

**CITY COUNCIL
REGULAR MEETING
May 8, 2000**

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

Mayor Pro-Tem Bobby Black

Councilman Michael Helms

Councilwoman Phyllis Harris

Councilman Jim Hope

Councilman Bryan Hough

Councilwoman Pat Hubbard

Adm. Services Officer Jamie Guffey

Public Works Director Eddie Nichols

Planning & Zoning Dir. Danny Jackson

City Attorney Kemp Michael

Police Officer

INVOCATION

The invocation was led by Rev. Joe Harding.

PLEDGE OF ALLEGIANCE

Mayor McLean led the Council and audience in the ceremony of the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Councilman Hough moved to approve the agenda as presented, seconded by Councilman Black, with all in favor.

MINUTES

Councilman Black **MOVED** to approve the minutes of April 3, 10, 25, and 29, 2000, as written, seconded by Councilman Hough, with all in favor.

PRESENTATIONS

PR#1 Discussion of Electric Deregulation on Municipalities

Ronnie Murphy requested a resolution in opposition of the proposed deregulation. He said that the cities that have been selling electricity are in debt and have not managed their money well. Their rates are higher than Duke Power Co. He gave the example of Gastonia: they condemned land for an airport, but then could not afford to build it. They say they have no money but spent almost \$10 million to buy land in Mount Holly. Please consider adopting the resolution he presented.

PUBLIC HEARINGS

PH#1 To Consider Rezoning 10.35 Acs. off West Charlotte Ave. from R-10 to R-8MF.

Councilman Helms moved to go into public hearing, seconded by Councilman Hough, with all in favor.

Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of rezoning 10.35 acres off of West Charlotte Avenue from R-10 to R-8MF. Danny Jackson said this tract is located between West Charlotte Avenue and West

Central Avenue. He stated that the Planning Commission had voted to recommended it not be approved, and due advertisement has been made. The petitioners are present.

Mr. Mike O'Neal said economically it is not feasible for residential single family. There are electric and utility line easements as well as flood zones. Traffic and quality of development were concerns expressed at the Planning Commission meeting. The planner is looking at high quality townhouses or apartments. They would have a driveway onto West Central to help traffic.

Tim Bolyann, Allen Tate Co., realtor for owner, the Western Conference of the Methodist Church. They have been serious about their site plan being a good development, and would be glad to consider input as to how to make it better.

Nell Aiken said that unless they can prove to us they have a good plan, we do not want a lot of rental apartments next to us.

Donna Lyman, 110 Hilltop Street, adjoins the land. We are opposed to it because of the physical problems, wetlands, creek, and sewer lines take up most of the property. It also adjoins older citizens who do not want the problems that come with rental property. We do not need more traffic or growth as we cannot handle what we have now.

Jimmy Drum, 199 Old Mine Road, across the road. Opposed to that project. What is the price range of the home they are thinking about building and what could they do with this rezoning? City Attorney Michael said that if it is rezoned to that zone they can do anything that this zone allows.

Denise Cloninger, 108 Hilltop Street, and my grandmother, 606 West Central. We do not want the transient nature of apartments, nor the traffic on that hill. She did not see how he could put a buffer on it and still have land left to build anything.

Councilman Helms moved to go out of public hearing, seconded by Councilwoman Harris, with all in favor. Mayor McLean adjourned the public hearing and resumed the regular meeting.

Councilman Helms said he personally does not feel we need any more multi-family in Mount Holly.

Motion: Councilman Hope **MOVED** upon recommendation of the Planning Commission to deny the rezoning, seconded by Councilwoman Harris.

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

CONSENT AGENDA

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

CA#1. Approval of Performance Funding System for Holly Hills Apartments, in connection with HUD calculations for monthly subsidy. (copy attached)

CA#2. Approval of Resolution for COG to receive State Funds. (copy attached)

CA#3. Call for Public Hearing to Rezone a 5.5 acre tract on West Central Avenue from H-1 to B-3; to be held on June 12 at regular meeting; for the new post office.

CA#4. Approval of Budget Amendments. (copies of two items attached) These are end of year budget adjustments to reflect actual expenditures.

CA#5. Approval of Water and Sewer Taps for Outside Customer on Davenport Street. Mr. James Howard permitted to install private water line and tap on as an outside customer.

NEW BUSINESS

NB #1 Submittal of 2000-2001 Fiscal Year Budget

City Manager David Kraus presented his proposal for the 2000-2001 fiscal year municipal budget. There are copies available at the City Manager's Office, and each council member received their copy. This budget proposal would not require a tax increase. There are included in the proposed budget improvements for the fire and police departments. Some of the user fees are being increased to increase revenues to cover costs in those budget accounts. The County raised the tipping fee for the landfill, and we will raise that to \$4.00 a month on the monthly statements to residents. We will charge a fee at the fitness center. He budgeted for capital improvement projects. Tap fees were increased to cover the cost of installing them. He has set up a separate fund for management of large capital projects that are carried for multiple years. He asked for a council public hearing for the June meeting, as well as work sessions. Council set May 15 at 6:30 PM for a work session.

Motion: Councilman Hough **MOVED** to set the public hearing on June 12 for consideration of the 2000-2001 fiscal year budget. Seconded by Councilman Black.

Vote: all in favor. **CARRIED.**

NB#2 To Consider Purchase of Optimist Building on Sports Lane

Mount Holly Optimist Club has offered their building to the City for a purchase price of \$180,000. They have asked that they be allowed to use the old gym, if they schedule the events with the Recreation Department. Roger Webb, an appraiser, with no interest in the building and is not in the Optimist Club, was asked to advise Council on this purchase. He did an analysis approach report. He reported that it is a 10,000 square foot metal building. The walls are insulated. The walls have painted OSB. There are two bathrooms and a kitchen area with a loft over them. The site is next to a city park, vacant land, and a chemical plant. There are high voltage power lines next to it. The grounds need grass seeding. There are three doors, so the fire marshal should be asked if that meets code. For a cost approach, I would estimate \$20 to \$25 a square foot to build it new, plus land, with depreciation. For a sales approach, he checked with metal building sales in the county. He also did an income data sheet, showing rentals for metal buildings on five properties in the county. He felt this was a good offer if the City has a need for it.

Councilman Black asked what staff intends for its short term and long term uses. Recreation Director Zip Stowe said they would be able to have a staff there all the time with personnel he has now. There is space for storage of equipment. It was used this last week for Springfest events. Councilman Hough pointed out that there is no air conditioning; what does it cost? Mr. Kraus said he tried to get an estimate but has not received it yet. Mr. Webb said he has had estimates on other buildings, and it would probably cost about \$40,000. He said you may not want to a/c it, but instead use agricultural fans. Councilman Black asked if Mr. Stowe has a problem letting the Optimists use the old gym. Mr. Stowe said no, they already use it sometimes now. Councilwoman Hubbard asked if the Optimist Building could be rented for functions; Mr. Stowe said that it could, and said the old gym has been rented for special events.

Motion: Councilman Helms **MOVED** to accept the offer to purchase the Optimist Building, seconded by Councilman Black.

Discussion: Councilwoman Hubbard asked that the motion be amended to allow the Optimists to honor events for which they have already made commitments. City Attorney Michael said this should be interpreted as instruction for staff to prepare an appropriate contract; Council concurred.

City Manager Kraus said he needs instructions as to the source of money for purchasing the building. He can pull it from the budget, or they have offered to take \$20,000 and let the city assume their mortgage. Staff will bring back to council alternatives for funding the purchase of the building.

NB#4 To Consider Authorization of COPS Grant Application from Police Department

Officer John Sherrill and Police Chief Davis presented a proposal to apply for a grant that would extend for three years, with the city taking up the tab after that. The grant covers salaries and benefits; he applied for four officers. The grant pays for 75% and the City pays the remaining. The City must keep the officers for one full budget cycle after the grant expires. Councilman Hope asked what other strings are attached. Councilman David Kraus said the equipment, training, vehicles, etc. would be paid by the City. Councilman Hough asked what the cost would be in the fourth year. Councilman Hope said he would take the total for all four years and divide by four to get the cost per year for the City. Mr. Kraus said we know we will have to add another crew anyway due to annexation. Councilman Hough asked how many officers are going to be needed; Police Chief Davis said four. Mayor McLean asked if the Police Department is presently over or under staffed. Chief Davis said there is one position open. Councilman Hough asked if the matching funds from the City for this proposal is in the proposed budget; it is not at this time. City Manager Kraus asked for the deadline for the grant application; it is May 31st, and they notify you in about six weeks.

Motion: Councilman Hough **MOVED** to authorize the Police Department to apply for the COPS Grant; seconded by Councilwoman Hubbard.

Vote: All in favor. **CARRIED.**

The Council took a five minute recess.

Added NB#5 Report on Post Office

Mr. Walsh, the contractor on the new post office, appeared before Council. He stated that the parcel selected is owned by DEE Associates and is located on West Central Avenue behind Spruill Chevrolet. Originally they had planned to put the office on the front property on Highway 27 (West Charlotte Avenue) next to Spruill Chevrolet, but that front parcel has been eliminated. Last Thursday he received from Mr. Jackson the proposed thoroughfare map which shows it going through the property. He had a proposed site plan for the post office construction. The improvements would be built outside the thoroughfare plan reservation for right of way. He has also talked with Bob Cook about the thoroughfare plan. The usual site for a facility for a city of this size is two acres, so this site is more than enough.

UNFINISHED BUSINESS

UFB#1 Discussion of Property on West Henry Street

City Manager Kraus said he went to the person who had made the bid on the property with the counteroffer the Council made. Mr. Williams declined to purchase the property at the price the Council presented, due to the improvements that would be needed. Mr. Kraus has not been able to obtain any other offers. Council instructed him to rebid.

UFB#2 To Consider Approval of Contract for Reimbursement on Tuckasee Sidewalks

Public Works Director Eddie Nichols stated that since the City had changed the project to widen the sidewalks to five feet, DOT will reimburse for cost of the sidewalk. An agreement with DOT is required to receive the reimbursement.

Motion: Councilman Hough **MOVED** to approve the contract, seconded by Councilwoman Harris.

Vote: all in favor. CARRIED.

UFB#3 To Consider a Counter Offer from Second Baptist Church

City Manager David Kraus received an offer from Second Baptist Church for its property former site property, not including the offices (the house). Councilwoman Harris does not feel an interest any longer since they have bought the Optimist building, and Council agreed. No action.

NEW BUSINESS

NB#3 To Consider Annexation Around the Boat Landing Area

City Manager Kraus said the City Attorney has prepared a Resolution. City Attorney Michael said he spoke with Mr. Cohen who drafts bills for legislation. He had also met with Duke Power's attorney.

Motion: Councilman Hough read and **MOVED** to approve Resolution #5-8-2000(A), seconded by Councilman Black.

Vote: All in favor. CARRIED.

Senator Forrester and our representatives will be introducing the Bill that Mr. Cohen is preparing. It will be studied in committee, and any opposition would be noted at that time.

PUBLIC COMMENT

Mayor McLean asked if Public Works Director Nichols has been able to help Mr. Howard on Davenport Street. Mr. Nichols said that Mr. Howard wants a water line, and he will help him prepare that request.

Mulija Raunic, Forney Avenue. She said she wanted to buy land and it was explained to her she was out of the city limit, and was told by the public director said she can fill out an application and come into the city limit. She has cleaned up the junk, and she is paying double water and sewer, and cannot get garbage picked up, and she wants to know why she is not inside the city limit yet. City Manager Kraus said her application was made, but the council did not vote to pursue it. Her property is at the end of Forney Avenue, and based on the documents he saw only showed only one corner touching the city limits. Councilman Hough asked if there are any other properties on Forney Avenue not in the city; Mr. Kraus said no. Councilman Hough asked for the cost figures they had prepared. Mr. Kraus said he will retrieve the information and bring it back to council.

ROUND TABLE

Councilman Hough asked about the status of the Lucia Riverbend contract. City Manager Kraus said the contract has been re-submitted and stipulations reviewed with their attorney. City Attorney Michael said he heard that day at 3 PM it has been approved and the final draft will be in the next meeting agenda packet.

Councilman Helms said he had a request for maintenance of the walking track at the Mt. Holly Middle School. The request was referred to Zip Stowe.

Councilman Helms said Bobbie's Baking was charged for water while not in business due to the fire, but we did not bill The Sportery next door. Mr. Kraus was checking on that.

Councilwoman Hubbard thanked the Council and Springfest Committee, as well as City employees, as they worked very hard for the entire Springfest Week. She asked about the progress about the oil spill on FUNB's parking lot. City Manager Kraus said they have attempted to clean it up, but it has left a stain. He is going to bill the vendor who dumped it out. Councilwoman Hubbard reminded City Manager Kraus that Dr. Beatty's parking lot is to be pressure washed because of the petting zoo. Councilwoman Hubbard received many positive comments about the police and fire employees.

Mayor McLean said that on Monday, May 22, at 6:00 PM at the new Resource Center, will be the next Elected Officials Seminar.

Mayor McLean said he received a drawing from Crescent Land & Timber for apartments at the site behind the YMCA.

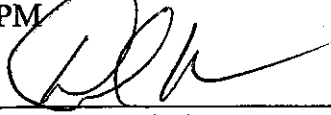
City Manager Kraus said the fire chief selection process has progressed to the point of offering the position to someone, if he passes the required tests.

Councilwoman Hubbard reminded Council May 16 is the revitalization meeting.

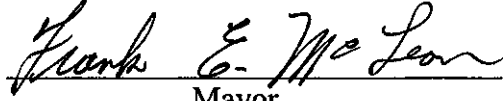
ADJOURN

There being no further business, the meeting was adjourned, upon motion duly made, by Councilwoman Harris, seconded by Councilman Hough and carried.

9:10PM



Clerk



Mayor

cpm