February 27, 2017
Council Work Session Meeting

Mayor Bryan Hough
Mayor Pro-Tem David Moore
Councilman Jerry Bishop
Councilwoman Carolyn Breyare
Councilman Jim Hope
Councilman Jeff Meadows
Councilman Perry Toomey
Kemp Michael, City Attorney
Danny Jackson, City Manager

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL WORK SESSION
Location: Council Chambers

February 27, 2017
6:30 P.M.

CALL TO ORDER BY THE MAYOR

INVOCATION

SET THE AGENDA

1. Presentation from the Ida Rankin Robotics Team

2. Public Hearing on Amendments to the Subdivision and Land Development Ordinance the establishment of a tap fee assessment for connections to the municipal water and sewer systems — *Kemp Michael*

3. Public Hearing on Amendments to the Subdivision and Land Development Ordinance the establishment of an allocation period for municipal water and sewer capacity for lots in subdivisions with plat approval — *Kemp Michael*

4. Public Hearing on Amendments to the Subdivision and Land Development Ordinance Requirements for Conditional Use Districts, Street Sign and Light Standards — *Brian DuPont*

5. Consideration and Approval of a Resolution Providing for the Issuance of $1,938,000 General Obligation Refunding Bond, Series 2017 — *Africa Otis*

6. Discussion of Amending the Golf Cart Ordinance — *Chief Don Roper*

7. Closed Session - pursuant to N.C.G.S 143-318.11 (a)(3)

8. Adjourn

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** February 24, 2017
From: Danny Jackson, City Manager	**Meeting Date:** February 27, 2017

***Agenda Item to be considered:* Presentation by the Ida Rankin Elementary School Robotics Teams**

Will this require a public hearing? ☐ **YES** ☒ **NO**

***Background/Purpose of Request :* The award winning Ida Rankin Elementary School Robotics Teams will appear before the City Council to be recognized for their accomplishments in the robotics field. They will also perform and display their robots for the City Council and those that are in attendance.**

Fiscal Impact:

Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☒ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation: N/A

Result of City Council Decision:

Attachments:

MEMO

To: Mayor and City Council and the Mount Holly Planning and Zoning Board
From: Kemp A. Michael
Dated: February 23, 2017
Re: Proposed Tap Fee Ordinance

Please find attached a proposed Tap Fee Ordinance and a separate proposed Allocation Ordinance which are the subject of a public hearing on the agenda Monday night for both the Planning Board and the City Council. These Ordinances will be explained and discussed Monday night, but staff proposes that the hearing before the City Council be continued until a meeting in March for possible adoption.

Resolution ____________

TAP FEE ASSESSMENT FOR WATER AND SEWER CONNECTION

Article 1: City has acquired from NCDENR a permit for the treatment of raw water and a permit for the treatment and discharge of wastewater, collectively referred to as "Permits." Such Permits limit City's treatment of raw water and treatment and discharge of waste water, and such Permits have been acquired based upon previous substantial expenditures of funds including, but not limited to, the construction of the existing water and sewer treatment plants, pump stations, water tanks, land and right of way acquisition, and transmission and collection lines, collectively referred to as the "System." Such Permits allow City to provide, subject to specific limitations, water and sewer service to its customers, including residential, industrial, institutional, and commercial customers.

Pursuant to NCGS 160A-314, City is authorized to charge for the use of or the services furnished by its water and sewer systems. City believes it appropriate that those constructing new development with a present need for water and sewer services and requesting connection to the System be assessed an amount of money, herein referred to as the "Tap Fee," equating to a proportionate reimbursement to City for the past investment City has made in its System and the cost of the connection. The Tap Fee shall be charged contemporaneously with the connection, i.e. at the time the customer requests a water meter setting and/or sewer lateral connection.

Tap Fees shall be assessed for all new customers and for customers expanding existing residential, commercial, institutional, or industrial facilities as set forth on the City of Mount Holly Fee Schedule, hereinafter the "Fee Schedule," as the same is amended from time to time. Such fees will be payable at the time the customer requests a connection, immediately prior to the time that a water meter is set and/or sewer lateral connection is established for the customer.

Article 2: The Tap Fee as set forth herein shall be in addition to meter setting and other fees as the City may from time to time charge.

Article 3: City shall review the Tap Fee listed in the Fee Schedule periodically and revise the same as necessary to ensure that the fee accurately and proportionately reimburses City for prior investment City has made in the System.

Article 4: This ordinance shall be in full force and effect from and after ____________________.

Passed and adopted by the City of Mount Holly, State of North Carolina, this the ____ day of ______________, 2017.

____
Mayor

Attest:

____
City Clerk

Resolution ___________

ALLOCATION OF WATER AND SEWER CAPACITY

Article 1: During the process of approval of any proposed subdivisions, an analysis will be made by the City regarding City's ability to provide service as set forth in this paragraph. If the proposed development obtains final subdivision plat approval, then such approval will constitute City's allocation of water and sewer capacity, subject to the limitations set forth herein, for the benefit of lots within the subdivision effective upon plat approval. Notwithstanding the foregoing, lots within a subdivision as shown on a recorded plat can only be assured allocation of capacity for the period of time ("Allocation Period") as set forth on the recorded plat and approved by City. After the expiration of the Allocation Period, requests to connect to the System will be considered by the City to determine if it has sufficient remaining capacity in the System to fulfill the request. If the recorded plat does not include a time limitation on the Allocation Period, then it shall be ______ years from the date of recordation of the plat. The City Council, upon good cause shown, may extend the Allocation Period. This ordinance shall apply to plats recorded both prior to and after the effective date of this ordinance.

Article 2: City reserves the right to determine how to best allocate existing available capacity for water and sewer treatment and reserves the right to approve or disapprove any subdivision application based upon such determination, in City's sole discretion.

Article 3: Annexation petitions will be reviewed in the same manner as set forth above relative to the allocation of existing available capacity and City reserves the right to approve or disapprove any annexation petition based upon such determination, in City's sole discretion.

Article 4: This ordinance shall be in full force and effect from and after _________________.

Passed and adopted by the City of Mount Holly, State of North Carolina, this the ____ day of _____________, 2017.

____
Mayor

Attest:

____
City Clerk

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 2-23-17
From: Brian DuPont	**Meeting Date:** 2-27-17

Agenda Item to be considered: Public Hearing on Amendments to the Subdivision and Land Development Ordinance Requirements for Conditional Use Districts, Street Sign and Light Standards

Will this require a public hearing? X **YES** **NO**

Background/Purpose of Request : Staff is recommending amendments to the Subdivision and Land Development Ordinance, which includes amendments to the Land Development Guidelines.

Updates to the Land Development Guidelines for conditional districts, street signs and lighting standards. These amendments are also provided in the packet. The conditional district and street sign amendments are more to reflect how the City is already operating for developments.

The lighting standard is to reflect the always changing technology of lighting and to prevent the City from amending the ordinance continuously.

Fiscal Impact:

Will Item affect current budget	☐ YES	☐ NO	☒ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	***$***		
Budget Code			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:

Staff recommends the text amendment for conditional districts, street signs and lighting standards and requests City Council reference the attached statement of consistency as required by NC General Statutes.

Result of City Council Decision:

Attachments:

1. Amendments to Land Development Guidelines.

2. Resolution adopting a Statement of Consistency.

Conditional District Statement:

LDG, pg. 9 –

Special Provisions for Conditional Use Districts ~~and Conditional Use Permits~~

Proposals for rezoning to any Conditional Use District shall ~~always be accompanied by a request for a Conditional Use Permit. Such proposals and requests shall~~ be processed and considered in the same procedure as conventional rezoning proposals, except as otherwise set forth in the Zoning Ordinance under Article 14.5, Conditional Districts. ~~herein, and the voting shall be the same as that required for zoning matters.~~

~~Any proposal for Conditional Use District rezoning and its accompanying request for a Conditional Use Permit shall be heard and considered simultaneously. If the City Council should determine that the property involved in the proposal should be rezoned and the Conditional Use Permit issued, it shall adopt an Ordinance rezoning the property and authorizing the issuance of the Conditional Use Permit. Otherwise the proposal shall be denied.~~

~~In granting a Conditional Use Permit, the City Council shall make the following affirmative findings:~~

~~A. The Use requested is among those listed as an eligible Permitted or Conditional Use in the District in which the subject property is located or is to be located.~~
~~B. That the Conditional Use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed;~~

~~That the Conditional Use meets all required conditions and specifications;~~

~~C. That the Conditional Use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and,~~

~~D. That the location and character of the Conditional Use if developed according to the plan as proposed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of Mount Holly and its environs.~~

~~In granting a Conditional Use Permit, the City Council may impose such additional restrictions and requirements upon such Permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured and substantial justice done. If all requirements and conditions are accepted by the applicant, the City Council shall authorize the issuance of the Conditional Use Permit, otherwise the Permit shall be denied.~~

~~Any Conditional Use Permit so authorized shall be perpetually binding upon the property included in such Permit unless subsequently changed or amended by the City Council, as provided for in this Article.~~

~~The City Council may change or amend any Conditional Use Permit, after a public hearing, upon recommendation by the Planning Commission and subject to the same consideration as provided for in this Article for the original issuance of a Conditional Use Permit.~~

~~No proposal to amend or change any Conditional Use Permit shall be considered within twelve (12) months of the date of the original authorization of such Permit or within twelve (12) months of hearing of any previous proposal to amend or change any such Permit.~~

Street Sign Standards:

LDG, pg. 24 –

Street Signage

1. The developer shall be responsible for installation of speed limit signs, stop signs, street name signs, and other signage throughout the development as determined necessary by the City. The developer shall submit a signage plan to the City for approval prior to installation of street signs. Sign installation shall be complete prior to final acceptance by the City.

2. Street name signs shall match current City standards and shall be approved by the City prior to installation. Other signage shall comply with NCDOT and Manual on Uniform Traffic Control Devices (MUTCD) standards. All sign materials and installation shall comply with the standard details, City, NCDOT and MUTCD standards.

3. Street sign poles shall be decorative to match decorative street light poles. The City will not be responsible for maintenance and repair of decorative street sign poles. Maintenance and repair shall be the responsibility of the homeowner or property owners' association. Other signage, such as speed limit signs, may be on decorative posts, or on galvanized posts as shown in the NCDOT standards. The City will not be responsible for the maintenance of any decorative street posts.

4. Street signs shall include the City of Mount Holly logo of the "M" in accordance with the City of Mount Holly Branding campaign.

Street Light Standards:

LDG, pg. 24 –

Street Lighting

1. The developer shall be required to install decorative street lighting on all streets. All lighting shall be installed prior to final acceptance by the City. The City shall not be responsible for maintenance and repair of decorative street lighting. Maintenance and repair of decorative lighting shall be the responsibility of the utility provider, or the homeowner or property owners' association.

2. The developer shall consult with the appropriate utility provider in the development of proposed street lighting plans. Lighting plans shall be submitted to the City for approval prior to installation of lighting. All poles shall be of metal construction. Wooden poles are not allowed. In the interest of cost savings, the City reserves the right to require the most energy efficient style lighting as part of the lighting plan submitted such as, but not limited to light-emitting diode (LED).

3. Street lights shall be located at all intersections, and at the end of all cul-de-sacs and turnarounds. Street lights that are not located at intersections shall be located on or adjacent to property corners.

RESOLUTION ADOPTING A STATEMENT OF CONSISTENCY REGARDING A PROPOSED ORDINANCE AMENDING THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE OF THE CITY OF MOUNT HOLLY

WHEREAS, pursuant to N.C. Gen. Stat. § 153A-341, prior to adopting or rejecting a zoning amendment, the governing board is required to adopt a statement as to whether the amendment is consistent with the comprehensive land use plan;

WHEREAS, the City Planning Commission has reviewed a proposed amendment to the Ordinance, the text amendment would be to reflect the requirements for conditional district zoning, procedures the City is implementing for street signage and lighting standards;

WHEREAS, based on a review of the proposed amendment the Planning Commission found that the proposed amendment is consistent with the Mount Holly Comprehensive Land Use Plan and further recommended that the City Council adopt the proposed amendment; and

WHEREAS, this Council has reviewed and considered the above written recommendation of the Planning Commission and has held a public hearing on the proposed amendment, and this Council has determined that the proposed amendment is consistent with the Mount Holly Comprehensive Land Use Plan.

Adopted this ____ day of _______, 2017.

ATTEST: MOUNT HOLLY CITY COUNCIL

_______________________ _______________________

Amy Miller, City Clerk Bryan Hough, Mayor

City of Mount Holly
Action Agenda Item

To: City Council **From:**	**Date:** **2/24/17** **Meeting Date:** **2/27/17**

Agenda Item to be considered: Adopt a resolution **PROVIDING FOR THE ISSUANCE OF $1,938,000 GENERAL OBLIGATION REFUNDING BOND, SERIES 2017**

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request:

Fiscal Impact:			
Will Item affect current budget	☐ YES	☒ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
E-Verify Compliance Statement required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Amendment/Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:

Approve resolution

Result of City Council Decision:

Attachments:

1. Resolution
2.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF $1,938,000 GENERAL OBLIGATION REFUNDING BOND, SERIES 2017

WHEREAS, the Bond Order (as defined below) has been adopted, and it is desirable to make provision for the issuance of the Bond authorized by the Bond Order to pay the costs, together with other available funds of the City, of refunding in advance of their maturities $2,125,000 aggregate principal amount of the City of Mount Holly, North Carolina General Obligation Public Improvement Bonds, Series 2005A maturing on and after May 1, 2017;

WHEREAS, the City of Mount Holly, North Carolina (the "*City*") desires to issue its General Obligation Refunding Bond, Series 2017 (the "*Bond*") and to request that the Local Government Commission (the "*Commission*") sell the Bond to Carter Bank & Trust (the "*Purchaser*"), in accordance with the terms provided herein;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mount Holly, North Carolina (the "*City Council*") as follows:

Section 1. For purposes of this Resolution, in addition to the words defined above, the following words will have the meanings ascribed to them below:

"*Bond Order*" means the Bond Order authorizing the Bond adopted by the City Council on January 23, 2017 and effective on its adoption.

"*Code*" means the Internal Revenue Code of 1986, as amended. Each reference to a section of the Code herein will be deemed to include the United States Treasury Regulations proposed or in effect with respect thereto.

"*Federal Securities*" means obligations permitted by Section 159-72 of the General Statutes of North Carolina, as may be amended from time-to-time, or any successor statute thereto.

"*Refunded Bonds*" means the City of Mount Holly, North Carolina General Obligation Public Improvement Bonds, Series 2005A maturing on and after May 1, 2017.

"*Registrar*" means the bond registrar, or alternate or successor registrars selected by the City pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina.

Section 2. The City shall issue its Bond in an aggregate principal amount of $1,938,000.

Section 3. The Bond shall be dated as of its date of issuance and is payable on May 1, 2026. The Bond shall pay interest semiannually on May 1 and November 1, beginning May 1, 2017.

The Bond is being issued (1) to pay a portion of the cost of refunding the Refunded Bonds and (2) to pay the costs of issuing the Bond.

The City Council has ascertained and hereby determines that the average period of usefulness of the capital projects being refinanced by the proceeds of the Bond is not less than 10 years computed from the date of issuance of the Bond.

Section 4. The Bond is to be numbered "R-1" and shall bear interest from its date at a rate of 1.95% computed on the basis of a 360-day year of twelve 30-day months.

Section 5. The Bond shall be registered as to principal and interest, and the Finance Director of the City is directed to maintain the registration records with respect thereto. The Bond shall bear the original or facsimile signatures of the Mayor or City Manager and the City Clerk. An original or facsimile of the seal of the City is to be imprinted on the Bond.

Section 6. The Bond is subject to redemption at the option of the City in whole or in part on any date on 15 days prior written notice to the Purchaser at a redemption price of 100% of the principal redeemed, plus accrued interest thereon to the date of redemption.

The Bond is subject to mandatory sinking fund redemption before maturity in part at the redemption price of 100% of the principal amount to be redeemed, without premium, on each May 1 in the years and in the amounts as follows:

Date	Principal Amount	Date	Principal Amount
2018	$245,000	2023	$226,000
2019	241,000	2024	221,000
2020	238,000	2025	216,000
2021	234,000	2026*	87,000
2022	230,000		

* Maturity

In the event of a partial redemption of the principal amount of the Bond, the City shall provide a certificate to the Purchaser and the Local Government Commission designating the application of the principal amount so redeemed against the sinking fund schedule above or, if no such certificate is delivered, such redemption shall be deemed a redemption of the principal amount of the Bond then outstanding in inverse order of the sinking fund schedule above.

Section 7. The Bond and the provisions for the registration of the Bond and for the approval of the Bond by the Secretary of the Commission are to be in substantially the form set forth in Appendix A hereto.

Section 8. The Finance Director of the City is hereby authorized to execute a non-arbitrage certificate with respect to the Bond in order to comply with Section 148 of the Code and the applicable Income Tax Regulations thereunder.

The City designates the Bond as a "*qualified tax-exempt obligation*" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code. The City does not reasonably anticipate issuing more than $10,000,000 of qualified tax-exempt obligations as described in such Section 265(b)(3), including all entities which issue obligations on behalf of the City and all subordinate entities of the City, during calendar year 2017 and will not designate more than $10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) during calendar year 2017.

Section 9. The Commission, on behalf of the City, will transfer $2,155,525.00 of the proceeds of the Bond to The Depository Trust Company to refund the Refunded Bonds on the date that the Refunded Bonds are called for redemption. The Finance Director shall deposit the balance of the proceeds of the sale of the Bond in a separate account of the City (the "*Cost of Issuance Account*") and apply such funds to pay the costs of issuance of the Bond. The Finance Director shall transfer or cause to be transferred any proceeds of the Bond remaining in the Cost of Issuance Account described above on May 1, 2017 to pay the interest on the Bond on such date.

The Finance Director will provide the Purchaser with the annual audited financial statements of the City each year as soon as practicable after approval by the City Council.

Section 10. Actions taken by officials of the City to select paying and transfer agents, and a bond registrar, or alternate or successor agents and registrars pursuant to Section 159E-8 of the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, are hereby authorized and approved.

Section 11. The Commission is hereby requested to sell the Bond by private sale to the Purchaser subject to the provisions hereof as permitted by Section 159-123(b)(5) of the General Statutes of North Carolina, as amended. The Bond will be non-transferable, except to a bank, insurance company or similar financial institution or any other entity approved by the Local Government Commission.

Section 12. The Mayor, the City Manager and the City Clerk are hereby authorized and directed to cause the Bond to be prepared and, when they shall have been duly sold by the Commission, to execute the Bond and to turn the Bond over to the registrar and transfer agent of the City for delivery to the Purchaser.

Section 13. The Mayor, the City Manager, the Finance Director and the City Clerk are authorized and directed, individually and collectively, to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the documents contemplated in this Resolution or as may be deemed necessary or appropriate in order to implement and carry out the intent and purposes of this Resolution.

Section 14. Portions of this Resolution may be amended or supplemented, from time to time, without the consent of the owner of the Bond if, in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the owner of the Bond and would not cause the interest on the Bond to be included in the gross income of a recipient thereof for federal income tax purposes. All other amendments or supplements to this Resolution require the consent of the owner of the Bond, including any amendment or supplement that would reduce the principal amount of the Bond, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable.

Any act done pursuant to a modification or amendment consented to by the owner of the Bond is binding on all owners of the Bond and will not be deemed an infringement of any of the provisions of this Resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent has been given, no owner of the Bond has any right or interest to object to the action, to question its propriety or to enjoin or restrain the City from taking any action pursuant to a modification or amendment.

Section 15. Nothing in this Resolution precludes (a) the payment of the Bond from the proceeds of refunding bonds or (b) the payment of the Bond from any legally available funds.

If the City causes to be paid, or has made provisions to pay, on maturity or on redemption before maturity, to the owner of the Bond the principal of the Bond (including interest to become due thereon) and, premium, if any, on the Bond, through setting aside trust funds or setting apart in a reserve fund or special trust account created pursuant to this Resolution or otherwise, or through the irrevocable segregation for that purpose in some sinking fund or other fund or trust account with an escrow agent or otherwise, moneys sufficient therefor, including, but not limited to, interest earned or to be earned on Federal Securities, such Bond shall be considered to have been discharged and satisfied, and the principal of the Bond (including premium, if any, and interest thereon) shall no longer be deemed to be outstanding and unpaid; *provided, however*, that nothing in this Resolution requires the deposit of more than such

Federal Securities as may be sufficient, taking into account both the principal amount of such Federal Securities and the interest to become due thereon, to implement any such defeasance.

If such a defeasance occurs and after the City receives an opinion of a nationally recognized verification firm that the segregated moneys or Federal Securities together with interest earnings thereon are sufficient to effect a defeasance, the City shall execute and deliver all such instruments as may be necessary to effect such a defeasance and desirable to evidence such release, discharge and satisfaction. Provisions shall be made by the City, for the mailing of a notice to the owner of the Bond that such moneys are so available for such payment.

Section 16. All acts and doings of the Mayor, the City Manager, the Finance Director and the City Clerk that are in conformity with the purposes and intents of this Resolution and in the furtherance of the issuance of the Bond are in all respects approved and confirmed.

Section 17. If any one or more of the agreements or provisions herein contained is held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or for any reason whatsoever is held invalid, then such covenants, agreements or provisions are null and void and separable from the remaining agreements and provisions and will in no way affect the validity of any of the other agreements and provisions hereof or of the Bond authorized hereunder.

Section 18. All resolutions or parts thereof of the City Council in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 19. This Bond Resolution is effective on its adoption.

Upon motion of Council Member ___________, the foregoing order titled: **"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF $1,938,000 GENERAL OBLIGATION REFUNDING BOND, SERIES 2017"** was adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 27th day of February, 2017.

STATE OF NORTH CAROLINA)
) SS:
CITY OF MOUNT HOLLY)

I, Amy Miller, City Clerk of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of the resolutions titled **"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA PROVIDING FOR THE ISSUANCE OF $1,938,000 GENERAL OBLIGATION REFUNDING BOND, SERIES 2017"** adopted by the City Council of the City of Mount Holly, North Carolina in regular session convened on the 27th day of February, 2017, as recorded in the minutes of the City Council of the City of Mount Holly, North Carolina.

WITNESS my hand and the seal of the City of Mount Holly, North Carolina, this the ____ day of ____________, 2017.

(SEAL)

____
City Clerk
City of Mount Holly, North Carolina

APPENDIX A

FORM OF BOND

No. R-1 $1,938,000

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CITY OF MOUNT HOLLY

INTEREST RATE	MATURITY DATE	DATED DATE
1.95%	MAY 1, 2026	MARCH 15, 2017

REGISTERED OWNER: CARTER BANK & TRUST

PRINCIPAL SUM: ONE MILLION NINE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS

GENERAL OBLIGATION REFUNDING BOND, SERIES 2017

THE CITY OF MOUNT HOLLY, NORTH CAROLINA (the "*City*") acknowledges itself indebted and for value received hereby promises to pay to the Registered Owner named above, on the Maturity Date specified above, on surrender hereof, the Principal Sum shown above and to pay to the Registered Owner hereof interest thereon from the date of this Bond until it shall mature at the Interest Rate per annum specified above, payable on May 1, 2017 and semiannually thereafter on November 1 and May 1 of each year. Principal of and interest on this Bond are payable in immediately available funds to the owner of the Bond shown above at the close of business on the 15th day of the month preceding an interest payment date or a bond payment date.

This Bond is issued in accordance with the Registered Public Obligations Act, Chapter 159E of the General Statutes of North Carolina, and pursuant to The Local Government Finance Act, the bond order adopted by the City Council on January 23, 2017 and effective on its adoption and the bond resolution adopted by the City Council on February 27, 2017 (the *"Bond Resolution"*). The Bond is issued to provide funds to (1) pay costs of refunding the City of Mount Holly, North Carolina General Obligation Public Improvement Bonds, Series 2005A as described in the Bond Resolution and (2) pay the costs of issuing the Bond.

This Bond is subject to redemption at the option of the City in whole or in part on any date on 15 days prior written notice to the Registered Owner at a redemption price of 100% of the principal redeemed, plus accrued interest thereon to the date of redemption.

The Bond is subject to mandatory sinking fund redemption before maturity in part at the redemption price of 100% of the principal amount to be redeemed, without premium, on each May 1 in the years and in the amounts as follows:

DATE	PRINCIPAL AMOUNT	DATE	PRINCIPAL AMOUNT
2018	$245,000	2023	$226,000
2019	241,000	2024	221,000
2020	238,000	2025	216,000
2021	234,000	2026*	87,000
2022	230,000		

* Maturity

In the event of a partial redemption of the principal amount of this Bond, the City shall provide a certificate to the Registered Owner and the Local Government Commission designating the application of the principal amount so redeemed against the sinking fund schedule above or, if no such certificate is delivered, such redemption shall be deemed a redemption of the principal amount of this Bond then outstanding in inverse order of the sinking fund schedule above.

The Bond will be non-transferable, except to a bank, insurance company or similar financial institution or any other entity approved by the Local Government Commission.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by said Constitution or statutes. The faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond is not valid or obligatory for any purpose until the certification hereon has been signed by an authorized representative of the Local Government Commission.

IN WITNESS WHEREOF, the City has caused this Bond to bear the original or facsimile of the signatures of the Mayor of the City and the City Clerk and an original or facsimile of the seal of the City to be imprinted hereon and this Bond to be dated as of the Dated Date above.

(SEAL)

City Clerk

Mayor

Date of Execution: March 15, 2017

The issue hereof has been approved under the provisions of The Local Government Bond Act.

GREG C. GASKINS
Secretary of the Local Government Commission

FORM OF ASSIGNMENT

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

____

(Please print or typewrite Name and Address,
including Zip Code, and Federal Taxpayer Identification or
Social Security Number of Assignee)

____

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints

____

Attorney to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: ____________________
Signature guaranteed by:

____

NOTICE: Signature must be guaranteed by a Participant in the Securities Transfer Agent Medallion Program ("*Stamp*") or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears on the face of the within Bond in every particular, without alteration, enlargement or any change whatever.

TRANSFER FEE MAY BE REQUIRED

City of Mount Holly
Action Agenda Item

To: City Council **From:** Chief Roper	**Date: 2-24-17** **Meeting Date:** **2-27-17**

Agenda Item to be considered: Discussion of golf cart ordinance.

Will this require a public hearing? ☐ **YES** ☒ **NO**

Background/Purpose of Request: A proposal was made to discuss making changes to the golf cart ordinance which would allow a person with no valid driver license to operate a golf cart in the City Limits. The proposal included allowing a golf cart to operate with no working head lights as long as the golf cart is not driven after dark.

Fiscal Impact:

Will Item affect current budget	YES	X NO	☐ N/A
Reviewed by Finance Director	YES	☐ NO	xN/A
Preaudit Certification required	☐ YES	X NO	x N/A
Capital Project Ordinance required	☐ YES	X NO	x N/A
Budget Transfer required	YES	☐ NO	x N/A
Total City Dollars:			
Budget Code			
Reviewed by City Attorney	☐ YES	X NO	N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

1. Proposed wording regarding valid driver license requirement.
2. Proposed wording regarding working head lights requirement.

Mount Holly Police Department

400 E Central Avenue • Mount Holly, NC • 28120 • (704) 827-4343 • (704) 822-2932

Don Roper
Chief of Police

Memorandum
From: Chief Roper
Reference: Golf Cart Operation: No Driver License
Date: 02-24-17

A proposal was presented to MHPD to prepare an amendment to Mount Holly City Code Chapter 13, Motor Vehicles and Traffic. Article VII, Operation of Golf Carts on Public Streets and Roads.

The current ordinance states:

Sec. 13-75. Operation on public streets and roads.
(4) No person may operate a golf cart unless that person is at least 16 years of age and licensed to drive upon the streets and highways of North Carolina and then, only in accordance with such driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.

The proposed change presented to MHPD is:

"All golf cart operators must possess a valid driver's license, except any driver or operator 18 years of age or older with a medical or physical condition that prevents that individual from being able to obtain a valid North Carolina driver's license. The medical or physical condition must be evidenced with a professionally certified mental phobia or physical condition which, although it prevents them from driving a licensed motor vehicle, would not prevent the safe operation of a golf cart and said certification must be provided from a medical professional. Any driver or operator that is exempt from the requirement of a valid North Carolina license must still present and have on record and while operating a golf cart, a valid North Carolina Identification card."

Mount Holly Police Department

400 E Central Avenue • Mount Holly, NC • 28120 • (704) 827-4343 • (704) 822-2932

Don Roper
Chief of Police

Memorandum
From: Chief Roper
Reference: Golf Cart Operation: No Headlights
Date: 02-24-17

A proposal was presented to MHPD to prepare an amendment to Mount Holly City Code Chapter 13, Motor Vehicles and Traffic. Article VII, Operation of Golf Carts on Public Streets and Roads.

The current ordinance states:

> (9) Golf carts may be operated only during daylight hours, with the exception that golf carts equipped with operating lights meeting the requirements set forth herein may operate between the hours of 7:00 a.m. to 11:00 p.m.: Two operating headlights, one on each side of the front of the golf cart and two operating tail lights, one on each side of the rear of the cart, all four lights must be visible from a distance of 500 feet.

The proposed change presented to MHPD is:

"The golf cart will not be required to have operating headlights as long as the golf cart is not operated after dark."