September 22, 2025
City Council Meeting

Mayor David Moore
Mayor Pro-Tem Lauren Shoemaker
Councilman Ivory Craig
Councilwoman Phyllis Harris
Councilman Bryan Hough
Councilman Jeff Meadows
Councilman Kenneth Reeves
Marie M. Anders, City Attorney
Jonathan Blanton, City Manager

City of Mount Holly
City Council
Regular Meeting

September 22, 2025 | 6:30 PM
Municipal Complex - Council Chambers
400 East Central Avenue
Mount Holly, NC 28120

CALL TO ORDER

INVOCATION:

PLEDGE OF ALLEGIANCE:

SET THE AGENDA

CONSENT AGENDA

1. Call for a public hearing to update Section 153.088 of the Subdivision Ordinance to add an approval signature block for rezoning plans. Case # TA-25-12.
2. Approval of Minutes : City Council Meeting- September 8, 2025

PRESENTATIONS

1. Arts on the Greenway-Labyrinth Project

Wanda Campbell

PUBLIC HEARING

1. Public Hearing to consider approval of a fourth amendment to the development agreement with OMBMH, LLC

Brian DuPont

NEW BUSINESS

1. Consideration of Mount Holly Historical Society Memorandum of Understanding

Jonathan Blanton

2. City Manager Report

Jonathan Blanton

ADJOURN

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Paul Lowe, Assistant Planning Director Planning

CONSENT AGENDA Item # 1

Call for a public hearing to update Section 153.088 of the Subdivision Ordinance to add an approval signature block for rezoning plans. Case # TA-25-12.

Will this require a public hearing?

No

Background/Purpose of Request

The Planning Department currently does not have an approval signature block for rezoning plans. This text amendment would update Section 153.088 of the Subdivision Ordinance to add a signature block for the approval of rezoning plans. If the call is approved, the Planning Commission will hear the associated public hearing on Monday, October 6th & the City Council will hold a hearing on this matter on Monday, October 13th.

Fiscal Impact

Will Item affect current budget?	No.
Reviewed by Finance Director?	No.
Preaudit Certification Required?	No.
Capital Project Ordinance Required?	No.
Budget Transfer Required?	No.
Total City Dollars:	NA
Budget Code:	NA
Reviewed by City Attorney?	No.

Manager/Staff Recommendation

Staff recommends that the call be approved, and the public hearing be set.

Attachments

1. Application and Redlines

APPLICATION FOR TEXT AMENDMENT

CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **9-15-25** Application Number: **TA-25-12**

I, the undersigned, do hereby respectfully make a formal application for your review of my request concerning the text amendment described below:

1. The amendment is found in the City of Mount Holly Subdivision Ordinance relating to:
amend Section 153.088 of the Subdivision Ordinance.

2. The following statement best describes what you would like the text amendment to reflect:
The proposed amendment submitted by staff would amend Section 153.088 of the Subdivision Ordinance to provide a signature block for rezoning plans.

3. Name: **Jace Roerts, Planning Intern**

Address: **400 E. Central Avenue Mount Holly, NC 28120.**

704-951-3014	Jace Roberts
Phone Number	Signature of Applicant

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of **~~$250.00~~ (See Fee Schedule)** at least 30 days prior to the Planning Commission meeting for initial consideration.

Proposed Redlines

§ 153.088 CERTIFICATIONS AND APPROVAL BLOCKS.

(A) The following certificates, notes and approval blocks shall appear on the appropriate plans and plats in substantially the following formats:

Sketch Plan (Major & Minor):	**Sketch Plan Approved** ___________________________________ Planning and Development Director Date:______________________
Construction Plan (Major & Minor):	**Construction Plan Approved** ___________________________________ Planning and Development Director Date:______________________
Rezoning Plan	**Rezoning Plan Approved** ___________________________________ Planning and Development Director Date:______________________

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Tara Douglas, City Clerk City Clerk

CONSENT AGENDA Item # 2

Approval of Minutes: City Council Meeting, September 8, 2025

Will this require a public hearing?

No

Background/Purpose of Request

Approval of City Council Meeting Minutes from September 8, 2025

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. CCM 9-8-2025_Draft

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, SEPTEMBER 8, 2025

COUNCIL CHAMBERS

7:00 PM

CALL TO ORDER

Mayor Moore called the meeting to order at 7:00 pm. The following were present:

Mayor David Moore	Jonathan Blanton, City Manager
Mayor Pro Tem Lauren Shoemaker	Brian DuPont, Assistant City Manager
Councilman Ivory Craig	Alexis Hines, Human Resources Director
Councilman Jeff Meadows-ABSENT	Brian Reagan, Police Chief
Councilman Bryan Hough	Greg Beal, Planning Director
Councilwoman Phyllis Harris	Ryan Baker, Fire Chief
Councilman Kenneth Reeves	Jason Green, Public Works Director
Marie M. Anders, City Attorney	Eric Smallwood, Parks\Recreation Director
Tara Douglas, City Clerk	Michelle Wood, Finance Director
	Matt Black, Economic Development Director
	Jon Ford, City Engineer
	Ken Kennedy, IT Director

INVOCATION

Pastor Goodwin from Burge Memorial United Methodist Church led the Council, Staff, and attendees in prayer.

PLEDGE OF ALLEGIANCE

Boy Scout Troop #59 led the Council, Staff, and attendees in the Pledge of Allegiance.

SET THE AGENDA

Mayor Moore asked if there were any changes to the agenda.

Mayor Moore stated that the Arts on the Greenway presentation and Closed Session would be removed from the agenda. Mayor Moore entertained a motion to approve the agenda with the changes presented.

Motion: Mayor Pro Tem Shoemaker made a motion to approve the agenda with the changes presented. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried).

CONSENT AGENDA

1. Renewal of Duke Energy Lease for Mountain Island Park
2. Request to Approve the Mountain Island Park Trail Masterplan
3. Request to Amend Land Water Conservation Fund (LWCF) Grant Amount
4. Approval of Minutes: City Council Meeting August 25, 2025.
5. Approval of Minutes: City Council Closed Session August 25, 2025

Mayor Moore entertained a motion to approve the Consent Agenda as presented.

Motion: Councilman Hough made a motion to approve the Consent Agenda. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5 -0. (Motion Carried)

PRESENTATIONS

1. ~~Presentation by Arts on the Greenway-Labyrinth Project~~ ~~***Wanda Campbell***~~

PUBLIC HEARINGS

1. Public Hearing to Consider an update to section 153.056 (E) of the Subdivision & Land Development Ordinance to create safer standards for trail construction and emergency response. Case # TA-25-9. ***Josh Blackwell***

Mr. Blackwell stated that this proposed text amendment would update standards for trail construction and emergency response. Mr. Blackwell explained that this amendment to Sections 153.056 (E) of the Subdivision and Land Development Ordinance would require trails to be eight (8) feet wide with six (6) inches of compacted ABC "crush & run" stone or paved with concrete or asphalt. Mr. Blackwell stated that standards for trail design will be referenced in the City Public Works Standard Detail R-141 and R-142 established by the City Engineer. Mr. Blackwell stated that natural surface trails may be approved by staff as part of a quid pro quo negotiation with the developer. Mr. Blackwell stated that foot bridges will be required to have an eight (8) foot wide clearance to allow for emergency UTV's to pass and a smooth transition from bridge to trail will be required. Mr. Blackwell stated that mile markers will be required every 0.2 miles (1/5 of a mile) and that trail markers shall be installed on both sides of a 4" X 4" post and the post shall be painted safety yellow. Mr. Blackwell stated that trail markers shall be made of reflective material and be at least 3.5" in diameter. Mr. Blackwell stated that trail kiosk standards will be implemented, and kiosks will be required at all trail heads and intersections of trails and roads. Mr. Blackwell stated that standards for drainage pipes under the trail will be established and a maximum trail slope of twelve (12) percent will be required. Mr. Blackwell stated that trails shall have switchbacks and rounding turns that allow a UTV to pass without making multipoint turns and a method for turning around a UTV will be required at the end of trails. Mr. Blackwell stated that the new standards were based on the recent experiences that Police, Fire and Planning staff had while inspecting trails in new subdivisions.

Mr. Blackwell stated that the Planning Commission heard the case on September 2, 2025 and recommended that City Council approve the text amendment.

Motion: Councilman Hough made a motion to come out of the regular meeting and go into the public hearing. Councilwoman Harris seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Mayor Moore stated that no one signed up to speak at this public hearing.

Motion: Councilman Hough made a motion to come out of the public hearing and go back into the regular meeting. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Motion: Councilman Hough made a motion to approve an update to section 153.056 (E) of the Subdivision & Land Development Ordinance to create safer standards for trail construction and emergency response. Case # TA-25-9. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

2. Public Hearing to Consider an update to Chapter 3, Section 3.11 of the Zoning Ordinance to provide more detailed regulations of accessory buildings and structures. Case # TA-25-10.

Joshua Blackwell

Mr. Blackwell stated that this proposed text amendment has been submitted by staff and would provide further guidance on the regulation of accessory buildings and structures. Mr. Blackwell explained that this amendment to Chapter 3, Section 3.11 of the Zoning Ordinance would specify that no accessory building or structure shall be constructed without the existence of a primary structure except on lots greater than one (1) acre for the purpose of storing equipment for property maintenance and a new table will be added to the section that defines the maximum number and combined square footage of all accessory buildings and structures. Mr. Blackwell stated that the height of an accessory building or structure will be limited to the height of the principal structure, and a separation requirement of three (3) feet will be required between all new accessory buildings or structures. Mr. Blackwell stated that accessory buildings or structures will not be allowed between the right of way and the side yard setback line on the street side of a corner lot. Mr. Blackwell stated that on lots greater than one (1) acre in size accessory buildings will be allowed in the front yard at a minimum of 150 feet from the right of way and thirty feet from any property line.

Mr. Blackwell stated that the Planning Commission heard the case on September 2, 2025 and recommended that City Council approve the text amendment. Mr. Blackwell noted that the Planning Commission made suggested updates to the proposed redlines, which are provided in purple in the redlines file included in the agenda packet. Mr. Blackwell stated that these suggested updates were supported by the Planning Commission and staff.

Motion: Councilwoman Harris made a motion to come out of the regular meeting and go into the public hearing. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Mayor Moore stated that there is no one that signed up to speak at this public hearing.

Motion: Councilman Reeves made a motion to come out of the public hearing and go back into the regular meeting. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Motion: Councilman Craig made a motion to approve an update to Chapter 3, Section 3.11 of the Zoning Ordinance to provide more detailed regulations of accessory buildings and structures. Case # TA-25-10. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

3. Public Hearing to update Chapter 6: Table of Permitted and Special Uses, and to Chapter 7: Notes to the Table: Note 3 to the City's Zoning Ordinance to Update Regulations Regarding Home Occupations. Case # TA-25-7.

Nathaniel Jones

Mr. Jones stated that this proposed text amendment has been submitted by staff and would update the process for how Home Occupations are permitted in the City by removing the necessity of obtaining a special use permit (SUP) and move this approval to staff via the issuance of a permit. Mr. Jones stated that the updated approval process would allow staff to review home occupation permits, associated site plans which would address parking, and any improvements needed. Mr. Jones stated that the update would amend Chapter 6 Table of Permitted and Special Uses- Section 6.1 Residential Uses to remove the need for a SUP, while the updates to Chapter 7 Notes to a Table: Note 3 would specify how an application is submitted, the fee for submittal - $50.00, the regulations governing this use, as well as the process for recalling permits if, and when regulations are not followed. Mr. Jones noted that permit applications will be followed up by inspections from staff, and the City will coordinate with the County, and State for permit applications that require additional review.

Mr. Jones stated that the Planning Commission discussed the matter at their September 2, 2025 meeting and recommended that City Council approves this text amendment.

Motion: Mayor Pro Tem Shoemaker made a motion to come out of the regular meeting and go into the public hearing. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Mayor Moore stated that there is no one that signed up to speak at this public hearing.

Motion: Councilman Hough made a motion to come out of the public hearing and go back into the regular meeting. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

Motion: Councilman Craig made a motion to approve an update to Chapter 6: Table of Permitted and Special Uses, and to Chapter 7: Notes to the Table: Note 3 to the City's Zoning Ordinance to Update Regulations Regarding Home Occupations. Case # TA-25-7. Councilman Hough seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

PUBLIC COMMENT- Three (3) Minute Limit

1. **Phillip Garrison**: 112 Fites Creek Road-regarding parking lot at Hwy 27 and North Main Street that is owned by the City. Mr. Garrison voiced concern over witnessing pedestrians cutting through the parking lot, creating a safety hazard in particular to the dance students leaving class.
2. **Amos Bridges-** signed up by mistake.
3. **Bob Henricks:** 122 Creekside Drive-Mr. Henricks stated that his disposition is passion. Mr. Henricks discussed the lack of representation within the Council and site the bond package that

did not pass, Councilman Hough's appointment to Council, and the decommissioning of the Wastewater Treatment Plant with the potential of building more homes.
4. **Jarrod Facchino:** 157 Oakland Street- Mr. Facchino discussed the upcoming Taste of the Town event given by the Community Relief Foundation.
5. **Michelle Yow:** 2021 Lake Vista Drive- Ms. Yow discussed the recently approved food truck ordinance and how it will affect her business owner of Black Sheep Coffee. Ms. Yow expressed concerns regarding the inability to be able to use a tent during inclement weather.
6. **Stephanie McLaughlin:** 308 Piedmont Avenue- Ms. McLaughlin discussed the Arts Mount Holly Plein Air Event coming up.
7. **Sheri Costa:** illegible street address written- Ms. Costa discussed her concerns over the plans for the Wastewater Treatment Plant. Ms. Costa is opposed to any more homes being built in this area.

<u>OLD BUSINESS</u>

1. Approval of Development Agreement with RTR Property Management LLC for 131 South Main Street. ***Jonathan Blanton***

Mr. Blanton gave an update on the approval of the development agreement with RTR Property Management LLC using G.S. 158.7-1. Mr. Blanton reviewed the timeline of the NCGS 158.7-1 process. Mr. Blanton stated that we are here tonight to consider the development agreement. Mr. Blanton reviewed the requirements for using NCGS 158.7-1 stating that it must create jobs, grow the existing tax base, be assigned performance measures, and relate to the City's long-term plans and goals. Mr. Blanton reviewed a brief timeline of how we got here. Mr. Blanton stated that the goals that are being realized through this agreement are the following:

- Realization and implementation of the development of the project for a restaurant and downtown tenants for the City.
- Preservation of the historical and architectural integrity of the structure.
- Contributing to the vibrancy of Downtown Mount Holly and attracting pedestrian activity to serve as a catalyst for nearby investments.
- Development of property in a downtown location with potentially expanding the market for customers.
- Clear implementation plan, that is feasible, that will generate jobs, tax revenue, and public benefit.

Mr. Blanton reviewed in detail the terms of the conveyance agreement of 131 South Main Street stating the following:

- RTR constructs an approximate 1,200 square feet restaurant space on the main level.
- RTR constructs approximately 5868 square feet of individual office space for occupancy in the basement level.

- RTR estimates the probable average hourly wage to be paid by workers at the business to be $25.09.
- The City estimates the fair market value of the property to be $525,000.00.
- The City agrees to sell the property for $600,000.00.
- Closing is set for on or before October 30, 2025.
- RTR pays all closing costs.
- RTR grants easement for the electrical utility equipment currently installed on the property.
- RTR is to complete the project within 36 months.

Mr. Blanton stated that the City will not be closing on the property until all of the personal property of the City, the artifacts in the museum, are relocated and taken out of that building. Mr. Blanton stated that this agreement would not be subject to any type of lease back where these artifacts would continue to be held in the building after the City closes on the sale of 131 South Main Street. Mr. Blanton stated that before the Council tonight for consideration, is the development agreement that encompasses these terms. Mr. Blanton stated that he is happy to answer any questions.

Motion: Councilman Hough made a motion to approve the Development Agreement with RTR Property Management LLC for 131 South Main Street. Mayor Pro Tem Shoemaker seconded the motion.

Council members present and voting, voted in favor 4-1 (Motion Passes)
Councilman Reeves voted no.

NEW BUSINESS

1. Review and consider an ordinance to update Notice of Abatement for Nuisance Violations which is found in Code of Laws Chapter 50 section 50.035.

Nathaniel Jones

Mr. Jones stated that this proposed code of laws change has been submitted by staff and would update the process for how notices of violation are issued in the City by removing the requirement for certified mail and property postings after 10 days, if no evidence of response is made to staff, and allowing multiple legal methods of notification, including first-class mail, electronic delivery, hand delivery, and local publication. Mr. Jones stated that the approval process update would streamline code enforcement by reducing costs, improving efficiency, and providing staff with more flexibility in how notices are delivered. Mr. Jones stated that the update would amend § 50.036 of the Code of Ordinances to ensure compliance with state law while enhancing the City's ability to notify property owners and occupants in a timely and documented manner.

The consensus of the Council is that City staff work with the City Attorney to bring back a proposed update to the Code of Laws for the Council's consideration.

2. Memorandum of Understanding: Veteran's Park Redevelopment

Matt Black

Mr. Black stated that before the Council tonight for consideration is a memorandum of understanding (MOU) which is a nonbinding with a company called Street Lights. Mr. Black stated that an MOU does not commit funds or transfer land ownership, but it establishes a framework for a public private partnership collaboration and helps move through the due diligence design and negotiation phases. Mr. Black stated that the purpose of the MOU is to balance public benefits and private investment feasibility. Mr. Black stated that on the public side, the project enhances Veteran's Park with new amenities such as an amphitheater, gathering spaces, and improved connectivity. Mr. Black stated that on the private side, the development brings high quality residential and potential commercial uses that strengthen the existing tax base and community character. Mr. Black stated that the scope of this MOU covers land planning, infrastructure needs, and the integration of public and private components. Mr. Black stated that it ensures that both parties are working together to align design and financing with mutual goals. Mr. Black stated that the responsibilities are clearly defined and both parties agree to act in good faith, communicate openly, and share resources. Mr. Black stated that the City will provide access to the site for various studies, coordinate interdepartmental reviews and ensure that zoning and regulatory processes move forward efficiently. Mr. Black stated that Street Lights will prepare detailed development plans, conduct feasibility studies, and once a development agreement is in place, finance, construct and operate the residential and commercial components. Mr. Black stated that Street Lights will also partner with the City on the design of the public amenities and provide regular updates to City Council. Mr. Black stated that the MOU remains in effect until a development agreement and purchase sale agreement are executed or until either party determines in writing that the project is no longer feasible. Mr. Black stated that he is happy to answer any questions.

Motion: Mayor Pro Tem Shoemaker made a motion to approve the Memorandum of Understanding with StreetLights for the Veteran's Park Redevelopment. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

3. City Manager Report

Jonathan Blanton

Mr. Blanton recapped Mr. Black's presentation regarding the memorandum of understanding with StreetLights. Mr. Blanton encouraged everyone to review Street Lights Residential and their projects. Mr. Blanton stated that this recent MOU will give the City the flexibility to be able to show a commitment with Street Lights. Mr. Blanton stated that he is happy to show anyone examples of their work. Mr. Blanton mentioned that the mural in front of Arts on the Greenway is coming to life. Mr. Blanton stated that the M for the seal of the City of Mount Holly was painted today. Mr. Blanton mentioned the upcoming events which will include our Mount Holly Nights on Friday evening, the Taste of the Town event on Saturday, and the Plein Air Event. Mr. Blanton stated that the ribbon cutting ceremony for Ransom Hunter Park will be held on September 20, 2025. Mr. Blanton stated that on September 16, 2025 the City will be decommissioning the Wastewater Treatment Plant and moving forward with the decommissioning ceremony. Mr. Blanton thanked the staff at the Wastewater Treatment Plant for their dedication during this time. Mr. Blanton commended the Planning Department for the great job that their department is doing. Mr. Blanton stated that the new water tower is nearing completion, and we hope to have that online within the next few months. Mr. Blanton encouraged everyone to remember September 11th and to keep those that were affected in their thoughts and prayers.

ADJOURN

Motion: Councilman Hough made a motion to adjourn the September 8 , 2025 City Council Meeting at 7:42 PM. Councilwoman Harris seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

The meeting adjourned at 7:42 PM

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Tara Douglas, City Clerk City Clerk

PRESENTATIONS Item # 1

Arts on the Greenway-Labyrinth Project

Will this require a public hearing?

No

Background/Purpose of Request

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

None

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Brian DuPont, Assistant City Manager City Management

PUBLIC HEARING Item # 1

Public Hearing to consider approval of a fourth amendment to the development agreement with OMBMH, LLC

Will this require a public hearing?

Yes

Background/Purpose of Request

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. OMB Fourth Amendment to Dev Agmt - 9-22-25
2. OMB 4th Amend draft res. to approve

FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FOURTH AMENDMENT TO DEVELOPMENT ("Amendment") is made effective as of the 22nd day of September 2025 by and between OMBMH, LLC, a North Carolina limited liability company ("Developer") and THE CITY OF MOUNT HOLLY, a North Carolina municipal corporation ("City").

BACKGROUND STATEMENT

A. OMB Property Holdings, LLC and City entered into that certain Development Agreement effective as of July 12, 2021, as amended by that Amendment to Development Agreement dated as of March 15, 2022, that Second Amendment to Development Agreement dated as of March 27, 2023, as assigned by OMB Property Holdings, LLC to OMBMH, LLC by that Assignment of Agreement by and between OMB Property Holdings, LLC and OMBMH, LLC dated as of March 31, 2022, and that Third Amendment to Development Agreement dated as of March 25, 2024 (collectively, the "Agreement") with respect to that certain real property consisting of approximately 2.06 acres located at 725 Elm Street, Mount Holly, Gaston County, North Carolina and currently identified as Gaston County Tax Parcel 307006 (the "Property"), as more particularly described in the Agreement.

B. Developer has requested an extension of time to receive the issuance of a final certificate of occupancy pursuant to Section 2.4 of the Agreement for an additional one (1) year period to September 30, 2026, and an extension of time to cause The Olde Mecklenburg Brewery LLC to hold a grand opening pursuant to Section 2.4 of the Agreement from the original time line to December 31, 2026.

C. Developer and City desire to amend Section 2.4 of the Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, Developer and City agree as follows:

1. Amendment to Section 2.4 of the Agreement. Section 2.4 "Schedule of Development" is hereby amended to extend the deadline for Developer to pursue substantial completion of the development of the Property, as evidenced by the issuance of a final certificate of occupancy, to September 30, 2026.

3. Section 2.4 "Schedule of Development" is hereby further amended to extend the deadline for Developer to cause its related entity, The Olde Mecklenburg Brewery LLC, to hold a grand opening of the proposed brewery restaurant and biergarten pursuant to the Development Plan to December 31, 2026.

JWR

4. Counterparts. This Amendment may be executed in multiple counterparts, each of which will be deemed an original but all of which taken together will constitute one and the same instrument. Facsimile and electronic executions and deliveries will have the full force and effect of original signatures.

5. Miscellaneous. Except as specifically amended herein, all remaining terms and conditions of the Agreement shall remain in full force and effect. To the extent of any conflict between the terms and conditions of this Amendment and the terms and conditions of the Agreement, the terms and conditions of this Amendment shall control. Capitalized terms used herein but not otherwise defined shall have the meanings as set forth in the Agreement.

IN WITNESS WHEREOF, Developer and City have caused this Amendment to be executed and sealed by their duly authorized representatives on the day and year first above written.

DEVELOPER:

OMBMH, LLC,
a North Carolina limited liability company

By: ______________________________(SEAL)
John A. Marrino, Manager

CITY:

THE CITY OF MOUNT HOLLY,
a North Carolina municipal corporation

By: ______________________________(SEAL)
Name: ____________________________
Title: _____________________________

00118811

A RESOLUTION TO APPROVE THE FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT REGARDING 725 ELM ST., MOUNT HOLLY, NC, IN ACCORDANCE WITH THE PROVISIONS OF NCGS 158-7.1

WHEREAS, the City Council of the City of Mount Holly ("Council") sold 725 Elm St., Mount Holly, NC, (the "Property") pursuant to NCGS 158-7.1 on March 31, 2022, to OMBMH, LLC ("OMB"); and,

WHEREAS, in connection with the sale of the Property, the Council entered into that certain the "Development Agreement" with OMB Property Holdings, LLC, effective as of July 12, 2021, as amended by that Amendment to Development Agreement dated as of March 15, 2022, that Second Amendment to Development Agreement dated as of March 27, 2023, which was assigned to OMB by that Assignment of Agreement dated as of March 31, 2022, and that Third Amendment to Development Agreement dated as of March 25, 2024 ("Agreement"); and,

WHEREAS, OMB has requested an extension of time to receive the issuance of a final certificate of occupancy pursuant to Section 2.4 of the Agreement for a one (1) year period to September 30, 2026, and an extension of time to cause The Olde Mecklenburg Brewery LLC to hold a grand opening pursuant to Section 2.4 of the Agreement from the original time line to December 31, 2026, and therefore presented a proposed "Fourth Amendment to Development Agreement"; and,

WHEREAS, the Council held a public hearing at the September 22, 2025, regular meeting on the question of approval of the modified terms as stated in the "Fourth Amendment to Development Agreement" pursuant to NCGS 158-7.1, after 10 days' prior notice published in the Gaston Gazette on September 2, 2025.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mount Holly hereby approves the modified terms as stated in the proposed "Fourth Amendment to Development Agreement" and hereby authorizes and directs the City Manager to sign the same.

This the 22nd day of September 2025.

CITY OF MOUNT HOLLY

By: ________________________________
David Moore, Mayor

Attest:

____
Tara Douglas, City Clerk

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Jonathan Blanton, City Manager City Management

NEW BUSINESS Item # 1

Consideration of Mount Holly Historical Society Memorandum of Understanding

Will this require a public hearing?

No

Background/Purpose of Request

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

1. 3rd MOU with City MH and the MHHS 9-17-25

NORTH CAROLINA

GASTON COUNTY

CITY OF MOUNT HOLLY

THIRD AMENDED AGREEMENT FOR THE COLLECTION, PRESERVATION, & DISPLAY OF CITY OF MOUNT HOLLY ARCHIVES

THIS AGREEMENT, made and entered into this ______ day of ____________, 2025, by and between THE CITY OF MOUNT HOLLY, a North Carolina municipal corporation, hereinafter "the City", and THE MOUNT HOLLY HISTORICAL SOCIETY, INC., a North Carolina non-profit corporation, hereinafter "MHHS";

WITNESSETH:

THAT, WHEREAS, MHHS was formed for purposes including but not limited to the collection, preservation, and display of the history of our town contained in photographs, writings, recordings, descriptions, accounts, and artifacts, collectively referred to as "Archives"; and,

WHEREAS, the City has by agreement dated March 22, 2011, ("Original Agreement") by amended agreement dated April 14, 2014, ("First Amended Agreement") and by amended agreement dated on or about February 9, 2015, ("Second Amended Agreement") (collectively, the "Agreements") provided that MHHS would be Custodian of the Archives; and,

WHEREAS, MHHS has catalogued, preserved, and displayed the Archives in museum exhibits and during special events to allow the public to access and interact with the historical Archives; and,

WHEREAS, the City is providing a new location for the MHHS to display exhibits, carry out the tasks of Custodian of the Archives, and continue the purposes of the Agreements within the lower level of the Municipal Complex at 414 East Central Avenue.

NOW, THEREFORE, the City and MHHS, in consideration of the mutual agreements set forth herein, and for the benefit of the public, do hereby amend the Original Agreement, First Amended Agreement, and Second Amended Agreement to provide for the continuation of the relationship between the City and MHHS, as follows:

1. City does hereby agree to let, rent-free, the rental suite with a mailing address of 414 East Central Avenue, Mount Holly, NC, (hereinafter referred to as "the Premises") which is located on the lower level of the Municipal Complex at 400 East Central Avenue to MHHS in furtherance of the objectives set forth in the Original Agreement as amended. The MHHS will have use of shared parking in the adjacent public parking lot at the Municipal Complex on a first come, first served basis. The MHHS

will also have shared use with the City as well as other tenants of the City of common areas and restrooms within the lower level of the Municipal Complex in accordance with the policies and uses established from time to time by the City Council. The City agrees that it will maintain the exterior of the Premises as well as the heating and cooling, electrical, and plumbing systems of the Premises at City's expense. The MHHS shall maintain the interior of the building. The City will pay for all utilities to the Premises.

2. The City shall relocate the Archives to the Premises and store any portion thereof which cannot reasonably be located at the Premises at its cost on or before October 30, 2025.

3. Except as amended herein, the terms and conditions of the Original Agreement, the First Amended Agreement, and the Second Amended Agreement are still in full force and effect.

IN WITNESS WHEREOF, this Agreement has been executed by authority duly given, in duplicate originals, the day and year first above written.

THE CITY OF MOUNT HOLLY

By: ______________________________
Mayor

Attest:

____
City Clerk

MOUNT HOLLY HISTORICAL SOCIETY, INC.

By: ____
President

Regular Meeting
Agenda Action Form

Meeting Date	From
September 22, 2025	Jonathan Blanton, City Manager City Management

NEW BUSINESS Item # 2

City Manager Report

Will this require a public hearing?

No

Background/Purpose of Request

City Manager to update the Mayor, Council, and citizens.

Fiscal Impact

Will Item affect current budget?
Reviewed by Finance Director?
Preaudit Certification Required?
Capital Project Ordinance Required?
Budget Transfer Required?
Total City Dollars:
Budget Code:
Reviewed by City Attorney?

Manager/Staff Recommendation

Attachments

None