CITY COUNCIL
REGULAR MEETING
April 10, 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
Councilman Bobby Black
Councilwoman Pat Hubbard

Adm. Serv. 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. Vance Hunt.

PLEDGE OF ALLEGIANCE
Councilman Hough led the Council and audience in the ceremony of the Pledge of Allegiance.

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

MINUTES
Councilman Helms **MOVED** to approve the minutes of March 7 and 13, 2000, as written, seconded by Councilwoman Hubbard, with all in favor.

PRESENTATIONS
PR#1 <u>Proclamation Declaring April 29th as Statewide Clean Up Litter Campaign</u>
Mayor McLean read a proclamation in support of a statewide clean up litter campaign to be held on Saturday, April 29th. (copy attached) Cy Frazier has coordinated this with all the churches in Mount Holly, and moved the date from the 20th to the 29th due to the holiday.

PR#2 <u>Proclamation Declaring May 4th as National Day of Prayer</u>
Mayor McLean read a proclamation to set May 4th as a Day of Prayer in Mount Holly. (copy attached) Mayor McLean announced that Dr. Dennis Knight will preside at a meeting for prayer in the courtyard at City Hall, and any citizens from any faith who wish to participate are welcome.

PR#3 <u>Resolution Honoring Charlene McRorie for Seventeen Years of Coaching</u>
Mayor McLean read a resolution adopted by the Council and presented a framed copy to Charlene McRorie honoring her for seventeen years of coaching hundreds of young people in

our community on several athletic teams. Councilman Black also presented her a plaque in her honor along with a gift certificate. Ms. McRorie said those kids gave her much more than she gave them, and thanked the Council very much.

PUBLIC HEARINGS

PH#1 To Consider Rezoning 405 Belmont-Mount Holly Road from R-12 to B-3

Councilman Helms moved to go into public hearing, seconded by Councilwoman Harris, with all in favor

Mayor McLean declared the regular meeting in recess and called a public hearing for consideration of a rezoning request by Gladys Fite for 405 Belmont- Mount Holly Road. He stated that the Planning Commission had voted to recommend it be denied because it does not comply with the Land Use Development Plan.

Diane Fite Bailey for Gladys W. Fite was recognized. She gave Council information regarding the property that was primarily appraisal information. She said she came into the City Hall today to look at the Land Use Plan and did not feel there is consistency. She said this property is surrounded by business properties. There are apartments and Low Meadow Greenhouses, a cable vision company, an auto body shop and towing business, a large junkyard, and across the street is the State Farm insurance company, the large church, and Abbey apartments, and then a convenience store. There are about four houses across the street, but next to those is a television and appliance store. The area is obviously business, even though the Plan says it should be residences. Her mother's other lot has been B-3 for ten years. She said she is in favor of zoning, and does not want to go against a viable Plan, but this area is definitely business, and the greatest value of her mother's property is business. This is her only asset for retirement.

There were no further comments. Councilman Helms moved to close the public hearing, seconded by Councilwoman Harris, with all in favor. Mayor McLean adjourned the public hearing and resumed the regular meeting.

Councilman Black asked Zoning Administrator Danny Jackson if there has been any opposition from the neighbors. Mr. Jackson said he has not had any calls. Councilman Hough asked if the Planning Commission gave a reason for their recommendation to deny the request; Mr. Jackson said they intended to comply with the Land Use Plan. Councilman Helms said they are doing their job to comply with the Plan, however, the Council is already aware that we need to revisit the Plan and have not done so as yet. Councilwoman Harris said she recalls the rezoning of the old barber shop, and she feels we must be consistent; and if we are going to go by the land use plan strictly, we should do it on everyone, not pick and choose. She agreed that we need to revisit the Land Use Plan. Councilman Black pointed out that the two houses Catawba Heights Baptist built is not a typical R-12 use because it is going to be used for missionaries and such. Councilman Black asked if it is normal to rezone it when you do not have an intended use before you, and it is only being done to open up the sale for that type of activity. Mr. Jackson said it is at Council's discretion.

Motion: Councilwoman Harris **MOVED** to approve the request by Gladys Fite for rezoning 405 Belmont-Mount Holly Road from R-12 to B-3, seconded by Councilman Hough.

Discussion: Councilman Helms said he was not in favor but when he realized the land use plan is so out of date, he is not going to vote against it. He asked that the land use plan be put on a workshop agenda to be dealt with.
Vote: five ayes, zero nays. CARRIED.

PH#2 To Consider Rezoning a Portion of Water's Edge Development from R-12, R-8 Multi-Family and B-2 and R-A
Councilman Helms moved to go into public, seconded Councilwoman Hubbard, with all in favor. Mayor McLean recessed the regular meeting and called the public hearing to order. Danny Jackson PC recommended the petition be approved. City Manager David Kraus stated this request is for the property from the railroad tracks to the water, and does not include the property between the tracks and Highway 273.

There were no comments. Councilman Hough moved to go out of public hearing, seconded by Councilman Black, with all in favor. Mayor McLean adjourned the public hearing and resumed the regular meeting.

City Manager David Kraus said the City of Gastonia has requested that the City of Mount Holly give them an extension before this matter is voted on.

Motion: Councilman Hough **MOVED** to rezone the Water's Edge tract between the railroad tracks and the water to B-2 and R-A, seconded by Councilman Helms.
Vote: All in favor. CARRIED.

CONSENT AGENDA
Motion: Councilman Hough **MOVED** to accept and approve all items on the consent agenda, seconded by Councilwoman Hubbard.
Discussion: Councilman Black asked for clarification on Items 3 and 4; he wanted to be sure it reads "will" and not "may". It was agreed that it correctly reads "will".
Vote: unanimously CARRIED. They are:

CA#1. Approval of Final Plat for Phase II, Map 3, of Runneymeade Subdivision. This is the final area to be built in Runnymeade Subdivision.

CA#2. Acceptance of Water and Sewer Pump Station in Autumn Woods. The water and sewer is completed and the one year warranty period will begin; the letter of credit will be reduced to cover the remaining items.

CA#3. And CA#4. Revised Housing Policy for Holly Hills and Alcohol Policy for Holly Hills and Rollins Square. (copies attached).

CA#5. To Consider Call for Public Hearing on a 10.5 Acre Tract On West Charlotte Avenue from R-10 to R-8 MF. Upon recommendation of the Planning Commission.

CA#6. To Consider Resolution for Mutual Aid Agreement. To join a countywide drug enforcement task team. (copy attached).

CA#7. Approval of Water Tap on Trexler Avenue. Granted to Perry McCorkle, 107 Trexler Avenue.

CA#8. Approval of Contract with Law Engineers for UST Cleanup. For monitoring and ground water sampling for well MW-I and associated report to NC DENR, at a cost of $1,600.

CA#9. Approval of Change Order #3 on Tuckaseege Sidewalk Project. (copy attached).

NEW BUSINESS

NB #1 To Consider Call for Public Hearing to Rezone a 36.5 acre Tract in Gateway Area from L-I to R-8MF CU

Zoning Administrator Danny Jackson stated that last month Crescent Resources presented a plan for straight R-8MF, and this action is a new action for conditional use. Planning Commission has recommended a public hearing be held. Councilman Hough stated that he does not want to have a public hearing on this matter because he does not want to allow the use requested on that property as it does not comply with the Land Use Plan.

Councilman Jim Hope arrived at 7:40 PM.

Michael Cole, ColeJenest and Stone, design architects for Crescent Resources, Inc., was recognized. He said the light industrial zoning on this tract is not viable because it is on the river with watershed regulations, and the topography and gas lines also make the property in question not conducive to light industrial. This site is a remote site at the back side of the property and it is limited to 24% impervious development, and there are also wetlands on the property. The Y is a 6 million dollar project that will open soon, but it will be even better with a residential component. We believe it will be a catalyst for continued development in that area. Council took no action.

NB#2 Creation of Crime Scene Technician Position

Chief Davis asked for approval of this crime scene technician position in the police department. The SBI will help us set it up, and train our personnel for no cost. He was not requesting hiring additional personnel. Councilman Hope asked if the Chief has in mind a specific officer for this position; he said he does. Councilman Hope asked if it would be supervised; he said yes, the person would be under the investigation division. The technician will not be a supervisory position per the Chief.

Motion: Councilwoman Harris **MOVED** to approve the new position, seconded by Councilwoman Hubbard.
Vote: all in favor. CARRIED.

NB#3 Approval of PC'sGrill & Catering to Serve BBQ at Broomer's Car Wash

Zoning Administrator Danny Jackson said this is similar to the privilege granted to the man last month for the vegetable and fruit stand. Mr. Paul Hovis appeared, and presented his written permission from Broomer's Car Wash to operate on its property on South Main Street, and his health department inspection. Councilman Hope asked about the hours of operation. He said usually 10:30 AM to 7:00 PM on some Fridays and Saturdays.

Motion: Councilman Hough **MOVED** to approve the request with the exception of the first Friday and Saturday in May, seconded by Councilwoman Harris. (motion as amended)
Vote: all in favor. CARRIED.

NB#4 To Consider Bids for Fencing at Rollins Apartments

City Manager David Kraus said Priority One Management wants a 6 foot iron fence to secure the area; they have the funds in their budget. Teresa appeared for Priority One Management. They have three informal bids. The low bid is Parker D Fence for $23,541.
Motion: Councilman Helms **MOVED** to approve the fences requested, seconded by Councilwoman Hubbard.
Vote: All in favor. CARRIED.

UNFINISHED BUSINESS
UFB#1 To Consider Bids on West Henry Street Property
City Manager David Kraus said he only received one bid for the purchase of the city property on West Henry Street. City Attorney Michael said that if Council feels it is a fair offer, they may accept it even though there is only one bid. You can also make a counteroffer to that person and see if they accept it and then advertise that amount, to allow for upset bids. An alternative is to place it with a realtor for sale, and then advertise the offer received.

The Council took a five minute recess so Mr. Kraus could obtain the bid out of the file.
Mayor McLean opened the bid, and it was $18,750.00.

Motion: Councilman Helms **MOVED** to reject the bid. Seconded by Councilwoman Harris.
Vote: all in favor. CARRIED.

Council agreed to counter offer $25,756.00 which is $27,400 less a 6% commission. If he rejects it, Council authorized the City Manager to place it with a realtor for sale.

PUBLIC COMMENT
Mayor McLean opened the floor for public comment.
None.

CLOSED SESSION
Councilwoman Harris moved to go into closed session for attorney client matters, seconded by Councilman Black, with all in favor.

Councilman Hough moved to return to open session, seconded by Councilwoman Harris. All in favor.

City Attorney Kemp Michael said it would be in order for Council to take action regarding the Second Baptist Church property if they wish to do so.
Motion: Councilwoman Harris **MOVED** to take the offer for the Second Baptist Church property off the table and direct the City Manager and Attorney to pursue other property; seconded by Councilman Hubbard.
Vote: All in favor. CARRIED.
Councilman Hope said if the church wants to be on the agenda in the future with a concrete offer that it should be allowed.

Motion: Councilman Hope **MOVED** that the offer from Duke Power in letter from Atty. Tipps be rejected as unacceptable, and that the City continue efforts to involuntarily annex the "Boat Landing" property, seconded by Harris.
Vote: Five ayes, one nay (Helms). CARRIED.

ROUND TABLE
Councilman Black said the man running the vegetable stand wants to fence the area under the carport. The council said to refer him to the City Manager, and they have no problem with that.

Councilman Bobby Black announced that May 16th is the next Downtown Revitalization meeting; there will be letters mailed out to every water customer.

Mayor McLean asked who would like to work on getting the Mount Holly history written; he gave the information to Bobby Black.

Councilwoman Pat Hubbard said that April 30 is the BBQ chicken sale at Tuckaseege Park, and the firemen and policemen ballgame; she wants Council to be referees; she also said that any and all help at Springfest is welcome.

City Manager David Kraus said the new phone system bid he received was too expensive and asked for input as to other companies to get bids from.

ADJOURN
There being no further business, the meeting was adjourned, upon motion duly made, seconded and carried. At 9:00 PM

Clerk | Frank E. McLean, Mayor

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cpm