

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
Monday, April 13, 2009
Council Chambers
7:00 pm

Call to Order

Mayor Robert Whitt called the meeting to order at 7:00 pm. The following were present:

Mayor Robert Whitt	Eric Davis, City Manager
Mayor Pro-Tem David Moore	Jamie Guffey, Assistant City Manager
Councilman Jerry Bishop	Danny Jackson, Assistant City Manager
Councilman Frank McLean	James Friday, Director of Utilities
Councilman Bennie Brookshire	Dale Oplinger, Fire Chief
Councilman Perry Toomey	David Belk, Chief of Police
Councilwoman Carolyn Breyare	Mike Santmire, Streets and Solid Waste Director
Brooke Lopez, Attorney, Kemp Michaels' office	

Call to Order by Mayor Whitt

Mayor Whitt called the Mount Holly City Council meeting to order at 7:00 p.m.

Invocation

Reverend Joe Mullins pastor of the Grace Baptist Church 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 asked for any changes, additions or deletions to the April 13, 2009 Council Meeting agenda. With no changes to the agenda, Councilman Brookshire made a motion to approve the agenda as presented. Mayor Pro Tem Moore seconded the motion. All members voted in favor. **Motion carried.**

MINUTES

1. Approval of the minutes for the February 23, 2009 work session meeting.

Councilman Toomey made a motion to approve the minutes of the February 23, 2009 work session meeting minutes. Councilman Bishop seconded the motion. All Council members voted in favor. **(Motion carried)**

2. Approval of the minutes for the March 9, 2009 business meeting.

Councilman Toomey made a motion to approve the minutes of the March 9, 2009 business meeting minutes. Councilwoman Breyare seconded the motion. All Council members voted in favor. **(Motion carried)**

3. Approval of the minutes for the March 23, 2009 work session meeting.

Councilman Toomey made a motion to approve the minutes of the March 23, 2009 work session meeting minutes. Councilwoman Breyare seconded the motion. All Council members voted in favor. **(Motion carried)**

PRESENTATIONS

1. Presentation of Graduation Certificates to the Citizen Academy Participants

Mr. Davis explained the Citizens Academy program and different exercises taught by the Department Heads. Mayor Whitt presented each member of the Citizens Academy Program with a Certificate of Completion and gave each student the opportunity to say a few words about themselves.

2. Presentation of a Request from PC's BBQ to Close Street for Customer Appreciation Day

No one was available from PC BBQ to explain their request. Mr. Beal explained that his understanding of the request consists of the restaurant wanting to have a customer appreciation day and close the street in front of their building. Council agreed that the road in front of PC BBQ could not be closed for a customer appreciation day. The restaurant could move forward with their plans for the day but can not close the street.

3. Presentation of a Request for the Autumn on Main Festival

Ms. Danzi explained that this will be the second year the Foundation has put on a Cultural Arts Festival. The Festival is scheduled for September 19th from 11:00 a.m. until 5:00 p.m. The Festival will consist of the farmer's market, displays from local artists as well as local entertainment. There will be no food vendors at the Autumn on Main Festival. Ms. Danzi requested that Council agree to close Main Street in the downtown area for this event. Councilman Toomey made a motion to close Main Street at 9:00 a.m. for the Autumn on Main Festival. Councilman Brookshire seconded the motion. Councilwoman Breyare asked what services would be needed from the City. Ms. Danzi replied that the Streets Department would be needed to help with the street closing. Councilwoman Breyare commented that it would be nice to have police presence at the festival. All Council members voted in favor. **Motion carried.**

PUBLIC COMMENT – Three (3) Minute Limit

Leigh Brinkley came before Council to announce that the Farmers Market will open on Saturday, May 9, 2009. She advised that the May calendar for the Farmers Market is full and would like to post it in the Citizens Center. Ms. Brinkley further advised that the Farmers Market has been extended four (4) years since last year.

OLD BUSINESS

1. Report on Home Occupation Ordinance

Mr. Wilson explained the definition of family care homes and advised that this type facility is protected by state statute. Councilman McLean advised that he asked this topic be placed on the agenda because he believes that decisions on issues of this importance should be made by the City Council. Mr. Michael advised that it is solely a Council decision as to whether or not they would like the final say on such issues but he clarified that Council would have to serve in the capacity of the Board of Adjustments on all the issues not just the controversial ones. It was the consensus of the City Council to postpone any decision on this matter until the next meeting.

2. Dedication of the Dutchman's Ridge Pump Station to the City

Mr. Michael gave a brief history of the Dutchman's Ridge pump station. Mr. Jackson advised that after researching the issue, it was discovered that the Dutchman's Ridge pump station was supposed to be built large enough to take over the Pinewood pump station. There was discussion regarding the type of agreement that the City had with the Developer and there was consensus among the Council that this issue would be revisited at the time a legal document is produced by the Developer.

NEW BUSINESS

1. Consideration and Approval of the Linear Park Capital Project Ordinance

Mr. Guffey explained that an ordinance was approved by Council in June 2003 for \$1.4 million of bonds to be used for the Linear Park project. He advised that the City has spent approximately \$65,000 at this time on the Linear Park project and therefore needs to move forward with the Capital Project Ordinance for the Linear Park. He further advised that the Capital Project Ordinance does not authorize the sale of the bonds it only

creates the process of tracking the funds spent on the Linear Park Project. Councilman Bishop made the motion to adopt the Linear Park Capital Ordinance with the understanding that permission has not been granted to sale the bonds. Councilman Toomey seconded the motion. Motion carried with Councilwoman Breyare and Councilman Brookshire opposing the motion. **(Motion carried 4-2)**

2. Consideration and Approval of the JAG Grant Memorandum of Understanding

Chief Belk explained the JAG Grant and reviewed the items of which would be purchased with the funds. He advised that budgeted items cannot be purchase with JAG Grant Funds. Councilman Bishop made a motion to accept the budget detail for the JAG Grant items. Councilwoman Breyare seconded the motion. All Council Members present voted in favor. **(Motion carried)**

OTHER BUSINESS

1. Appointment to the Gaston County Quality of Natural Resources Commission

Mr. Davis advised that at the last meeting Council appointed Joshua Motes to the Gaston County Quality of Natural Resources Commission. At that time Council questioned the responsibility of the Commission. Mr. Davis advised that the Gaston County Quality of Natural Resources Commission deals with the Cooperative Extension Services for Gaston County.

MANAGER'S REPORT

Mr. Davis reported that the latter truck is in Fayetteville receiving some necessary repairs.

Mr. Davis reported that that Earth Day events are scheduled for April 25th.

Mr. Davis reported that the City is now in a Stage I drought which is strictly voluntary.

Mr. Davis reported that staff is trying to come up with some way to resolve the sales tax issue.

Mayor Whitt reported that there is legislation to merge the local ABC Boards into one (1) county board. He advised that Kathy Drumm from the ABC Board contacted him asking that the City Council pass a resolution against the proposed legislation and keep the local boards as they are now. Councilman Bishop made a motion to adopt a resolution (#041309A) in support of maintaining local ABC Boards. Mayor Pro Tem Moore seconded the motion. All Council members present voted in favor. (Motion carried)

Councilwoman Breyare asked about the status of the sign ordinance. Mr. Beal replied that staff would have something to come before Council at next months meeting.

Councilwoman Breyare asked about the status of the City website. Mr. Davis advised that it is currently out to bid.

Councilman Toomey reported that the Transportation Advisory Committee (TAC) met and discussed reopening the P & N railroad. He advised that he shared his concerns regarding the reopening and suggested that the road be widened to the railroad and an overpass, similar to the one at the NC 27 intersection be built so that emergency vehicles can access all areas of the City at all times.

Councilman Brookshire reported that the Archives Committee will have the pedestal for the bell. The bell will be displayed in the Grand Hall.

REPORTS

1. Mount Holly Community Foundation

Ms. Heroy reported that the Foundation is up and running in their new office located at 116 South Main Street. She advised that they moved in on March 15th. Ms. Heroy further reported that Mount Holly Matters held a Community Forum regarding the Greenways. Ms. Heroy reminded everyone that the Foundation meetings are open to the public and invited everyone to attend.

CLOSED SESSION

1. Closed Session (*pursuant to North Carolina General Statutes 143-318.11 (a)(3)&(6)*)

At this time, Councilman McLean made a motion to enter into closed session. Councilman Brookshire seconded the motion. The time was 9:35 p.m.

Council returned to open session on a motion made by Councilman Bishop and seconded by Councilman McLean. All Council Members voted in favor. Mayor Whitt advised that there was no action taken during closed session.

ADJOURN

With no additional items for discussion, Councilman Bishop made a motion to adjourn the April 13, 2009 Council meeting. Mayor Pro Tem Moore seconded the motion. In a voice vote, all voted in favor.
(Motion carried)

The April 13, 2009 Council meeting adjourned at 10:19 p.m.