March 24, 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
Work Session

March 24, 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. Budget Amendment for Property Acquisition
2. Approval to apply for the North Carolina Amateur Sports - Youth Sports Grant
3. Adoption of the Cleveland, Gaston, Lincoln Regional Hazard Mitigation Plan
4. Approval to declare the 1998 Ladder Truck and 2002 Fire Engine as Surplus Property.
5. Approval of Minutes - March 10, 2025 City Council Meeting

PRESENTATIONS

1. Consideration & Approval of the Updated Works Associated with the Creative Spaces Initiative.

   Paul Lowe
2. Receive an Update Regarding Reappointment Process for the Planning Commission.

   Greg Beal

NEW BUSINESS

1. Discussion Regarding Downtown Sanitation Services

   Jonathan Blanton
2. City Manager Report

   Jonathan Blanton

ADJOURN

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Michelle Wood, Finance Director Finance

CONSENT AGENDA Item # 1

Budget Amendment for Property Acquisition

Will this require a public hearing?

No

Background/Purpose of Request

Budget Amendment for Property Acquisition

Fiscal Impact

Will Item affect current budget?	Yes
Reviewed by Finance Director?	Yes
Preaudit Certification Required?	No
Capital Project Ordinance Required?	No
Budget Transfer Required?	No
Total City Dollars:	$3,500,000
Budget Code:	10-00-8000-550
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Approve Budget Amendment for Approved Property Acquisition

Attachments

1. Budget Amendment for Property Acquisition

CITY OF MOUNT HOLLY
FY 24-25 Budget Amendment

Account Number	Description	Account Debit	Account Credit
10-00-3991-000	Fund Balance Appropriation		$ 3,500,000
10-00-8000-550	Capital	$3,500,000.00	
	TOTAL	$3,500,000.00	$ 3,500,000.00

Date Submitted: 24-Mar-25

Finance Officer: ____________________

City Manager: ____________________

Department Comments:

Amendment to appropriate fund balance for Property Acquisition

Unassigned Fund Balance after Budget Amendment Approval: $7,838,652

% of Budget after Budget Amendment Approval : 28.062901%

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Eric Smallwood, Parks and Recreation Director Parks and Recreation

CONSENT AGENDA Item # 2

Approval to apply for the North Carolina Amateur Sports - Youth Sports Grant

Will this require a public hearing?

No

Background/Purpose of Request

The State of North Carolina and North Carolina Amateur Sports have established an annual youth sports grant fund from a percentage of the sports wagering tax revenues. Youth sports grants will be provided annually to local government agencies and 501(c)(3) nonprofits in all 100 North Carolina counties. These grants may be used for youth sports equipment, or facility upgrades and improvements that primarily benefit youth sports.

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:	N/A
Budget Code:	N/A
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Staff reccomends approval to apply for the North Carolina Amateur Sports - Youth Sports Grant.

Attachments

None

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Fire Department

CONSENT AGENDA Item # 3

Adoption of the Cleveland, Gaston, Lincoln Regional Hazard Mitigation Plan

Will this require a public hearing?

No

Background/Purpose of Request

This is to adopt the updated Cleveland, Gaston, Lincoln Regional Plan. The update was a collaborative effort of county and municipal governments from Gaston, Cleveland, and Lincoln Counties. Continued eligibility for North Carolina Disaster Relief Funding per North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning of the Robert T. Stafford Disaster Relief and Emergency Assistance Act mandates that NC Counties and Municipalities have an approved Hazard Mitigation Plan to receive state and federal assistance in the event of a declared disaster. Gaston County, including the municipalities, has been paired with Cleveland and Lincoln Counties and its municipalities due to adjoining boundaries and similar natural threats for developing a Regional Hazard Mitigation Plan, and such regional hazard mitigation planning is a trend occurring across the State. The Cleveland Gaston Lincoln Regional Hazard Mitigation Plan incorporates specific planning details for each County and municipality. This Plan will be an update over the current Gaston County Multi-Jurisdictional Hazard Mitigation Plan, which is expiring, and the Act also mandates that Hazard Mitigation Plans be updated and adopted at least every five (5) years to maintain a current status.

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:	
Budget Code:	
Reviewed by City Attorney?	Yes

Manager/Staff Recommendation

Attachments

1. Hazard Mitigation Plan Resolution

RESOLUTION TO ADOPT THE
CLEVELAND GASTON LINCOLN REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the City of Mount Holly is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the City of Mount Holly desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Mount Holly City Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the Mount Holly City Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the City of Mount Holly; and

WHEREAS, the City of Mount Holly, in coordination with Cleveland, Gaston and Lincoln Counties and the participating municipalities within those Counties, has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency has reviewed the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

WHEREAS, the City Council of the City of Mount Holly previously approved the hazard mitigation plan on March 24, 2025, and is also adopting this resolution as further confirmation of the adoption of the plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mount Holly hereby:

1. Adopts the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on March 24th, 2025.

____
David Moore, Mayor
City of Mount Holly

ATTEST:

____
Tara Douglas, City Clerk

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Ryan Baker, Fire Chief Fire Department

CONSENT AGENDA Item # 4

Approval to declare the 1998 Ladder Truck and 2002 Fire Engine as Surplus Property.

Will this require a public hearing?

No

Background/Purpose of Request

This is to declare a 1998 Pierce Ladder Truck and a 2002 Smeal Fire Engine surplus. They will then be put up for sale.

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:	
Budget Code:	
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Attachments

1. Surplus Resolution Mount Holly Fire Department (1)

CITY *of* MOUNT HOLLY

400 East Central Ave. Post Office Box 406 Mount Holly, NC 28120 704-827-3931 704-822-2933 fax www.mtholly.us

RESOLUTION OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA FOR DECLARATION OF SURPLUS PROPERTY AND SALE OF PROPERTY VIA PUBLIC OR ELECTRONIC AUCTION OR BY MEANS OF EXCHANGE OF PROPERTY

WHEREAS, G.S. 160A-267 authorizes the City Council to dispose of surplus property, and authorizes the sale of surplus property by means of private sale, public auction, electronic auction or exchange of property, and

WHEREAS, the City Manager has reviewed the attached vehicle list and declared the items surplus and unusable personal property; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Mount Holly does hereby authorize the City Manager to conduct a sale of the surplus and unusable City personal property by means of a private sale, public or electronic auction, or an exchange of property.

Adopted on the 24th day of March, 2025.

SIGNED :

____
David Moore
Mount Holly Mayor

Attest:

____
Tara Douglas
Mount Holly City Clerk

Attachment:

Vehicles to Surplus			
Make	Model	Year	VIN#
Smeal	Fire Engine	2002	4S7T57922C042585
Pierce	Ladder	1998	4P1CT0252WA000658

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, MARCH 10, 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	Brian Reagan, Police Chief
Councilman Bryan Hough	Greg Beal, Planning Director
Councilwoman Phyllis Harris	Ryan Baker, Fire Chief
Councilman Kenneth Reeves	Robert Stewart, Deputy Utilities Director
Marie M. Anders, City Attorney	Eric Smallwood, Parks and Recreation Director
Tara Douglas, City Clerk	Michelle Wood, Finance Director
	Matt Black, Economic Development Director
	Jason Green, Public Works Director

INVOCATION

Pastor Mark Massey led the Council, Staff, and attendees in prayer.

PLEDGE OF ALLEGIANCE

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

SET THE AGENDA

Mayor Moore announced that the agenda would not include closed session as part of the meeting tonight and would need to be removed. Mayor Moore entertained a motion to set the agenda as presented after the stated change.

Motion: Councilman Hough made a motion to approve the agenda as presented. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

CONSENT AGENDA

1. Budget amendment for Powell Bill Project and Award Bid to Quinn Sales, Inc.

2. Budget Amendment and Approval to add additional street lighting along Woodlawn Ave and Horseshoe Bend Beach Rd.
3. Capital Project Ordinance-South Gateway Road Project/Budget Amendment
4. Approval of Audit Contract FY Ending 6-30-2025
5. Approval to Apply for the NCDOT Multimodal Planning Grant Program (MMPG).
6. Call for a Public Hearing for a text amendment to update the Zoning Ordinance-Chapter 7-Section 7.1 Note 5 to rework the standards associated with townhomes, and to make this Section clearer, and to update Chapter 6, Table of Permitted Uses, Section 6.6 & Section 7.1, as well as Chapter 3, Section 3.26 to provide updated definitions for multifamily uses. The latter update would provide buffer standards for utility equipment and storage yards, and provide a new note for this use, Note # 39. Case #TA-25-2.
7. Call for a Public Hearing for a text amendment to update the Subdivision and Land Development Ordinance Sections 153.059 and 153.082C to ensure that streetlights are provided every 200 feet and provided from the entrance of developments. Case #TA-25-1.
8. Approval of Minutes from the February 10, 2025 Council Meeting
9. Approval of Minutes from the February 10, 2025 Closed Session

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

Motion: Mayor Pro Tem Shoemaker made a motion to approve the Consent Agenda as presented. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

PRESENTATIONS

1. Consideration & Approval of the Final Design Associated with the Ida Rankin Elementary Mural Project. ***Paul Lowe***

Mr. Lowe stated that the Ida Rankin Mural project is one of Public Arts Advisory Commission's (PAAC) six priority projects for the year. Mr. Lowe stated that the PAAC selected Hand in Hand Creative of Elkin after a very competitive RFQ process and have been working with the two artists, Sarah and Andrew Wilson, on the proposed design. Mr. Lowe advised that at their February 19, 2025 meeting, the PAAC reviewed the proposed design, and voted unanimously to recommend approval. Mr. Lowe stated that if the art is approved by the City Council, the art will also need to be approved by the School Board. Mr. Lowe stated that staff are actively working on the latter by sharing the design with both Ida Rankin School staff and Central Office staff. Mr. Lowe stated that if both approvals are granted, the project is scheduled to be completed by the end of May 2025.

<u>Motion</u>: Mayor Pro Tem Shoemaker made a motion to approve the final design associated with the Ida Rankin Elementary School Mural Project. Councilman Meadows seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

2. Consideration & Approval of the Final Design Associated with the Rankin Avenue Mural Project. ***Paul Lowe***

Mr. Lowe stated that the Rankin Avenue Mural project is one of Public Arts Advisory Commission's (PAAC) six priority projects for the year. Mr. Lowe advised that the PAAC selected artist Johari Huggins of Charlotte after a month-long RFQ process and have been working with her on the proposed design. Mr. Lowe stated that at their February 19, 2025 meeting, the PAAC reviewed the proposed design, and voted unanimously to recommend approval. Mr. Lowe stated that if the art is approved by the City Council, staff will work to have the site prepped for the artist, who is scheduled to complete this project by the end of May 2025. Mr. Lowe advised that this section of Rankin Avenue is a City-maintained road, so staff will not be required to obtain approvals from the North Carolina Department of Transportation (NCDOT). Mr. Lowe stated that staff have been keeping Streets and Public Works staff members aware of the project. Mr. Lowe advised that the closer to when the prep work is scheduled, that staff will work with the Police Department to ensure the safety of both contractors and artists alike. Mr. Lowe stated that staff recommends approval.

<u>Motion:</u> Councilwoman Harris made a motion to approve the final design associated with the Rankin Avenue mural project. Councilman Hough seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

3. Presentation by the Mount Holly Community Development Foundation
   Members of Mount Holly Community Development Foundation

Janice McRorie who is the former Treasurer of the Mount Holly Community Development Foundation stated that Christy Reeves will be taking over that position. Ms. McRorie stated that her last official act as treasurer is to present the City of Mount Holly with a check for $20,000 for greenway amenities. Stephanie McLoughlin stated that June 7, 2025 is scheduled for the Arts Mount Holly event and invited everyone to come and participate. Mayor Moore thanked the Mount Holly Community Development Foundation for the money and for all they do for the community.

PUBLIC HEARING

1. Public Hearing to Consider a Rezoning Request, Initiated by Staff, to Rezone Parcel #s 218759 & 218760 from HI to B-3. Case # R-25-2. ***Paul Lowe***

Mr. Lowe stated that staff has initiated this rezoning request, Case #R-25-2, to rezone parcel numbers 218759 and 218760 from HI (Heavy Industrial) to B-3 (General Business), which are approximately 18.15 acres. Mr. Lowe stated that these two parcels are located along a very busy and important entranceway into the City. Mr. Lowe stated that staff feels that having both of these properties zoned commercial would best position the City to attract new development, while preserving the visual appeal of a major gateway. Mr. Lowe stated that this rezoning would also achieve many goals of the future land use plan. Mr. Lowe stated that these properties are partially located in the Community Corridor use type, which seeks to encourage the development of retail and service uses with limited residential development. Mr. Lowe stated that the uses that are 241 allowed uses in the B-3 District & 156 in the HI District provided in the Table of Permitted Uses in the Zoning Ordinance. Mr. Lowe advised that the B-3 District offers 85 additional uses than the HI District allows, or 54% more uses. Mr. Lowe noted that both property owners, OMB Property Holdings, LLC and 801 W Central Ave, LLC were notified by regular and certified mail of the rezoning, as well as the properties being posted and adjacent property owners being notified by first class mail. John Marrino of Olde Mecklenburg Brewery (OMB) contacted staff and said that he has no issues with the proposed rezoning. Mr. Lowe stated that staff has not received any feedback from the owner of the Old Burlington Plant and that they are in the process of demolishing the building, which appears to end their use of the site as a commercial scrap metal recycling business. Mayor Moore entertained any questions for Mr. Lowe prior to going into the public hearing. There were no questions for Mr. Lowe from the Council.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

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

All Council members present and voting, voted in favor 6-0. (Motion Carried)

Public Hearing Speakers:

1. Chris Hargett: 801 W. Central Avenue- Mr. Hargett stated that he has the largest property in the H-1 district. Mr. Hargett stated that the property has been on the market for quite some time. Mr. Hargett stated that he would like to keep open communication. Mr. Hargett requested that the property be left as unconditional with the understanding that they would work with the City. Mr. Hargett stated that he does not want to limit the property to B3 because B3 could hinder some businesses.
2. Zack Simpson: 801 W. Central Avenue-Mr. Simpson stated that he is Mr. Hargett's Real Estate Broker. Mr. Simpson stated that B3 is the right option to protect the corridor but wants to work with the City on the corridor. Mr. Simpson stated that he gets a lot of inquiries for this property. Mr. Simpson stated that he would like to be able to continue to work with the Planning Department to create a master plan.

Mr. Beal stated that he has known Mr. Hargett since he purchased this property. Mr. Beal stated that this is the first piece to protecting the corridor and that collaboration is the key. Mr. Beal stated that the City has done the same with the Gateway Center and that it has brought in $150 million in private investment. Mr. Beal mentioned projects such as Woodlawn Mill, Mount Holly Cotton Mill and OMB where the City collaborated on a plan that was good for everyone. Mr. Beal stated that Woodlawn Mill just received funding for $17 million from Bank of America. Mr. Beal stated that the Land Use Plan calls for this area to be mixed use.

Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

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

All Council members present and voting, voted in favor 6-0. (Motion Carried)

Motion: Councilman Meadows made a motion to approve the Request, Initiated by Staff, to Rezone Parcel #s 218759 & 218760 from HI to B-3. Case # R-25-2. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

2. Public Hearing to consider rezoning a portion of a 2.13-acre tract of land, located at 501 Belmont-Mount Holly Road, Tax Parcel # 183899, from R-12 Single Family to B-3 General Business, as submitted by Billy Rick. Case # R-25-3. ***Greg Beal***

Councilman Craig recused himself from voting on this matter due to a conflict of interest.

Mr. Beal stated that this application, Case # R-25-3, was submitted by Billy Rick to rezone a portion, approximately 0.2971 acres of Parcel # 183899 from R-12-SF to B-3 (General Business). Mr. Beal stated that at the January 2025 City Council meeting, Council, by unanimous vote, approved a rezoning of a portion of this 2.13-acre tract of land to create three (3) residential lots, located in the rear of the existing home, which will be remodeled into a commercial office space for a business. Mr. Beal stated that at the conclusion of the meeting, the potential business owner, who is under contract with Mr. Rick, noted that he wanted to buy Lot 3 on the attached survey for business use. Mr. Beal advised that this proposed amendment would lessen the amount of R-12 SF zoning and increase the amount of B-3 zoning in this area by about 0.2971 acres and require an additional rezoning case to be held. Mr. Beal stated that the rezoning request would see Lot 3 rezoned to B-3, from R-12, and recombined with Lot 4 (existing home) for business use. Mr. Beal stated that Lot 1 and Lot 2 will remain residential with plans underway to construct nice in-fill housing. Mr. Beal stated that staff supports the rezoning.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing.

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

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

Public Hearing Speakers:

1. Mr. Billy Rick: 324 Riverside Drive Mount Holly- Mr. Rick stated that Mr. Beal covered everything that he was going to say. Mr. Rick stated that he is adding 800 square feet to the back of the existing structure so there is a need to have more room in the back part of the parcel for parking and the addition.

Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting.

Motion: Councilman Hough made a motion to go out of the public hearing and 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: Councilwoman Harris made a motion to approve the rezoning a portion of a 2.13-acre tract of land, located at 501 Belmont-Mount Holly Road, Tax Parcel # 183899, from R-12 Single Family to B-3 General Business, as submitted by Billy Rick. Case # R-25-3. Councilman Reeves seconded the motion.

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

PUBLIC COMMENT- Three (3) Minute Limit

1. Garrie Brinkley:176 Tom Sawyer Lane- Mr. Brinkley stated that no means no and what part of no do you not understand? Mr. Brinkley stated that both of these statements apply to the redevelopment of Veterans Park. Mr. Brinkley stated that he has not seen those stated to be in favor of the proposed development coming forward to speak. Mr. Brinkley restated his personal objections concerning traffic, parking, and school impact with no one reaching out to him about his concerns. Mr. Brinkley referenced the Council Retreat and that it was stated that this project would not increase taxes. Mr. Brinkley stated that having received no feedback that he must conclude that there is no feedback. Mr. Brinkley stated that citizens needed to be told of monies spent prior. Mr. Brinkley stated that the Council is selling 131 S. Main Street property that has environmental issues while buying property that with environmental issues.
2. Steve D'Avria: 1024 Heather Loch Drive Gastonia- Mr. D'Avria stated that he is here on behalf of the One Gaston 2040 Committee -Making Gaston Great. Mr. D'Avria stated that they will be having their elected official's event here in the Grand Hall on April 9, 2025. Mr. D'Avria stated that this is One Gaston 2040 week and is powered by public private collaboration with Gaston Together being the nonprofit while Gaston County being the funding agency. Mr. D'Avria stated that they have been using qualitative and quantitative data review processes and focused in five different areas. Mr. D'Avria stated that those five are One Gaston Cares, One Gaston Connects, One Gaston Grows, One Gaston Works, and One Gaston Shines. Mr. D'Avria encouraged everyone to get involved and support.
3. Glenda Painter: 404 Timberlane Drive Dinner-Ms. Painter stated that she is here to represent the Community of Mount Holly Awards Dinner Committee. Ms. Painter thanked the City for including the notice in the water bill. Ms. Painter stated that this dinner is a part of Springfest week with this being their 73rd year of having the dinner. Ms. Painter stated that dinner will be in the Grand Hall on Thursday, May 1, 2025 with tickets costing $15. Ms. Painter asked for nominations for the 2025 Man and Woman of

the Year to be submitted by April 14, 2025 to PO Box 336 Mount Holly. Ms. Painter invited the Council and citizens to an amazing dinner with door prizes.

4. Rodney Williams:315 S. Main Street- Mr. Williams stated that the City does not need this $3 million contaminated property, nor do the citizens want this property. Mr. Williams explained that the City just stated that they want to control what is allowed but that the Council just rezoned two properties to control what is allowed. Mr. Williams stated that the City does not own that property, but the Council rezoned the property and now controls what goes on that property. Mr. Williams stated that rezoning is the right process to use and is a process that Council is familiar with. Mr. Williams stated that there were contaminations found at one of the two properties tested. Mr. Williams stated that the estimate for this remediation is for one small piece, but there are six total parcels and five structures. Mr. Williams stated that there is no way that you are going to have a cleanup cost without further tests. Mr. Williams stated that the cost of this land, including minimum environmental cleanup, is over $ 4 million and could exceed $6 million. Mr. Williams stated that the Council's average home value is $462,000 and that the Council's social media shows them enjoying cruises, concerts, sporting events and dining out. Mr. Williams stated that $500- $600 a year tax increases in water bills is not a big deal for the Council but some of our citizens are not that fortunate. Mr. Williams stated that the City needs to give our senior citizens a discount on their water bill or use the Homestead Act. Mr. Williams stated that the citizens elected the Council to be financially responsible with the City's tax dollars. Mr. Williams suggested that the City use rezoning to control this property.
5. Bob Henricks: 122 Creekside Drive-Mr. Henricks stated that he is here tonight to discuss perspective. Mr. Henricks stated that the City is no longer interested in pursuing the historical society due to the contamination and the expense, yet here we are looking to purchase more contamination. Mr. Henricks suggested a phase 2 and see if it isn't a little deeper that what we probably think. Mr. Henricks stated that attending the City Council Retreat revealed that there are so many good things going on in Mount Holly. Mr. Henricks restated that no means no and that there should be some items dropped from the Strategic Vision plan. Mr. Henricks stated that if Council has a personal agenda that they should drop it since that is not why they were elected. Mr. Henricks stated that the City needs to reconsider the property for the Veterans Park Project. Mr. Henricks stated that his next statement is not intended at any one person sitting on the City Council, but there is term called negligence. Mr. Henricks stated that the City Council could be held negligent for not listening to the citizens.

6. Clyde Davis:308 Piedmont Ave-Mr. Davis spoke regarding the approximate $3 million property. Mr. Davis stated that when you are a buyer and you hire an inspector and that inspector finds a material defect in the property, the responsibility to correct that material defect is with the seller. Mr. Davis stated that he is confused by the keystone cop activity going on in this meeting regarding how much it could potentially cost to remove the waste. Mr. Davis reiterated that this is not the City's responsibility. Mr. Davis stated that the City could find out the cost and renegotiate having the seller pay for the cost. Mr. Davis stated that if the City backs out, that material fact never goes away and will ultimately have to be dealt with. Mr. Davis stated that from a real estate perspective, it is just a deal that could always be brought back. Mr. Davis stated that he thinks that it is better to know what the City is buying than to add more risk. Mr. Davis stated that it is best to wait since no one else can purchase it with the material defect.
7. Correen Kay:818 S. Main Street- Ms. Kay stated that she moved here 2 years ago and loves Mount Holly. Ms. Kay stated that she is the President of Arts on the Greenway. Ms. Kay stated that she would like to extend a personal invitation for everyone to come and visit. Ms. Kay discussed some upcoming events. Ms. Kay stated that they care about becoming a vital part of the community and to be a service. Ms. Kay thanked the Mayor, Council, and Management.

<u>OLD BUSINESS</u>

1. Update on the Veterans Park Expansion ***Jonathan Blanton***

Mr. Blanton reviewed the update that was presented approximately one month ago regarding the Veterans Park Expansions, property acquisitions, and a phase 1 environmental study. Mr. Blanton apologized to the Council and the public if there was some confusion about what exactly we would be undertaking and any findings of the environmental study. Mr. Blanton reviewed the map presented previously and reminded everyone that everything in yellow is property that the City of Mount Holly has acquired and owns along Catawba Avenue. Mr. Blanton stated that everything in blue are properties that we currently have under contract with Dean Stroupe and Steve Sisk totaling approximately $3.4 million. Mr. Blanton restated that the City was set to close on these properties in the fall, but Council approved a six-month extension which brought the City to May. Mr. Blanton stated that for those of you who were not at the City Council Retreat, the Council approved a 10-day extension at no cost which brought us to March 12, 2025. Mr. Blanton explained that this was done because the City had not received the final environmental reports that we were hoping to have by the City Council Retreat. Mr. Blanton reviewed the results from the phase 1 environmental assessment that the City has which were received on February 19, 2025 and indicated that there needed to be further review of 122 and 206 East Central Avenue. Mr. Blanton stated that 122 East Central Avenue was determined to have been an auto repair shop in the late 40's and 206 East Central Avenue is not property that the City is currently acquiring but testing indicated that this was an abutting property that at one time in the late 1950's to early 1960's was a laundromat. Mr. Blanton stated that the assessment indicated that the City would need to install two monitoring wells to access the extent of any potential contamination on the site. Mr. Blanton discussed the map location of where the monitoring wells were installed. Mr. Blanton stated that the results were received on March 3, 2025 and showed that there was soil contamination adjacent to 122 East Central Avenue which is the property of the former auto repair shop in the 1940's. Mr. Blanton stated that the situation was evaluated to see exactly what would be needed and to determine the seriousness of the situation. Mr. Blanton stated that he had received two quotes ranging from $14,000.00 to $29,000 for the cleanup. Mr. Blanton stated that the assessment went 3 to 5 feet down and found potential contamination, but when they went down further, they found no additional contamination. Mr. Blanton stated that these results were forwarded to a couple of contractors and out of an abundance of caution, the City did a full environmental assessment on all of the properties that the City currently owns on Catawba, including 206 Catawba, which is the property most recently acquired as well as these properties that are under contract. Mr. Blanton stated that the only noted issue that came back was the issue next to the former auto repair shop at 122 East Central Avenue. Mr. Blanton stated that the City's examination period for these properties under contract with Dean Stroupe and Steve Sisk will end on March 12, 2025.

With no additional questions from the Council for Mr. Blanton, Mayor Moore stated that he would like to make a statement. Mayor Moore stated that before the Council tonight is the last opportunity to cancel the contracts owned by Dean Stroupe and Steve Sisk. Mayor Moore stated that these contracts total over $3.4 million with no appearance of a clear path forward. Mayor Moore stated that to date the City has spent over $3.5 million on what was supposed to be the Veterans Park Expansion and of that over $2.6 million has been spent on property acquisition on Catawba Avenue. Mayor Moore stated that the original plan was for the City to purchase these properties and immediately sell them to a developer, which has not happened. Mayor Moore stated that we do not have a development agreement and had only one proposal from North State Development that indicated an $8 to $15 million funding gap based on plans that the City provided. Mayor Moore stated that the City has received input from numerous consultants, none of which have provided a viable path forward. Mayor Moore stated that the last consultant indicated that it would be 2046 before the City recouped the $3.5 million investment on the Dean Stroupe and Steve Sisk properties. Mayor Moore stated that to move forward with these purchases means millions of taxpayer dollars will have to be spent to subsidize the development potentially of 250 homes downtown and even that is uncertain since no development agreement has been reached. Mayor Moore stated that as Mayor, I am not in favor of continuing on this path and would prefer the $3.5 million be used towards the development of a park on land that is already owned on Catawba Avenue. Mayor Moore requested that the Council cancel these two contracts and get back to where we started, which is to build a park.

Motion: Councilman Reeves made a motion to terminate the two properties and sale contracts between Dean Stroupe family limited partnership and the purchase and sale agreement with Steve Sisk SPCS Properties for properties located from 120 East Central Avenue to 140 East Central Avenue. Councilwoman Harris seconded the motion.

Mayor Moore called for a vote resulting in Councilman Reeves and Councilwoman Harris voting in favor of the motion and Councilman Hough, Councilman Craig, Councilman Meadows and Mayor Pro Tem Shoemaker voting against the motion.

The motion failed with 4 against and 2 in favor.

Mr. Blanton stated that unless the Council takes additional action on these properties, the City is set to move forward with the examination period ending on March 12, 2025. Mr. Blanton that at Councils direction, he and the City Attorney will move toward scheduling a closing for these properties.

2. Consideration of a Resolution to accept the offer of $762,500.00 and initiate Upset Bid Process for 131 South Main Street. ***Jonathan Blanton/Marie Anders***

Mr. Blanton stated that at the City Council Retreat on February 28, 2025 he reported the City had received an offer to purchase 131 S. Main Street for $762,500.00 from Logan Abrams and Trisha Scott of Realty One Group. Mr. Blanton stated that at that time it was directed by Council that we move forward with confirming this offer and taking the necessary steps to initiate the upset bid process. Mrs. Anders stated that the offer has a 30-day due diligence period with a closing to occur on or before 60 days from the end of the due diligence period. Mrs. Anders stated that she has prepared a proposed addendum to the contract adding additional terms for the City to include. Mrs. Anders stated that this addendum included that the City would reserve at closing an easement for the Armed Forces emblem that is located on the northern wall of the building, an easement sufficient to keep the utility equipment currently installed on the property that serves downtown streets and festival lights, and clarity around that this sale is as is where is and the buyer would pay closing costs and the cost of publication. Mrs. Anders stated that this addendum was sent to the bidders on Thursday with no expression of any objections to those changes. Mrs. Anders stated that their proposed bid with the addendum is what is before the Council today for approval if the Council chooses. Mrs. Anders stated that the statutory process under North Carolina General Statue 160A-269 is for the Council to first adopt a resolution accepting the offer with the addendum and authorizing the upset bid procedure. Mrs. Anders stated that upon approval, the bidder has indicated that they would deposit the 5% of the bid offer as required by law tomorrow. Mrs. Anders stated that once the 5% is received, the City Clerk Tara Douglas will run a notice in the Gaston Gazette newspaper proposing a 10-day upset bid period. Mrs. Anders stated that once the 10-day period is over, the City Clerk would open any upset bids that she may receive and if there were none, then this sale would be final. Mrs. Anders stated that if there are no additional qualifying upset bids that are received then by approving this resolution tonight, the Council would be approving this bid to move forward and at that point the bidders would move forward with their due diligence.

Councilman Meadows addressed Mrs. Anders and stated that she has previously counseled them that they had the ability to cancel this contract if something were to change and the Council decides not to move forward. Mrs. Anders stated that this is correct during the 10-day upset bid period and if the City receives any further upset bids, the Council could come back at that point but cautions the Council that the way that the resolution is written currently that if accepted and there are no further upset bids that the City would be in a contract. Councilman Meadows stated that his understanding was that the City could exit at any time and that Mrs. Anders stance is different than what had been previously discussed. Mrs. Anders stated that the City Council can exit at any during the negotiation of the process, during the upset bid period and if there are any upset bids the Council can reject any and all offers instead of accepting another one, but the only point of clarification is once the upset procedure is complete, and the City is in a contract then at that point the City can no longer back out. Councilman Meadows asked for clarification as to the meaning of the upset bid period completed. Mrs. Anders stated that if the 10-day period is up and there are no further upsets then the way that this resolution is written there is no requirement to come back and be confirmed a second time.

Motion: Councilman Meadows made a motion to approve a Resolution to accept the offer of $762,500.00 and initiate Upset Bid Process for 131 South Main Street. Councilman Craig seconded the motion. *All Council members present and voting, voted in favor 6-0. (Motion Carried)*

NEW BUSINESS

1. Review, consider, and provide feedback concerning a draft ordinance to regulate dead, dangerous and diseased trees. ***Josh Blackwell***

Mr. Blackwell stated this item was presented to the City Council at the Monday, August 26, 2024 meeting. Mr. Blackwell stated that the consensus of the Council was to continue to review the ordinance with the City Attorney and bring back a final draft ordinance for review. Mr. Blackwell stated that after consultation with the City Attorney, it was determined that this ordinance could fit into Section 50.035 of the City Code of Laws under a new section and could be enforced using the procedures for nuisance abatement as described in Sections 50.036-50.040. Mr. Blackwell stated that violators of this ordinance will be sent a violation notice and an order to abate. Mr. Blackwell stated that the violator would have 14 days to comply with the order to abate and could appeal the order to the Board of Adjustment within that 15-day time period. Mr. Blackwell stated that code enforcement staff would work with the property owners on a schedule to abate the nuisance and that a request can be made for the City to abate the nuisance. Mr. Blackwell stated that if the nuisance remains unabated, then the City would hire a contractor to address the matter and send a bill to the property owner for the cost of abatement. Mr. Blackwell stated that if the bill is not paid, then the cost will be recorded as a lien against the property.

<u>Motion</u>: Councilman Meadows made a motion to approve the draft ordinance to regulate dead, dangerous and diseased trees. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried

2. City Manager Report ***Jonathan Blanton***

Mr. Blanton thanked our community partners Arts on the Greenway and the Community Development Foundation for being here tonight and for their continued support and collaboration with the City of Mount Holly. Mr. Blanton reiterated that the $20,000 donation from the Community Development Foundation will be going towards the Dutchman Creek Bridge. Mr. Blanton stated that this project was approved at the City Council Retreat and was awarded to J.D. Goodrum. Mr. Blanton stated that this project has been a long time in the making and will be building the bridge at River Street Park connecting that segment of greenway. Mr. Blanton stated that this project will take 8 to 9 months once we break ground. Mr. Blanton stated that another project approval at the City Council Retreat was the Gateway Connector Road which will eventually become the Kemp A. Michael Way located behind the Fairfield Inn connecting

YMCA Drive and Caldwell Drive. Mr. Blanton stated that this project was awarded to Red Clay and has been another project a long time in the making. Mr. Blanton stated that the City is looking forward to breaking ground on that project to open up the hundreds of millions of dollars of development in the South Gateway behind the Fairfield Inn. Mr. Blanton stated that a contract for repaving around Hawthorne and across downtown was awarded to Quinn Sales to be worked on throughout the next few months in order to spend some of the City's Powell Bill money before our June 30th deadline. Mr. Blanton stated that as you came into the Grand Hall, you may have noticed that the sound upgrades have been completed and is an exciting amenity towards making the event space here in Mount Holly the best in Gaston County. Mr. Blanton commented on the progress at Ransom Hunter Park and that it should be completed in the next couple of months. Mr. Blanton commented that March 11, 2025 marks 146 years of incorporation for the City of Mount Holly and it is an exciting time to be here. Mr. Blanton thanked the Council and the citizens for their support.

Motion: Mayor Pro Tem Shoemaker made a motion to adjourn the March 10, 2025 City Council meeting at 8:01 pm. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

The meeting adjourned at 8:01 pm.

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Paul Lowe, Assistant Planning Director Planning

PRESENTATIONS Item # 1

Consideration & Approval of the Updated Works Associated with the Creative Spaces Initiative.

Will this require a public hearing?

No

Background/Purpose of Request

Staff is working to change out the art associated with the Creative Spaces Initiative. This is the second year of this program which seeks to spread the footprint of art through the placement of sculpture throughout the City. We currently have four locations, and will move to six locations, as two new locations come online at the Tuck Park and at Arts on the Greenway. We have checked with the leadership of Arts on the Greenway & Building Maintenance regarding the latter location, and have worked the Parks & Recreation Department to locate a new pad location at Tuck Park, when one location decided not to work with us. We are very appreciative of the Parks staff for working with us on this effort to ensure that we can bring six works to the City during the next fiscal year. Staff have also sent the six works to be reviewed by the leadership of the Parks and Recreation Department, which is supportive of the project. If approved, we will have this project completed by the end of June. The PAAC reviewed the six proposed works at their meeting held on March 19th, and voted to recommend approval to the City Council.

Fiscal Impact

Will Item affect current budget?	Yes.
Reviewed by Finance Director?	No.
Preaudit Certification Required?	No.
Capital Project Ordinance Required?	No.
Budget Transfer Required?	No.
Total City Dollars:	**$13,600 renting of artworks, $8,400 for two new pad locations, $2,000 consultant fee. $24,000.**
Budget Code:	**10-40-4910-603.**
Reviewed by City Attorney?	No.

Manager/Staff Recommendation

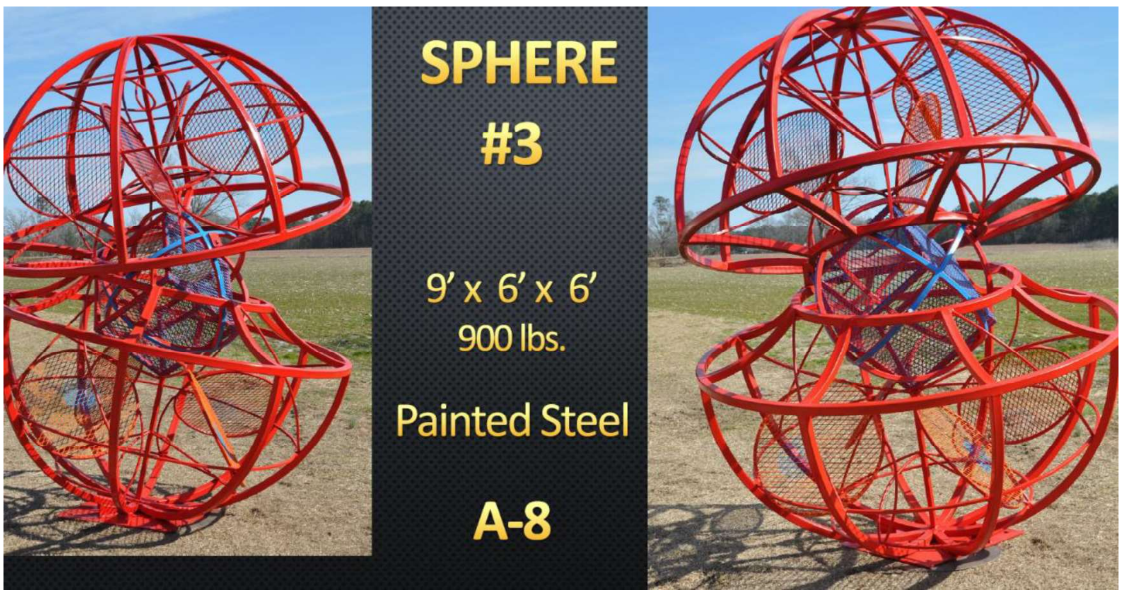
Approve the proposed works associated with the second year of the Creative Spaces Initiative.

Attachments

1. Works in City Parks & Other Locations
2. Support from City Departments & Arts on the Greenway

City Parks

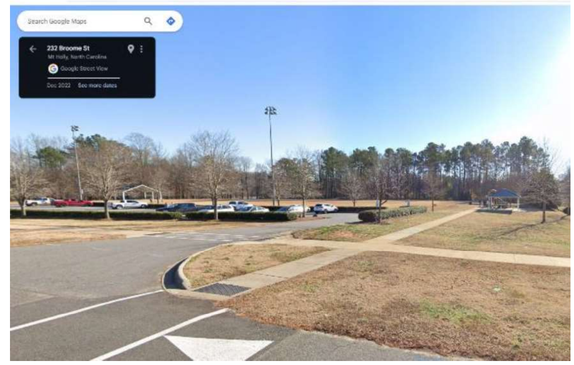
River Street.



Tuck.

Catawba Heights.

Tuck.



Other Locations

Balancing.

Along Greenway.

Arts on the Greenway.

Paul Lowe <paul.lowe@mtholly.us>

Arts on the Greenway mural/6x6 pad and green sculpture

Corrine Kay <corrine.kay@artsonthegreenway.org> Sat, Mar 15, 2025 at 3:48 PM
To: paul.lowe@mtholly.us
Cc: Amber Nicole <amber.nicole@artsonthegreenway.org>, Bethany Torimino <bethany.torimino@artsonthegreenway.org>

Hi Paul!

This letter is to endorse our participation in having the pleasure of having a 6x6 cement pad and the Green sculpture on sight at Arts on the Greenway on display for the public to enjoy!

Regarding the walkway mural, we would plan on restoring the existing mural and sealing it as it is in Homage to the artist Carlos Cotera, who created it and in the interest of time restoring it would help shorten the duration of repainting the mural.

Let's coordinate when we can meet this week, my only bad day is Thursday.

Paul Lowe <paul.lowe@mtholly.us>

RE: Proposed New Creative Spaces Initiative Location at Arts on the Greenaway

Jeremy Moss <jeremy.moss@mtholly.us> Wed, Mar 5, 2025 at 4:07 PM
To: Paul Lowe <paul.lowe@mtholly.us>

No issues, I think that is a great spot.

On Wed, Mar 5, 2025 at 4:06 PM Paul Lowe <paul.lowe@mtholly.us> wrote:

Jeremy,

Arts on the Greenaway is interested in having a six by six foot concrete pad added to their back lot to host future sculptures.

I was thinking about placing the new pad in this location.

Do you see any issues with this? I was going to place this on the March 24th work session.

Hope that you are having a good day.

Best Regards,

Paul Lowe
Assistant Planning Director
City of Mount Holly
704-951-3014
paul.lowe@mtholly.us

Paul Lowe <paul.lowe@mtholly.us>

Unfortunate news on sculpture project

Eric Smallwood <eric.smallwood@mtholly.us> Wed, Mar 19, 2025 at 2:20 PM
To: Paul Lowe <paul.lowe@mtholly.us>

Hey Paul,

We're good to go with the location at Tuck Park that we took a look at today. I've included a snapshot of it below, just inside the corners of the sidewalks. I would recommend the pad connecting to the sidewalks so there is now awkward grass to cut or areas that need to be landscaped.

Thanks!

Eric Smallwood, CPRP
Parks and Recreation Director
City of Mount Holly
704-616-4616 ext. 2120
www.mtholly.us

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> This message (and any associated files) may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you may not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

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Work Session Agenda Action Form

Meeting Date	From
March 24, 2025	Greg Beal, Planning Director Planning

PRESENTATIONS Item # 2

Receive an Update Regarding Reappointment Process for the Planning Commission.

Will this require a public hearing?

No

Background/Purpose of Request

As you know, the City has a vacant Planning Commission position, which comprises one seat on a nine-seat board. The Planning Commission differs from the other commissions and committees from the City, in that it is required by NC General Statutes as a land-use recommendation board. Other committees and commissions are not required under State law. Also, five members of the Planning Commission serve on the Board of Adjustment, with the four remaining members serving as alternates in case of absences. The Board of Adjustment presides over evidentiary hearings, such as special use permits, appeals and variances, with several of these taking place annually. Staff currently has six applications in-hand from interested citizens, as membership is reserved for those living within the city limits of Mount Holly. This presentation and discussion will focus on the process that staff has taken with the Planning Commission in the past, to recommend an appointment or appointments to the Planning Commission for a three-year term. Within the past year, the Planning Commission has updated its rules and procures, which you will also find attached. Staff seeks Council's direction on proceeding with the vacancy appointment under the process described below.

For the past several years, the City has advertised extensively on social media, in the monthly utilities bill and on the City website, when a vacancy on the Planning Commission takes place. The City has also developed an application form for interested citizens to complete. Having been a part of several vacancy-filling processes over nearly 24 years, I can note that at times, there are not a lot of citizens interested in serving. At times, we have gone several months without any interest whatsoever. However, at other times, we have received a lot of interest, upwards of a dozen or more applications. Other times, we have had a chosen person serve, only to give up the position at a later time, due to the commitment requirements.

Once the applications are received, by the pre-determined cut-off date, Planning staff schedules interviews with the applicants before the Planning Commission at a regularly scheduled public meeting (first Monday of the month). There has been a limit to how many interviews are scheduled, and merit-based review of the applications has been applied in the past, in order to select the top several candidates for interviews before the Planning Commission. Applicants are notified well-in-advance of the interview and meeting. At times, some have decided to drop out of the process at this point. Interviews are conducted before the Planning Commission on an individual basis. This gives the Planning Commission members a chance to answer questions such as "Why are you interested in serving?" "What area of land use interests you the most?" "Are you willing to meet the monthly meeting requirements and the annual training meeting?" Each applicant leaves after his/her respective interview, and the board discusses candidates in an open meeting. At that point, one can submit a nomination through the form of a motion and second with a vote from the entire Planning Commission. That selected person then moves on as a recommended candidate to fill the position; at the next City Council meeting, this recommendation is placed on the consent agenda. If no nominations are given, staff asks that individuals submit ballots, ranking their preferred candidates in order. Staff then tallies the votes in this scenario with the recommendation being formalized at this meeting; the recommended candidate to fill the position is then placed on the consent agenda at the next City Council meeting. This process has served the Planning Commission well for at least 10 years.

Although this process is not solidified, it can easily be added to the Rules and Procedures. Past processes have included a past-Mayor appointing members in the community and having Council approve this at their regularly scheduled meeting on the consent agenda. This process has its downside in that it does not give all citizens an equal opportunity to serve. Finally, while the Chair and Vice-Chair have specific one-year term limits, but both can be reappointed by a majority vote, Planning Commission members do not have term limits. The City tried this in the past, around 2005, only to dismiss three members, with no one interested in serving the vacant positions. The City had to go back to the dismissed members and ask them to serve again. Not all did, and staff dealt with a reduced number of members for many months. This certainly is not to say this scenario will happen again; it only notes this past issue as one example of term limits and vacancies.

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

Discussion regarding the procedures that staff and the Planning Commission Chair have used to select applicants to fill vacancies in order to move forward in filling the vacant position.

Attachments

1. Signed_4-8-2024 PLANNING COMMISSION_BOA RULES OF PROCEDURE (1)
2. PC Roster

Rules of Procedure

Planning Commission & Board of Adjustment
City of Mount Holly

I. Authority

a. The Planning Commission and Board of Adjustment of the City of Mount Holly (hereinafter "City") shall be governed by North Carolina General Statute Sections 160D-109; -301; -302; -307; -308; -309; -310; -405; -406; -604; and -705; as amended and the Mount Holly Zoning Ordinance under Articles 12, 13, and 14.

b. The Planning Commission and Board of Adjustment are hereinafter referred to as "Commission" and "Board", respectively.

II. Officers and membership

a. Chair: The Chair of the Commission shall be the same as the Chair of the Board and this person shall be elected by a majority vote of the membership of the Board from among its members to serve a one-year term. The Chair shall be eligible for re-election for two additional one-year terms only and then shall be ineligible for re-election for a one-year period.

b. Vice-chair: The Vice-chair of the Commission shall be the same as the Vice-chair of the Board and this person shall be elected by a majority vote of the membership of the Board from among its members to serve a one-year term. The Vice-chair shall preside in the absence of the Chair, and at such times, shall have the same powers and duties as the Chair, and shall be eligible for re-election for two additional one-year terms only and then shall be ineligible for re-election for a one-year period.

c. The Commission shall consist of nine (9) regular members, all of whom shall reside within the Mount Holly City limits and shall serve three-year, staggered terms as determined by appointment to the Board as outlined in Section II(d) below. Prospective members shall apply for membership by completing the City's Planning Commission/Board of Adjustment application and submitting it to the Planning Department of the City. As vacancies in the Commission arise, the Commission shall review applications and recommend one applicant for each vacant seat to the Council for appointment.

d. The Board shall consist of five (5) regular members and four (4) alternate members, each appointed by the Council for three-year terms. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Council may appoint certain members for less than three years so that the terms of all the members shall not expire at the same time. The Council shall appoint five (5) regular members to the Board from the regular membership of the Commission and shall appoint four (4) alternate members from the remaining membership of the nine (9) member Commission. Alternate members may attend all meetings of the Board but shall serve, participate, and vote only in the absence of a regular member, due to the temporary disqualification in an individual case where the regular member has a conflict, or due to fill a vacancy on the Board pending appointment of a replacement member, except for procedural matters as described in the Rules of Procedure.

e. The term "member" shall hereinafter refer to a member of the Commission and/or Board.

III. Rules of Conduct for Members

a. Council may remove a member of the Commission and Board during the member's term of office for good cause, including but not limited to criminal misconduct in office, willful or intentional failure to discharge the duties of office, incapacities that preclude discharge of the member's duties, or persistent and substantial conflicts of interest. Technical or inconsequential violations of the law or disagreement with the substance of the member's decisions are not sufficient cause for removal during the member's term of office. Council shall give fourteen days' advance written notice of a hearing regarding proposed removal to the said member by hand delivery or by first class mail to the last known address on file with the Planning Department of the City, hold the hearing at a Council meeting, and shall decide the question of removal of the member by a majority vote.

b. For the purposes of this Section, some examples of when a member is subject to removal for willful or intentional failure to discharge the duties of office include, but are not limited to the following:

i. If, in a calendar year, he/she: (A)Is absent from three (3) consecutive regular meetings in a calendar year without a good and sufficient excuse, or (B) Has less than a 50% attendance record at regular meetings in a calendar year without a good and sufficient excuse, or

ii. If, each calendar year, he/she does not attend at least one training session for Boards of Adjustment as offered by the Planning Department of the City or as offered by the University of North Carolina School of Government OR certify that he/she has watched at least three different on-demand training modules produced by the North Carolina School of Government for Board of Adjustment training purposes. A regular member of the Board who shall fail to attend or watch training as described above in a calendar year shall be subject to re-assignment by the Council to be an alternate Board member and shall further be subject to removal if such member does not attend at least one training session within the first three months of the following calendar year.

c. Conflicts of Interest:

i. Members shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to North Carolina General Statute 160D where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A member shall not vote on any zoning amendment of the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship. No member may vote on any matter involving an application or appeal unless the member attended the public hearing on that application or appeal.

ii. Quasi-Judicial Decisions. A member of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. Members of the Board shall refrain from discussing any case with any of the parties thereto and shall refrain from expressing individual opinions on the proper judgment of any case prior to the public hearing and the final determination of that case.

iii. Familial Relationship. For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

d. Ethics Statement read at the beginning of each meeting:

i. In accordance with the Rules of Procedure, it is the duty of every Planning Commission and Board of Adjustment member to avoid conflicts of interest. Does any member have any known conflict of interest with respect to any matters coming before the Planning Commission and Board of Adjustment today? If so, please identify the conflict and refrain from any participation in the particular matter involved.

IV. Meetings

a. Regular: Shall be held at the Municipal Complex in the Council Chambers, at 400 East Central Avenue, Mount Holly, NC at 6:30 PM on the first Monday of each month.

b. Special: Special meetings may be called at any time by the Chair or City staff provided public notice and notice to each member is given with at least 48 hours' advance notice.

c. Cancellation: Whenever there are no appeals, applications or other business before the Commission or Board, or whenever so many regular and alternate members notify of inability to attend, that a quorum will not be available, the meeting shall be cancelled.

d. Quorum:

i. For the purposes of the Commission, a majority of actual membership of the Commission, excluding vacant seats, shall constitute a quorum. A member who has withdrawn from a meeting without being excused by a majority vote of the remaining members present shall be counted as present for the purposes of determining whether a quorum is present.

ii. For the purposes of the Board, a quorum shall consist of the number of members equal to four-fifths of the regular Board membership (excluding vacant seats not filled by an alternate member as provided below). In the event that a regular Board member shall be temporarily absent, disqualified in an individual case due to a conflict, or there shall be a vacancy on the Board pending appointment of a replacement regular member, then an alternate member of the Board in attendance may serve and be counted as a regular member of the Board for the purposes of establishing a quorum and voting.

e. Alternates: Any alternates that are required to fill in for a vacancy or vacancies during a meeting of the Board shall be based on the order of alternates that is part of the Roster. The Chair, in his or her discretion, shall select the order of alternates for the Roster on an annual basis based upon the level of experience of the alternates, while also annually rotating the order of alternates for the purpose of allowing alternate members the opportunity to gain experience.

V. Voting

a. Requirements: All members, including the chair, shall vote on all issues unless the conflicted under Section III, Part C. The concurring vote of four-fifths of the members shall be necessary to grant a variance. The concurring vote of a majority shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari in favor of the applicant or appellant.

b. Recusal: If an objection is raised to a member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.
c. Recused members shall not remain in the room where the hearing is held, during any vote on the item they are recused for, and are not permitted to give testimony.

VI. Hearings
a. Application Procedure: Each application for a hearing shall be made on forms provided by the Planning and Development Department. Any fees established under the Fee Schedule are required to be paid at the time of application submittal.
b. Notice: Public notice of hearings in accordance with Mount Holly Zoning Ordinance shall be conducted prior to any hearing.
c. Zoning Board of Adjustment: The Board shall follow quasi-judicial procedures when deciding appeals of administrative decisions, certificates of appropriateness, variance requests, special use permits, or any other quasi-judicial decision.
d. Affirmation: For any quasi-judicial hearing by the Board any individual from the public must be affirmed before giving a statement.
e. Procedures for Evidentiary Hearings by the Board of Adjustment (Appeals, Variances, Certificates of Appropriateness, Special Use Permits, Vested Rights, or any other quasi-judicial decision):
1. Statement of Hearing - Chair shall state the purpose of the hearing
2. Oaths - Chair shall request any individual that wishes to speak on the hearing be called forward and willfully affirms to give true statements.
3. Subpoenas - The Board through the Chair, or in the Chair's absence, anyone acting as Chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, the applicant, the local government, and any person with standing under § 160D-1402(c) may make a written request to the Chair, explaining why it is necessary for certain witnesses or evidence to be compelled. The Chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The Chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the Chair may be appealed to the full Board of Adjustment. If a person fails or refuses to obey a subpoena, issued pursuant to this section, the Board of Adjustment or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena by obeyed, and the Court shall have jurisdiction to issue these orders after notice to all proper parties.
4. Presentations - Chair will then proceed to let Staff make a presentation and then the applicant make a presentation.
5. Open Public Hearing - Chair will then open the public hearing for the presentation of evidence by the applicant, the local government, and any person who would have standing to appeal the decision under NCGS 160D-1402(c). Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the Board. Anyone wishing to present evidence shall sign up on a sheet provided for that purpose prior to the beginning of the public hearing.
6. Speakers - Each person who appears shall be required to state his or her name and address. The Board will hear evidence that pertain to the facts of the case or how the facts relate to the provisions of the Zoning Ordinance or State zoning law. Objections regarding

jurisdictional and evidentiary issues, including, but not limited to, the timeliness of an appeal or the standing of a party, may be made to the Board. The Chair shall rule on any objections, and the Chair's rulings may be appealed to the full Board and are also subject to judicial review pursuant to NCGS 160D-1402.

7. Summarize Major Points – The Chair shall summarize all major points made that have been admitted into evidence and will call for any new evidence before closing the public hearing.
8. Close Public Hearing - Chair will then close the public hearing.
9. Discussion - Chair will allow discussion and questions to Staff and/or applicant by Board.
10. Conclusion - Chair shall summarize the evidence which has been presented.
11. Decision - The final Decision of the Board shall be (i) based upon competent, material, and substantial evidence in the record, (ii) reduced to writing, (iii) reflect the Board's determination of contested facts and their application to the applicable standards, and (iv) be approved by the Board and signed by the chair or other duly authorized member of the Board. Where a variance is granted, the record shall state in detail any unnecessary hardships upon which the appeal was based and which the Board finds to exist. When hearing an appeal, the Board may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and shall make any order, requirement, decision, or determination that ought to be made. The Decision shall state in detail what, if any, conditions and safeguards are imposed by the Board in connection with the granting of any request.

Written Decisions made by the Board shall be delivered within a reasonable time from the conclusion of the hearing by personal delivery, electronic mail, or first-class mail to the applicant, owners of the subject property if not the applicant, and other persons who have filed a written request for such notice. Written Decisions made by the Commission shall be filed in the minutes and shall be public record available for inspection at all reasonable times.

f. Procedures for Legislative Hearings by the Planning Commission (Text and Zoning Map amendments):

1. Statement of Hearing - Chair shall state the purpose of the hearing.
2. Presentations - Chair will then proceed to let Staff make a presentation and then the applicant make a presentation.
3. Open Public Hearing - Chair will then open the public hearing to individuals that have signed up for public comment.
4. Speakers - Each person who appears shall be required to state their name and address.
5. Close Public Hearing - Chair will then close the public hearing.
6. Discussion - Chair will allow discussion and questions to Staff and/or applicant by Commission.
7. Conclusion - Chair shall summarize the comments which have been presented.
8. Decision - The final Decision of the Commission shall be by motion of a member and second and majority vote. Decisions made in regard to Text or Map amendments are only recommendations to the City Council. The Decision shall state in detail what, if any, conditions and safeguards are imposed by the Commission in connection with the recommendation of any Zoning Map amendment for a Conditional District.

As required by NCGS 160D-604(d), a recommendation by the Planning Commission shall include a Statement of Consistency, which is a statement as to whether the proposed action is consistent with any comprehensive or land-use plan that has been adopted and any other officially adopted plan that is applicable. Written Decisions made by the Commission shall be filed in the minutes and shall be public record available for inspection at all reasonable times.

VII. Appeals

a. Appeals of quasi-judicial decisions of the Board may be taken to the Superior Court of Gaston County by proceeding in the nature of certiorari pursuant to North Carolina General Statute 160D-1402. A petition for review shall be filed with the Gaston County Clerk of Superior Court within thirty (30) days after the decision is effective or after a written copy thereof is given in accordance with Section 12.13 of the Zoning Ordinance. When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

Read and recommended for approval by the Planning Commission and Board of Adjustment of the City of Mount Holly on the 1st day of April, 2024.

Planning Director

Joraseta Ellerbe

Chair

Read, approved and adopted by the City Council of the City of Mount Holly on the 8th day of April, 2024.

David A. Moore

Mayor

Attest:

Tara Douglas

City Clerk

CITY OF MT. HOLLY
INCORPORATED
SEAL
1879
NORTH CAROLINA

City of Mount Holly
Planning Commission/Board of Adjustment Roster

Teraseta Ellerbe, Chair (BOA Member) 212 Augustus Lane Mount Holly, NC 28120 704-860-6630 terasetaellerbe@gmail.com Term Expires: December 2027	Alberto Gonzalez, Vice Chair (BOA Member) 116 Thomas Springs Drive Mount Holly, NC 28120 786-553-7639 Albert.gonzalez631@gmaii.com Term Expires: December 2026
Rodney Williams (BOA Member) 315 South Main Street Mount Holly, NC 28120 (C) 704-616-4008 A1949hotrod@outlook.com Term Expires: December 2027	Myles Biggerstaff (BOA Member) 607 Timberlane Drive Mount Holly, NC 28120 704-860-4777 mbiggers@bellsouth.net Term Expires: December 2025
Jerry Bishop, (BOA Member) 200 East Catawba Drive Mount Holly, NC 28120 704-460-9414 jerrybishop4160@gmail.com Term Expires: December 2026	Will Crist (Alternate Member) 207 Old Mine Road Mount Holly, NC 28120 704-451-9118 wfcrist@bellsouth.net Term Expires: December 2025
Perry Toomey (Alternate Member) 203 Dogwood Drive Mount Holly, NC 28120 704-827-0505 perrytoomey@att.net Term Expires: December 2026	Russell Hunt (Alternate Member) 5125 Chegall Crossing Way Mount Holly, NC 28120 704-604-6133 rlhunt62@icloud.com Term Expires: May 2026
Vacant Position	**Staff:** Greg Beal-704-951-3012 Paul Lowe-704-951-3014 Brandon Livingston-704-951-3017 Josh Blackwell-980-525-9041 Beth Ann Winebarger-704-951-3026

Mount Holly Planning Department
400 East Central Avenue Mount Holly, NC 28120
704-827-3931 Option # 9 (Main City Phone Number)

*Last Updated: 12/13/24

Work Session
Agenda Action Form

Meeting Date	From
March 24, 2025	Jonathan Blanton, City Manager City Management

NEW BUSINESS Item # 1

Discussion Regarding Downtown Sanitation Services

Will this require a public hearing?

No

Background/Purpose of Request

The City Manager will discuss current sanitation options provided to downtown businesses and give an overview of practices from other jurisdictions.

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:	N/A
Budget Code:	
Reviewed by City Attorney?	No

Manager/Staff Recommendation

Discussion and informaton only.

Attachments

1. 3-24-2025 Downtown Sanitation Collection Presentation

Downtown Sanitaton Collection

March 24th 2025 – Mount Holly City Council Work Session

1

Current Services Offered

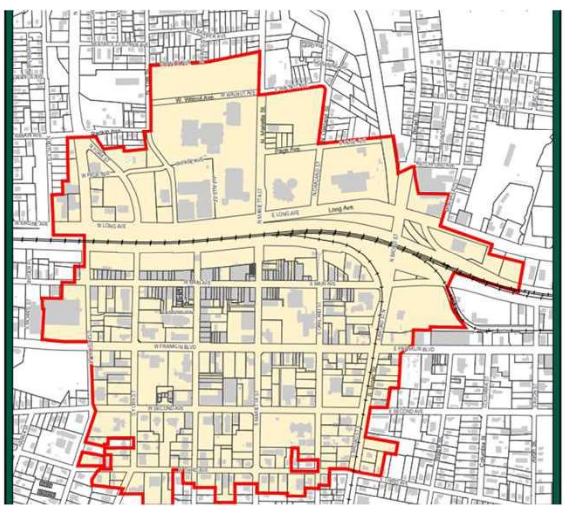
Commercial Fee: $11.91 per container

28 Businesses on South Main, East Central, West Charlotte

16 – One Can at:	$11.91 per month
5 – Two Cans at:	$23.82 per month
2 – Three Cans at:	$35.73 per month
2 – Four Cans at:	$47.84 per month
3 – Five Cans:	$59.55 per month

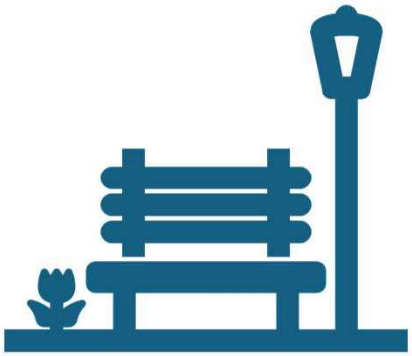
2

3



City of Gastonia

4



Other Municipalities:

Belmont:

Cooperative Waste Program Agreements with Business Owners Paying the Cost

Bessemer City:

Twice a week pick-up and allow private dumpsters

Stanley:

Weekly pick-up and allow for private dumpsters

5

Next Steps and Factors to Consider:

1. Determine Downtown District
2. Evaluate Costs Associated with Pick-Up
3. Obtain Access Easements
4. Negotiate Service Contracts with Third-Party Providers

6

Work Session
Agenda Action Form

Meeting Date	From
March 24, 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 Update

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