a request to the State again on that to change the wire receiving account.) Mayor Hough asked, what is staff recommending? Mr. Guffey said, we were heading in the direction of Citizens South unless we hear otherwise from council. Councilwoman Hope said that to him this is a staff decision, and yet it came to us; it is the grain of sand that causes problems. You said we had problems which have been addressed. My question is, now that you have proposals, what is the best account proposal for the city? Mr. Kraus said, honestly it is fifty-fifty. The staff would rather do all the banking in one spot rather than multiple banks. If we are going to go with one bank, it makes sense to go with the bigger bank because they have more services. Councilwoman Harris said she does not feel council should be involved in this, and he had put council in a bad position. Mr. Kraus said that this came to council because

council asked Mr. Guffey if the money had been moved. Councilman McLean said he had wondered why we kept putting up with the charges, but now they have fixed that. Councilman Helms said Council was only asking what the status was, not telling you what to do. Councilwoman Harris said we gave you the authority to do whatever you felt was best. Councilwoman Hope said the decision should be based on whatever the best proposal is for the citizens. Mayor Hough said, just to be sure we are on the same page, we want you to make the decision and let us know what that is. Councilwoman Harris said, I do not want this to happen again. Mayor Hough said, I appreciate both banks being here tonight, and we have good relationships with all of you. Councilman Hope said the Council will support the City Manager's decision, there will be no flak.

UFB#3 To Consider Annexations

Kemp Michael said that on the voluntary annexation by Jeremiah Robinson and others, the City had a survey done to show the total properties being annexed by voluntary annexation. This tract abuts Deertrack Subdivision. If this is approved, then Mooreland Estates will be contiguous as well. Don Price, we will have utilities available by gravity flow. For your consideration, we have a Certificate of Sufficiency ready. City Manager David Kraus gave the Certificate of Sufficiency. A resolution to hold a public hearing was presented by Mr. Michael.

Motion: Councilwoman Hubbard **MOVED** to adopt Res. 06-14-04E to set a public hearing for the next regular meeting, on July 12. The motion was seconded by Councilwoman Harris. (copy attached)

Vote: unanimous. CARRIED.

Attorney Kemp Michael said there is also the voluntary annexation petition filed for property on West Catawba Avenue, across from Belmont Textile. This annexation if approved would require an annexation agreement because the utilities are not available. If you will allow them to do so, let them give you a synopsis of the terms. City Manager Kraus said the developer will run utilities and obtain right of way and bore under the railroad at their expense. Don Price said a minimum of eight inch water and sewer lines from the city main line to their property line will be installed at their expense. Mayor Hough noticed that this is a satellite annexation. Greg Dimmer said there is only one property between us and the city limits. Mr. Michael said, I thought that one property owner was also going to be annexed. Danny Jackson said, there was discussion that we might annex it, voluntary or involuntary. Greg Dimmer said, the man is not interested at this time to voluntarily annex. Mr. Michael said, we have limited satellite annexation ability until we get legislative approval for unlimited satellite annexation. He said the Council may want to consider some enticement to one of the properties that lie between this property and the city limits to get them to voluntarily annex. Mr. Kraus said, there are several properties along Clearwater Lake Road. Mayor Hough asked, should we be

approaching some of these property owners? Councilwoman McLean asked, have you talked to Jack Murphy? Greg Dimmer said, no, we were talking to the property owner that we are getting easement from to run the utility lines across. Mr. Dimmer asked, is satellite annexation bad? Mayor Hough said that the City is only currently allowed 10%. Attorney Michael said the City has other developers making presentations to you north of the city that would be satellite as well, so unless you get the legislative bill passed you will exceed the 10%. Councilwoman Hubbard asked, if we do all this tonight and we get to July 12 and have the public hearing but don't have an intervening property owner yet, can we put it on hold? Mr. Michael said, yes, Council could delay action. Mr. Kraus gave the Certificate of Sufficiency.

Motion: Councilwoman Hubbard **MOVED** to adopt Res. #06-14-04F to set the public hearing July 12, Hope. (copy attached)

Vote: Unanimous. CARRIED.

Mr. Michael asked Council for input for the annexation agreement. It should be a simpler agreement than some of the others we have done.

PUBLIC COMMENT

Mayor Hough opened the floor for public comment.

Kelly Northcutt, 115 Belton Ave. I bought this property in 1997, and refinanced in 2002. In September of 2003, I got a letter from the City stating that I owed back taxes from 1997. I went back to the closing attorney and got money from the attorney to pay the seller's part, and I paid my part, but what about the \$100 interest on it? Do I have to pay that? I would have paid it before if I had known and it would not have had penalty and interest. Mayor Hough said, we have had this situation on several occasions. To this point, everyone has paid the interest as the statute requires. We will get an answer to you in writing. He said his mailing address is 111 Parton Drive, Kings Mountain, NC 28086.

ROUND TABLE

Councilman Hope asked, when is the next bridge meeting date? July 8th. Megan Hanks said it is her assumption, but she has called to verify and will let you know.

Councilman McLean asked if Council will still have the budget workshop on Friday at 3:00 PM; yes, they will.

City Manager Kraus said that Dr. Aizcorbe wants us to waive the tap fee; his septic system has failed; because we waived it for Dr. Rankin. Councilman McLean said that Dr. Aizcorbe got funds for that utility line going through his property; Kemp Michael said that was Mr. Martin who owned the property before him. Councilman McLean said he recalled that Dr. Aizcorbe gave him a right of way for the man across the road who needed a tap, and he did not charge the

City anything for that right of way. Mr. McLean also said we gave Dr. Rankin one because it was part of the agreement for the right of way across his land.

Police Chief Hoyle said his mother has instructed him to come before you and thank you for all your support during the receiving and the funeral for his father. It has been overwhelming the support shown by Mount Holly, and we appreciate all who came or called. He also thanked Scott Wright and Fred and Mr. Kraus because of the three months leading up to his father's death, because they backed him up during that time.

CLOSED SESSION

Councilwoman Harris moved to go into closed session for the purpose of discussing attorney-client matters, seconded by Councilman McLean, with all in favor.

Councilwoman Harris moved to return to open session, seconded by Councilman McLean, with all in favor.

ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made Harris, seconded Helms and carried.

10:00 PM

Clerk

Bryan M. Haugh
Mayor

cpm