City of Mount Holly
Mount Holly City Council Meeting
Monday, June 08, 2009
Council Chambers
7:00 pm

Call to Order
Mayor Robert Whitt called the meeting to order at 7:01 pm. The following were present:

Mayor Robert Whitt
Mayor Pro-Tem David Moore
Councilman Jerry Bishop
Councilman Frank McLean
Councilman Perry Toomey
Councilman Bennie Brookshire
Councilwoman Carolyn Breyare
Kemp Michael, City Attorney

Eric Davis, City Manager
Jamie Guffey, Assistant City Manager
Danny Jackson, Assistant City Manager
Mike Santmire, Streets & Solid Waste Director
David Belk, Chief of Police
James Friday, Director of Utilities
Tina Pritchard, Director of Parks & Recreation
Greg Beal, Senior Planner
Brian DuPont, Planner
Brooke Shephard-Lopez, Attorney, Kemp Michaels' office

Call to Order by Mayor Whitt
Mayor Whitt called the Mount Holly City Council meeting to order at 7:01 pm.

Invocation
Reverend Vince Holland, Lay Minister of Youth, 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 Allegiance.

Set Agenda
Mayor Whitt offered the opportunity to sign up for public comment during the public hearing section of the meeting.
Mayor Whitt asked the council for any changes they wish to make to the agenda.
Councilman McLean made a motion to approve the agenda. Councilman Brookshire seconded the motion. In a vote, all voted in favor.

CONSENT AGENDA
Councilman Bishop made a motion to approve the consent agenda. Councilman Toomey seconded the motion. In a vote, all voted in favor.

MINUTES
Mayor Whitt noted that he had no minutes in his packet to approve.

PRESENTATIONS

1. Eagle Scout Proclamations (Kevin Hagerman and Phillip Strader)

Mayor Whitt and the City Council joined two eagle scouts and their families on the floor to recognize their accomplishment in becoming eagle scouts. Both Mr. Hagerman and Mr. Strader are given the opportunity to share their future plans and are presented with an acknowledgement of their achievement.

2. Isaac Lynch Retirement

Mayor Whitt called Isaac Lynch to come forward so that he and the Council could recognize Mr. Lynch's retirement after 20 years of service to the City. Mayor Whitt presented a resolution to Mr. Lynch for his 20 years of service. Mr. Lynch also received an engraved watch. Mayor Whitt asked Mr. Lynch's co-workers to stand and be recognized. Mr. Lynch thanked the City.

3. Community Development Foundations (Ann Danzi)

Mayor Whitt called Ann Danzi forward. Ms. Danzi stated she was here to give an update to the Mayor and Council on three gateway beautification projects throughout the City of Mount Holly.

After completing the presentation Ms. Danzi asked the Council for permission to close the roads for Autumn on Main two hours earlier than previously planned. She asks the streets be closed at 6:30am instead of 8:30am. After some discussion Council agrees to allow the early road closing without a formal vote.

Ms. Danzi then requested Council approval for include wine tastings at Autumn on Main. She assured Council that age restrictions would apply. After some discussion regarding insurance issues and location of the wine tasting booths, Councilman Bishop made a motion to allow the wine tasting at Autumn Fest given that all booths are located within a designated area. The motion is seconded by Councilman Toomey. In a vote, the motion passed unanimously.

4. Website Update (David Jordan)

Mayor Whitt calls David Jordan forward. Mr. Jordan gave a brief description of the work that has been done to date for the website redesign as well as where future work will focus. Mr. Jordan references his work with City staff and recommends that, as discussed, the website redesign include three navigation formats. Mr. Jordan also spoke to his vision for the content and functions of the various pages of the website.

After some discussion and questions from the Council, Mr. Jordan committed to return to the June 22, 2009 meeting to provide another update to the Council.

PUBLIC HEARINGS

1. FY 09/10 Budget

The City Manager, Eric Davis presented the budget to the Council. Mr. Davis outlines the budget and the main changes within it for the Council.

Mr. Davis then went through each schedule and section within the budget ordinance and commented on the impact of each section and schedule.
Mr. Davis also stated the need to be cautious with spending and to be mindful of decisions made at the state level in regards to the state budget. Mayor Whitt asked the Council if there were any further questions for the City Manager and staff and notes that no public had signed up to speak.

After a discussion of budget adoption and amendment procedures and laws, Mayor Whitt declared that the Council was no long in public hearing, but rather in regular session. Councilman Bishop made a motion to pass and adopt the budget. Councilman Toomey seconded the motion. In a vote, the motion passed unanimously.

PUBLIC COMMENT – Three (3) Minute Limit
At this time, Mayor Whitt opened up the floor for public comment.

Ron Dimmer
5112 Walnut Grove Court
Mount Holly, NC 28012

Mr. Dimmer addressed the Council in regards to the impact fees for new homes and developments in within the City. Mr. Dimmer stated that the current fee structure prevents him from doing business and his developments were forced to lie dormant. Mr. Dimmer asked that the Council revitalize the building industry by placing a moratorium on the impact fees for at least 2-4 years. Mr. Dimmer stated that he had attempted to contact Mr. Davis twice and did not receive a return phone call. He also suggested that the Council re-visit all of the regulations created in the past decade. In closing, Mr. Dimmer requested an answer in writing from the Council.

Rodney Epps
107 S. Hawthorne Street
Mount Holly, NC 28012

Mr. Epps addressed the Council regarding abandoned houses and sidewalks. Mr. Epps stated that two houses have been torn down of which he is appreciative. Mr. Epps noted that several other houses about which he has lodged a complaint in the past are still in existence.
Staff explained where these other properties are in the process. Mr. Epps stated that he thinks the process should be faster.

Mr. Epps also addressed the Council regarding grass in the street. Mr. Epps stated that he does not agree with the City policy regarding grass in the street.

OLD BUSINESS
1. Approval of FY 09/10 Budget Ordinance
See number 1 under the Public Hearings section.

Councilman Bishop made a motion to pass and adopt the budget. Councilman Toomey seconded the motion. In a vote, the motion passed unanimously.

2. Approval of the FY 09/10 Fee Schedule
Mr. Davis reviewed changes to the fee schedule.
Councilman Bishop made a motion to approve the FY09/10 fee schedule.
Councilwoman Breyare seconded the motion. In a vote, the motion passed unanimously.

Mayor Whitt requested a five minute break at this time. Mayor Whitt reconvened the meeting at 8:32pm.

3. Approval of the FY 09/10 Amended Capital Improvement Plan
Mr. Davis explained the revisions to the CIP and asked Council to re-approve the CIP to include the revisions.
The Council engaged in some discussion about a new fire station listed in the CIP. The Mayor and several Council members voiced that they feel they need to re-visit the CIP and that they did not feel comfortable approving it now. Mayor Whitt stated that he wants to have a separate conversation about the new fire station at a later date.

Councilman Toomey asked if the Council is required to adopt the CIP along with the FY 09/10 budget. Mr. Davis explained that Council is not obligated to do so. Mr. Davis also explained that the City currently has an approved CIP and the approval tonight would strictly apply to the amendments. Councilman Toomey made a motion not to approve the CIP tonight, Councilwoman Breyare seconded the motion. In a vote, the motion passed unanimously.

4. Award Bid for 2009 Street Improvements (Presentation by Brian DuPont)
Mayor Whitt called Mr. DuPont to the floor. Mr. DuPont informed the Council that on May 21, 2009 the City conducted a bid opening for the 2009 Street Improvements. Mr. DuPont stated that Ferebee Corporation presented the low bid of $182,785.96 and recommended the Council grant the bid to Ferebee Corporation. Mr. Dupont also noted that due to the low unit cost with the Ferebee Corporation, the city would be able to complete alternate projects as well.

The Council engaged in some discussion about Powell Bill funds and Mr. Davis offered an explanation to the Council about Powel Bill monies. The Council questioned the quality of the Ferebee Corporation's previous work. Bob Cook, PE, addressed the Council on this issue and stated that they produce satisfactory work. Mr. DuPont stated that staff is currently looking into procuring a project manager to work with Ferebee Corporation as they complete their projects.
Councilman Toomey made a motion to award the bid to Ferebee Corporation to include alternate projects. The motion was seconded by Councilman Brookshire. In a vote the motion passed unanimously.

The Council entered into discussion about what exactly the projects include. Councilman Moore inquired as to the projected timeline. Mr. DuPont answered that the Ferebee

Corporation will have 120 days to complete the project after they receive the 'Notice to Proceed.'

Councilwoman Breyare asked Mr. DuPont about the status of a grant for safe routes to school. Mr. DuPont informed the Council that the award process had been postponed until September due to lack of funds.

Councilman Brookshire inquired about the status of a particular property. Mr. DuPont informed the Council that the owner of the property had applied for permits that allow them to add on to and renovate the structure. Mr. DuPont informed the Council that the permits must expire before the City can begin the minimum housing process.

5. Contract for Customer Complaint Software (Presentation by Jamie Guffey)
Mr. Guffey presented a new customer complaint software initiative to Council. The software had been formally presented to Council previously by Willy Jester. Mr. Guffey presented the advantages of having the complaint software. The software allows for increased accountability, better customer service and availability of trend data.

Mr. Guffey noted that City Attorney, Mr. Michael, had reviewed the contract and had concerns with the software company's standard contract. Mr. Guffey also informed Council that the customer complaint software incurs an initial fee of $4,500 and a monthly maintenance fee of $355.

Mayor Whitt voiced his concern for those that do not have access to computers or the internet. Mr. Guffey assured the Council that citizens would still be more than welcome to call the Citizen Center or to lodge their complaints in person.

Mr. Michael informed the Council that the vague nature of the contract may cause problems in the future. The Mayor and Council direct staff to work out the issues with the contract.

6. Resolution for new emergency facility
Mayor Whitt introduced this agenda item to the Council. Mayor Whitt explained to the Council that this resolution is meant to support the idea of a free standing emergency facility within Mount Holly. Mayor Whitt stated that because two separate hospitals have filed a Certificate of Need for a new emergency facility, the resolution does not endorse one hospital over the other.

Councilman Bishop made a motion to adopt the resolution as written. Councilman McLean seconded the motion. In a vote, the motion passes unanimously. Mayor Whitt signed the resolution. The signed resolution will be sent to both hospitals.

NEW BUSINESS

1. Authorize Application for a Linear Park/Carolina Thread Trail Grant
Mr. Jackson informed Council that there is $300,000.00 grant money available for each county that applies for a Carolina Thread Trail Grant and that up to $150,000.00 can be

awarded to a single city. Mr. Jackson asked the Council to approve a grant application for construction for $150,000.00. After some discussion Mayor Pro-Tem Moore made a motion to apply for a construction grant of $150,000.00. Councilman Bishop seconded the motion. In a vote, the motion passed unanimously.

2. Gaston County Utilities Study Appointment

Mr. Friday approached Council to request that a member of staff and a member of Council attend meetings regarding unified utilities in Gaston County. Mayor Whitt appoints Councilman Bishop from the Council and Mr. Friday from staff to attend.

3. Retirement Benefits

Mr. Guffey outlined the current retirement benefits package a City employee recieves. The Council engaged in some discussion regarding the legality of changing this benefit. Councilman Bishop makes a motion that life-long retirement benefit ceases immediately so that any employee hired after June 8, 2009 does not receive the life-long health insurance benefit. Councilman McLean seconded the motion. In a vote, the motion passed unanimously. Councilman Toomey requested that staff gather more information to discern whether this motion can be applied to current employees as well.

MANAGER'S REPORT

Mr. Davis informed Council as to what items were scheduled for the June 22, 2009 meeting, to include budget amendments and presentations from two engineering firms regarding waste treatment cost options.

Mr. Davis informed the Council that the auction held at the Waste Water Treatment Plan on June 6, 2009 resulted in $29,335 total sales. Of that total, $228.00 must be given to the school system. All buyers had a deadline of 5:00pm today to collect their purchases.

Mr. Davis informed the Council that the City received reimbursement for phase one of Tuck Park in the amount of $305,000.00.

Mr. Davis informed the Council that the City received 112 applicants for the finance officer's position. Of these applicants, 17 have government experience.

Mr. Friday informed the Council that Mount Holly is officially out of the drought as a result of a conference call earlier that day with Drought Management. There are now no restrictions on water usage.

REPORTS

Mayor Witt reported that on June 16, 2009 the NC-DOT will hold a meeting at the Citizen Center to discuss an improvement project. Councilman Toomey encouraged Council and staff to attend the meeting. Mr. Davis confirmed that the closed portion of the meeting is at 2:00 pm on the 16th at the citizen center and that the public portion of the meeting is from 4:00-7:00pm.

Mayor Whitt also reported the ABC Store did not put the yellow lines back on to the road and requested that staff look into the issue.

Mayor Pro-Tem Moore received a call from and individual from the Mountain Island Lake Marine Commission. The Commission requested that their group be able to use the Council Chambers three times each year. After some discussion, Mayor Whitt requested that the Council to vote on the issue. Councilman Toomey, Councilman McLean, Councilman Bishop, Councilwoman Breyare and Councilman Brookshire vote in favor of allowing the group to use the training room and to not permit the group to use the Council Chambers. Mayor Pro-Tem Moore voted in favor of allowing the group to use the Council Chambers.

Mayor Pro-Tem Moore also reported unsafe street crossing conditions at Tuck Park. He requested that a speed bump or cross walk be put in place to allow for safe crossing. Mr. Davis informed the Council that the City can make amendments to the paving contract and the staff will gather information on the different options.

Councilman Bishop voiced concerns regarding the center lining on Mt. Holly streets. Councilman Bishop inquired as to the status of Mr. Davis' contact with a citizen regarding recycling and Mr. Davis updated Councilman Bishop on the situation.

Councilman Toomey voiced his concern with the vote taken on allowing the Marine Commission to use the Council Chambers. Another vote is taken. Councilman Brookshire, Councilman Bishop, Councilman McLean, Councilwoman Breyare vote in favor of allowing the group to use the training room and to not permit the group to use the Council Chambers. Mayor Pro-Tem Moore and Councilman Toomey voted in favor of allowing the group to use the Council Chambers.

Councilman Bishop stated that he wanted the Mount Holly Singles' advertising signs to be taken out of City landscaping and other City property.

Councilwoman Breyare asked that staff address a tree growing over the sidewalk at East Catawba and Highway 273. She also asked that staff look into having a commercial made in Mount Holly for Honda of Concord.

Mayor Whitt requested a motion to enter into closed session. Mayor Pro-Tem Moore made a motion to move into closed session. Councilman McLean seconded the motion. In a vote, the motion passed unanimously. Mayor Whitt declared the Council to be in closed session.

CLOSED SESSION

Councilman Toomey made a motion to give Mr. Davis a 2% merit raise that is retroactive to Mr. Davis' hire date. Councilwoman Breyare seconded the motion. In a vote, the motion passed unanimously.

ADJOURN

Councilman McLean made a motion to adjourn. Councilman Brookshire seconded the motion. In a vote, the motion passed unanimously. Mayor Whitt declared the meeting adjourned at 10:37p.m.