CITY COUNCIL
REGULAR MEETING
April 12, 1999

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 Phyllis Harris
Councilman Michael Helms
Councilman Andy Stewart
Councilman Jim Hope
Councilman Bryan Hough
Councilman Bobby Black

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. Mitchell Murrow.

PLEDGE OF ALLEGIANCE

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

MINUTES

Councilman Helms **MOVED** to approve the minutes of March 8, 1999, with correction on page 6, under Consent Agenda: namely, that the motion was seconded by Councilwoman Harris. Motion to approve minutes seconded by Councilwoman Harris, with all in favor.

PROCLAMATIONS

PR#1 To Proclaim the Week of April 17-20, 1999, as Litter Sweep Week

Mayor McLean read a proclamation establishing Litter Sweep Week for April 17-20, in response to the Governor's request to keep our roadsides clean and to recycle.

PR#2 To Proclaim the First Thursday in May, 1999, as National Day of Prayer in Mount Holly

Mayor McLean read a proclamation setting May 6, 1999 as National Day of Prayer in Mount Holly, and he stated that the community is invited to gather at 10:00 A.M. in the courtyard at City Hall to participate.

PRESENTATIONS

#2 Clarification of Utilities - YMCA

The YMCA was granted a variance in December to allow the length of the road into the complex by 400 feet. They request that this variance be amended to include the curb and

City Manager David Kraus said the petition was not able to be certified, and changes were requested. The company submitted the changes but they were just received that day. He suggested this be delayed so the petition can be reviewed.
Motion: Councilman Helms moved to table this matter until next month, seconded by Councilwoman Harris, to allow time to review the amended petition.
Vote: All in favor. CARRIED.

UFB#3 To Call for a Public Hearing on Amendments to Zoning, Subdivision, and Watershed Ordinances
Danny Jackson said the Planning Commission has recommended a public hearing be held to consider these amendments. They will have a public hearing on May 3 on these issues.
Motion: Councilman Helms **MOVED** to set a public hearing on May 10 to consider amending the zoning ordinance to create districts for the newly annexed area of Waters Edge development, which Councilwoman Harris seconded.
Vote: All in favor. CARRIED.

Motion: Councilman Helms **MOVED** to set a public hearing on May 10 to amend the watershed regulations in Section 5.13.3, seconded by Councilwoman Harris.
Vote: All in favor. CARRIED.

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

1. Approval of Tax Releases
   Taxes were released for March 1999, in the amount of $343.64 plus $12.03 in interest.
2. Budget Amendment
   A budget amendment in the amount of $1,700 was approved for payment of a claim by Sammy Reid against the Police Department not covered by insurance. (copy attached)
3. Budget Amendment
   A budget amendment in the amount of $1,300 for purchase of an additional computer for one councilperson to use while in office. (copy attached)

NEW BUSINESS
NB #1 Garbage Truck Bids
Director of Public Works Eddie Nichols stated that bids for a twenty-five cubic yard rear compacting garbage truck were opened on March 25, after receiving 10 bids; staff recommends the bid be awarded to Carolina Environmental Systems which had the lowest bid that met the intent of the specs. None of the bids met every aspect of the specs. The delivery time is probably the first part of 2000.

Motion: Councilman Stewart **MOVED** to award the bid for a garbage truck in the amount not to exceed $95,905 to Carolina Environmental Systems; motion seconded by Councilman Hough.
Vote: All in favor. CARRIED.

NB#2 To Consider Possible Action on Forest Hills, Jenkins, Woodhaven, and North Main Street, Forest Hills, Forest Drive, Jenkins, and Woodhaven Water Improvements
Public Works Director Eddie Nichols said that this project is intended to increase water pressure; staff recommends the low bidder. He pointed out to Council one thing in this project; our plans were drawn considering that the developer of Autumn Woods would run a line from Trexler down North Main Street, but that line has not yet been installed. He needed permission to negotiate with the contractor to extend the line from Trexler to this project, and negotiate with Shugart Enterprises to reimburse us for that portion of the line.
Motion: Councilman Stewart **MOVED** to approve the bid for water improvements to J. D. Richardson Construction Company for the sum not to exceed $146,468; seconded by Councilman Hough.
Vote: All in favor. CARRIED.

Council concurred that Eddie Nichols may negotiate with the contractor and Shugart Enterprises on the installation of the line from Trexler Avenue down to this project.

NB#3 To Consider Annexation of City Owned Property along NC 273 at the City's Water Tank
Attorney Kemp Michael said Council would need to set a public hearing to consider annexing this 5 acre tract owned by the City of Mount Holly. This annexation and the annexation of a 9 acre tract by Crescent Resources would make the Waters Edge property a contiguous annexation rather than a non-contiguous annexation, which would in turn free up the City's allotment by state law for other non-contiguous annexations.
Motion: Councilman Stewart **MOVED** to approve Resolution #4-12-99(A) to set the public hearing for next month's regular meeting, seconded by Councilwoman Harris.
Vote: All in favor. CARRIED.

NB#4 To Consider Petition for Voluntary Annexation of Property Owned By Crescent Resources, Inc. along NC 273 between Freightliner and the City Water Tank
City Attorney Kemp Michael said that Council would need to direct the clerk to investigate the petition received for this annexation of a 9.48 acre tract owned by Crescent Resources, the City Clerk needs to certify the sufficiency of the petition, and then Council needs to set public hearing.
Motion: Councilman Stewart **MOVED** to approve Res. #4-12-99(B) to direct the clerk to investigate the petition of Crescent Resources for voluntary annexation of a 9.48 acre tract on NC 273; seconded by Councilman Hough.
Vote: All in favor. CARRIED.

Mr. Michael stated that the petition has been examined before this meeting in anticipation of this matter being on the agenda. City Clerk David Kraus made his certification that he had found the petition to be sufficient.

Motion: Councilman Stewart **MOVED** to approve Res. #4-12-99(C) to set the public hearing for next month's regular meeting, seconded by Councilman Hough.
Vote: All in favor. CARRIED.

NB#5 To Consider Petition for Voluntary Annexation of StoneWater Bay
City Attorney Michael stated that Council would need to direct the clerk to investigate the petition received for this annexation from a subsidiary of Crescent Resources for 353.15 acres of land off Horse Shoe Bend Beach Road on Mountain Island Lake. Then the clerk would need to certify the sufficiency of the petition, after which a public hearing could be set.
Motion: Councilman Hough **MOVED** to approve Res. #4-12-99(D), seconded by Councilman Black, to direct the Clerk to investigate this petition.
Vote: All in favor. CARRIED.

Mr. Michael then stated the petition has been examined before the meeting in anticipation of this item on the agenda. City Clerk David Kraus made the certification that the petition is sufficient..
Motion: Councilman Hough **MOVED** to approve Res. #4-12-99(E), seconded by Councilman Black, to set the public hearing for the next month's regular meeting.
Vote: All in favor. CARRIED.

PUBLIC COMMENT
Mayor McLean opened the floor for public comment.

Pam Beck, Mountain Island Lake Association. Ms. Beck inquired as to whether or not any of Council was able to attend the recent meeting on water quality at Mountain Island Lake. When none responded, she stated her disappointment that no one attended. She further stated that the association has been misrepresented as not wanting development, but that they want to protect water quality and recreation for the public; and they only want the same restrictions that are on the Mecklenburg County side of the lake. She said she spoke with Michael Helms and he said not all streams need a 100 foot buffer. She said the experts have said perennial streams need 100 feet.
Michael Helms said he has talked with Mecklenburg Co. environmental staff, and they do not have 100 foot buffer on all perennial streams, only in the CA zone. Pam Beck said they have it in the critical area. Mr. Helms said Mount Holly's zones have not been defined yet, but we are aware of what we need to do in a critical area. We are not going about this lightly. The County is not either, he said, noting that he is going to serve on that committee as well. He said we will do our best to maintain uniformity in the critical areas. Our zoning officer is working on the requests we have to him made right now.

ROUND TABLE
Councilwoman Harris said that Ms. Warren needs to come off the Recreation Committee due to her health. Dr. Snyder has volunteered and the Committee has agreed to recommend him. Council concurred to appoint Dr. Snyder to complete the remainder of her term. Councilwoman Harris would like to have something done in her honor at the next meeting.

CLOSED SESSION
Councilman Stewart moved go in closed session for personnel matters, seconded by Councilman Black, with all in favor.

Council returned to open session upon motion of Councilwoman Harris, seconded by Councilman Black, with all in favor. No action was taken.

ROUND TABLE
City Manager Kraus and Police Chief Bishop informed Council the Police Department has two investigators with the same rank. The Chief wants to change one to a sergeant, and the budget has room for the change.
Motion: Councilman Hough **MOVED** to reclassify one investigator position to a sergeant position, as supervisor; seconded by Councilwoman Harris.
Vote: All in favor. CARRIED.

City Manager David Kraus stated that W. K. Dickson, Engineers, has presented a contract in the amount of $16,000 for them to provide assistance to the engineer working on the joint utilities study with the County and other cities. Councilman Stewart and Councilman Hough remembered that the man did state each city would pay their own engineer to protect their interest during the process.
Motion: Councilman Stewart **MOVED** to approve the contract, seconded by Councilman Hough.
Vote: All in favor. CARRIED.

City Manager David Kraus recalled to Council that it gave the Optimists access to their new building. It was not surveyed and recorded, but needs to be.
Motion: Councilwoman Harris **MOVED** to have the access to the Optimists surveyed and recorded, seconded by Councilman Black.
Vote: All in favor. CARRIED.

Attorney Michael stated that the petition for voluntary annexation by StoneWater is a 350 acre tract that is non-contiguous. The City has already gotten feelers from other developers for other annexations. He suggested the City annex the Duke Power Company boat landing which would make it contiguous to Waters Edge development, I have suggested to the StoneWater developer to encourage Duke Power to do that. You may wish to write them a letter and encourage it. Councilman Stewart said the man, Steve, that he talked with said they are concerned the City may want to annex the power plant if we got a voluntary annexation on the boat landing. Michael Helms said the boat landing might present a problem for law enforcement, and we may be called upon to enforce lake regulations if we have a lot of shoreline in the city. Michael Helms asked for specifics from Eddie Nichols on the capacity used after these developments are fully built. Council concurred that City Manager Kraus could write a letter regarding the boat landing. Mr. Kraus said staff will begin the services reports on the proposed annexations tomorrow.

City Manager Kraus asked Council to schedule work sessions for next year's budget. He will be ready to submit his proposal for the budget on May 10. Council set a meeting for May 24th at 6:00 PM. Food will be provided for them.

ADJOURN
There being no further business, the meeting was adjourned, upon motion duly made, seconded and carried.

Frank E. McLean

Clerk Mayor

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cpm