

**CITY COUNCIL
REGULAR MEETING
MAY 11, 1998**

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, Jr.

Mayor Pro-Tem Phyllis Harris

Councilman Michael Helms

Councilman Andy Stewart

Councilman Jim Hope

Councilman Bobby Black

Councilman Bryan Hough

Adm. Services Dir. Sherry Borgsdorf

Public Works Director Eddie Nichols

Planning & Zoning Dir. Danny Jackson

City Attorney Kemp Michael

Police Officer

INVOCATION

The invocation was led by Rev. Todd Wright.

PLEDGE OF ALLEGIANCE

Mayor McLean announced that Brownie Troop 80 and Junior Troop 169 would lead the Council and audience in the ceremony of the Pledge of Allegiance.

RECOGNITION

Brenda Barber was present as troop leader for the girl scouts, and Mayor McLean took the opportunity to recognize her as having been selected as Mount Holly Woman of the Year at the Community Dinner held on May 1st. Councilman Jim Hope was selected as Mount Holly Man of the Year.

MINUTES

Councilman Hough **MOVED** to approve the minutes of March 23 and April 13, 1998, as written, seconded by Councilwoman Helms, with all in favor.

PRESENTATIONS

#1 Miss Mount Holly Heather Lankford to Receive Resolution Honoring Mentoring Program

Heather Lankford, Miss Mount Holly, was recognized by Mayor McLean by presentation to her of a framed Resolution in her honor, in recognition of her work organizing a local mentoring program. Ms. Lankford thanked all of the Council and the Mayor as well as the citizens and Police and Fire Department members who have stepped up to volunteer, and also said the Presbyterian Church has agreed to join in support of the program.

#2. County Extension Director Martha A. Burris to Discuss Services of North Carolina Cooperative Extension Service

Ms. Burris could not be present, so Ralph Hallowell came in her place: He is chairperson for the Citizens Council in Gaston County. Some of the local volunteers and staff were

present with him. They came to share with the Council highlights of what they do. It is a community based program. This year its theme is "Extension on the Road", and they will visit each city in the county. The Extension's programs include environmental issues, 4-H youth development, homemaker and economic services, child care training, disaster relief, horticulture and agriculture education. He provided packages of information including lists of programs available in Mount Holly, and invited the Council to contact them if there are any special needs in this community.

Mayor McLean gave a special thanks to all the volunteers who work with the extension office.

#3. City Manager Phil Ponder to Present FY 1998/99 Municipal Budget.

Mr. Ponder presented his proposal for the next fiscal year municipal budget, and requested a public hearing be set and dates set for workshops to work on the budget.

Motion: Councilman Hope **MOVED**, moved to set public hearing for June 8, 1998 at 7:00 P.M. at the regular council meeting, seconded by Councilman Stewart.

Vote: six ayes, zero nays. **CARRIED.**

PUBLIC HEARING

#1 To Consider Proposal to Change Method of Household Garbage Collection

Mayor McLean stated that no action would be taken that evening.

Mr. C. A. Alexander, 504 S. Main St., a resident of Mt. Holly for many years. He expressed his view that he loves Mt. Holly because it is an unusual town, good police and fire protection, and so on. When he is in other towns, he sees roll-out containers with many of them turned over. It seems children love to do that after school as a sport in their view. Cats and rats and dogs get into them. Also they get into the middle of the street. A man he knows told him he has roll-out and that he has to go home at lunch to put it up or it is out in the middle of the street. He is concerned about this. He stated he understands fiscal responsibility because he runs his own business. He understands the City has done one of the best jobs in North Carolina for a small town. But he is against roll-out. He would like to see an alternative to that if there is anyway possible. He had read the articles in the paper about the difference in costs for both kinds of pick-up, but he cannot understand if there are more residents and they pay the same tax and fees we pay there should be more funds so that it could be paid as it has been; also, he asked if the Council had taken into consideration the property re-valuation? He appreciated the Council being interested in the opinions of the citizens. He observed that people often do nothing until after a law is passed; he suggested a poll be taken from the citizens, to ask if they are pleased with the present system of pick-up, or they would like to have curbside.

Richard Hipps, resident for 40 years. He had read the city manager's memo, and it looks like money is not the problem, but workforce. What is the management ratio in relation to the problem?, he inquired. What about summertime or part-time help from school

kids? He likes what we have, and wants to keep it that way. He asked what we as citizens can do to help the Council with the workforce problem?

Carl Zeike, 202 Forest Drive. He agreed with the previous people. Everyone on his block is over 65, and they like the way it works now and want the Council to keep it the same.

Yates Springs, said only one person he knows of has said they want roll-out garbage. Think seriously about charging each person who has a water meter so renters are included also. There must be a way to find more personnel to work in that department. There must be something causing that problem, because the pay is competitive and the retirement program is good too.

John Jones, Dogwood Drive, a resident for 35 years. We have a beautiful city, and he is opposed to roll-out pickup. He feels roll-out is unsightly and unsanitary. He sees them in other places and agrees with previous speakers. He applauded the Council for looking at the cost, but he is not convinced that is the real reason. Had they considered once per week instead of twice? and Would that help to save money comparable to curbside?, he wondered. It has been said if we do go to curbside, the City would pay for the containers, and that would have to cost a lot of money. Disabled and elderly would have a problem rolling out containers. In a few years it is said we may go to use of subcontractors, but they work for a profit, so it should be less for the city to operate this at a no-profit level. The revaluation should produce enough revenue to cover the cost.

Lib Nichols, Tuckaseege Rd., agreed with the others that had spoken. Containers are expensive and many cannot afford them. They are ugly and she does not want to have them here.

Mr. Ponder stated that he had left a memo for the public. It is not a question of money, or of adjusting the tax rate; we have budgeted for the needed personnel and equipment. He said he has a waiting list of applications for policemen, but none for sanitation. We have a difficult time getting the employees we want to do this job. Most employees in that department only stay about four months. We have had to fall behind on yard waste, sidewalk maintenance, and so forth because of labor shortage in that department. He said he is open to suggestions on how to find more labor.

Mr. Jones said he read numerous quotes that if we did not go to curbside, we would have to go up in tax rate four to six cents. Mr. Ponder replied that amount is the difference in expense between the two types of pickup, but the tax rate is already set to cover the higher amount. Mr. Alexander said he has a similar problem with labor in his painting company, and he understands. He noticed the people the City has look like good people and hustle, and suggested he may have to pay more.

Councilman Hough stated we are not asking citizens to pay for the containers. Mr. Ponder concurred that the needed amount has been put in the budget, and if it is done, he

would probably piggyback on a larger city's contract, and it would be bid out; our trucks already have a tipper attachment.

Councilman Stewart asked if the savings figures are after the payment of the containers, and so the savings would increase after the five year payout. He felt the only way to attract more workers is to pay more; the four cents difference is based on the current pay rate. If we raised that pay, we would have to find more money in the budget or raise the tax rate.

Councilman Hough said one speaker brought out a good point, if there would be employees who would be let go. City Manager Ponder said the good long-term employees would be kept, there is plenty of work for them to do and it makes sense for us to keep them. Mr. Hough asked about the warranty for the containers; Mr. Ponder said the standard is ten years, and some cities buy insurance on them. We have them now for business customers.

Councilman Black asked the Mayor to allow the video to be played which had information about the proposal. But, it did not run properly, so the Mayor continued the hearing until the June 8th meeting.

#2 To Consider Request of Murata Machinery USA, Inc. to Rezone a Fourteen Acre Lot Located Off of Caldwell Drive from R-A to B-3.

Danny Jackson said Planning & Zoning had its meeting and recommended approval. Mr. James Sanders stated he has a sales contract on this property contingent on rezoning. A portion is to be a construction office and repair shop for heavy machinery. The rest of the property would be developed into an office complex. Mayor McLean opened the hearing to comment from the audience. There were no comments. The Mayor closed the public hearing and resumed the regular meeting.

Councilman Stewart asked Mr. Sanders if he was aware of the status of the sewer service. Mr. Stewart said he is aware of it and would be putting in a pump station. Public Works Director Nichols said the upper end may be able to be served by gravity, but the lower end would have to be pumped. Councilman Helms noted that the property owner would have to install the pump station and maintain it at his expense. Mr. Helms wondered if all property owners from there down to the river would have to put in pump stations. Mr. Nichols said that may be necessary in the future, but presently it is uncertain that this tract needs assistance from the city.

Motion: Councilman Stewart **MOVED** to grant the rezoning, seconded by Councilman Hough.

Vote: six ayes, zero nays. **CARRIED.**

Councilman Helms asked Danny Jackson if that tract is in the watershed area, and if owner is aware of the restrictions on construction; Mr. Jackson said he has been informed about that.

UNFINISHED BUSINESS

UFB#1 To consider the Closing/Signalization of Railroad Crossings Within the City Limits.

City Manager Ponder stated he was waiting on a recommendation from DOT and has not received any. Councilman Hough stated he read in the paper that Mt. Holly has four of the most dangerous crossings in the state, and we need to consider this matter seriously. He said he knows the convenience of them, since he has used them all his life, but doesn't want the City to wait until a disaster forces a change.

Councilman Stewart said the Council knows DOT wants them closed, so he asked what feedback the City Manager is looking for? City Manager Ponder said he hoped for an incentive, like another road project. Councilman Stewart asked if he got a response on the excessive time for the light at Central and Main, since that would take the most of the traffic from the school if First Street crossing is closed. Mr. Ponder said he has not because he wants to meet with school officials first. Councilman Hough reminded them that there are four interchanges involved, not just First Street.

UFB#2 To consider Transfer of City Property at Tuckasee Park to Optimist Club.

City Attorney Michael distributed a survey map for the Call to show the property now owned by the Optimist Club, as a result of its request for the City to give it a triangle piece of land adjoining their property to square the lot. N. C. law allows the City to donate land to a non profit organization providing a public service, such as is done by the Optimist Club. A resolution is required by the Council and it must be published. The proposed deed he had prepared is restricted to use by non profit organization with a reversion clause to the City if it is no longer used by a non profit organization for public use.

Motion: Councilman Helms **MOVED** to pass the Resolution #5-11-9(a), seconded by Councilman Hope.

Vote: six ayes, zero nays. CARRIED. (copy attached)

CONSENT AGENDA

Councilman Hough **MOVED** to accept and approve all four items on the consent agenda, seconded by Councilman Stewart; and unanimously carried. They are:

1. Approve Tax Releases.
Amount of tax release for April 1998 in the sum of \$9,194.68.
2. Approve Budget Amendments.
(copies attached of two budget amendments)
3. Approve Employment Reclassification Within Mount Holly Police Department.
Creation of Grade 12 position of Telecommunications/Records Supervisor pursuant to Chief Bishop's recommendation and job description (copy attached); and elimination of Grade 11 position of Records Clerk per City Manager's recommendation.

4. Approve Bids Associated with Modernization Project 119-905 at the Holly Hills Apartments.

After bid opening by Stogner Architecture, P.A., the bids are awarded to the low bidders:

Site Contract:

Blue Ridge Enterprises/License #3491--\$31,650

Building Contract:

Salathiel Beam Home Builders/License #12133--\$47,998

NEW BUSINESS

NB #1 Request by Ray Patterson to Assist with Paving Costs Associated with Serving a Minor Subdivision.

Mr. Patterson has a revised plan and asked the Council to reconsider his request. It had been two years since he was before Council. He needs the street paved from Dutch to Patterson Avenue, which is about 60 or 70 feet. He has been working with Danny Jackson and trying to do according to his instructions. City Manager Ponder noted he had made copies of Council minutes from the past request. This revision still would cost about \$10,000; there are three proposed lots on Patterson Avenue. Mr. Patterson said the City asked him for a right of way for a sewer line, which he agreed to as a consideration for us when we build and would be able to tap onto that line, which would also become revenue to the City.

Councilman Hope asked if this falls under the subdivision ordinance; Danny Jackson said no. Councilman Hope asked if the city does not have to develop the street, who does? Mr. Ponder said Mr. Patterson could simply put in a driveway which he would also maintain himself. Or, he could build the road to city specs and then request us to take it over for maintenance. Councilman Hough asked if the city has ever put in a road on raw land? Mr. Ponder said not to his knowledge; the City has paved existing dirt/gravel roads, but not where there was no road being used at all. Councilman Stewart noted we have different rules for minor subdivisions. He was concerned how we would explain paying for this when there are still existing dirt roads in the city. Councilman Hope, asked Mr. Patterson if he is planning to put in water and sewer and pave Patterson Avenue? Mr. Patterson said he plans to have an engineer in the future to tell him the cost to run a line from the fire hydrant. Councilman Black asked if the \$10,000 includes moving the pole and hydrant; it did not.

Motion: Councilman Black **MOVED** to deny the request to extend the pavement on Alexander Street; seconded by Councilman Hough.

Vote: six ayes, zero nays. **CARRIED.**

NB#2 Resurfacing List

City Manager Ponder had prepared a priority list for street resurfacing to have council review; he will bid all of them, but Council will choose which ones to actually do. Councilman Helms asked to see a list of streets in use that are not paved also.

NB#3 Consider Discussions Designed to Develop New Recreational Facility

City Manager Ponder requested permission to speak with school officials about their future plans for the property we now lease before we moved onto investigating a new site.

PUBLIC COMMENT

Mayor McLean opened the floor for public comment.

Jason Floyd, 107 Waverly St. had a complaint about a clerical error on his water bill. He stated that on the early morning of April 16th, he dropped off the payment for the water bill at the night deposit at the police station, but somehow it did not make it to City Hall and he has been charged a late fee. The clerk had no evidence that he had paid his bill, as his check has not cleared, and he was told the Council only could waive the late fee. Councilman Hope asked if he has been late before? Yes, he had, and he was willing to pay the late fee before, but this time it was not his fault and he did not feel he should be charged. Councilman Hough inquired about where the bill is dropped off. City Manager Ponder said we have a drop box, and we send the clerk every morning. The manager said she sent someone to check the box and did not find it. Councilman Black asked when he dropped it off. He said at 7 AM himself, on the 16th. He said he has duplicate carbon checks and has this one. He went ahead and paid the bill again, but does not want to pay the late fee because not his fault. Councilman Hough said he is not in favor of waiving the fee since the check has not cleared.

No action.

Mr. Patterson, referred to the maps of Mount Holly, on which Alexander St. is shown, along with other streets that are not there. He asked, Will they stay like that? Mayor McLean replied yes they will.

ROUND TABLE

Mayor McLean had a request for a children play sign, which was approved.

Councilman Hough asked when workshops on budget details would be held. City Manager Ponder stated he prefers to have one prior to the public hearing. The Council agreed on the first one being June 1st at 7:00 PM. The budget must be passed by June 30.

Councilman Black has had several persons comment to him about speeding on Central Avenue, and noticed there are no speed limit signs. City Manager Ponder said if it is not posted it is 35 mph; but we can post a lesser amount; he said he first needs to check the traffic map to see what it is now.

Councilman Helms said that regarding the labor matter, he suggests we contract out for right of way maintenance and other maintenance. Mr. Ponder stated we have contracted street patching and grass cutting. The ones we have problems with are on DOT right of ways which they never do, but citizens complain and so we do it.

Councilman Helms said he had a letter from Catawba Heights VFD to the Council; he and Councilman Phyllis Harris met with them. They need new equipment; the 1977 truck

does not go out to any fires because does not meet NFPA requirements. They have some money to contribute for replacement. This needs to be considered before budget. This list is things that need repaired on it. Consolidation is under consideration but we have to consider what people are willing to pay for, like the roll out garbage pick up. City Manager Ponder said he does not wish to review their purchases but council is free to do so.

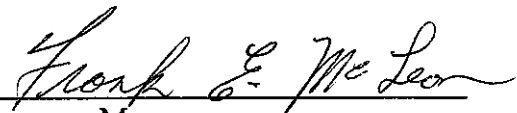
City Manager Ponder said the County is making a time capsule for the new courthouse, and have given a box to the Mayor. The dedication is on June 20th.

City Manager Ponder had a change order for approval. Public Works Director Eddie Nichols said the problem is at North Main and First; the property owner said that DOT did not have right of way from his family; we were operating under an encroachment agreement; we have worked out with contractor to put the line in the street at that location; the contractor has asked for a time extension of 14 days. Mr. Ponder said we will not pay the contractor any extra but will have to pay the engineer more. We believe DOT is right and has right of way, but this property owner will definitely take us to court over this and that would cost more than this. Councilman Hope **MOVED** to approve, seconded by Councilman Harris, with all in favor.

ADJOURN

There being no further business, the meeting was adjourned at 9:25 PM.


Clerk


Mayor

cpm