

## City negotiating with Ruppe

The resolution of a dispute over electric utility underbillings by the city to one industrial customer may determine what the city gets in negotiations with eight customers it overbilled or underbilled through city billing errors.

City Manager Chuck Nance said the City of Kings Mountain has credited those customers it overbilled for electricity but Nance said he is negotiating first with Ruppe Hosiery, which represented the biggest overbilling error.

"We have to treat everyone alike and if we can't negotiate with one industry then we can't expect the others to pay when it was the city's fault," said Nance.

Nance said he has supplied Ruppe management with copies of utility rate schedules, ordinances and billings and that Ruppe lawyers and management are continuing negotiations with City Attorney Mickey Corry.

Corry told Council recently the city can only go back for one year to attempt to collect past bills.

## COUNCIL

From Page 1-A

DOT standards. The utilities committee said last month it won't recommend guardrails because other developers would expect the same treatment.

Asphalt thickness is required to be 1 1/2 inches with a six inch gravel base and the the penetrometer test indicated the subsoil is suitable. But engineers say the city needs to obtain a one year warranty on the roadway in lieu of additional paving before acceptance.

Locate manholes and extend them to the existing ground level.

Existing cleanouts may have to be installed, located and raised to grade. The city is responsible for maintenance of the lateral from the property line to the sewer line. In order to comply with the NC State Building Code, cleanouts are required every 75 feet and at changes in direction.

Obtain shop drawings and review them prior to installation of any necessary cleanouts to determine if the original material and installation is acceptable.

Remove all construction debris, rocks, concrete, logs, etc. from the road right-of-way. All construction debris outside of the right-of-way should be either removed or a

waiver obtained from the property owner.

Record drawings should be submitted to the city with the storm drainage information, water line location and sewer lateral locations in order for the city to update utility maps.

The final approval, acceptance and financial reimbursements should not be made until all deficiencies which the city requires are approved, including water line certification and verification of costs of the improvements for reimbursement.

The city attorney should examine the recorded information to assure the appropriate process was followed in the dedication of Downing Court as a public right-of-way.

Determination needs to be made as to how ownership and maintenance of the section of Downing Court outside of the city will be handled.

Also tabled from last month's council meeting was reappointment of the utility committee which includes Jim Guyton, chairman; Phil Hager and Dean Spears. Mayor Scott Neisler said Council members interested in serving on the committee should contact him.

Council will also consider a request from Grover Fire Department to swap three-inch hose for an old brush truck in a mutual trade agreement and a proposal on industrial/flex rates to be presented by Utility Director Jimmy Maney.

## PETITION

From Page 1-A

Mayor and City Council for the purpose of modification of the form of government, terms of office of mayor and Council from a four year to two year term, states: "We the undersigned registered voters request that in accordance with appropriate North Carolina General Statutes that the process for the above indicated changes be started at the earliest possible time and that the process be completed in time to be effected at the next election for Mayor and City Council in October 1995."

"We need more candidate forums in which those running for city office can state platforms and positions on issues and I think a two-year term would get the public out to participate in forums and to the polls," said White.

"People who do a good job would get reelected but those with poor performance would not and that's the way it should be."

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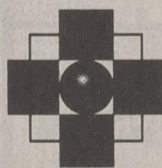
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## UTILITIES

From Page 7-A

sented to City Council Tuesday night.

"Right now the flex rate is working in the city's favor tremendously but it is not good business and we can't treat our customers that way," Maney told the committee.

"Why can't you just wait another month and see what happens?" asked Water Supt. Walt Ollis.

But Maney said when he got the gas prices this month he realized that the city could not wait to re-design the rate.

Spectrum engineer Hubert Johnson said the new flex rate will not affect Spectrum, one of the city's large industrial users. "We are already locked into a price," he said.

Ernest Rome of Anvil Knitwear said he appreciated the concessions that the city had made to industry to keep the prices competitive.

Chairman Jim Guyton said the city can't sell gas cheaper than it

pays for it but needs to match the fuel oil costs.

Maney said the present flex rate penalizes the larger users and also hurts the small customers. Maney said he will look at each customer's usage.

Maney said he will recommend that a minimum charge be attached to interruptible customers and if that customer switches to fuel oil then he would pay a minimum charge.

"That's only fair," said Guyton.

"The intention of the new rate is to cover all the city's costs but not intentionally mark up gas," said Maney. He said that Kings Mountain's natural gas rates are well below other cities with the exception of last month when there was a lot of margin on pricing of interruptible customers.

"This proposal won't be directly in favor of the larger industrial users because the bottom line is they are already locked in on price."

"We need to have a gentlemen's

agreement with industry if the bottom falls out that we'd call on industry for more", said Commissioner Dean Spears, a member of the committee. The third member of the committee, Phil Hager, was absent.

Maney said the rate would be set each month with an overall purpose not to overcharge industries. He said residential customers will continue to pay the base rate of

\$2.90 per unit.

"I don't think industry objects to paying a little more than its fair share," said Rome.

"This is a unique situation for this to happen in six months, it goes from one extreme to the other," said Johnson.

"I've never seen the gas prices flip flop like this before," said Maney, who came to the city 14 years ago as gas superintendent.

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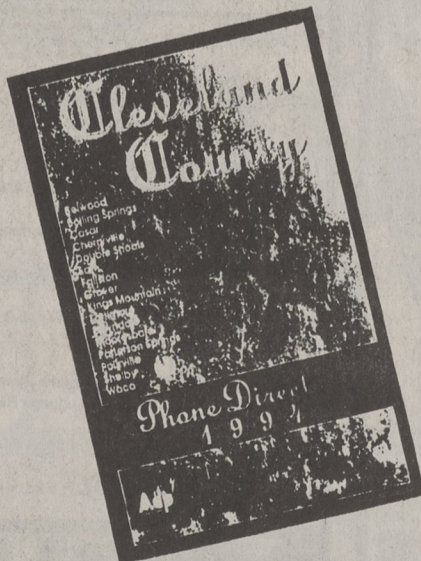
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