MOUNT HOLLY CITY COUNCIL
REGULAR MEETING
April 13, 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	Admin. Services Dir. Sherry Borgsdorf
Mayor Pro Tem Phyllis Harris	Public Works Director Eddie Nichols
Councilman Jim Hope	Planning Director Danny Jackson
Councilman Robert Black	Fire Chief Andy Godfrey
Councilman Bryan Hough	Police Officer Kelly Hoyle
City Manager Phil Ponder	City Attorney Kemp Michael

Absent: Councilman Andy Stewart and Councilman Michael Helms.

INVOCATION
The invocation was led by Rev. Mitchell Morrow.

PLEDGE OF ALLEGIANCE
Cub Scout Pack 59 presented the colors and led the pledge of allegiance.

MINUTES
Mayor Pro Tem Phyllis Harris **MOVED** to approve the minutes of March 9, 1998 as written, seconded by Councilman Bryan Hough, with all in favor.

PUBLIC HEARING #1 **Old Hickory Grove Road Rezoning**
Mayor McLean recessed the regular meeting, and called to order a public hearing upon a request to rezone a 1.8 acre lot located off Old Hickory Grove Road from R-12 to B-3. Planning Director Danny Jackson stated that the Planning Commission recommended that the minutes be approved. Mr. Edward's daughter Sherry Edwards Fink sent a note to Council (attached) explaining why she was unable to attend the meeting, and why she felt the Council should agree to the B-3 rezoning.

Michael McIntosh, who lives on old Hickory Grove Road, stated that he felt that the property should remain at a B-2 rezoning, instead of B-3. He doesn't want to see a car lot or junk yard there, and hopes that Council will consider this.

Councilman Hope asked Mr. Jackson if the decision of the Planning Commission was unanimous, to which Mr. Jackson replied that it was. Councilman Hope asked how this would fit in with zoning across the street. Mr. McIntosh replied that the one across the street is under the grandfather clause because it has been there so long. Councilman Hough asked, if Council decides on B-3 zoning, can it be appealed later, with an answer given that it could not. Mayor McLean closed the public hearing.

Councilman Hope **MOVED** that upon recommendation of the Planning Commission to approve the request to rezone the 1.8 acre lot on Old Hickory Grove Road from R-12 to B-3, seconded by Councilman Bryan Hough, with all in favor.

PUBLIC HEARING #2 - Woodlawn Avenue Rezoning

The regular meeting was recessed and Mayor McLean called to order a public hearing to consider the request of Gaston Health Resources, Inc. to rezone a 3.09 acre lot off Woodlawn Avenue from L-I to B-3.

Planning Director Danny Jackson stated that the Planning Commission had approved this request. This property is located between the roofing company and Laundromat and goes all the way back to Dutchman's Creek. Councilman Hope asked if the property was in the 500 or 100 year flood plain, to which Mr. Jackson replied that it was in the 100 year flood plain. Mr. Steven Burke, representing Gaston Health Resources , was present to request approval of the rezoning for the medical facility. Mayor McLean closed the public hearing.

After some discussion by Council, Councilman Jim Hope **MOVED** that upon recommendation of the Planning Commission the rezoning request be approved for the Gaston Health Resources rezoning of a 3.09 acre lot of Woodlawn Avenue from L-I to B-3, seconded by Mayor Pro Tem Phyllis Harris, with all in favor.

PUBLIC HEARING #3 Bond Refunding

City Manager Phil Ponder explained the history of the bond refunding beginning in 1983 with the Water Plant financing. The refunding of $1,575,000 in utility bonds will save the City approximately one quarter of a million dollars per year over the next ten years. The refunding sale is scheduled for April 28th. Mayor McLean recessed the regular meeting and called to order a public hearing to consider the refunding of $1,575,000 in utility refunding bonds. There was no public comment. Mayor McLean closed the public hearing, and asked Council to take action on the matter.

Councilman Hough **MOVED** that the bond order introduced and passed on first reading on March 23, 1998 entitled "Order Authorizing $1,575,000 Refunding Bonds" be amended by inserting in paragraph 1 thereof the words "and maturing on June 1, 1999 to 2008, inclusive," after the words "dated June 1, 1988." Councilman Black seconded the motion, and it passed unanimously.

Councilman Hough **MOVED** that the order introduced and passed on first reading on March 23, 1998 entitled: "Order Authorizing $1,575,000 Refunding Bonds," as amended by adopted on second reading. Councilman Black seconded the motion, and it passed unanimously.

Councilman Black introduced and **MOVED** that Resolution 4/13/98A entitled "Resolution Providing for the Issuance of $1,530,000 Refunding Bonds, Series 1998" (attached) be passed. Councilman Hough seconded the motion, and it passed unanimously.

UNFINISHED BUSINESS #1 - Purchase of Traffic Warning Device

City Manager Phil Ponder explained that the radar device would display the speed of each vehicle as the computer tracks every single car. It will be most beneficial for verification for tickets, and would show where traffic and speeding problems are. There was some discussion as to whether to order now or wait for the budget in July. It was the consensus of Council to wait to put this item in the budget.

UNFINISHED BUSINESS #2 - Speed Humps

Upon request by Council to pursue information on speed reducing humps, Public Works Director Eddie Nichols acquired information from the City of Gastonia regarding standards they had established. The City of Gastonia requires that three-fourths of residents on the street request humps. City Manager Phil Ponder explained that these devices cost between $2,000 and $6,000 per device, and a thorough technical study should be made before any installations begin. Mr. Ponder recommended that the traffic warning device be used for one year, to see if we really need speed humps. We can also see if other cities are having problems that they can discuss with us. After further discussion, Council agreed to hold off on such installations.

CONSENT AGENDA

The Consent Agenda with two items was adopted without amendment upon **MOTION** by Councilman Bryan Hough, seconded by Councilman Robert Black, with all in favor, as follows:

1. Tax Releases. Tax releases for March 9, 1998 in the amount of $464.64 were approved.
2. Public Hearing/Caldwell Drive Rezoning. The request for a public hearing, upon approval of the Planning Commission, was set for the May 11th regular council meeting.

NEW BUSINESS #1 – Field Deer Letter of Credit

Mr. Bob Yatko, Developer of Deerfield Subdivision, is requesting that the Letter of Credit associated with Phase I of his development be extended from April 30, 1998 to an additional ninety days. City Manager Phil Ponder stated that Mr. Yatko should compensate the City for the extension, such as $500.00 for handling and any additional fees involved. A **MOTION** was made by Councilman Jim Hope that the Field Deer Letter of Credit be extended for ninety days with additional fees absorbed by Deerfield Subdivision, seconded by Mayor Pro Tem Phyllis Harris, with all in favor.

NEW BUSINESS #2 – Final Plat Approval/Runnymeade Subdivision

Planning Director Danny Jackson stated that the Planning Commission had approved the final plat for Runnymeade Subdivision, and given a financial guarantee to cover cost of Phase II for fifty-two lots. Their preliminary plat was approved last year. Developer Chris Grannelli of First Colony was present to answer questions from Council. Councilman Bryan Hough asked Mr. Grannelli about the upgrade of the street lights, to which he replied that there has been no upgrade as yet. The question of where the hydrants are placed was raised. Mr. Grannelli said that they are willing to comply with the City as to installing hydrants wherever they need to be, that he was told by staff they should be at the end of the lines. Public Works Director Eddie Nichols stated that the purpose of being at the end of lines is for flushing out the lines. Mr. Grannelli stated that he will have a look and adjust to our requirements. Upon **MOTION** by Councilman Jim Hope to approve the final plat of Map 1 of Phase II of the Runnymeade Subdivision contingent upon financial guarantee, seconded by Mayor Pro Tem Phyllis Harris, with all in favor.

NEW BUSINESS #3 – <u>Squires Enterprises/Close a Portion of Tuckaseege Road</u>
Mr. Bill Rice, of Squires Enterprises, addressed the Council regarding the closing portions of Tuckaseege Road that will no longer be used. Attached is the Resolution of Intent necessary for legal closing of portions of this road. Mr. Rice told the Council that their original plans one and one-half years ago were to realign the entrance to Tuckaseege Road to better control traffic through that area. Their plans are to have traffic stop and continue onto Church Street as a temporary detour. There will be speed humps and signage not to cut through. During construction, there will be signs in place and people on site to slow traffic, with detours in the evenings. Mr. Rice also mentioned that the force main on Tuckaseege Road will be finished in a couple of days. City Manager Phil Ponder stated that the road could be finished as quick as two weeks, or as long as four weeks, with maybe only one lane open for awhile on Tuckaseege and Church. There is a possibility of using Howard Street as a cut through. City Attorney Kemp Michael stated that the Public Hearing will be June 8, 1998; and if the new entrance could be created next week, it should be open before approval time. Councilman Bryan Hough made a **MOTION** to adopt Resolution 4-13-98B for the closing of a portion of Tuckaseege Road, between Superior Yarn Road and Broome Street, seconded by Councilman Jim Hope, with all in favor.

NEW BUSINESS #4 – <u>Traffic Signal Request</u>
Mr. John Boyer, Corporate Engineering Group of American and Efird Mills, Inc., came before Council requesting a traffic signal at the intersection of Oak Grove and Highland Streets. Mr. Boyer stated that Highland Street is busier than ever, as they have eight hundred employees on campus, and an average of seventy-five tractor trailer trucks per day passing through this intersection. City Manager Phil Ponder replied that with a state road involved, he will proceed to write a letter to the NC Department of Transportation for them to look into the matter of the traffic signal. Mayor Pro Tem Phyllis Harris said she was in full support of this signal, seeing how she had recommended to Council three years ago that a signal was needed there. She further stated that she guessed she should go through American and Efird to get on the agenda. Councilman Bryan Hough asked if the railroad nearby is closed, to which Mr. Ponder replied that it is, and that it is owned by DOT. Council Robert Black asked about a study being done on the traffic in the area. Mr. Ponder mentioned that a traffic light at this intersection needs to balance out with other lights nearby. A **MOTION** was made by Mayor Pro Tem Phyllis Harris directing the City Manager to write to the NC DOT requesting they explore the feasibility of installing a signal at the intersection, seconded by Councilman Bryan Hough, with all in favor.

Councilman Robert Black said the Beautification Committee should have the gardens around the City planted before Springfest.

Councilman Robert Black said that Eddie Womack, of Cavin Avenue, and other citizens in the Cavin, Oak and Pine Streets area, are concerned about the traffic flow from Runnymeade Subdivision through their streets. Mr. Black suggested a four-way stop sign to deter Runnymeade residents from using this area as a major entrance. Staff was directed to check on this situation. In relation to stop signs, Mayor Pro Tem Phyllis Harris said that the stop sign on Belton Avenue has helped a great deal.

Councilman Robert Black asked that staff look into the status of the Lentz-Springs house. City Manager Phil Ponder replied that the house is not yet in compliance, and he has received no explanation, but they have done the safety inspections. In another matter of compliance, Code Enforcement is taking actions regarding the Chatterbox. Mayor Pro em Phyllis Harris mentioned that previous councilmember Faye Little has asked that this matter be enforced some years ago. Mrs. Harris added that there are a lot of places that need to be cleaned up.

Councilman Robert Black indicated that downtown renovations were a low priority on the Capital Improvements Program (CIP), but could the light standards at least be painted in the near future. City Manager Ponder indicated that the light standards could be painted for $2,500 to $3,200, and he would attempt to get the work done in this fiscal year.

Mayor Frank McLean recognized Pat Hubbard in the audience. She stated that things are falling into place for the Springfest, and everyone is working very hard.

City Manager Phil Ponder said that he had written a letter to Representative Sue Myrick regarding the Post Office at the request of the City Council, and asked them all to sign it before leaving.

City Manager Phil Ponder asked if the Council would like to have a work session in the next couple of months to review upcoming projects and to make sure Council agrees with recommended priorities. The CIP Committee has completed all their projects. There is varying financing to put in place, and City Manager Phil Ponder is checking financing options that are available. The total cost for current projects will be approximately $21,365,000 over the next six years.

Councilman Hough opened the discussion regarding subdivision regulations and street lighting. Mr. Hough stated that the developer usually includes those in his costs, and we should make it a requirement.

Councilman Hough also mentioned trees. An example being, the only two left at Runnymeade are at the entrance; and the developer has mentioned cutting them also. City Manager Phil Ponder asked that the Planning Commission look into the matter.

City Manager Phil Ponder stated that a current sewer project crosses Councilman Jim Hope's property, and will require the purchase of right-of-way from Mr. Hope. Public Works Director Eddie Nichols said there will be a fifteen inch line to replace the existing line from Lee Street, up Dutchman Creek, and corner of Highway 273 and Highway 27 at the northeast. There is a total of two hundred and forty-six linear feet along Highway 27 fronting, and down the side one hundred and sixty-eight feet on a portion involved in the street closing on Creative Dyeing property. Since the road has been closed, Mr. Hope feels that he should not be paid for that part. This will require 2,480 feet of right-of-way plus the sewer tap. The fact that the property fronts on Highway 27, the prospects of condemning and attorney fees would prove most costly. There was discussion, and no objections from the Council to purchase the right-of-way from Mr. Hope for $2,480.00 and a free tap.

Councilman Hough made the **MOTION** to adjourn the meeting at 9:45 P.M., seconded by Councilman Robert Black, with all in favor.

Phillip Ponder **** Frank E. McLean