

Special Meeting
Mount Holly City Council
Stanley Board of Aldermen
April 22, 1991

The meeting was called to order at 7:30 P.M. by Mount Holly Mayor Charles B. Black, Jr. The Mount Holly Councilpersons present were Councilwomen Faye S. Little and Lib Nichols, Mayor Pro-Tem Bob Jessen, Councilmen Myles Biggerstaff, R. L. Duke, Archie Small, City Manager Greg Young, City Attorney Kemp Michael, Director of Public Works Eddie Nichols, Police Chief Jerry Bishop, and the Zoning Administrator Gary Roberts. Stanley Mayor Gail Brotherton was present, as well as Town Manager Sam Misenheimer, Alderwoman Margaret Green, and Alderman Gene Thompson.

The invocation was led by Councilman Small.

Mayor Black introduced the Gaston County Commissioner in attendance, Gene Miller.

The public hearing was called to order for the purpose of hearing comments for or against the request by Mount Holly and Stanley to the State legislature to permit them to extend their extraterritorial jurisdictions up to two miles, rather than the current permitted jurisdiction of one mile. Mayor Black stated that this matter has been considered so control can be maintained for future development. He further stated that this does not mean either city will actually adopt a two mile ETJ, only that they would have the right to do so if ever desired. He noted that Mount Holly does not have a full one mile ETJ presently, and that any additions to the ETJ would be gradual over many years as the City grows. If it is done, it would mean that zoning and subdivision regulations would apply to the ETJ area adopted. Mayor Brotherton said that basically covered the idea, and said the ETJ is important because it protects us for future growth of the towns.

A list had been taken at the door for those who wished to speak at the hearing, and the speakers were taken in order.

1. Baron Pillow, Route 1, Box 271. Mr. Pillow said he has lived on old Highway 27 all his life and he owns a mobile home park, and he does not need anything from the City, stating that they already have everything that the City could offer.

2. Harry Suddreth, Route 1, Box 281, Lowland Dairy Road. Mr. Suddreth stated he is happy with the situation as it is and does not want zoning out there. He said there are enough roads as it is and not enough money to maintain them now. He did not understand how the City would benefit by coming out further when they are hard pressed to handle what they now have. He asked where the farmers would farm if the City keeps taking over everything.

3. Mr. Nelson Wise, Box 803. Mr. Wise said he used to live in

Mount Holly and moved out to the country because he did not like it, and he does not want to be in the City and does not want zoning.

4. Mr. James Womack, Rankin Town. Mr. Womack said he moved to Rankin Town 16 years ago and is happy with things as they are, and does not see any way the City can help them. He noted it took the City two years to fix a ditch for him on property he has in the City, and that there are nine potholes on Noles Drive right now.

5. Mr. Leroy Graham, Box 186. Mr. Graham does not see where zoning would help them at all. They are doing all right and the City won't do anything for them. He lives on old Highway 27.

6. Mr. Gene Pillow, old Highway 27. Mr. Pillow did not see where the City can help them. He said he has better water than the City and has a six inch water line. He stated that there are some on the Board who want this so they can develop their land into industrial and makes lots of money. He does not want to pay City taxes. Councilwoman Little asked him where he gets his water; he said they have a good community well that is state certified. Councilman Biggerstaff pointed out that the ETJ does not bring them into the City and does not mean they would pay City taxes. Mr. Pillow said they don't want someone telling them when they have to move an old car or whether or not they can have pigs or cows. The Council asked him who specifically he felt would be making money on this. He would only mention a Mr. Springs, who the Council pointed out is not on the Council. Mr. Pillow said they are in the country because they want to be in the country not in the City. He also complained that one of his neighbors has property at 400 Woodlawn that the City forced him to rezone to L-I from residential when he did not want it. He was referring to Mr. DeVito; the Council inquired about that and found that this was the matter where the City was going to make that whole street residential, but the property owners came to the meeting and said they wanted it L-I.

7. Ms. Glenda Morgan, 118 Spratt Road, chose not to speak.

8. Mr. Leroy Sherrill, Route 1, Box 264. Mr. Sherrill said they have what they need and the City cannot benefit them.

9. Mr. Denver Morgan, Jr., 118 Spratt Road. He said they moved out in the country to get away from the City, and the City cannot give them anything they want.

10. Mr. Franklin Reid, Route 1, Box 268. Mr. Reid said they get along fine without the City, they have water and all and the City can't do anything for them.

11. Mr. James Lewis, 108 Tate Street. He said they do not want the City telling them what to do with their land that they paid for. He asked why the City wants to bother them way out there. Mayor Black stated that the City has no immediate plans to zone out there but this is a measure to be considered for future planning perhaps twenty or thirty years away.

12. Ms. Esther Nichols, Route 1, Box 283. She said the people she talks to that the City has annexed are not happy and have not got the services promised, so she did not know why the City would want them. Councilman Biggerstaff felt there was a misunderstanding, and repeated that the ETJ is not annexation and there are no taxes to be paid in the ETJ to the City. Ms. Nichols said if they put them in the ETJ then the next thing they will do is annex, and she does not want the City coming way up to them on old Highway 27.

13. Mr. Glenwood Nichols, Route 1, Box 284. Mr. Nichols has a body shop and he felt the same as everyone else.

14. Mr. Robert Nichols, Route 1, Box 281. Mr. Nichols said he had nothing to add but he felt the same way, and stated that they leave old cars around and they don't mind; that it is their land and he is against zoning.

15. Mr. Melvin Gardin, Box 132. He has a business at his home and he sees junk cars all over the City so why do they want to bother them.

16. Mr. Charles Edwards, Spratt Drive. He is a newcomer to the area, but he moved there to get away from cities and zoning. He said this is worse than any other zoning he has encountered because he would not be in the City and would have no vote. Mayor Black said the Planning and Zoning Board has outside members appointed to represent the ETJ areas. Mr. Edwards said zoning has never helped lower and low middle class people, it only helps wealthy people so they can develop land and get higher prices. The values go up on all the property and regular people cannot afford them.

17. Mr. Boyce Sherrill, old Highway 27. He lives there and has a business also. He said he believes in modernization but that area cannot handle it, there are so many country folk and old people. Mayor Black asked Mr. Sherrill to tell them what he had told Mr. Sherrill; it was that the City has no current interest in zoning that area around Rankin Town, and Lowland Dairy Road. Mayor Black stated that if this two mile perimeter is permitted, the City may take all or just a part of it; and at present they would not take any more than is necessary to protect the expected growth around the City because it would not be practical. Councilman Biggerstaff reminded Mr. Sherrill that he and his neighbors came to the City Council not long ago and used our zoning to prevent a mobile home park being put onto that land just across Dutchman Creek. Mr. Sherrill said he remembered that. He asked if the existing things would be allowed to stay if this area was zoned. The Council replied that existing things are "grandfathered" in newly zoned areas and only new construction is affected by the regulations.

18. Ms. Ruth Wood. Mrs. Wood lives in the Stanley jurisdiction, and wants to know if they will overlap and she would be in double jeopardy. The answer was that the law does not allow any overlap

and she would only be affected by one city, if at all.

That completed the list of speakers who had signed up to speak. The Council asked if there were any others in the audience who are not from Rankin Town, old Highway 27, or Lowland Dairy Road. It appeared that all except Mrs. Wood were from that area.

Councilman Biggerstaff said he understands their concerns and said clarification was needed. Councilman Jessen said they need to have some history as to why this even came up. Councilwoman Little said the City has no foreseeable plans for annexation of these areas, and with only two overworked staff persons for zoning now it would not be practical to consider otherwise. She stated that the purpose of this ETJ permit would be to establish Mount Holly's or Stanley's jurisdiction under their control so that development would be governed from here and not somewhere else.

One man asked why they had this meeting if they are not going to expand now. Mayor Black said the law did not require this meeting because this is not an extension of the ETJ but about a request for permission to control two miles rather than one mile if it is ever desired by the City; but the legislature asked them to have a public hearing to get citizen input.

The Council asked if there were any further comments. Mr. Pillow was recognized again, and said he does not understand why nobody likes mobile home parks, because he keeps his up real nice and he has good people living there.

There were no more comments, so the public hearing was adjourned, and the regular meeting resumed. The Stanley Board adjourned upon motion duly made, seconded and carried. The Mount Holly Council continued its meeting.

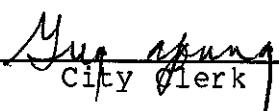
Councilwoman Little moved to go into executive session for attorney-client matters, seconded by Councilman Small and unanimously carried.

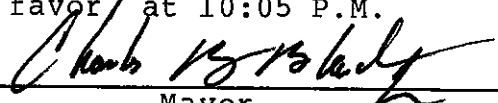
The Council returned to regular session upon motion by Councilman Duke, seconded by Councilman Small with all in favor.

Councilman Biggerstaff moved that the Council consider the latest proposal by Crowder Construction Company regarding a temporary slope easement they want from the City, which was seconded by Councilwoman Little and unanimously carried.

Councilman Biggerstaff moved to approve document #4-22-91, an agreement for a Temporary Slope Easement with Crowder Construction Company for the sum of \$17,500.00. Councilwoman Little seconded this motion and it carried by unanimous vote.

The meeting was adjourned upon motion by Councilman Duke, seconded by Councilwoman Nichols with all in favor at 10:05 P.M.


City Clerk


Mayor
