DRAFT

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, June 9, 2008
Mount Holly Citizens Center
7:00 pm

Call to Order
Mayor Robert Whitt called the meeting to order at 7:00 pm. The following were present:

Mayor Robert Whitt	Eric Davis, City Manager
Mayor Pro-Tem David Moore	Jamie Guffey, Assistant City Manager
Councilman Jerry Bishop	Danny Jackson, Assistant City Manager
Councilman Frank McLean	James Friday, Director of Utilities
Councilman Bennie Brookshire	Dale Oplinger, Fire Chief
Councilman Perry Toomey	Greg Beal, Planner
Councilwoman Carolyn Breyare	Mike Santmire, Streets and Solid Waste Director
Kemp Michael, City Attorney	Brooke Shepherd, Attorney, Kemp Michaels' office

Mayor Whitt stated that he and City Council members were pleased to hold their first Council meeting here in the Citizens Center. Staff will be moving to the Citizens Center on Friday, June 20, 2008, and on that day, City Hall will be closed for business. If any citizen wishes to pay their water and sewer bills, they may leave their payment in the drop off box at City Hall on that day. City Hall at the Citizens Center will be open for business on Monday, June 23, 2008. The Police Department will relocate to the Citizens Center in the near future.

Call to Order by Mayor Whitt
Mayor Whitt called the Mount Holly City Council meeting to order at 7:00 pm.

Invocation
Councilman Frank McLean led the invocation.

Pledge of Allegiance
Boy Scout Troop 59 of the First United Methodist Church in Mount Holly led attendees in the Pledge of Alliance.

Public Comment Reminder – Three Minute Limit
Mayor Whitt reminded the audience that the Public Comment period is a time for anyone in the audience who has signed up to speak to address City Council on any topic for up to three minutes. He added that the Public Comment sign up sheet is located on the door of the Council Chambers.

In addition, Mayor Whitt stated that at the meeting tonight, there is one Public Hearing item regarding the *Presentation of the Fiscal Year 2008-2009 Budget and Capital Improvement Plan* and if anyone wishes to speak on this item, they should sign up on the Public Hearing sign up sheet located by the door of the Council Chambers.

Mayor Whitt noticed that there were a number of people in the audience from the Riverfront Home Owners Association here to speak and he informed them that they did not have to sign up to speak as he would ask that their item be placed under **Presentations**.

Set Agenda
Mayor Whitt asked for any changes or amendments to the agenda as presented. There were none from Council.

Mayor Whitt asked that under the **Consent Agenda**, item 2, *Request for Co-Sponsorship of Fundraiser for the Community Relief Organization (CRO)* be moved to **New Business** as item 3. Mayor Whitt asked that under **Presentations**, he would like to add two items which are item 1, *Presentation by Todd Vandermeid as it relates to Alive After 5 events* and item 2, *Presentation by the Riverfront Home Owners Association.*

Mayor Whitt asked that under **Old Business**, item 2, *Grand Hall Rental Policy*, be removed from the agenda as he was going to appoint a Committee to look into this matter and report back to Council at a later meeting.

Lastly, Mayor Whitt asked that under **Other Business**, item 1 be added which would be *City Hall.*

There being no other changes or additions to the agenda, Mayor Whitt entertained a motion to set the agenda as amended.

Motion: Councilman Moore made a motion to approve the agenda as amended. Councilman Brookshire seconded the motion and the motion passed unanimously.

AGENDA

CONSENT AGENDA
Mayor Whitt stated that there is one item on the Consent Agenda this evening.

1. **A Resolution Opposing a Moratorium on Annexations by Municipalities**

Mayor Whitt entertained a motion to approve the Consent Agenda as amended.

Motion: Councilman Bishop made a motion to approve the Consent Agenda as amended with Councilwoman Breyare seconding the motion. The motion passed unanimously.

MINUTES
1. Approval of the minutes for the City Council business meeting of May 12, 2008
Mayor Whitt asked Council for any corrections or changes to the City Council minutes of the May 12, 2008 City Council business meeting as presented.

Mayor Whitt asked Mrs. Roberts to refer to page 6, second paragraph from the bottom, first sentence, regarding the approval of the amended Wastewater System Study Contract for Pease and Associates. "Pease and Associate" should be "Pease and Associates."

There being no other corrections or changes to the minutes, Mayor Whitt entertained a motion to approve the minutes of May 12, 2008 City Council business meeting as amended.

Motion: Councilman Toomey made a motion to approve the minutes from the May 12, 2008 City Council business meeting as amended. Councilman McLean seconded the motion and the motion passed unanimously.

2. Approval of the minutes for the City Council Budget meeting of May 19, 2008
Mayor Whitt asked Council for any changes or comments to the City Council minutes of May 19, 2008 budget meeting as presented.

Motion: Councilman McLean made a motion to approve the minutes from the May 19, 2008 City Council Budget Meeting as presented. Councilman Toomey seconded the motion and the motion passed unanimously.

PRESENTATIONS
1. Alive after 5 events, presented by Todd Vandermeid
Mayor Whitt invited Mr. Vandermeid to the podium. Mr. Vandermeid provided a brief report to Council and the Mayor on the funding for each Alive After 5 event that has occurred downtown. The next planned event is for Thursday, June 26, 2008 with the Catalinas providing the entertainment. Mr. Vandermeid asked Council for a Resolution to serve beer and wine in the designated roped off area by the City Cafe for this event.

Motion: Councilman Toomey made a motion to approve the Resolution to serve beer and wine in the designated area for the Alive After 5 event on Thursday, June 26, 2008, as requested. Councilwoman Breyare seconded the motion and the motion passed by a vote of 5 to 1 with Councilman McLean casting the dissenting vote.

Mayor Whitt thanked Mr. Vandermeid for all his efforts in making the Alive After 5 events successful.

2. Riverfront Home Owners Association
Mayor Whitt invited the representative from the Riverfront Home Owners Association to please come to the podium.

Ms. Kim Hullander
116 Lighthouse Road
Mount Holly, NC

Ms. Hullander stated that she is here tonight to speak on behalf of the Riverfront Home Owners Association Board of Directors. She stated that Riverfront has long awaited the marina that has been proposed for their community. On May 27, 2008, Row Boat Dock and Dredge, Inc. had set up a temporary staging location at the Riverfront site and Ms. Hullander heard that they were now requesting a permanent staging site from Duke Power at this location. Duke Power informed the Riverfront Home Owners Association that they had not received an application for a permanent site from Row Boat Dock and Dredge, Inc. and therefore had not granted permission for this permanent site at this time. Ms. Hullander stated that the Homeowners thought that the current Row Boat Dock and Dredge's staging area was temporary, just for the planned marina construction, and that it would not be a permanent staging area set up. However, the Home Owners Association became concerned that permission will be granted to Row Boat Dock and Dredge that this temporary site will become a permanent site, an industrial site with cranes, trucks, backhoes, other construction equipment, barges, etc., located in their neighborhood with accompanying heavy equipment and traffic problems along Marina Drive. She stated that this was not the original plan for this neighborhood.

Ms. Hullander stated that there is currently 100% participation backed by 150 signatures from the Riverfront community of people opposing Row Boat Dock and Dredge, Inc. from securing a permit to create a permanent site in their neighborhood. The Home Owners will continue canvassing the neighborhood for more support in this endeavor in the next few weeks. They will submit this petition to Duke Power so that they will have it on record that the Riverfront community opposes this type of activity in their neighborhood.

Ms. Hullander stated that she is here tonight to inform City Council of Row Boat Dock & Dredge's intent and how the possibility of a permanent site for their activities would affect their neighborhood and the City's current and future plans for this area. She asked that the City of Mount Holly provide help and support to the Riverfront community so that permitting for a permanent site for Row Boat Dock and Dredge will not occur in their community.

Mayor Whitt recognized that from the presentation of Ms. Hullander and from the number of Riverfront homeowners in attendance at this meeting tonight that Council received their message loud and clear. He added that Row Boat Dock and Dredge, Inc. will have to talk to the City of Mount Holly about a request to establish a permanent site and asked Mr. Beal to comment on this matter.

Mr. Beal stated that it doesn't matter what Row Boat Dock and Dredge wants to do, or what Duke Energy says it will do or not do, it all falls back on the City of Mount Holly Zoning Ordinance and how the Riverfront community was originally planned and then approved by the City of Mount Holly. This site is not zoned for industrial use. It is zoned for retail and office use and a permanent staging site for Row Boat Dock and Dredge, Inc. is not permitted.

Mayor Whitt thanked Ms. Hullander for her presentation.

Mayor Whitt invited Ms. Carol Porter to come to the podium to add to what has already been expressed by Ms. Hullander about this matter.

Carol Porter
117 Steamboat Drive
Mount Holly, NC

Ms. Porter stated that she is a realtor and that there are eleven Riverfront properties currently for sale. The fact that there has been discussion and evidence of a potential permanent industrial staging area for Row Boat Dock and Dredging has already caused problems for the sale of current Riverfront properties. The Riverfront area was to have a marina, not a permanent industrial area site for Row Boat Dock and Dredging. This situation has caused concern for the safety of children and other residents who live in this neighborhood and disrupts the current and future plans for this area.

Mayor Whitt thanked Ms. Porter for her comments.

Other speakers from the Riverfront community expressed their concerns about the proposed permanent industrial area site for Row Boat Dock and Dredging. They were in agreement that they wished to have the marina completed but did not want a permanent industrial site allowed.

The recording from this point on became increasing inaudible.

Mayor Whitt thanked all Riverfront community residents for attending the meeting tonight and for expressing their concerns. He added that Council has heard their concerns and as a result, it was the consensus of Council that the City Attorney look into this situation regarding a permanent industrial area site for Row Boat Dock and Dredging and report back to Council about this situation.

PUBLIC HEARING

1. Presentation of the Fiscal Year 2008 – 2009 Budget and Capital Improvement Plan, presented by Eric Davis, City Manager

Mayor Whitt stated that this is a Public Hearing for the presentation of the Fiscal Year 2008 – 2009 Budget and Capital Improvement Plan. He declared that we are in a Public Hearing for the purpose of the presentation of the Fiscal Year 2008 – 2009 Budget and Capital Improvement Plan. Mayor Whitt turned the presentation over to Mr. Davis.

Budget for Fiscal Year 2008 – 2009 Budget

Mr. Davis stated that he was pleased to submit the Mount Holly, North Carolina annual budget for fiscal year 2008 – 2009. This budget was prepared in accordance with the North Carolina Local Government Budget and Fiscal Control Act. He added that this budget was arranged to meet the City Council's goals of more recreational opportunities and enhanced community and economic development efforts. The budget is balanced and identifies all revenue and expenditure estimates for fiscal year 2008 – 2009.

Mr. Davis pointed out that in Section 1, the following amounts are hereby appropriated for the operation of the City Government and its activities for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Schedule A – General Fund - $8,630,500
Schedule B – E-911 Fund - $97,200
Schedule C – Debt Service Fund - $708,700

Schedule D – Water & Sewer Fund - $5,780,000
Schedule E – Housing Fund - $358,749
Schedule F – Capital Reserve - $750,000
Schedule G – Powell Bill Fund - $370,000
Schedule H – Capital Project - $500,000

In Section 2, the revenues will be available beginning July 1, 2008 and ending June 30, 2009 to meet the foregoing appropriations.

In Section 3, the tax rate on each $100.00 valuation of taxable property would be reduced from $.54 per $100.00 valuation of taxable property to $.53 per $100.00 valuation of taxable property.

In Section 4, copies of this ordinance will be kept on file at City Hall and will be furnished to the City Clerk and Finance Officer to provide direction in the collection of revenues and disbursement of City Funds.

In Section 5, the City Manager will serve as Budget Officer.

In Section 6, the interfund transfers of moneys will be accomplished only by the authorization from the City Council.

In Section 7, the North Carolina Local Government Budget and Fiscal Control Act authorizes the City Council to amend the budget ordinance at any time during the fiscal year as long as it complies with the North Carolina General Statutes.

In Section 8, the general obligation debt of the City of Mount Holly will not exceed 8% of the assessed valuation of the taxable property of the City.

In Section 9, the goal of the City of Mount Holly will be that the general fund balance of the City will not drop below 22% nor exceed 30% of the general fund allocations for expenditures for the previous fiscal year. If the fund balance falls below the 22% threshold, the City will immediately implement a plan within the budget to add money to the fund balance with the goal of returning the balance to over 22% within two years. If the amount in the fund balance exceeds the 27% threshold, the City will utilize excess fund balance on one time capital items that are part of the Capital Improvement Plan.

In Section 10, this ordinance and the budget documents will be the basis for the financial plan of the City of Mount Holly during the 2008 – 2009 fiscal year. The Budget Officer shall administer the budget.

Mayor Whitt stated that no one has signed up to speak on this item.

A brief discussion ensued.

Councilman Toomey stated that he was having trouble hearing the discussion and asked members of the audience if they could hear the proceedings. It was the consensus of the audience that it was difficult to hear the proceedings. Based on a suggestion from an audience member, Mayor Whitt asked Council to move closer to their microphones so everyone could hear. He apologized to the audience that the acoustics were not better and asked for everyone's patience since this was the first meeting in the new building.

There were no other questions or comments on the annual budget for the fiscal year 2008 – 2009.

CAPITAL IMPROVEMENT (CIP) PLAN FOR 2009 - 2013

Mr. Davis began the presentation on the City of Mount Holly Capital Improvement Plan (CIP) for 2009 – 2013, prepared by the Administration Department of the City of Mount Holly. The CIP is a five year financial guideline for infrastructure improvements, facility construction and improvement, and equipment acquisition. The CIP will be reviewed annually in conjunction with the annual budget. Mr. Davis cited the Goal Statement of the CIP, the Policy Guidelines, the Five Year Capital Improvements Plan – Resolution of Adoption, and the components of the Capital Improvement Plan. Mr. Davis stated that even with the adoption of the Resolution, the plan can be changed with minor changes being made each year and with major revisions occurring every other year. In order to be included in the CIP, a capital item or project must have a useful life of more than one year and have an initial cost of at least $5,000. All capital items not meeting these criteria are included in the annual operating budget.

Councilman Toomey congratulated staff for a remarkable job on the CIP. He added that not all projects on the CIP will be done but at least the CIP allows the City to look at goals and objectives into the future.

Councilwoman Breyare asked if hybrid vehicles will be considered to replace some of the vehicles listed on the CIP. Mr. Davis stated that they will be reviewed along with other types of vehicles.

There were no other questions or comments. Mayor Whitt declared that the Public Hearing was now over and that we are now back in Regular Session.

Mayor Whitt entertained a motion to adopt the Fiscal Year 2008 – 2009 Budget for the City of Mount Holly, North Carolina as presented.

Motion: Councilman Toomey made the motion to adopt the Fiscal Year 2008 – 2009 Budget for the City of Mount Holly, North Carolina as presented. Councilwoman Breyare seconded the motion and the motion passed unanimously.

Mayor Whitt entertained a motion to adopt the Five Year Capital Improvements Plan for 2008 – 2013 for the City of Mount Holly, North Carolina as presented.

Motion: Councilman Toomey made the motion to adopt the Five Year Capital Improvements Plan for 2008 – 2013 for the City of Mount Holly, North Carolina as presented. Councilwoman Breyare seconded the motion and the motion passed unanimously.

PUBLIC COMMENT

Mayor Whitt stated that there are three people who signed up to speak during the Public Comment period but two of them were from the Riverfront Home Owners Association and had already spoken. The remaining speaker is Ms. Janice McRorie who will speak on the ABC Board nomination. Mayor Whitt invited Ms. McRorie to come to the podium to speak.

Janice McRorie
P. O. Box 676
McAdenville, NC 28101

Ms. McRorie stated that she is here tonight to let Council and the Mayor know that she is very interested in being re-nominated as an ABC Board member. She stated that she performed the duties of the recording secretary for the ABC Board, keeping the minutes of the meetings, and participating in decision making policies.

She stated that she was raised in Mount Holly and attended schools here. She graduated from UNC-Charlotte and the University of South Carolina with a Master's Degree. She is on the faculty of Queens University, teaching Pediatric Nursing.

Ms. McRorie stated that she currently lives in McAdenville in a home that used to be her mother's but plans to return to Mount Holly to reside in the near future.

Ms. McRorie is being recommended by Carlton R. Broome, Chairman, Mount Holly ABC System.

Mayor Whitt thanked Ms. McRorie for her comments.

OLD BUSINESS

1. ABC Board Appointment, presented by Eric Davis, City Manager

Mr. Davis stated that staff received two notices regarding nominations for the ABC Board appointment. Carlton Broome nominated Janice McRorie for re-nomination and Councilman Toomey nominated Robert Duke to the ABC Board.

At this time, Mayor Whitt asked for nominations from City Council. Councilman Toomey nominated Robert Duke and Councilman Moore nominated Janice McRorie. There were no other nominations. Mayor Whitt entertained a motion to close nominations.

Motion: Councilman Bishop made a motion to close nominations with Councilman McLean seconding the motion. The motion passed unanimously.

Mr. Michael stated that Council will choose the ABC Board member by written ballot. He instructed Council to write the name of their nominee, sign their name on the ballot, and then pass the ballot over to him for tallying.

After Mr. Michael tallied the votes, Mayor Whitt announced the results of the vote. The vote was 5 votes in favor of Janice McRorie and 1 vote in favor of Robert Duke. Mayor Whitt congratulated Ms. McRorie for her re-nomination to the ABC Board.

Mayor Whitt called for a short recess at 7:45 pm.

Mayor Whitt called the meeting back to order at 7:55 pm.

NEW BUSINESS

1. Adoption of the 2008 – 2009 Fee Structure, presented by Jamie Guffey, Assistant City Manager

Mr. Guffey stated that the 2008 – 2009 Fee Structure report is presented in the agenda handout for Council's review. He added that fees can be changed at any time during the fiscal year but the tax rate cannot.

There were no questions or comments on the Fee Structure.

Mayor Whitt entertained a motion to approve the 2008 – 2009 Fee Structure as presented.

Motion: Council Toomey made a motion to approve the 2008 – 2009 Fee Structure as presented. Councilman Moore seconded the motion and the motion passed unanimously.

2. Presentation of the 2008 Street Pavement Study, presented by Danny Jackson, Assistant City Manager

Mr. Jackson stated that the report, **Results of the City of Mount Holly 2008 Pavement Condition Survey, Final Report, May, 2008**, is presented to Council this evening for their review. The report was done by the Institute for Transportation Research and Education (ITRE), North Carolina State University, in Raleigh, NC, and presents an unbiased review of the condition of the City's streets for repair ranking.

Mayor Whitt stated that this report takes the politics out of street repair as a third party is determining the street repair schedule.

Because this report was handed out at the meeting and Council did not have time to review it in its entirety, it was the consensus of Council and the Mayor that discussion on this report would take place at the Council's Work Session on Monday, June 23, 2008.

3. Request for Council to co-sponsor a fundraiser for the Community Relief Organization (CRO), presented by Carol Featherstonen, Vice President of Mount Hollydays, Inc.

Ms. Davidson stated that she was here tonight to ask Council to co-sponsor a fundraiser for the CRO. She stated that forthcoming proposed activities for Mount Hollydays are a fund drive, hayrides for children, a Shag-on on September 13, 2008 at the Tuck Center, holiday lighting of downtown trees in honor of loved ones during the holidays, as well as other activities to help raise money for the CRO.

Ms. Davidson asked Council to consider allowing beer and wine to be allowed at the Tuck Center for the Shag-on. Ms. Davidson also asked that Council consider allowing a wine-tasting and cheese event at the Citizens Center during the holidays.

Mr. Michael stated that currently the Ordinance does not permit alcohol being served on City property. An exception may be adopted by Council to permit alcohol to be served per an event basis such as the exception that is adopted for each Alive After 5 event.

Councilman Toomey did not agree that alcohol should be served at the Tuck Center. Councilwoman Breyare thought that the Shag-on event at the Tuck Center would be attended by adults and added that a permit for it should be allowed per an event basis such as with the Alive After 5 events. Mayor Whitt stated that Council members who are not in agreement with alcohol use at these events should remember that they represent all the citizens of Mount Holly. If alcohol is not allowed to be served, we will loose an incredible opportunity for our City.

It was the consensus of Council and the Mayor that this matter would be discussed and a decision arrived at during the Work Session on June 23, 2008.

Mayor Whitt thanked Ms. Davidson for her report.

<u>OTHER BUSINESS</u>

1. City Hall

Mr. Davis stated that there are still items on the punch list for the building that need to be completed for the Citizens Center. However, staff will begin moving into the building on Friday, June 20, 2008, and City Hall will be closed during the move. The Citizens Center will open on Monday, June 23, 2008. The collection box at City Hall will be available for utility bill drop offs by citizens.

<u>MANAGER'S REPORT</u>

City of Mount Holly Website

Mr. Davis stated that he met with David Jordan about the site and hoped that in a month or two the site will be satisfactory to all. Mr. Jordan is doing double duty with the site and providing IT work in the Citizens Center.

New Employees

Mr. Davis stated that Ms. Amy Miller is the new Deputy City Clerk and she began her duties as of last week.

Mr. Davis stated that Mr. Jonathan Harris has started as a Planner.

<u>COUNCIL COMMENTS</u>

Councilwoman Breyare asked staff to look into the absence of speed limit signs and vehicles speeding on West Central Avenue down by the Mount Holly Junior High School area. On Mauney Street and Price Street in Catawba Heights, there is a blind spot which doesn't allow anyone to see traffic coming down the hill.

CLOSED SESSION

Mayor Whitt entertained a motion to go out of Regular Session and into Closed Session for the purposes of discussing personnel matters.

Motion: Councilman Bishop made the motion to go out of Regular Session and into Closed Session for the purposes of discussing personnel matters and contracts. Councilman Moore seconded the motion and the motion passed unanimously.

The Mount Holly City Council returned from Closed session.

Motion: Councilman Moore made a motion to accept an offer to purchase the City's Police Station from Sharon and Lindy Sykes in the amount of $470,000, subject to the North Carolina General Statute's provisions for allowing for upset bids. Councilman Bishop seconded the motion. The motion passed unanimously.

Mayor Robert Whitt announced the creation of a new committee. This committee will be charged with researching and recommending rental fees for the new Grand Hall. Assistant City Manager Danny Jackson will chair the committee. Also serving on the committee will be City Attorney Kemp Michael, Councilman Bishop and Councilwoman Breyare.

Mayor Whitt announced that he has disbanded the Public Safety Committee.

Mayor Whitt announced that he was appointing Councilman Brookshire to the Construction Committee, replacing Councilman Bishop.

With no other business before the Council, Mayor Whitt entertained a motion to adjourn the meeting.

Motion: Councilman Moore made a motion to adjourn the meeting with Councilman Bishop seconding the motion. The motion passed unanimously.

The meeting was adjourned at 9:27 pm.

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Robert Whitt
Mayor

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Eric Davis
City Manager

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Cass Roberts
Secretary