

Regular Meeting
City Council
June 10, 1996

The regular meeting was held at City Hall, and was called to order by Mayor Frank McLean at 7:30 P. M. Those present were Councilwoman Phyllis Harris, Mayor Pro-Tem Michael Helms, Councilmen R. L. Duke, Andy Stewart, and David Hostetler Jr., as well as City Manager Phil Ponder, City Attorney Kemp Michael, Public Works Director Eddie Nichols, Zoning Administrator Danny Jackson, and a police representative. Councilman Hope was absent.

The invocation was led by Rev. Vance Hunt.

Councilman Duke **MOVED** to approve the minutes of May 6, 13 and 23, 1996, with the following corrections: May 13--page 8, last par.: add to second sentence: "... information about the post office committee and its concerns to the ..."; May 23--correct those present so that Jim Hope is not named twice. This motion was seconded by Councilman Helms, with all present in favor.

Mayor McLean read a proclamation honoring Donna Keepes upon her retirement and presented her with a watch. Mrs. Keepes said she had enjoyed all the years she had worked with the City and loved the people with whom she had worked. (copy attached)

Mayor McLean recessed the regular meeting and called the public hearing for consideration of the proposed City budget for fiscal year 1996-1997. City Manager Ponder requested that the curb and gutter for Scott Street, and the sidewalk for Scott and Catawba, as well as the street resurfacing be carried over from this fiscal year as they will not be spent this year. Mr. Ponder recommended that the tax rate remain the same. The Mayor opened the floor for comments from the audience, but there were none. Mr. Ponder said he would need all requests for changes in before the special meeting on June 24th. Councilman Hostetler said that Cy Frazier wants a curb at the bottom of the hill next to the railroad on Central Avenue, not a retaining wall. There being no further comments, the public hearing was adjourned and the regular session resumed.

The matter related to the proposal for the City to acquire the Optimist Building on Highway 27 was tabled upon **MOTION** by Councilwoman Harris, seconded by Councilman Stewart. She stated that the Recreation Committee chairman, Henry Massey, wants to meet with the representatives from the Optimists and with herself and Councilman Stewart, and further that the lease of the old junior high gym is being renewed and they want to see what repairs would be needed on it and the Optimist building. The motion carried with five ayes.

Mr. Jerry Baker had called the City Manager to request more

time to obtain signatures for the voluntary annexation request he has for property on Cason Street. The matter was tabled until the next regular meeting upon **MOTION** by Councilwoman Harris, seconded by Councilman Helms, with all present in favor.

Catawba Heights Baptist Church had written a letter requesting permission to install a septic tank for restrooms at a new picnic shelter on its property because it is distant from the church building and not near any of the City's lines. Gaston County has inspected the area soil and has given permission for the septic tank. City staff recommended approval. Councilwoman Harris **MOVED** that the church be allowed to install a septic tank for restrooms at the picnic shelter, seconded by Councilman Duke, with all present in favor.

Ms. Christine Lutz, a resident in Deertrack Subdivision, presented a petition requesting the speed limit be reduced to 25 mph with signage and enforced, due to hills and curves throughout the neighborhood and numerous young children. She said 83% are under 11, and while they are not encouraged to play in the street, they sometimes act on impulse. They also want "Caution--Children at Play" signs. Councilman Helms spoke in favor of lowering the speed limit. Councilman Hostetler **MOVED** that the speed limit be lowered to 25 mph on all streets in Deertrack Subdivision, and that one speed limit sign and one Children at Play sign be placed at the entrance to the subdivision; seconded by Councilman Stewart. Councilwoman Harris said she is not opposed to the request, but the Council has refused to provide Children at Play signs for others who have requested them. Councilwoman Harris made a **SUBSTITUTE MOTION** that the speed limit be lowered to 25 mph on all streets in Deertrack Subdivision, effective June 11, 1996, at 12:01 A.M., seconded by Councilman Stewart. A citizen in the audience said he does not feel it entices children to play in the street to have that sign, children just do it. Motion carried with five ayes. Councilman Hostetler **MOVED** to place a sign at the entrance to Deertrack Subdivision saying "Children at Play", seconded by Councilman Stewart, and carried with four ayes and one nay (Harris). Mr. Ponder said the signs will have to be ordered.

A petition for annexation by residents on Sadler Road, Glenn Drive, and Wenda Place was considered next. Mr. Billy Coley said 90-95% have signed it. A lot of the residents were present. They need water and sewer service and paved roads. He brought a filter from his well to show the Council as evidence of their need to get city water. Councilman Stewart said developers have to install infrastructures, and Mr. Baker's request is also being considered, so he felt the Council should consider carefully what action is best. Mayor McLean said the staff will need to go out there and do cost estimates, which might be ready for the July regular meeting. Councilwoman Harris asked if there was anyone in the audience opposed to the request; there was not. Councilman Hostetler asked if they need both water and sewer. Mr. Coley and several residents voiced problems with both wells

and septic tanks they have. Councilman Helms urged them to contact the County representative, Chuck Hall, since the County should be maintaining those roads. Councilman Hostetler noted that the County is going to consider a road problem near Belmont, and he wanted to wait to see what it does in that situation about participation in the improvements.

As recommended by the auditor, Councilman Helms **MOVED** to approve Resolution #6-10-96(a) to write off uncollectible accounts at Holly Hills Apartments, seconded by Councilman Duke, with all present in favor. (copy attached)

As recommended by the auditor, Councilman Helms **MOVED** to approve Resolution #6-10-96(b) to write off uncollectible accounts at Rollins Square Apartments, seconded by Councilman Duke, with all present in favor. (copy attached)

The Council discussed the possible acquisition of property to expand Central Park. Councilman Hostetler said it involves about one and one-half acres of land adjoining the park. Councilman Stewart said the Recreation Committee recommends obtaining the property. City Manager Ponder stated that, although he is not opposed to the acquisition of the property, he felt obligated to remind the Council that it creates recurring costs for the City in maintenance, when no one wants taxes raised but requests for expenditures add up and keep rising. Councilman Hostetler said he had contacted the owner who said he would either sell the property for \$25,000 or donate it if the park is renamed after his father, Fred Hamilton. He had spoken with several residents who were all in favor of renaming the park. City Attorney Michael said he did not like to dampen their spirits, and he would not make this comment 10 years ago, but the City should have a Phase I environmental audit before buying or accepting any property, and that such an audit does cost. Councilman Helms said he was in favor of accepting the donation and renaming the park. Councilman Stewart concurred since property is not often donated to the City, but he felt the Recreation Committee should consider the matter again since it did not think about the recurring costs and the need for environmental clearance. Councilwoman Harris said she understood Mr. Ponder's caution, since the City has had trouble maintaining what it already has and they are trying to keep the budget down. Councilman Helms suggested that the area would not have to be grass, but the area could be landscaped differently so it would have low maintenance. Councilman Stewart **MOVED** to table the matter until the Recreation Committee reviews the costs involved for the City, seconded by Councilman Duke, and carried with four ayes and one nay (Hostetler).

Information had been provided to Council in the agenda package regarding efforts to save the Lenz-Springs House located at 617 South Main Street for historical reasons. Councilman Hostetler **MOVED** to accept the information, but to table the matter indefinitely because no City action is necessary at this

time; seconded by Councilman Duke, with all present in favor.

Tax releases for 1995 through 5-31-96 in the amount of \$81.69 were approved upon **MOTION** by Councilman Duke, seconded by Councilman Helms, with all present in favor. The Tax Collector sent a report that the total for insolvents for the years 1986 through 1995 is \$3,282.00 in taxes and \$189.00 in tag fees.

City Manager Ponder reviewed six budget amendments on the agenda, answering any inquiries. Councilman Duke **MOVED** to approve the six budget amendments as presented (copies attached), seconded by Councilwoman Harris, and carried with five ayes.

The floor was opened for complaints or petitions not on the agenda. Elwood Smith, 701 E. Charlotte Avenue, was recognized first. He said the City has the other side of the street cut often, but his side is never cut and it looks bad and people throw trash in it. He asked the City to have it cut since it is an entranceway to the City. Mayor McLean said he would have staff look into it.

Mr. Grant said he had a water line burst at his restaurant on Highway 273 in April, and they could not find the cut-off valve. He said he got a high bill over \$400. He asked for relief on the \$151 bill for sewer charge which is figured automatically, because the water ran down the road. There is still a small leak there. Mayor McLean said he knew where the valve is and he will help out on that. The Council agreed to discuss the bill later in the meeting.

Mrs. Charlotte Gaston, Dutch Avenue, said she and several residents, many of whom were present with her, want a Community Watch set up in their neighborhood. They said there are a lot of older citizens and they want the community back from the criminals. Councilman Stewart said the best help is for the community to be involved. Councilwoman Harris encouraged a meeting be set up with Officer Todd Calhoun soon. The police officer present said 4 officers patrol that zone and they need to get to know them personally and learn what things to look for, what to report, and how to make the report so the officers can act on it. Mrs. Addie Jackson said they want all that mess stopped. James Crawford, Lee Street, said it would help if the City would cut the trees which have grown over the street and undergrowth along the shoulder of the road, and replace street lights, so the drug dealers can't hide so well. Pauline Melton, 517 Dutch Avenue, said they would also like a "children playing" sign. She also reported a drainage pipe under the road that is stopped up and needs to be cleaned out. Lynnette McCorkle, said she took her son to play ball at River Street Park and there were dope people there in the open so she had to take him home; she is upset and wants the neighborhood cleaned up. Councilman Stewart expressed his concern that every child should have a safe place to play. Bernice Mullwine, Alexander Street, said people are always speeding out there, and reported one man ran into her two

cars parked in front of her house. She said speeding in the neighborhood, and parking in certain places near the hills and curves, should not be allowed for safety of the children and others. Debra Davis, Dutch Avenue, said at the end of the road police used to come but they don't anymore, and she sees cars parked out there day and night that do not belong there. Teresa Conard, N. Lee Street, said they all know where the drug dealers are and they have reported them at their risk of revenge but nothing is done; she also said it is too dark so they need more street lights. Mayor McLean said he would be sure Officer Calhoun or another officer would attend a community meeting if they will set one up and notify him when it is. The City Manager will check with Duke Power about more street lights and replacing the ones not working. Councilman Hostetler asked the residents to bring specific requests to the Council after they have their community watch meeting. Councilman Stewart also wanted a follow-up report to be sure this is not dropped. Billy Jones said he would rather the City hire two more good police officers than get more parks and stuff; he asked them to clean up the area and enforce the law.

The Council took a five minute recess.

Councilman Hostetler said he spoke with Bob Jenkins at DOT, who said he would have the signs up at The Cloisters Apartments and on Highway 27 at Food Lion sometime in June. Mr. Jenkins said he and/or Mr. Ledbetter would participate in a public forum for input regarding transportation needs in Mount Holly. He will try to set up a date for that.

Councilman Hostetler said he had requested information from Public Works Director Eddie Nichols about backflow devices causing problems with gas water heaters, in that sometimes it causes flooding in the house. He said he wants his old meter back without it, and did not understand why he was not informed about it being installed or about the problem it could cause under certain circumstances. Mr. Nichols said the State has indicated that cities must have a written backflow program, although the extent they will enforce it is not yet known. He reported that most municipalities are installing them on new services and when replacing. Mr. Nichols further explained that the problem with the gas water heater is not caused by the backflow valve, but by the water heater which should be vented to the outside. He said he has only had three such complaints over the last 10 years and they were solved by turning the heat setting down and venting it outside. He continued that on the other hand the City has paid numerous bills for water heaters that burned out because the water line broke and the heaters drained out because they did not have a backflow valve. He stated that he could give people a notice about the possible problems.

Councilman Hostetler reported that two trees have died which were planted at the new entranceway sign on 273, and he asked if

the fire department could water the new plants once a week when it has not rained, at the 273 sign and the one up at Pinewood School also. Mayor McLean said Catawba Heights fire department told him they would water the one near I-85 but he will ask the Mount Holly department about the other one.

Councilwoman Harris said she had a phone call from Cy Frazier, the Beautification Committee Chairman, and he asked her to report he is upset with the proposed budget for the Committee. He said he prunes the crepe myrtles, he does not want the sign replaced on 27 near Burlington Mills, and that there is concrete in the median on 273 so they cannot plant there. He wants the City to fix Central Avenue as a first priority. Councilman Hostetler said he spoke with Cyrus after that and they discussed the items. Councilman Hostetler said the need on Central Avenue is not a beautification matter and should not be a part of its budget. He said after explaining which median was meant, Mr. Frazier was in favor of planting it. He also agreed to the pruning and pest treatment on the crepe myrtles as long as he is there to oversee the work.

City Manager Ponder had the following items:

- The cost estimate for the plaque for the fire truck is \$250.00. The Council concurred.
- He is still getting prices for timers for persons speaking at Council meetings.
- He found name tags with brass plates and the City seal, for \$100 to set up and then \$7.50 per tag thereafter, to which the Council concurred.
- He asked for direction from Council following the contractor's drawing to change the Council table configuration. The Council asked for a paper template so it can be laid on top of what is there now for them to see.

Mayor McLean asked the City Manager to look into mowing the grass near Mr. Smith. Mr. Ponder said it is State right-of-way, but he has had a hard time with them not maintaining the state roads.

Mayor McLean asked the Council what it wishes to do about the sewer bill Mr. Grant had. The leak adjustment policy is for residential customers. Council asked Mr. Nichols for comments. Mr. Nichols said Mr. Grant was using glue on the wet joint and he suggested a compression joint, which is still leaking. Councilwoman Harris said the other member of the committee, Councilman Hope, is absent, so she felt the Council should decide. Councilman Hope **MOVED** to suspend the \$151 sewer charge to Mr. Grant from the April leak, seconded by Councilman Duke, with all in favor.

Mayor McLean requested that City staff have the trees trimmed and shoulders cleared on Dutch, Elm, and Lee streets.

Mayor McLean said he had a request by Ben Loftin for the

City to provide water and sewer to his house from the street on Loftin Lane, instead of the line he has now from Highway 273 which crosses his car wash property, because he wants to sell the car wash property. Mr. Nichols estimated a two-inch line would be \$4,000-\$5,000. The Council felt he should reserve an easement when he sells the property. Councilman Hostetler **MOVED** to deny the request, seconded by Councilman Helms, with all present in favor.

Councilman Duke **MOVED** to go into closed session for discussion of personnel matters, seconded by Councilwoman Harris, with all present in favor.

No action was taken, and the meeting returned to regular session.

Dr. R. L. Duke commented that he felt that the City should take a serious look at annexing property north of the City in the vicinity of Mountain Island Lake.

Councilwoman Harris commented that she met at the Dan Nicholson Park in Salisbury with the Recreation Committee and was very impressed with the facility.

Upon motion of Councilmember Hostetler, seconded by Councilmember Stewart, and unanimously carried, the meeting adjourned.

Philip S. Pond
City Clerk

Frank E. McLean
Mayor
