

Regular Meeting
City Council
June 9, 1997

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 Mayor Pro-Tem Michael Helms, Councilwoman Phyllis Harris, Councilmen Jim Hope, R. L. Duke, and Andy Stewart, David Hostetler Jr., as well as City Manager Phil Ponder, Administrative Services Director Sherry Borgsdorf, City Attorney Kemp Michael, Public Works Director Eddie Nichols, Planning Director Danny Jackson, and a Police Dept. representative.

The invocation was led by Rev. Mitchell Murrow.

Mayor McLean gave an apology to Councilmen Stewart and Hostetler for the harsh words spoken at last month's meeting, which was accepted.

The minutes of May 12, 1997, were approved, with correction as follows: page 5, paragraph 1--amend it to read "to discuss this further with Mr. Wolfe.", upon MOTION by Councilman Helms seconded by Councilman Duke, with all in favor.

Council went into a public hearing for a discussion and possible action upon the proposed fiscal year 97/98 municipal budget. City Manager Ponder noted that the main difference in the budget is the sewer interconnect funding. There were no comments from the audience. The public hearing was adjourned by the Mayor, and the regular meeting resumed. The Council agreed to meet for work session on the budget on June 23rd at 7:30 P.M., and Mr. Ponder asked the Council to address their questions to him prior to then so he would be able to prepare answers.

Councilman Hostetler presented to the Council some information he had obtained about the dangers of fluoridation of the municipal water supply. He provided copies of the various articles to the Council and read a report. (copy attached) Councilman Duke said he agreed that fluoride should not be added to the city's water, and he has always voted against it. Councilman Stewart asked if the League of Municipalities has any information or comments; Mr. Ponder said they do not, as it is not in their "domain", but that he had inquired at the State level about it and they have someone who can present the other viewpoint if the Council wishes. Councilman Hostetler said that would be fine as long as that person's background and who they represent is disclosed. The Council concurred, and Mayor McLean asked him to have the guest speaker in July.

City Manager Ponder reported that Gaston County had appropriated an additional \$700,000 toward the Mt. Holly/Stanley sewer interconnect project. Stanley now has its financing in place, and he stated that it would now be in order for the Council to take action on the bids. The Council had been given a bid

tabulation and recommendation from the engineer to award to the low bidder. Councilman Helms **MOVED** to award the bid for the Mount Holly/Stanley sewer interconnect project to Dellinger, Inc. in the amount of \$3,967,020.00, seconded by Councilman Duke, with all in favor.

Derek Rumfelt, 101 Short Street, was recognized, and spoke on behalf of the neighborhood residents. He filed with the Council a petition signed by 47 residents. They are requesting stop signs be installed at two intersections for safety reasons. He stated there are 31 children in the neighborhood, and it is a densely populated area. The streets are used as a cut-through, and the traffic goes too fast and often "cuts the corner". Councilwoman Harris and Councilman Stewart stated they travel the road and have seen that this is the situation. Councilmen Helms, Hostetler and Duke agreed that they were prepared to take action without further investigation. Councilwoman Harris **MOVED** to amend the City traffic map to add 4-way stop signs at the intersection of Bell, Carey & Wood, and 3-way stop signs at the intersection of Hicks & Bell; motion seconded by Councilman Hostetler, with all in favor. Councilman Helms told the residents present not to be upset if they are the ones who get a ticket.

Upon recommendation of the Planning Commission, Councilwoman Harris **MOVED** to set a public hearing for the July 14 regular meeting to consider two rezoning requests, one by Seaywoods Associates for a 1.5 acre lot at 601 S. Main Street from H-I to B-3, and the other by Presbyterian Health Services Corp. for a .25 acre lot at South Main and Highland from H-I to B-3; motion seconded by Councilman Hope, with all in favor.

Upon recommendation of the City Auditor, Councilman Helms **MOVED** to adopt Resolution #6-9-97(a) for approval of the write-off of uncollectable accounts at Holly Hills Apartments for fiscal year 96/97 in the amount of \$795.00; seconded by Councilman Duke, with all in favor. (copy attached)

Upon recommendation of the City Auditor, Councilman Helms **MOVED** to adopt Resolution #6-9-97(b) for approval of the write-off of uncollectable accounts at Rollins Square Apartments for fiscal year 96/97 in the amount of \$262.20; seconded by Councilwoman Harris, with all in favor. (copy attached)

Diane Pritchett, Priority One Management, presented a revision to the 96/97 Holly Hills Apartments budget with six line item adjustments. She stated that the actual dwelling rental increased, and the payment in lieu of tax to Mt. Holly also increased. The amended budget was approved upon **MOTION** by Councilwoman Harris to adopt Resolution #6-9-97(c), seconded by Councilman Hope, with all in favor. (copy attached)

City Manager Ponder inquired of the Council whether or not they wish him to pursue application for the Municipal Building as an historic landmark. He had learned from Lucy Penegar, Gaston

County Historic Preservation Chairperson, that the historical background with pictures paperwork would be presented to that organization. He suggested that he attend the next meeting on the third Thursday of the month for the purpose of determining the time, effort and expense involved in obtaining this designation. The Council concurred that he should attend the meeting and report back to them.

Nine budget amendments were approved upon **MOTION** by Councilman Hostetler, seconded by Councilman Helms, with all in favor. Mr. Ponder stated all of them are moving funds from one line account to another, with no new expenditure. (copies attached)

City Manager Ponder asked Council for direction as to the scope of sidewalk work they wish him to pursue, and indicated he would then obtain cost estimates from contractors. Preliminary engineering reports will not be necessary at this point. Janice Burke, Local Government Commission, recommended the paperwork for a bond referendum be started in July. A list taken from the Land Development Plan was in the agenda. Councilman Stewart asked for 4 additions: Highland Street under the underpass bridge, a bike trail in Central Park from Glendale to Catawba so it is handicap accessible, Madison Drive to Holly Lane, Highway 273 from Highway 27 across the bridge to the red light, River Street from Highway 27 to the River Street Park. Councilman Duke asked that Hicks Circle and Bell Street be added. Councilman Stewart also suggested that promotional material be sent to the citizens so they will understand the importance of the referendum. Mr. Ponder said the City itself is not allowed to promote a bond referendum, but can provide information. Councilman Duke said he has worked on getting sidewalks from downtown to the city limits in all four directions for 10 to 15 years, and would like to see this accomplished. Councilman Helms said he is in favor of sidewalks where they are needed and will be used, but that everyone needs to understand there is no "free ride" and it will cost us a tax increase of about two cents. Councilman Hostetler asked if Powell Bill money cannot be used for all or a portion of the payback; Mr. Ponder said he believed so, but he would research the question to be sure. Councilman Helms said the City should always use Powell Bill money for roads first and then for sidewalks if anything is left.

City Manager Ponder presented further information to Council regarding the computer system for the Police Department in response to concerns expressed at the last meeting about the warranty period, the specifications for the computers as to name brands, and potential problems associated with having different hardware and software vendors. NISS, Inc., the consultant, recommends using Visions (which is not the low bidder) so that one vendor for both hardware and software and because it uses a name brand; however, they also point out that the software was chosen first and the hardware specs were designed for it, and although they prefer name brands, the low bidder would perform to the

specs. The full warranty period on both bids is one year. Councilman Hope **MOVED** to award the bid for police department computer system to Visions Software in the amount of \$35,704.95, seconded by Councilwoman Harris. Councilman Stewart expressed concern to not award to the low bidder, and stated that the idea that having the same vendor is better is faulty in that Dell Computers are providing the hardware in the Visions bid. He further noted that our specs did not require name brand. The low bidder had good references, he pointed out, and often small companies provide good service because they care more. City Manager Ponder had requested the City Attorney to research the legal aspects of rejecting a low bid. Mr. Michael requested he speak with Council about this matter in closed session, which was approved unanimously. Councilman Duke **MOVED** to table action on this matter until after the close session, seconded by Councilwoman Harris, with all in favor.

City Manager Ponder presented a renewal contract for services as auditor with Cherry, Bekeart, and Holland in the amount of \$18,250. The contract was approved upon **MOTION** by Councilman Duke, seconded by Councilman Helms, with all in favor.

Mayor McLean introduced the police officer on duty that evening, who was W. A. Reece.

The floor was opened for public comment. Opal Conrad, 114 Nantz Street, was recognized. She said the speed limit was reduced to 25 mph and the sign installed, but is not being obeyed and it needs to be enforced. Also, she complained that the owner of property at 112 Nantz Street has a light installed too near the road which she wants the City to have them move. The City Manager will investigate these matters.

Councilwoman Harris reported that Charlotte Gaston from the River Street community watch group had called her to say they are having problems with kids on the street drinking and with drugs. The police have gone but the kids go onto private yards off the street when they see them coming even though it is not where they live. They want to know if there is anything that can be done.

Councilman Stewart asked that several catch basins on North Main Street be marked with orange cones until the repaving is done, and that DOT be contacted about the delay in completion.

Councilman Stewart complemented the staff on its preparation of the information sent to citizens about the recycling program.

Councilman Stewart asked Mr. Ponder for an update on the Highway 273 feasibility with TAC. Mr. Ponder said Ms. Gaither was at the last meeting but left early so he did not get to speak with her, but he knew the study should be completed by now. Councilman Stewart felt that Mt. Holly is at a point that is past critical, and with all the new houses being constructed it will only get worse, so he would like to know what the City can do to get the

widening done right away. Councilwoman Harris offered to call Ms. Gaither, and the Council concurred that she do so.

Councilman Helms also praised the recycling program brochure, and asked about one for limbs and trash. Mr. Ponder said one had been sent out about a year ago, and maybe he could persuade the media to advertize that. City Manager Ponder reported that staff will be meeting with the recycling company in the next few days. Councilman Duke said he gets calls about their limbs and trash not being picked up, and asked if they pick up on the same street if they see it on the road even if not called out for the other location. Mr. Nichols said they do; about 20% is called in, and the rest they just get on the same street. Councilman Hostetler said he gets a lot of calls also, but he usually finds they have not allowed enough days since the pickup is on a set day for each area. It was agreed that the public still needs to be educated more on this program.

Councilman Hostetler requested that a letter be send to the County to request it repave the road to the recycling center at Riverbend. Mr. Ponder said he spoke with Phil Hinely, the County Manager, about this and was told that it is in their budget for this fall.

Councilman Hostetler said two more properties are getting rezoned on the bypass, and although the mini-warehouses were told not to have an entrance on the bypass, DOT gave them a permit and they did it anyway. He asked if the City could request DOT not give anymore permits without letting the City have input because of the traffic situation. He reported getting numerous phone calls from A&E and Freightliner people complaining about the traffic, and this will only make it worse. Councilman Hope said that DOT does the studies and they know when to issue a permit or not. Councilman Hostetler said he does not think they did a study, but just issued the permit, and wondered if we could ask them to do a study. Councilwoman Harris stated that she believed the City had requested they be informed when a permit application was received in a heavily congested area, but DOT has not done it. Councilman Helms said there is evidently a difference between what we define as congested and what DOT defines as congested. Councilman Stewart said that DOT will not have the same concern we have since they do not drive on it every day, and all that property is going to be developed eventually.

Councilman Hostetler expressed concern that the sidewalks on North Main Street were installed in an unusual way, with curves around some telephone poles, and some poles in the middle of the sidewalk, and other poles moved over. He asked that an inquiry be made about that.

Councilman Hostetler reported that the airport expansion opposers contacted him and want to be on the July meeting agenda, and they want Jerry Orr to be asked to be present to present information and answer questions. Patti Honeycutt, 110 N.

Alexander, asked if the City Manager and City Attorney could check the document received to see if Mount Holly was included in the environmental impact study.

Councilwoman Harris reported that when she and the City Manager were in Raleigh, they received very good reports about Danny Jackson, our zoning administrator, and commended him for a good job.

The Council took a five minute recess.

Councilwoman Harris **MOVED** to go into closed session for the purpose of discussing litigation and other legal matters with the City Attorney; seconded by Councilman Duke, with all in favor.

Councilwoman Harris **MOVED** that the Council return to open session; seconded by Councilman Hostetler, with all in favor.

Councilman Stewart made a **SUBSTITUTE MOTION** that the bid for the police department computer system be awarded to Technical Resources Co. in the amount of \$33,870.00; seconded by Councilman Hostetler, and carried with four ayes and two nays (Hope and Harris).

City Attorney Michael reported to the Council that there is one additional property that will have to be condemned for the sewer interconnect project, the property of James F. Murphy, Jr. and wife, Delores Mary Murphy. Councilman Stewart **MOVED** to adopt the Resolution Authorizing Condemnation (copy attached) as presented; seconded by Councilman Hope, with all in favor.

City Manager Ponder requested that Danny Jackson be given permission to assist the County Planning Office and 911 system on street names. The 911 system will send the notices. The Council concurred.

City Manager Ponder reported that the judge ruled in favor of the City in the case filed by Jack Ferrell, and he believed Suzanne Jefferies would be doing a follow-up story.

Councilman Hostetler said that in response to the Planning Commission wanting more direction on the Council's request for new ordinances, he referred to ordinances recently adopted by Gastonia. Mr. Jackson said that there is already an overlay now for manufactured homes, and the ordinance on telecommunication towers applies to corridors.

There being no further business, the meeting was adjourned upon motion by Councilman Hope, seconded by Councilman Stewart, at 10:25 P.M.

Philip D. Ponder
City Clerk

Frank E. McLean
Mayor
