CITY COUNCIL
REGULAR MEETING
June 12, 2000

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 Bobby Black	Adm. Services Officer Jamie Guffey
Councilman Michael Helms	Public Works Director Eddie Nichols
Councilwoman Phyllis Harris	Planning & Zoning Dir. Danny Jackson
Councilman Jim Hope	City Attorney Kemp Michael
Councilman Bryan Hough	Police Officer
Councilwoman Pat Hubbard	

INVOCATION
The invocation was led by Rev. Kenneth Langsdorf.

PLEDGE OF ALLEGIANCE
The Webelo II Cobra Pack 59, led the Council and audience in the ceremony of the Pledge of Allegiance.

PROCLAMATION
Mayor McLean read a proclamation in honor of Flag Day to pause for the Pledge of Allegiance at 7:00 PM on July 14th. (copy attached)

APPROVAL OF THE AGENDA
The agenda was amended as follows:

Add two items to New Business, namely, #3 regarding Riverfront Subdivision, and #4 regarding a Solid Waste resolution.

Delete two items from Consent Agenda, namely, #8 Call for Public Hearing on Street Closings for Seventh Street and Church Street, and #10 Call for Public Hearing for Rezoning Behind Fire Department for Telecommunication Tower from the Consent Agenda; both items are tabled.

Councilman Black moved to approve the agenda as amended, seconded by Councilman Hough, with all in favor.

MINUTES
Approval of the minutes for May 8 was tabled. The minutes for May 15, 2000, were approved as written, upon motion by Councilman Helms, seconded by Councilwoman Harris, with all in favor.

PRESENTATIONS
PR#1 Presentation from the Spring Festival to CRO and Other Charities
Councilwoman Hubbard asked for the Springfest Committee members present to come up front. Joel Hubbard presented to Wanda McElwaine for the Mount Holly Christmas

Parade the sum of $200.00. Pat Hubbard announced a gift of $200.00 to Habitat for Humanity of Mount Holly, accepted by Will Crist and Todd Wright. Dr. Beatty presented $1,500 from the 5K race to Police Chief Davis; he said they had 80 participants, and the money is being donated to NC Special Olympics. Marlene Huggins presented to CRO the amount of $12,000 accepted by Sue Loftin.

PUBLIC HEARINGS

#1 To Consider Rezoning 5.5 Acre Tract on West Central Avenue from H-I to B-3

Councilman Helms moved to go into public hearing, seconded by Councilman Black, with all in favor. Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of rezoning a 5.5 acre tract on West Central Avenue from H-I to B-3.

Zoning Officer Danny Jackson stated that the Planning Commission had voted in favor of the request and recommended our approval, and due advertisement has been made. The request was made by Mr. Walsh. He stated that the site would be used for a new post office. Construction is expected to begin in about 30 days. The construction period in the contract is 210 days.

Jerry Miller was recognized. I feel this is a bad location as it is out of the way for many people in our town especially for older folks. You turned down an apartments plan near there and one reason was traffic, and this will be worse than that. There should be a more centrally located site than that.

No comments from Council. Councilman Helms moved to come out of public hearing, seconded by Councilman Black, with all in favor. Mayor McLean adjourned the public hearing and resumed the regular meeting.

Discussion: Councilman Hough asked if there is anything we can do about the site they chose. He felt that out of six sites this is the worst. Mayor McLean said the other sites did not meet their criteria for construction or were too expensive.

Motion: Councilman Hope **MOVED** upon recommendation of the Planning Commission to approve the request for rezoning, seconded by Councilwoman Harris.
Vote: six ayes, zero nays. CARRIED.

PH#2 Public Hearing on the Fiscal Year 2000-2001 Submitted Budget

Councilman Helms moved to go into public hearing, seconded by Councilman Black, with all in favor.

City Manager David Kraus said the budget has been presented and a workshop public meeting was held as well. The proposal does not increase taxes, however, certain fees would be increased.

No comments.

Councilman Helms moved to go out of public hearing, seconded by Councilman Black, with all in favor.

UNFINISHED BUSINESS

UFB#1 To Consider Changes to Fees and Adoption of A Fee Schedule

Jamie Guffey presented an amended schedule of fees. Councilman Hough asked about the privilege license. He wanted to increase the fees for bingo parlors, fortune telling, hypnotist exhibitions, massage parlors without licensed therapist, and phrenologist. City Attorney Michael said unusually high fees might be successfully protested. Privilege licenses are a way to keep track of who is doing what in the City. He said if you do not want to have a certain activity he could see if it may be legally prohibited. Mr. Guffey said he used the ordinance that Gastonia has for the privilege license. He said he used the higher of their ordinance or ours, up to the State maximum. Councilwoman Hubbard asked about the Tuckaseege Community Building being rented.

Motion: Councilwoman Hubbard **MOVED** to adopt Res. 06-12-00 (a) City of Mount Holly Fee Schedule as presented, seconded by Councilman Hope. (on file in the city manager's office)

Vote: all in favor. CARRIED.

Motion: Councilwoman Hubbard **MOVED** Section 10-18 Privilege Licenses shall be amended to read: "Privilege licenses tax shall be as set forth in that regularly adopted City of Mount Holly Fee Schedule", seconded by Councilman Hope.

Vote: all in favor. CARRIED.

UFB#2 To Consider Pay Grade and Salary Adjustments as Submitted in the 2000-2001 Budget

City Manager David Kraus said that in order to be competitive in the Police Department with other cities he has made adjustments in the pay grade and salaries for that department. These adjustments are included in the proposed budget. He said the council is meeting twice as often as before, so an adjustment may be considered for compensation.

Motion: Councilman Hope **MOVED** to amend Section 2.10 Salaries to read: "The Mayor shall receive for his services the sum of Three Hundred Dollars ($300.00) per council meeting, not to exceed Seven Thousand Two Hundred Dollars ($7,200.00) per year. The Council members shall receive for their services the sum of Two Hundred Fifty Dollars (250.00) per council meeting, not to exceed Six Thousand Dollars ($6,000.00) per year. The compensation shall be calculated based upon the number of meetings held by Council without regard to the actual number of meetings attended by the Mayor or any Council member. The compensation set forth herein shall be effective on July 1, 2000." Motion seconded by Councilman Black.

Vote: all in favor. CARRIED.

UFB#3 To Consider Adoption of Fiscal Year 2000-2001 Budget Ordinance Including Establishing Property Tax Rate

City Manager Kraus presented the budget with amendments requested by Council at its workshop meeting, and with the pay grade adjustments the city manager had presented.

Motion: Councilman Hough **MOVED** to adopt the 2000-2001 budget ordinance as amended by City Council, and to set the property tax rate at forty-four (44) cents, seconded by Councilwoman Harris. (budget on file in the city manager's office.)
Vote: all in favor. CARRIED.

UFB#4 To Consider Amended Resolution for Sidewalks Reimbursement on Tuckaseege Road
Public Works Director Eddie Nichols said that a revised resolution needs to adopted to increase the state's amount of reimbursement to the City for of the Tuckaseege Road project.
Motion: Councilman Hough **MOVED** to adopt Resolution #06-12-00(b), seconded by Councilman Black. (copy attached)
Vote: All in favor. CARRIED.

UFB#5 To Consider Agreements with StoneWater Home Owner's Assocation and Crescent Resources
City Manager David Kraus said that series of agreements have been proposed to establish responsibility for pump stations at StoneWater. The homeowner signs an agreement to install a grinder pump and to provide for annual maintenance of them. The HOA will sign a supplemental agreement for the same purpose. They are part of the restrictive covenants filed on the subdivision. The five lots adjoining that property that are not in the City or the subdivision may tap on if they enter into the agreements. City Attorney Michael asked for paragraph 18 of the subdivision regulations to be amended to require a #4 that the Council grant a permit to tap on first.
Motion: Councilman Hough **MOVED** to adopt StoneWater Grinder Pump and Sewer System Agreement with Exhibit A, Exhibit B, and Exhibit C attached, as presented, contingent upon the addition of item 4 in paragraph 18 of the subdivision regulations to require Council's permission be granted for tap-on, seconded by Councilwoman Hubbard.
Vote: all in favor. CARRIED.
Councilman Hope asked that grinder pump specs be provided to the contractors and developers since we previously have had trouble with a developer who put in unacceptable equipment. Council agreed the City is not to hook up if they have installed the wrong pump. Mr. Nichols said the specs are in the State approved list each developer receives.

UFB#6 To Consider Duke Energy Contract
City Attorney Kemp Michael said this agreement would be effective if the legislature passes the bills allowing it. Councilwoman Hubbard asked about the difference in the two bills and would the negotiations about those differences affect our agreement. City Attorney Michael said it does not; that refers only to a discrepancy in the legal description of the property affected by the annexation.
Motion: Councilman Hough **MOVED** to adopt the contract as presented effective upon adoption of the legislature approval, seconded by Councilwoman Harris.
Vote: all in favor. CARRIED.

NEW BUSINESS

NB#1 To Consider Right of Way Encroachment Easements for Irrigation Systems
Public Works Director Eddie Nichols said that he had received requests by developers to install irrigation systems within our right of way at the entrances to their subdivisions; as well as the YMCA. This agreement would set forth in writing their responsibilities. The Public Works Director would recommend granting their request after reviewing their specs and approval would be signed by the Mayor and City Manager without having to come to council.
Motion: Councilman Hough **MOVED** to approve the right of way encroachment agreement form and application for right of way encroachment form as presented, with approval to be made upon review and approval of the specs by the public works director, and thereafter the mayor and city manager may execute the agreement with the licensee. Councilman Black seconded the motion.
Vote: All in favor. CARRIED.

NB#2 To Consider City Council Adoption of Rules and Rents for Optimist Building
This was covered in the fee schedule adopted above.

NB#3 Riverfront Subdivision, Phase Two, Map One
Public Works Director Eddie Nichols said Squires has requested a three month extension on their development letter of credit which ends on June 30 right now. They have asked also that we reduce the amount of the letter of credit but have not presented the figures to me for computation of the new amount. Councilman Hope asked Mr. Nichols if he is satisfied with the work completed. Mr. Nichols said the developer has been given a punch list, and the ordinance allows for up to a six month extension, and he sees no problem as long as we have a letter of credit. We have had a problem on Phase One, and the developer has been diligently pursuing those items and should complete those items in the next couple of weeks.
Motion: Councilman Helms **MOVED** to grant a six month extension provided the extended letter of credit (same amount) is received by June 23, seconded by Councilman Hope.
Vote: all in favor. CARRIED.

NB#4 Gaston County Solid Waste
City Manager Kraus stated that when EPA passed regulations for solid waste management plan, we joined Gaston County and other cities in a joint plan. Gaston County has revised the plan and we need to join in approval. Mr. Nichols said our plan is revised also to note we will not provide curbside service for recycling after June 30; recycling at the center is still in effect.
Motion: Councilman Hough moved to approve Res. #6-12-00(c), seconded by Councilwoman Harris. (copy attached)
Vote: all in favor. CARRIED.

CONSENT AGENDA

Councilman Hough **MOVED** to accept and approve Items #1-7, 9, 11 & 12 on the consent agenda as amended, seconded by Councilwoman Harris; and unanimously carried. They are:

CA#1. Approval of Revised Lease Agreement for Holly Hills Apartments. The revisions have been made to meet HUD regulations. (copy of resolution #6-12-00(d) attached)

CA#2. Approval of Uncollectables for Holly Hills and Rollins Apartments. (Resolutions #6-12-00(e) and #6-12-00(f) attached)

CA#3. Approval of Budget Amendment for Holly Hills and Rollins Apartments. (copies attached)

CA#4. To Accept Water and Sewer Extension from Provident Development and Authorize Payment. The infrastructure has been completed; this accepts the lines, begins the warranty period, and authorizes the payment to Provident for the upsizing of the lines.

CA#5. Approval of Final Plat, Section 3, Phase I, of Deerfield Subdivision. Approval is granted contingent upon adequate financial guarantees being provided as set forth in the ordinance.

CA#6. Approval of Lucia-Riverbend Volunteer Fire Department Contract. The contract is already executed by the VFD, and this authorizes execution by the Mayor and City Manager.

CA#7. Approval of Final Plat, Phase One, StoneWater Subdivision. Approval is granted contingent upon adequate financial guarantees being provided as set forth in the ordinance.

CA#9. Call for Public Hearing for Rezoning on Property at West Beatty Drive and Pearl Beatty Road from B-3 to R-A. The property is tax parcel #l5-22-3 & -3.02; and the public hearing is to be held at the next regular meeting at least thirty days after the Planning Commission's public hearing.

CA#11. Approval of Annual Audit. This is approval of contract for the annual audit with the firm of Cherry, Bekaert and Holland.

PUBLIC COMMENT

Mayor McLean opened the floor for public comment.

Dr. Lee Beatty, Stoneridge Drive, spoke about the railroad crossing at West Central Avenue. He is concerned about the lack of signals and barriers. Mr. Kraus said we have a contract for that with CSX, but we are waiting for them to install.

Omeidina Young, daughter of Mulija Raunic. She filed a petition to be put in the city. We would like to know if anything has been done; this is taking a long time to get done. Mayor McLean said the staff is working on that request, but is not ready to give her an answer. Councilwoman Harris asked the City Manager to bring back a report of what it would cost to do a voluntary annexation on her lot on Forney Avenue.

ROUND TABLE

Councilman Helms said he wants us to be sure our staff is as polite as possible with customers even when they are not. We need to be considerate of regular customers paying their water bill especially if they are only occasionally late.

City Manager Kraus informed the Council he is using a consultant to help the City with environmental issues.

Mayor McLean set the date for the next work session to be June 27th.

ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made by Councilwoman Hubbard, seconded by Councilwoman Harris, with all in favor.

8:45 PM

Clerk

Frank E. McLean

Mayor

****

cpm