November 14, 2022
Council Meeting

Mayor Bryan Hough
Mayor Pro-Tem Phyllis Harris
Councilman Ivory Craig
Councilman Jeff Meadows
Councilman David Moore
Councilwoman Christina Pawlish
Councilwoman Lauren Shoemaker
Marie M. Anders, City Attorney
Miles Braswell, City Manager

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING AGENDA

November 14, 2022
7:00 P.M.

CALL TO ORDER BY THE MAYOR

INVOCATION
Reverend Shirley Canty

PLEDGE OF ALLEGIANCE
Boy Scout Troop 59

SET THE AGENDA

CONSENT AGENDA

1. Approval of Budget Amendment
   - Vehicle Replacement—Police
   - State Drug Tax—Police
   - Yule Love Mount Holly—TDA
2. Approval of Liens for Weeds and Grass
   - 102 Maple Drive
   - 219 Walnut Avenue
3. Approval of Municipal Services Legal Contract with Michael, Elting and Anders, PLLC
4. Approval of a Resolution approving the Installment Financing Contract for the Powell Bill Project
5. Approval of Minutes of the October 24, 2022 Council Work Session Meeting

PRESENTATIONS

1. Presentation of a Resolution to Honor Mrs. Helen Hager for her 100th Birthday *Mayor Bryan Hough*
2. Presentation of a Resolution to Honor Mrs. Jessie Rhyne for her 105th Birthday *Mayor Bryan Hough*
3. Presentation of a Resolution Honoring Former Mayor Robert Whitt for his years served as the Mayor of Mount Holly *Mayor Bryan Hough*
4. Presentation of a Resolution Recognizing Sophie Hoerst for being an Icon Amongst Today's Youth in Mount Holly *Mayor Bryan Hough*

PUBLIC HEARING

PUBLIC COMMENT – Three (3) Minute Limit

OLD BUSINESS

1. Discussion of ARPA Fund Distribution *Jonathan Wilson/Michelle Wood*

NEW BUSINESS

1. Consideration and Approval of a Firm to perform Old City Hall Facility Condition Assessment *Garrie Brinkley*
2. Consideration and Approval of PAAC Recommendation for Year 2 Art Projects *Paul Lowe/Greg Beal*
3. Consideration and Approval of the final design of the Mural for the Traust Brewing Building, located at 128 S Main Street *Paul Lowe/Greg Beal*

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3, 4 and 5)

ADJOURN

CONSENT AGENDA

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 10/31/2022
From: Chief Brian Reagan	**Meeting Date:** 11/14/2022

Agenda Item to be considered:
Request for a Budget Amendment in the amount of $19,385.00 to supplement the funds provided by Insurance for a patrol vehicle replacement due to collision.

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

Background/Purpose of Request: *On 9-19-2022 Officer Emily McManus was traveling back to Mount Holly from attending court. While traveling East on Wilkinson Boulevard, a motorist traveling in the opposite direction ran a stop light colliding with the Patrol Vehicle of Officer McManus. The motorist was charged and a total of $16,346.71 was provided by N.C. Farm Bureau for a total loss of the Patrol Car. The requested amendment amount will be added to the insurance funds to purchase a new replacement vehicle* ***($35,732.00 Total)***.

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☒ YES	☐ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Budget Code: 10-00-8000-550			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

ILDERTON
Jeep
701-712 South Main Street
High Point, NC 27260
(336) 841-6100
BUSINESS LINK
RAM COMMERCIAL

10/31/2022

Buyer:	MOUNT HOLLY	Cell:	
	WES MONROE		
Phone:	(704) 822-2937	Phone:	
E-Mail	wesmonroe@mtholly.us	Fax:	

		TRADE	
VEHICLE	DODGE CHARGER PURSUIT AWD	Make:	
Year:	2023	Model:	
Color:	WHITE	Year:	
Engine:	3.6L V6 24V VVT	Color:	
Drive	8-SPD 8HP50	VIN:	
Mileage:		Stock #:	
		ACV:	

MSRP

Sale Price NCSA CONTRACT PRICING 22-08-0913 ITEM# 138 **$ 34,912.00**

Options Included			
VINYL REAR BENCH SEAT	$ 135.00		$ -
18" WHEEL COVERS	$ 45.00		$ -
FRONT MAP READING LIGHTS	$ 85.00		$ -
EXTRA KEY FOBS	$ 170.00		$ -
LED LEFT SPOT LAMP	$ 385.00		$ -
			$ -
	$ -		$ -
	$ -		$ -
	$ -		$ -
	$ -		$ -
	$ -		$ -
	$ -		$ -

Options Total $ 820.00

Sub Total $ 35,732.00 — Total

Units: 4

*ORDERING OPENS IN OCT 2022 WITH PRODUCTION BEGINNING DEC 2022

BALANCE DUE **$ 142,928.00**

Manager Catherine Martin
DIRECTOR OF FLEET SALES

Customer ______________________
AUTHORIZED PERSONEL

MOUNT HOLLY

Wes Monroe <wesmonroe@mthollly.us

:laim # 11101367419

3 messages

:aryn Fortenberry <karyn.fortenberry@ncfbins.com> Thu, Sep 29, 2022 at 3:19 PI
o: "wesmonroe@mtholly.us" <wesmonroe@mtholly.us>

Good afternoon,

Thank you for speaking with me today. As discussed, below is the offer on the total loss 2016 Dodge Charger:

Actual Cash Value:	$14,907.00
Tax:	$447.21
Tag/Title:	$77.50
Decals:	$465.00
Equip removal:	$450.00
Total:	$16,346.71

- TOTAL funding

The vehicle is located at Cherokee Auto Auction. Whoever is going to remove the equipment just needs to call when he/she is at the gate and they will let him.

Cherokee Auto Auction

704-739-9575

5102 E. Dixon Blvd

Kings Mtn, NC 28086

Thank you,

Karyn Fortenberry

Master Field Adjuster

NC Farm Bureau

Phone 704-773-2737

Fax 919-647-4725

/es Monroe <wesmonroe@mtholly.us> Thu, Sep 29, 2022 at 3:53 PI
o: Jim Beachley <jamesbeachley@gmail.com>

[Quoted text hidden]

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CITY OF MOUNT HOLLY
FY 22-23 Budget Amendment

Account Number	Description	Account Debit	Account Credit
10-00-8000-500	Capital Outlay	$19,385.00	
10-00-3991-000	Appropriated Fund Balance		$ 19,385.00
	TOTAL	$19,385.00	$ 19,385.00

Date Submitted: 14-Nov-22

Finance Officer: __________

City Manager: __________

Department Comments:

Amendment for replacement of wrecked vehicle

Unassigned Fund Balance after Budget Amendment Approval: 10,954,336

% of Budget after Budget Amendment Approval: 62.174249%

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 10/31/2022
From: Chief Brian Reagan	**Meeting Date:** 11/14/2022

Agenda Item to be considered:
Budget Amendment Request for $10,000 to be moved from State Drug Tax Funds (**10-10-3843-893**) to Budget Code **10-10-4310-625** for three Staccato firearms and uniforms for the Tactical Team.

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

Background/Purpose of Request: *The listed funding was originally moved to purchase this equipment in the FY21-22 Budget. Due to no availability, these funds were moved back to the State Drug Tax Account at the close of FY21-22 Budget.*

Fiscal Impact:

Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☒ YES	☐ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☒ YES	☐ NO	☐ N/A
Budget Code: 10-00-3843-893 to 10-10-4310-625			
Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:

CITY OF MOUNT HOLLY
FY 22-23 Budget Amendment

Account Number	Description	Account Debit	Account Credit
10-10-4310-625	State Forfeiture Expense	$10,000.00	
10-10-3843-893	State Drug Funds		$ 10,000.00
	TOTAL	$10,000.00	$ 10,000.00

Date Submitted: 14-Nov-22

Finance Officer: ____________________

City Manager: ____________________

Department Comments:

Amendment to record State Drug Revenue and appropriate expenditure

Unassigned Fund Balance after Budget Amendment Approval: 10,954,336

% of Budget after Budget Amendment Approval: 62.174249%

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 9, 2022
From:	Michelle Wood	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: TDA Budget Amendment

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

Background/Purpose of Request: TDA Budget Amendment

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☒ NO	☐ N/A
Capital Project Ordinance required	☐ YES	☒ NO	☐ N/A
Budget Transfer required	☐ YES	☒ NO	☐ N/A
Total City Dollars: $20,000			
Budget Code: 24-00-4920-199			
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation: Staff Recommends approval of Budget Amendment

Result of City Council Decision:_____

Attachments:

CITY OF MOUNT HOLLY
FY 22-23 Budget Amendment

Account Number	Description	Account Debit	Account Credit
24-00-4920-199	Contract Services	$20,000.00	
24-00-2980-000	Fund Balance		$ 20,000.00
	TOTAL	$20,000.00	$ 20,000.00

Date Submitted: 14-Nov-22

Finance Officer: ______

City Manager: ______

Department Comments:

Amendment to commit fund balance for campaining fund for Yule Love Mount Holly

MOUNT HOLLY

Michelle Wood <michelle.wood@mtholly.us>

TDA funds

3 messages

Ineke Wilson <for.ineke@gmail.com> Thu, Nov 3, 2022 at 7:06 PM
To: Miles Braswell <miles.braswell@mtholly.us>, Michelle Wood <michelle.wood@mtholly.us>
Cc: Philip McGinnis <philip@entier.us>, General Manager Holiday Inn Express Charlotte Airport <reba.edwards@maya-hotels.com>

Michelle,

The TDA is helping the Yule Love Mount Holly campaign with funds. We have a proposal for a yearlong video shoot at all the events.
We will be $20,000 over budget.

What do we need to do to move $20,000 from the reserve to this year's budget?

Ineke Wilson
General Manager
704-905-5002
Tailrace Marina

Michelle Wood <michelle.wood@mtholly.us> Fri, Nov 4, 2022 at 8:23 AM
To: Ineke Wilson <for.ineke@gmail.com>
Cc: Miles Braswell <miles.braswell@mtholly.us>, Philip McGinnis <philip@entier.us>, General Manager Holiday Inn Express Charlotte Airport <reba.edwards@maya-hotels.com>

Ineke, we can place a budget amendment on the council agenda to increase that budget and pull from reserve to fund it.
If you will okay this I'll work on getting this placed on the council agenda for approval.

Thank you,

Michelle Wood

Finance Director

City of Mount Holly

704-951-3002

[Quoted text hidden]

Ineke Wilson <for.ineke@gmail.com> Fri, Nov 4, 2022 at 8:34 AM
To: Michelle Wood <michelle.wood@mtholly.us>
Cc: Miles Braswell <miles.braswell@mtholly.us>, Philip McGinnis <philip@entier.us>, General Manager Holiday Inn Express Charlotte Airport <reba.edwards@maya-hotels.com>

Yes, approved.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 11-04-2022
From: Josh Blackwell	**Meeting Date:** 11-14-2022

Agenda Item to be considered: Request for adoption of two liens for clearing of grass and weeds.

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

Background/Purpose of Request: Staff is requesting that council adopt liens to be placed on 102 Maple Drive, Gaston County Parcel ID: 124386 and 219 Walnut Avenue, Gaston County Parcel ID: 122781 for the clearing of grass and weeds in violation of the City's nuisance ordinance under Section 8-9 of the City Code.

Fiscal Impact:

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

Manager/Staff Recommendation:
Adopt one lien for 102 Maple Drive in the amount of $475.00.
Adopt one lien for 219 Walnut Avenue in the amount of $475.00.

Result of City Council Decision:

Attachments:
1. **Copy of ordinance to place lien on 102 Maple Drive**
2. **Copy of ordinance to place lien on 219 Walnut Avenue**

AN ORDINANCE BY THE CITY OF MOUNT HOLLY
ESTABLISHING A LIEN ON CERTAIN REAL PROPERTY
FOR CLEARING OF GRASS & WEEDS

Drawn by & Return:
City of Mt. Holly, P.O. Box 406, Mt. Holly, NC 28120

WHEREAS, certain abatement of public nuisance proceedings have been initiated by the City of Mount Holly pertaining to a certain lot or parcel located in the City of Mount Holly, North Carolina, and identified as Tax Parcel ID#124386, 102 Maple Drive, said parcel being owned by Dorothy Manes Heirs; and,

WHEREAS, notice of violation was made known to the above-mentioned owner as required by Section 8-9 through 8-14 of the Ordinances of the City of Mount Holly, North Carolina, and the owner has failed to abate the nuisance and the administrator has caused the property to be cleared of the nuisance; and,

WHEREAS, that the actual cost of abated the nuisance has not been paid within 30 days after receipt of the statement of the charges from the City.

NOW, THEREFORE, BE IT RESOLVED, that this Ordinance shall be recorded in the Office of the Register of Deeds for Gaston County, North Carolina, and indexed in the name of the property owner as provided in N.C.G.S. 160A-175(e) and 160A-365, as a lien against the above-described property in favor of the City of Mount Holly for the cost of abating the nuisance, as follows:

Actual cost of clearing	$ 125.00
Administrative cost	$ 350.00
Total Lien Due	$ 475.00

Adopted by the City Council of the city of Mount Holly upon motion duly made, seconded and carried at a properly held meeting on ______ day of ________________, 2022.

CITY OF MOUNT HOLLY

By: ____________________________
Mayor

Attest:

____
City Clerk

AN ORDINANCE BY THE CITY OF MOUNT HOLLY
ESTABLISHING A LIEN ON CERTAIN REAL PROPERTY
FOR CLEARING OF GRASS & WEEDS

Drawn by & Return:
City of Mt. Holly, P.O. Box 406, Mt. Holly, NC 28120

WHEREAS, certain abatement of public nuisance proceedings have been initiated by the City of Mount Holly pertaining to a certain lot or parcel located in the City of Mount Holly, North Carolina, and identified as Tax Parcel ID#122781, 219 Walnut Avenue, said parcel being owned by Dorothy C Arndt Heirs; and,

WHEREAS, notice of violation was made known to the above-mentioned owner as required by Section 8-9 through 8-14 of the Ordinances of the City of Mount Holly, North Carolina, and the owner has failed to abate the nuisance and the administrator has caused the property to be cleared of the nuisance; and,

WHEREAS, that the actual cost of abated the nuisance has not been paid within 30 days after receipt of the statement of the charges from the City.

NOW, THEREFORE, BE IT RESOLVED, that this Ordinance shall be recorded in the Office of the Register of Deeds for Gaston County, North Carolina, and indexed in the name of the property owner as provided in N.C.G.S. 160A-175(e) and 160A-365, as a lien against the above-described property in favor of the City of Mount Holly for the cost of abating the nuisance, as follows:

Actual cost of clearing	$ 125.00
Administrative cost	$ 350.00
Total Lien Due	$ 475.00

Adopted by the City Council of the city of Mount Holly upon motion duly made, seconded and carried at a properly held meeting on ______ day of _________________, 2022.

CITY OF MOUNT HOLLY

By: ___________________________
Mayor

Attest:

____
City Clerk

MEMORANDUM

TO: Mayor and City Council, City of Mount Holly

FROM: Marie M. Anders, City Attorney

RE: Municipal Legal Services Contract with Michael, Elting, & Anders, PLLC

DATE: November 9, 2022

During the last audit, the auditors asked for a copy of the legal services contract between the City and my law firm, Michael, Elting, & Anders, PLLC. To my knowledge and to Kemp Michael's knowledge, there has never been a written contract for legal services between the City and either Kemp, any firm he has been a part of, or me. Therefore, Kemp and I have prepared a simple legal services contract for your review and approval that we believe would meet the request of the auditors. He and I both serve at the pleasure of the City Council by appointment, and this contract states that fact.

MUNICIPAL LEGAL SERVICES CONTRACT

PARTIES:

The Law Firm of Michael, Elting, & Anders, PLLC, and the City of Mount Holly, North Carolina.

TERM:

This contract shall be effective as of the _____ day of ______________, 2022, and will continue in effect until terminated by either Party.

SERVICES:

1. The Council has appointed Marie Anders to be City Attorney and Kemp Michael to be Assistant City Attorney. Both serve at the pleasure of the Council.
2. The Law Firm shall provide all legal services needed by City, except for specialized services which require outside counsel approved in advance by the City Manager or the Mayor.
3. Marie Anders shall represent City at all regular and special Council meetings. However, under special circumstances Kemp Michael will represent the City at such meetings, upon prior notice to the Mayor.

FEES:

The Law Firm will charge fees as set forth on its Fee Schedule. The current Fee Schedule is attached as Exhibit "A". Thereafter, increases in the Fee Schedule, if any, will be submitted to the City Manager during the budget process.

LIABILITY:

The Law Firm shall use its best efforts to provide prompt and professional services to City. The Law Firm shall provide a copy of its professional malpractice insurance to City upon request.

CITY: CITY OF MOUNT HOLLY, NC	LAW FIRM: MICHAEL, ELTING, & ANDERS, PLLC
By: ______________________________ Name/Title:	By: ______________________________ Name/Title:

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

____
Finance Officer

{00075827 4}

EXHIBIT "A"
FEE SCHEDULE

1. The Law Firm will charge hourly fees for routine matters, such as attendance at work sessions and special meetings, as follows:

   A. Marie Anders -- $190/hour
   B. Kemp Michael -- $190/hour
   C. Paralegal -- $90/hour

2. The Law Firm will charge a retainer of $1,000 per month. The purpose of a retainer is to compensate for attendance at the regular monthly Council meeting (2nd Monday meeting), changing schedules to meet the needs of the City on short notice, giving priority to the City's legal needs, declining any clients whose interests may be adverse to the City, and to cover routine communications with City staff.

3. Some matters, such as negotiations, title searches, or settling claims, would not be billed hourly but would be billed based upon the importance and complexity of the matter involved in addition to the time. The Law Firm will charge reasonable fees for matters not billed by the hour and will always be open to explanation of our fees and any concerns that the City Manager or elected officials may have.

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 7, 2022
From:	Michelle Wood	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: Resolution approving Installment Financing Contract for Powell Bill Project

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

Background/Purpose of Request: Resolution approving Installment Financing Contract for Powell Bill Project

Fiscal Impact:

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

Manager/Staff Recommendation: Approve the Resolution approving Installment Financing Contract for Powell Bill Project

Result of City Council Decision:_____

Attachments: Resolution

A regular meeting of the City Council of the City of Mount Holly, North Carolina, was duly held on November 14, 2022 at 7:00 p.m. in the Municipal Complex, 400 East Central Avenue, Mount Holly, North Carolina. Mayor Bryan Hough presiding.

Councilmembers Present: Mayor Bryan Hough

Councilmembers Absent:

* * * * *

Mayor Hough introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the Clerk to the City Council and which was read by title:

A RESOLUTION APPROVING AN INSTALLMENT FINANCING AND SECURITY AGREEMENT TO FINANCE PUBLIC IMPROVEMENTS AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS

WHEREAS, the City of Mount Holly, North Carolina (the *"City"*) is a political subdivision validly existing under the constitution, statutes and laws of the State of North Carolina (the *"State"*);

WHEREAS, the City has the power, pursuant to the General Statutes of North Carolina to (1) enter into installment contracts in order to purchase, or finance or refinance the purchase of, real or personal property and to finance or refinance the construction or repair of fixtures or improvements on real property and (2) create a security interest in some or all of the property financed or refinanced to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the *"City Council"*) has determined that it is in the best interest of the City to enter into an installment financing and security agreement under North Carolina General Statutes Section 160A-20 (the *"Agreement"*) with Pinnacle Bank (the *"Lender"*) in order to obtain funds to repair and repave various streets, fund sidewalk improvements, fund stormwater drainage improvements (collectively, the *"Improvements"*) and pay costs of executing and delivering the Agreement, and to put a security interest on the Improvements in favor of the Lender in order to provide security for the City's obligations under the Agreement;

WHEREAS, the City will enter into the Agreement in an aggregate principal amount of not to exceed $8,310,000;

WHEREAS, there has been made available to the City Council in the office of the City's Finance Director the form of the Agreement which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing; and

WHEREAS, it appears that the Agreement is in appropriate form and is an appropriate instrument for the purposes intended;

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

Section 1. ***Ratification of Prior Actions.*** All actions of the Mayor and the Finance Director, and their respective designees, in effectuating the proposed financing are approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Agreement.

Section 2. ***Findings.*** The City Council hereby finds and confirms that (i) the financing of the Improvements by an installment financing contract with the Lender is necessary and expedient for the City; (ii) the financing of the Improvements by an installment financing contract with the Lender, under the circumstances, is preferable to a bond issue by the City; (iii) the sums to fall due under said installment financing contract with the Lender are adequate and not excessive for their proposed purpose; (iv) the City's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with law; (v) the increase in taxes, if any, necessary to meet the sums to fall due under said installment financing contract with the Lender will not be excessive; and (vi) the City is not in default regarding any of its debt service obligations.

Section 3. ***Approval, Authorization and Execution of Agreement.*** The City Council approves the acquisition and financing of the Improvements in accordance with the terms of the Agreement, which will be a valid, legal and binding obligation of the City in accordance with its terms. The City Council approves the amount advanced by the Lender to the City pursuant to the Agreement in an aggregate principal amount not to exceed $8,310,000 at an interest rate of 3.60%, such amount to be repaid by the City to the Lender as provided in the Agreement. The form, terms and content of the Agreement are in all respects authorized, approved and confirmed. The Mayor, the City Attorney, the Finance Director and the City Clerk, or their respective designees (the *"Authorized Officers"*), are authorized, empowered and directed to execute and deliver the Agreement for and on behalf of the City, including necessary counterparts, in substantially the form made available to the City Council, but with such changes, modifications, additions or deletions therein as they may deem necessary, desirable or appropriate, their execution thereof to constitute conclusive evidence of the approval of the City Council of any and all such changes, modifications, additions or deletions. From and after the execution and delivery of the Agreement, each Authorized Officer is authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

Section 4. ***Further Actions.*** Each Authorized Officer is designated as the City's representative to act on behalf of the City in connection with the transactions contemplated by the Agreement. The Authorized Officers are authorized and directed to proceed with acquisition and financing of the Improvements in accordance with the terms of the Agreement, and to seek opinions on matters of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated under this Resolution as required by law. The Authorized Officers are authorized to designate one or more employees of the City to take all actions which they are authorized to perform under this Resolution, and each is in all respects authorized on behalf of the City to supply all information pertaining to the transactions contemplated by the Agreement. The Authorized Officers are authorized to execute and deliver for and on behalf of the City any and all additional certificates, documents, opinions or other papers and perform all other acts as may be required by the Agreement or as they may deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution and the on-going administration of the Agreement. Any and all acts of the Authorized Officers may be done individually or collectively.

Section 5. ***Severability.*** If any section, phrase or provision of this Resolution is for any reason declared invalid, such declaration will not affect the validity of the remainder of the sections, phrases or provisions of this Resolution.

Section 6. ***Repealer.*** All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are repealed.

Section 7. ***Effective Date.*** This Resolution is effective on the date of its adoption.

* * * * *

On motion of Councilmember __________, seconded by Councilmember ______________, the foregoing resolution entitled **"A RESOLUTION APPROVING AN INSTALLMENT FINANCING AND SECURITY AGREEMENT TO FINANCE PUBLIC IMPROVEMENTS AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS"** was duly approved by the following vote:

AYES:

NAYES:

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

I, Amy Miller, Clerk to the City Council of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled "A **RESOLUTION APPROVING AN INSTALLMENT FINANCING AND SECURITY AGREEMENT TO FINANCE PUBLIC IMPROVEMENTS AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS**" adopted by the City Council of the City of Mount Holly, North Carolina at a regular meeting held on the 14th day of November, 2022.

WITNESS my hand and the corporate seal of the City of Mount Holly, North Carolina, this the ___ day of November, 2022.

____
Amy Miller
Clerk to the City Council
City of Mount Holly, North Carolina

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, October 24, 2022
COUNCIL CHAMBERS
6:30 PM

Call to Order
Mayor Hough called the meeting to order at 6:30 pm. The following were present:

Mayor Bryan Hough	Miles Braswell, City Manager
Mayor Pro Tem Phyllis Harris	Brian DuPont, Assistant City Manager
Councilman Ivory Craig	Brian Reagan, Police Chief
Councilman Jeff Meadows	Ryan Baker, Fire Chief
Councilman David Moore--absent	Greg Beal, Planning Director
Councilwoman Christina Pawlish	Tony Walker, Streets and Solid Waste Director
Councilwoman Lauren Shoemaker	Jonathan Wilson, Director of Utilities
Marie M. Anders, City Attorney	Mark Jusko, Recreation Supervisor
Kemp Michael, Assistant City Attorney	Michelle Wood, Finance Director

Invocation
Mayor Bryan Hough led the Council, staff and attendees in prayer.

Set the Agenda
With no changes to the agenda, Councilwoman Pawlish made a motion to approve the agenda as presented. Councilman Craig seconded the motion. All Council Members present voted in favor. (Motion Carried)

CONSENT AGENDA
1. Approval of Budget Amendment
    - Mountain Island Road Parking Area—Parks and Recreation
    - Tourism Development Authority (TDA)
2. Approval of Veteran's Day Proclamation
3. Approval of minutes from the October 10, 2022 Council Meeting

Councilwoman Shoemaker made a motion to approve the consent agenda. Mayor Pro Tem Harris seconded the motion. All Council Members present voted in favor. (Motion Carried)

PUBLIC HEARING
1. Public Hearing for Powell Bill Financing

Ms. Wood advised that at the September 12, 2022 meeting, Council approved a resolution for installment financing for the Powell Bill Project in the amount of $8,310,000 at 3.60% finance rate with Pinnacle Bank. She commented a public hearing is required as part of the LGC approval process.

Councilwoman Shoemaker made a motion to enter in a public hearing for Powell Bill Financing. Councilman Meadows seconded the motion. All Council Members present voted in favor. (Motion carried) With no one signed up to speak, Councilwoman Pawlish made a motion to return to open session. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion carried)

Councilman Meadows commented that the City receives Powell Bills Funds each year from the state. The funding from the state is determined by the number of roads within the city limits. The city will use the Powell Bill Funds to make the installment payments. Mayor Hough commented that the city banks with South State Bank and asked what the determining factor in using Pinnacle? Ms. Wood advised that Pinnacle will hold the rate until December 30th.

Councilman Meadows made a motion to approve Pinnacle Bank for Powell Bill Project Installment Financing. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion carried)

AGENDA

1. Presentation of the Fiscal Year 2021/2022 Audit

   Ms. Fresperman with Martin and Starnes came before the City Council and presented the 2022 audited financial statements. Ms. Fresperman thanked Ms. Wood and her staff for being helpful and cooperative during the process. The audit has been submitted to the LGC and they will contact Ms. Wood when approved. She advised that there were no performance indicator of concern or audit findings on the current year. Ms. Fresperman reported that the total fund balance is \$20,164,174 and a total of \$13,728,521 unassigned fund balance. That is an increase of \$2,839,729 from last year's unassigned fund balance amount. Mayor Hough thanked Ms. Wood and her staff for a job well done. Councilman Meadows added that with the professional staff that we currently have he would like the City to apply for some budget awards and finance awards.

2. Presentation of ARPA Fund Distribution

   Ms. Wood and Mr. Wilson advised that staff provided an update on the ARPA Funds at the August 22, 2022 Council Work Session. Mount Holly was allocated \$5,181,064 in ARPA Funds. Staff shared the list of priorities and gave some different payment options using ARPA Funds and General Fund. Council directed staff to contact Mr. Cheatwood and have him run some scenario's that would offer some clarification on financing versus paying and also research any options that the city could have similar to what we are currently doing will Powell Bill Funds. Staff will bring this back at the November meeting.

3. Discussion of 147 East Catawba Avenue *(follow up from the October 10, 2022 Council Meeting)*

   Mr. DuPont advised that staff was directed to table this discussion at the last meeting to give the Council more time to make a final decision. Councilman Meadows made a motion to approve the option to auction the house located at 147 East Catawba Avenue and have it moved at the buyer's expense. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion carried)

   Councilman Meadows advised that he would like to exercise this option in the future and auction off dwellings instead of tearing them down.

CLOSED SESSION

Councilwoman Pawlish makes a motion to enter into closed session pursuant to N.C.G.S 143-318.11 (a) (3 and 5). Councilman Craig seconded the motion. All Council members present voted in favor. (Motion Carried)

The time was 7:06 pm.

Mayor Pro Tem Harris made a motion to return to open session. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion Carried)

The time was 8:33pm.

Councilwoman Shoemaker made a motion to enter into contract with Haggar Solution in the amount of $1,500 per month for lobbying services. Mayor Pro Tem Harris seconded the motion. All Council Members present voted in favor. (Motion carried)

Adjourn

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilwoman Pawlish made the motion to adjourn the October 24, 2022 Council Meeting. Mayor Pro Tem Harris seconded the motion. All Council Members present voted in favor. (Motion Carried)

The meeting adjourned at 8:35 pm.

PRESENTATIONS

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 9, 2022
From:	Miles Braswell, City Manager	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: A Resolution to Honor Mrs. Helen Hager for her 100th Birthday

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

Background/Purpose of Request: Mrs. Helen Hager recently turned 100 years old. We are honoring her for reaching this milestone.

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

Manager/Staff Recommendation:
Approval

Result of City Council Decision:

Attachments:
Resolution

City of Mount Holly
Action Agenda Item

To: Mayor and City Council	**Date:** November 9, 2022
From: Miles Braswell, City Manager	**Meeting Date:** November 14, 2022

Agenda Item to be considered: A Resolution to Honor Mrs. Jessie Rhyne for her 105th Birthday

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request: Mrs. Jessie Rhyne recently turned 105 years old. We are honoring her for reaching this milestone.

Fiscal Impact:

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

Manager/Staff Recommendation:
Approval

Result of City Council Decision:

Attachments:
Resolution

RESOLUTION IN HONOR OF JESSIE BURTON RHYNE
UPON ATTAINING THE AGE OF 105

WHEREAS, as one of five children, with three brothers and one sister, Jessie Rhyne was born in Portsmouth, Virginia; but when she was 18, she with her mother and sister moved to Charlotte to live with her aunt, her father having died when she was a baby; and,

WHEREAS, after meeting Jack Rhyne, her future husband, on a blind date, Jessie moved to Mount Holly in 1946 as a war bride, where her husband operated a grocery store across from the Mount Holly Furniture Store for many years; and,

WHEREAS, Jessie is a living manifestation of a Southern lady with natural charm and grace; and,

WHEREAS, throughout her life, Jessie has enjoyed a number of hobbies and has had many friends, is the life of the party, a world class cook including her famous country style steak, and loves to play bridge and participate in the garden club; and,

WHEREAS, of particular interest to Jessie over the years has been playing golf, first at the American & Efird nine hole course and later at Pine Island Golf Club; and,

WHEREAS, Jessie Rhyne has always loved music and dancing, and never misses an opportunity to have a great time with her friends and to travel; but her favorite way to spend an afternoon is to sit on the beach sipping beer; and,

WHEREAS, Jessie is known for decorating her home for Christmas, displaying her hand-made ornaments on the tree, and getting everyone in the Christmas spirit; and,

WHEREAS, Mrs. Rhyne also formerly loved to do needle point and to knit, but in later years had to give that up due to macular degeneration; and,

WHEREAS, Jessie and Jack Rhyne have two children, Jessica Marks and Alex Rhyne, and have two grandchildren, and four great-grandchildren; and,

WHEREAS, Jessie Burton Rhyne remains a vibrant and fun-loving person, having a zest for life and a strong will to live every day since her birth on October 30, 1917; and,

WHEREAS, Jessie says her secret to long life is "Just Keep Moving"!

NOW, THEREFORE, BE IT RESOLVED, THAT WE, the Mayor and City Council of Mount Holly, do hereby express our fondness and appreciation for Jessie Rhyne, and the difference a life well-lived makes to her family and to our community.

This 14th day of November, 2022.

CITY OF MOUNT HOLLY

By: ______________________________
Bryan M. Hough, Mayor

Attest: ______________________________
Amy Miller, City Clerk

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 9, 2022
From:	Miles Braswell, City Manager	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: A Resolution Honoring former Mayor Robert Whitt for his years served as the Mayor of Mount Holly

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

Background/Purpose of Request: We will recognize and honor former Mayor Robert Whitt with a resolution for his years of service as the Mayor of Mount Holly. We will also have a dinner in his honor beginning at 5:30pm in the Training Room.

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

Manager/Staff Recommendation:
Approval

Result of City Council Decision:

Attachments:
Resolution

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 9, 2022
From:	Miles Braswell, City Manager	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: A Resolution Recognizing Sophie Hoerst for being an Icon Amongst Today's Youth in Mount Holly.

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

Background/Purpose of Request: On November 18, 2019 Sophie came before the Council and requested a Crosswalk at N Main and Highland. The crosswalk has been completed and we are bringing Sophie back to present her with a resolution for her foresight.

Fiscal Impact:

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

Manager/Staff Recommendation:
Approval

Result of City Council Decision:
____

Attachments:
Resolution

A RESOLUTION RECOGNIZING MS. SOPHIE HOERST FOR BEING AN ICON AMONGST TODAY'S YOUTH IN MOUNT HOLLY

WHEREAS, on November 18, 2019 Ms. Sophie Hoerst spoke at Public Comment before the Mayor and City Council at their regular monthly meeting; and

WHEREAS, at the time, Sophie was only 10 years old and in the 5th grade but displayed great community vision and leadership; and

WHEREAS, Sophie recognized the need for more pedestrian friendly crosswalk accesses connecting our downtown with residential areas throughout the city; and

WHEREAS, Sophie recognized the need for easier passageway to downtown Mount Holly with connection of pedestrian crosswalks but through her love of animals and nature she also spoke to the environmental aspect stating that *"crosswalks would cut down on pollution caused by vehicular traffic;"* and

WHEREAS, Sophie specifically requested the installation of a crosswalk at the intersection of North Main Street and Highland Ave, thus being the busy intersection, her family has to cross as they walk to Downtown Mount Holly on Saturdays to the Farmer's Market and to other special events in the city; and

WHEREAS, Sophie's concern for community safety and desire to help others was clearly visible at the November 2019 Council meeting. It comes as no surprise that she wants to be a pediatric endocrinologist when she grows up to help kids with type 1 diabetes like herself.

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council thank citizens like Sophie Hoerst for the desire to make Mount Holly a better place to live and coming to the Council at such a young age and expressing your safety concerns and being an icon amongst today's youth.

NOW THEREFORE BE IT FURTHER RESOLVED that the Mayor and Council heard your concerns. The city coordinated with the North Carolina Department of Transportation and advanced these crosswalk projects. These pedestrian crossings were implemented and now create an important and safe connection between residents, more specifically your family and the downtown business district.

Approved this 14th day of November, 2022

SIGNED:

____
Bryan Hough, Mayor

Attest:

____
Amy Miller, City Clerk

PUBLIC HEARINGS

OLD BUSINESS

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 9, 2022
From:	Jonathan Wilson/Michelle Wood	**Meeting Date:**	November 14, 2022

Agenda Item to be considered: Updated presentation of ARPA Fund Distribution

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

Background/Purpose of Request: Updated Presentation of ARPA Fund Distribution

Fiscal Impact:

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

Manager/Staff Recommendation: Approve Scenario 1 to fund staff's proposed top 2 projects using unassigned Fund Balance

Result of City Council Decision:_____

Attachments:

City of Mount Holly Capital Projects & ARPA Discussion

November 14, 2022

Fund Balance- Recap

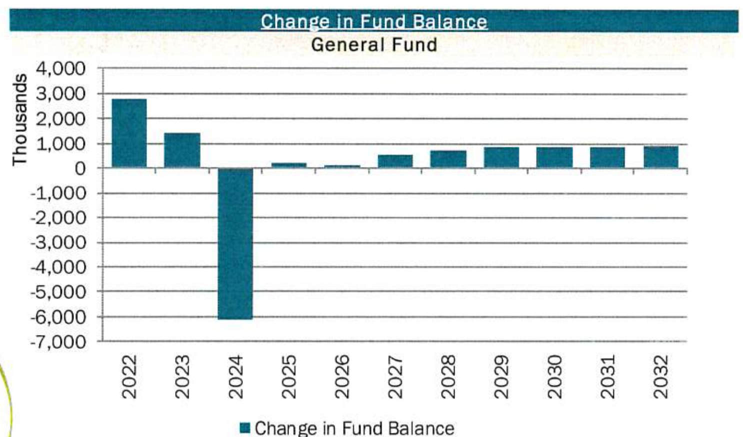
Total Fund Balance at 6-30-2022	$20,164,174
Non-Spendable	($98,693)
Restricted	($3,745,270)
Committed (Annual Debt)	($1,061,293)
Assigned for FY22-23 Budget Amendments	($474,940)
Assigned	($984,668)
Prior Designations for Property Acquisition & South Gateway Road (1,294,474, 1,000,000)	($2,294,474)
ARPA – freed up funds by supplanting	$5,181,064
Subtotal	**$16,685,900**
Internal Unwritten Policy - 25% of budgeted appropriations	($4,404,836)
Unassigned for Appropriation	**$12,281,064**

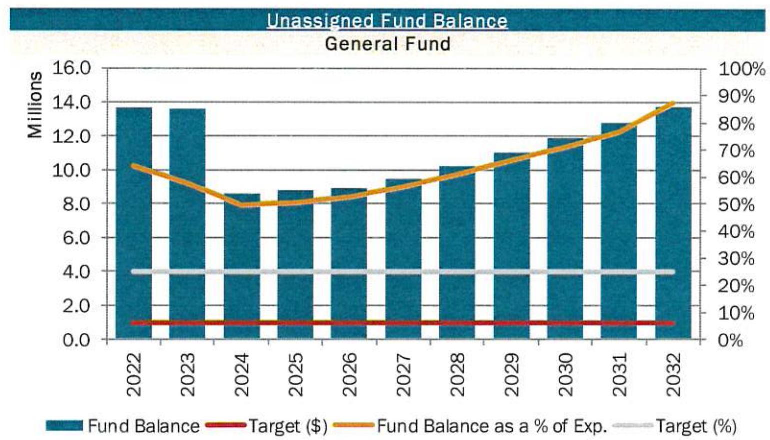
Recap Projects –Prioritized by Staff

Description	Amount	Timing (FY)	Funding Type
South Gateway Connector Road	3,000,000	2023	Pay-Go
Dutchman's Creek Greenway Bridge	5,000,000	2024	Pay-Go
Veteran's Park Expansion	8,000,000	2025	Installment Financing
Historic City Hall Preservation Society	3,000,000	2025	Installment Financing
Tuckaseege Road Sidewalk	3,000,000	2026	Installment Financing
Beaty Road Sidewalk	1,500,000	2027	Pay-Go
Tuckaseege Park Multi-Use Facility	12,700,000	2030	Installment Financing

Funding Scenario 1: Fund Major Capital Projects (CIP) plus South Gateway and Dutchman's Creek

- In Scenario 1, in addition to funding all of the projects in the City's CIP on a pay-go basis, the City also funds the South Gateway Connector Road and the Dutchman's Creek Greenway Bridge with cash.
- Under this scenario, the City's unassigned fund balance in its General Fund would well exceed its target of 25% of expenditures.



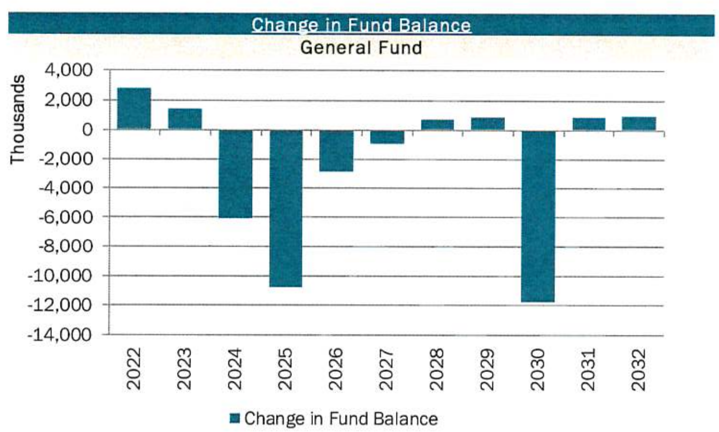


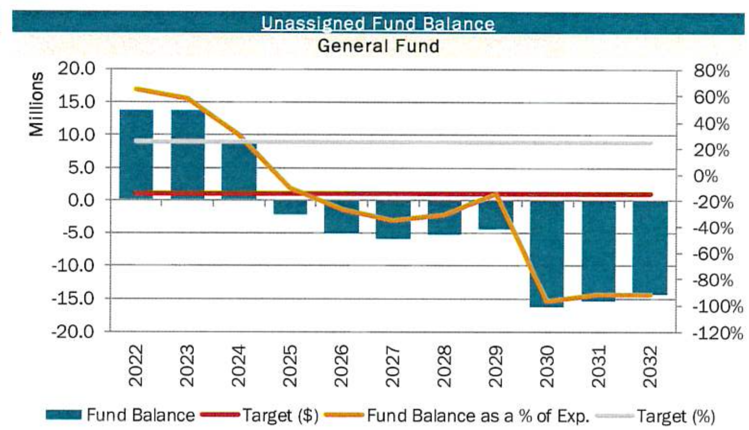
Funding Scenario 2: Scenario 1 plus Additional Projects

- In Scenario 2, it assumes the City funds all the projects as set forth in Scenario 1 plus the expansion of Veteran's Park, improvements to the Historic City Hall Preservation Society, sidewalk improvements on Tuckaseege Road and Beaty Road and a new multi-use facility at Tuckaseege Park, all with cash.

- As illustrated on the bottom right chart, the City's unassigned fund balance in its General Fund would go negative by FY2025.

Description	Amount	Timing (FY)	Funding Type
South Gateway Connector Road	3,000,000	2023	Pay-Go
Dutchman's Creek Greenway Bridge	5,000,000	2024	Pay-Go
Veteran's Park Expansion	8,000,000	2025	Pay-Go
Historic City Hall Preservation Society	3,000,000	2025	Pay-Go
Tuckaseege Road Sidewalk	3,000,000	2026	Pay-Go
Beaty Road Sidewalk	1,500,000	2027	Pay-Go
Tuckaseege Park Multi-Use Facility	12,700,000	2030	Pay-Go



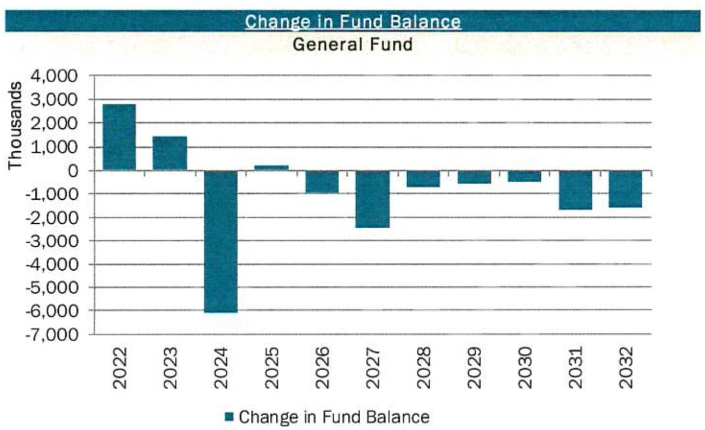


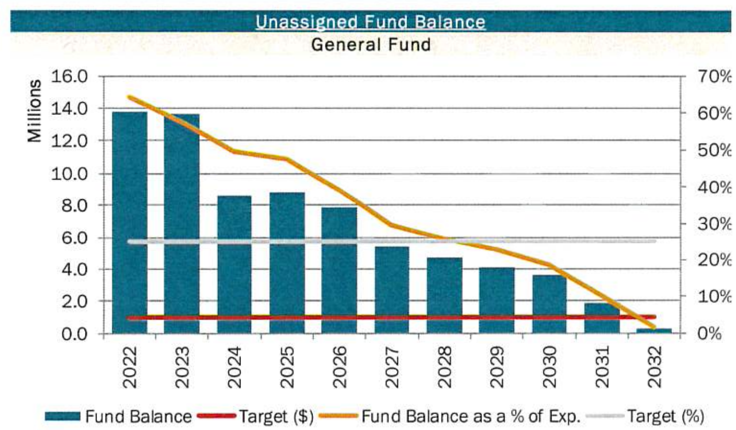
Funding Scenario 3A: Scenario 2 with Certain Projects Funded with Debt

- In Scenario 3A assumes all of the projects from Scenario 2 are funded but the expansion to Veteran's Park, the improvements to the Historic City Hall Preservation Society, sidewalk improvements on Tuckaseege Road and a new multi-use facility at Tuckaseege Park are funded with debt (installment financings) instead of cash.

- As illustrated on the bottom right chart, the City's unassigned fund balance in its General Fund would remain positive but fall below its target of 25% of expenditures

Description	Amount	Timing (FY)	Funding Type
South Gateway Connector Road	3,000,000	2023	Pay-Go
Dutchman's Creek Greenway Bridge	5,000,000	2024	Pay-Go
Veteran's Park Expansion	8,000,000	2025	Installment Financing
Historic City Hall Preservation Society	3,000,000	2025	Installment Financing
Tuckaseege Road Sidewalk	3,000,000	2026	Installment Financing
Beaty Road Sidewalk	1,500,000	2027	Pay-Go
Tuckaseege Park Multi-Use Facility	12,700,000	2030	Installment Financing



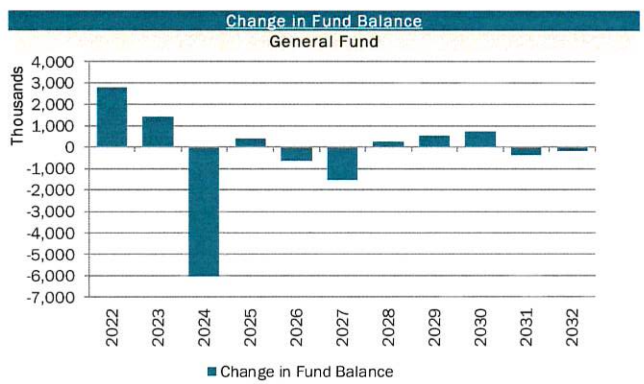


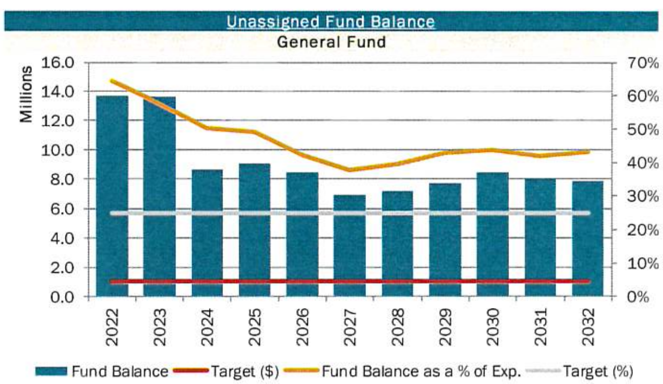
Funding Scenario 3B: Scenario 3A with Additional Revenues

- Scenario 3B assumes all of the projects and funding sources from Scenario 3A but assumes the City's Assessed Value grows at 1% annually <u>and</u> the receives an additional $500,000 of property tax revenue resulting from new development around South Gateway Connector Road beginning in FY 2027.

- As illustrated on the bottom right chart, the City's unassigned fund balance in its General Fund would meet/exceed its target of 25% of expenditures.

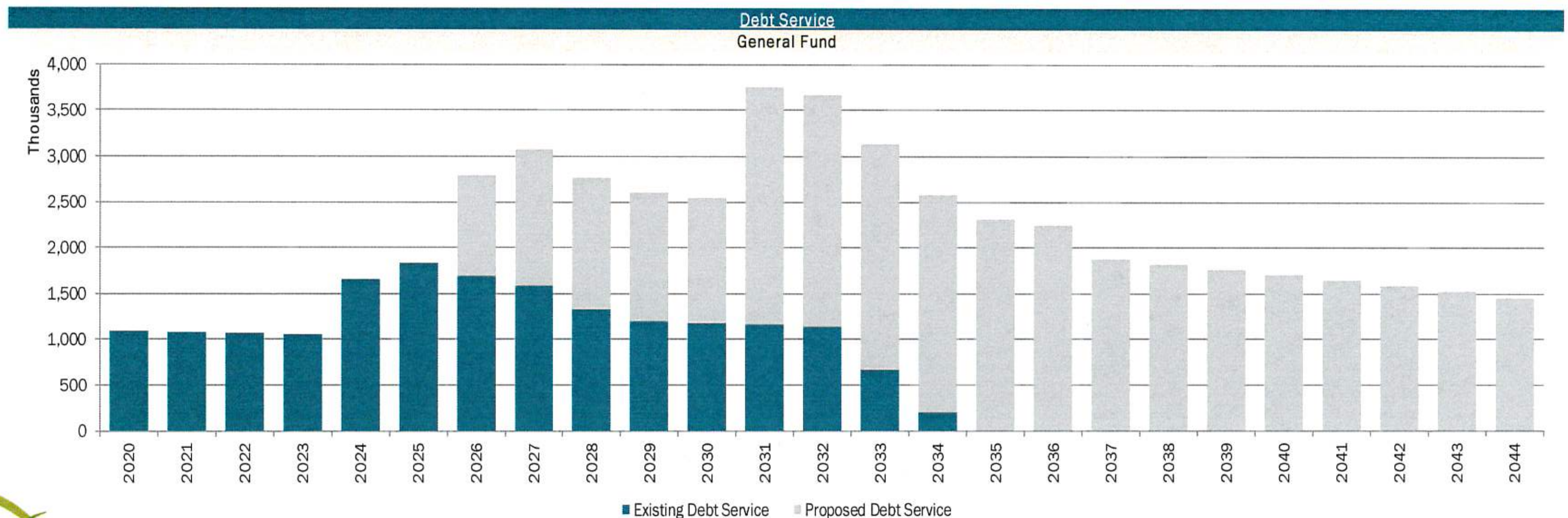
Description	Amount	Timing (FY)	Funding Type
South Gateway Connector Road	3,000,000	2023	Pay-Go
Dutchman's Creek Greenway Bridge	5,000,000	2024	Pay-Go
Veteran's Park Expansion	8,000,000	2025	Installment Financing
Historic City Hall Preservation Society	3,000,000	2025	Installment Financing
Tuckaseege Road Sidewalk	3,000,000	2026	Installment Financing
Beaty Road Sidewalk	1,500,000	2027	Pay-Go
Tuckaseege Park Multi-Use Facility	12,700,000	2030	Installment Financing





Funding Scenario 3B: Scenario 3A with Additional Revenues

- The additional $26.7 million of installment financing would double the City's current maximum annual debt service.



Questions/Discussion

NEW BUSINESS

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	November 8, 2022
From:	Elizabeth Bell, Project Manager	**Meeting Date:**	November 14, 2022

Agenda Item to be considered:

Consideration and Approval of Creech and Associates to perform Old City Hall Facility Condition Assessment.

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

On Friday, October 7, 2022 the City of Mount Holly advertised the Facility & Space Assessment Request for Qualifications with a submittal date of October 21, 2022. A total of six firms submitted qualifications and those packets were distributed to the Old City Hall Facilities Committee. Those six firms were Creech & Associates, Progressive, CBSA Architects, McMillan/Pazdan/Smith, Adams & Associates, and Summit.

The Committee met on 10/27/22 to discuss and rank the firms using a sliding scale matrix. The discussion led to three categories for a narrower focus in ranking. The three main categories of focus were 1. Litigation History, 2. Relevant experience in performing facility condition assessments, and 3. The location of the office performing the assessment and subconsultants office. The top three firms in the ranking were 1. Creech and Associates, 2. Progressive, and 3. CBSA Architects. The committee chair instructed the City's Project manager to research the references of the highest-ranking firm, Creech and Associates.

Based on qualifications and references Creech & Associates is the recommended firm by the Old City Hall Facilities Committee. The next step is to enter into the contract negotiation process with the selected firm.

Fiscal Impact:

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

Manager/Staff Recommendation: Approval to enter into contract negotiations for the Facility & Staff Assessment Project with Creech & Associates.

Result of City Council Decision:______

Attachments: Creech and Associates Reference Report.

MOUNT HOLLY
Connecting Community & Nature

Creech & Associates Reference Report

Dorchester County: Daniel Prentice Deputy County Administrator

1. Question: Would you have this company work for you in the future? why?
   Answer: Yes, we have already worked with them again on two projects. They are no nonsense, fair in their fee, and deliver to their word in terms of work product and schedule.

2. Question: Did Creech & Associates provide a reasonable project schedule for the project? Did they meet their schedule? (Why or why not)
   Answer: Yes, on the schedule and yes on meeting their schedule.

3. Question: How were the communications with Creech & Associates during the life of the project?
   Answer: Strong communication, which was predominately email and phone.

4. Question: Is Creech & Associates proactive or reactive?
   Answer: Proactive. Most of this came up in their interactions with elected and appointed officials since they studied the space of our Countywide elected officials as part of this project and were able to stand on their own without staff propping them up.

5. Question: How did Creech & Associates address problems if there were any?
   Answer: Communicated with me before making promises they couldn't deliver. I oversaw all three projects they did for us.

6. Question: How did Creech & Associates work with municipal government bureaucracy?
   Answer: They are strong in front of elected officials with presentation skills.

7. Question: Were Creech & Associates field personnel and responsible parties open and transparent?
   Answer: Yes, but mindful of landmines in interfacing with elected officials. They are good at steering the conversation to ensure they weren't just satisfying people with a "yes" answer and really describing their position.

8. Question: What was the most positive aspect of working with Creech & Associates?
   Answer: Consistency of staff and practicality of those we worked with. They don't overdo things and understand the limits of the project.

9. Question: What was the most negative aspect of working with Creech & Associates?
   Answer: Don't have much bad to say, maybe just that we are in SC and some of their team was working with us from the NC office, so it took some coordination to make in-person meetings happen.

Town of Davidson: Austin Nantz Assistant Town Manager

1. Question: Would you have this company work for you in the future? why?
   Answer: Yes. They have been a good partner on our project. Responsive and thorough.

2. Question: Did Creech & Associates provide a reasonable project schedule for the project? Did they meet their schedule? (Why or why not)
   Answer: Yes, I think the schedule was reasonable. That said, our project has been challenging from the start. We are re-purposing an historic 75-year-old school building into our town hall and community center. So there have been some surprises and hurdles that I don't think anyone (architect or general contractor) could have anticipated.

3. Question: How were the communications with Creech & Associates during the life of the project?
   Answer: Excellent. Rusty Miller the architect assigned to our project has been a frequent and effective communicator with this project. His documentation and explanations have been excellent throughout the project.

4. Question: Is Creech & Associates proactive or reactive?
   Answer: Proactive

5. Question: How did Creech & Associates address problems if there were any?
   Answer: Through research and collaboration with the General Contractor and when appropriate the County Plans Reviewer and/or inspector.

6. Question: How did Creech & Associates work with municipal government bureaucracy?
   Answer: They certainly have a solid understanding of how the municipal bureaucracy works. I think they have been effective.

7. Question: Were Creech & Associates field personnel and responsible parties open and transparent?
   Answer: Yes.

8. Question: What was the most positive aspect of working with Creech & Associates?
   Answer: The architect assigned to our project is a Davidson resident and he has been very accessible and involved in the project.

9. Question: What was the most negative aspect of working with Creech & Associates?
   Answer: No real negatives. There have been a few issues that we wish had been anticipated or identified in design, but I think that is really specific to our project and renovating an old historic building.

Town of Holly Springs: Daniel Weeks Assistant Town Manager

Thank you for reaching out. For the sake of saving a little time I will share what I recall from our experience.

We found C&A to be a very attentive and creative firm while working on our space needs analysis. Our project manager was easy to communicate with and would often propose creative ideas and concepts for our team to consider. At times during the project, I remember thinking that C&A knew our facility better than I did (and I've been here for 15 years!). I could certainly foresee Holly Springs hiring C&A again in the future. I would recommend them for space needs analysis/design type work.

Town of Summerville: Russell Cornette Director of Public Works & Town Engineer

1. Question: Would you have this company work for you in the future? Yes why?
   Answer: Creech & Associates provided exactly what was asked of them and were very flexible during the process.

2. Question: Did Creech & Associates provide a reasonable project schedule for the project?
   Answer: Yes, did they meet their schedule? Yes (Why or why not)

3. Question: How were the communications with Creech & Associates during the life of the project?
   Answer: Communications were open and they were very responsive

4. Question: Is Creech & Associates proactive or reactive?
   Answer: Proactive

5. Question: How did Creech & Associates address problems if there were any?
   Answer: There was a slight change of scope and they were very flexible and delivered it on schedule

6. Question: How did Creech & Associates work with municipal government bureaucracy?
   Answer: Very well. They seemed to be well versed with how local government works.

7. Question: Were Creech & Associates field personnel and responsible parties open and transparent?
   Answer: Yes

8. Question: What was the most positive aspect of working with Creech & Associates?
   Answer: They were very professional and great to work with. Project was on time and delivered what was expected.

9. Question: What was the most negative aspect of working with Creech & Associates?
   Answer: There wasn't really anything negative. Unfortunately, the Town has still not be able to move forward with anything in their facilities study, but this is not the fault of Creech & Associates.

Completed 11/1/2022

City of Mount Holly
Action Agenda Item

To: City Council **From:** Julia Benfield, PAAC Chair Greg Beal, Planning Director	**Date:** 11-8-2022 **Meeting Date:** 11-14-2022

Agenda Item to be considered: Update regarding PAAC recommended Year 2 Art Projects (FY 22-23).

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

Background/Purpose of Request: The Public Arts Advisory Commission (PAAC) met on September 21st & voted to set the following priority projects to be completed in FY 22-23: the Traust Brewing Mural, Two Crosswalk Creations-Crosswalks, & Signal Box Wrapping. The PAAC also met on October 26th & formerly voted to approve the crosswalk locations, the signal box program, box locations, and the planned art contest with Gaston County Schools. A brief explanation of each project is provided below. A PowerPoint presentation has also been prepared-which also offers background on each project.

Cross Walks: Two crosswalks, located on S Alexander Street & S Main Street, will be improved this fiscal year. PAAC members & staff are working with Arts on the Greenway & the Farmers Market on this project. The City will pay to have both locations prepped-while the organizations will pay for the art installation associated with this project. Each group will submit a crosswalk creations application to the Planning Department for review.

Signal Box Wrapping: Staff with the PAAC's assistance is looking to wrap eight signal boxes within & around Mount Holly with the art coming from Gaston County students-who attend Mount Holly schools. Staff is looking to hold an art contest in conjunction with Gaston County Schools with PAAC members selecting the winners. The winner from each school will have a signal box wrapped with their art. As all of the boxes in our area are controlled by the NCDOT, staff has to work through the State to have our program approved. All components of our program, including the proposed art & a resolution of support from City Council, will be included in our application.

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☐ YES	☐ NO	☒ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	**Working to secure quotes. Overall budget-$55k.**		
Budget Code	10-40-4910-603		
Reviewed by City Attorney	☐ YES	☒ NO	☐ N/A

Manager/Staff Recommendation:
Receive staff update on PAAC recommended art projects for FY 22-23.

Attachments:
1. **PAAC Meeting Minutes**
2. **Crosswalk Information**
3. **Signal Box Information**
4. **PowerPoint Presentation from Staff**

Minutes
Public Arts Advisory Commission
September 21, 2022

The City of Mount Holly Public Arts Advisory Commission (PAAC) met on September 21, 2022 at 6:00 PM at the Municipal Complex located at 400 East Central Avenue, Mount Holly in the Training Room on the 1st Floor. Those members present were Stephanie McLaughlin, Dottie Scher, Leigh Brinkley, & Bae Hart. Assistant City Manager Brian DuPont, Planning Director Greg Beal, & Asst. Planning Director Paul Lowe were also present at the meeting.

Brian Dupont, Assistant City Manager, called the meeting to order at 6:06 PM. Dupont shared his interest in seeing projects completed & thanked PAAC members for their efforts & contributions on behalf of the City.

Beal echoed Dupont's appreciation of the PAAC's work & then introduced Assistant Planning Director Paul Lowe. Beal then reviewed the completed projects that have been implemented in the City-including the Three Birds & Coke murals, and stated that staff was interested in working with both private business & publicly owned facilities to increase the amount of art that is found throughout the City. Beal shared that staff is currently working with Traust Brewing to complete a mural project at their property, located at 128 S Main Street. Beal then introduced Phillip McGinnis, with the Gaston Tourism Development Authority (TDA).

McGinnis shared that he works as a consultant for the City on marketing efforts, and noted that the TDA had funds that could possibly support art projects in Mount Holly. McGinnis explained that the TDA receives its funding, in part, from occupancy tax that is collected by hotels, and bed & breakfasts. McGinnis reported that the occupancy tax rate is 3%, and is collected by the County-which is retained until projects are identified by member localities. McGinnis noted that their funding is improving as the travel industry continues to recover from the impacts of Covid-adding that Fairfield Inn & Suites takings are up 33% over last year. McGinnis concluded by stating that TDA funding could potentially be provided to support projects that help attract visitors & guests to the County.

PAAC members & staff then discussed various public art ideas for potential projects-including a mosaic installation along the static water line in River Street Park, an artistic crosswalk between City Hall & the Arts on the Greenway building, artistic bike racks downtown, proposed mural locations, and a mosaic art walk along the linear park outside City Hall & adjacent to CSX's railroad.

Dupont reminded PAAC members of the difficulty of completing work that requires approval by CSX & suggested that other sites be identified that were outside of the railroad's right of way.

Beal opined that the City had allocated $55,000 to support public art projects during the current fiscal year & reiterated the projects that were identified by PAAC members as priorities for staff-including: wrapping utility boxes, the mosaic art installation at River Street Park, artistic bike racks, artistic crosswalks at the following locations-between the City Hall & the Arts on the Greenway building & between the City's Farmer's Market & Atrium Health's building on South Main Street, a 9/11 memorial, a mural at Traust Brewing, and a Ransom Hunter memorial. Beal then asked members to consider leadership roles on the Commission-as the positions of Chair & Vice Chair still needed to be filled. Beal then shared that the next PAAC meeting will be held on October 26th at 6:00 PM.

Adjournment

With no further business the meeting was adjourned at 7:10 PM.

____

Recording Secretary

Minutes ***(Draft)***
Public Arts Advisory Commission
October 26, 2022

The City of Mount Holly Public Arts Advisory Commission (PAAC) met on October 26, 2022 at 6:00 PM at the Municipal Complex located at 400 East Central Avenue, Mount Holly in the City Council Chambers on the 1st Floor. Those members present were Stephanie McLaughlin, Dottie Scher, Teresa Rench, Leigh Brinkley, Janice McRorie, & Bae Hart. Assistant City Manager Brian DuPont, & Assistant Planning Director Paul Lowe were also present.

Paul Lowe, Assistant Planning Director, called the meeting to order at 6:05 PM.

Minutes

Members then considered the meeting minutes from September 21st. Janice McRorie made a motion, which was seconded by Stephanie McLaughlin to approve the minutes as written. All members were in favor. Vote: 6-0.

Traust Mural

Sydney Duarte & Treazy Treaz, muralists, that created the Three Birds mural located on the Arts on the Greenway building, who were preparing designs for the Traust Brewing building then addressed the Commission. Duarte & Treaz revealed their proposed design & explained that Mother Nature personified would be the central figure of the mural. Duarte & Treaz opined that Mother Nature would be surrounded by animals, nature scenes, & a setting sun. The artists noted that the entire 130-foot wall would be painted & would tell a story that would tie into the City's Connecting Community & Nature tag line. Duarte shared that she wanted the proposed mural to inspire people to be more connected & appreciative of nature & to help welcome visitors to the downtown business district. Duarte & Treaz then expressed their excitement for getting the project started.

Teresa Rench noted that she was happy to see that the proposed design integrated/referenced the City's Lantern Parade.

Leigh Brinkley commented that the mural would add a welcome bit of color to downtown & would help to make the City's central business district more warm & welcoming.

Stephanie McLaughlin stated that bright colors should be used to help attract visitors to downtown & Traust alike.

Eric Stevens, co-owner of Traust Brewing, shared that he was planning on adding lighting in the alleyway beside his building. Stevens added the light would help to make the mural more visible-especially at night.

Treaz opined that lights could be set to oscillate-which could produce a unique viewing experience.

Brian DuPont, Assistant City Manager, then explained that the proposed concept would be considered by the City Council on November 14th.

Members then discussed the proposed design, theme, & layout. Afterwards, the PAAC voted unanimously to recommend approval of the design, and to forward the design onto the City Council on a motion made by Stephanie McLaughlin, which was seconded by Janice McRorie. Vote: 6-0.

Discussion of Chair/Vice Chair

Lowe introduced the topic, and asked if there was any interest among the assembled members. Lowe noted that both positions, for Chair & Vice Chair, were open & if filled would help to provide additional structure & organization to the Commission.

Members then discussed the issue. The consensus of the members was to check with those who were absent to gage their interest & get back with staff by Friday, October 28th.

Year Two Projects

Crosswalks

Lowe shared that staff had conducted research & proposed a midblock crossing on South Alexander Street between City Hall & the Arts on the Greenway building. Lowe stated that an additional crosswalk would be added to South Main Street to help promote the Farmers Market. Lowe reviewed the two options proposed by staff & noted that the first option presented-would run from Atrium Health to the former funeral home & would be the best option as it would feature fewer conflicts, would be safer for pedestrians, & require less site work.

DuPont reiterated that the City would be responsible for site prep work in connection with the project-while each, organization in this case-Arts on the Greenway & the Farmers Market, would be tasked with procuring the art that would be integrated into the crosswalk. DuPont concluded by sharing that each organization would need to submit a crosswalks creations application through the Planning Department to initiate the process.

Leigh Brinkley noted that thermoplastic paint should be added to outside of the crosswalk to improve safety.

DuPont replied that staff would work to integrate the update into the ongoing bidding for the project.

The PAAC then reviewed the two options on South Main Street, and agreed with staff on their assessment that the crosswalk should be placed between Atrium Health & the former funeral home. The PAAC then considered the South Alexander Street location, and voted on both items to approve the locations as presented by staff on a unanimous vote, 6-0, on a motion made by Janice McRorie, which was seconded by Stephanie McLaughlin.

Signal Wrapping

Lowe introduced the topic & explained the goals of the program-noting that wrapping signal boxes could help to improve the aesthetics of gateways leading into the City. Lowe stated that staff was looking to have eight signal boxes wrapped with the art being created by students living in Mount Holly. Lowe explained that staff was interested in holding an art contest with the following schools: Ida Rankin, Catawba Heights, & Pinewood Elementaries, Mount Holly Middle, East Gaston High, Stuart Cramer High, Mountain Island Charter School, and home school students. Lowe added that the PAAC would serve as judges to review the submitted art, and would select a winner from each school-who would have their art wrapped on a signal box. Lowe opined that as all of the signal boxes in the City were owned by the NCDOT, staff would have to work through the State to get the program implemented. Lowe shared that staff was working-to secure quotes from contractors, to hold meetings with the selected schools to gage their interest in participating in the program, & to communicate with the State to understand the associated approval process.

Teresa Rench expressed her support of the proposed program & commented that working with the schools would be a great way to recognize students' artistic abilities & connect students with both the City & art in general. Rench then noted that the proposal was similar to Art Pops-as way to add art to everyday structures found in the City.

Lowe concluded by stating that the PAAC needed to vote on the proposed program, the signal box locations, and the art contest suggestion.

Stephanie McLaughlin made a motion to approve the signal box program, as presented by staff, the signal box locations, and the art contest component, which was seconded by Janice McRorie. The vote was unanimous, 6-0.

Roundtable & Member Updates

Lowe discussed future projects that staff was working on & noted that the Commission needed to select a permeant meeting date & time. After discussing the matter, members selected every third Wednesday at 6:00 PM-as their regularly scheduled meeting time & date.

Adjournment

With no further business the meeting was adjourned at 7:06 PM.

____

Recording Secretary

Crosswalks

Next Steps:

1) Continue to work to secure quotes; 2) Wait for locate requests to be completed by 811; 3) Applicants, Arts on the Greenway & the Farmers Market, submit a crosswalk creation application to the Planning Department, 4) Have designs approved by the PAAC & City Council; 5) After approvals of the artwork have been secured, book contractor & commence work.

Signal Boxes

Next Steps:

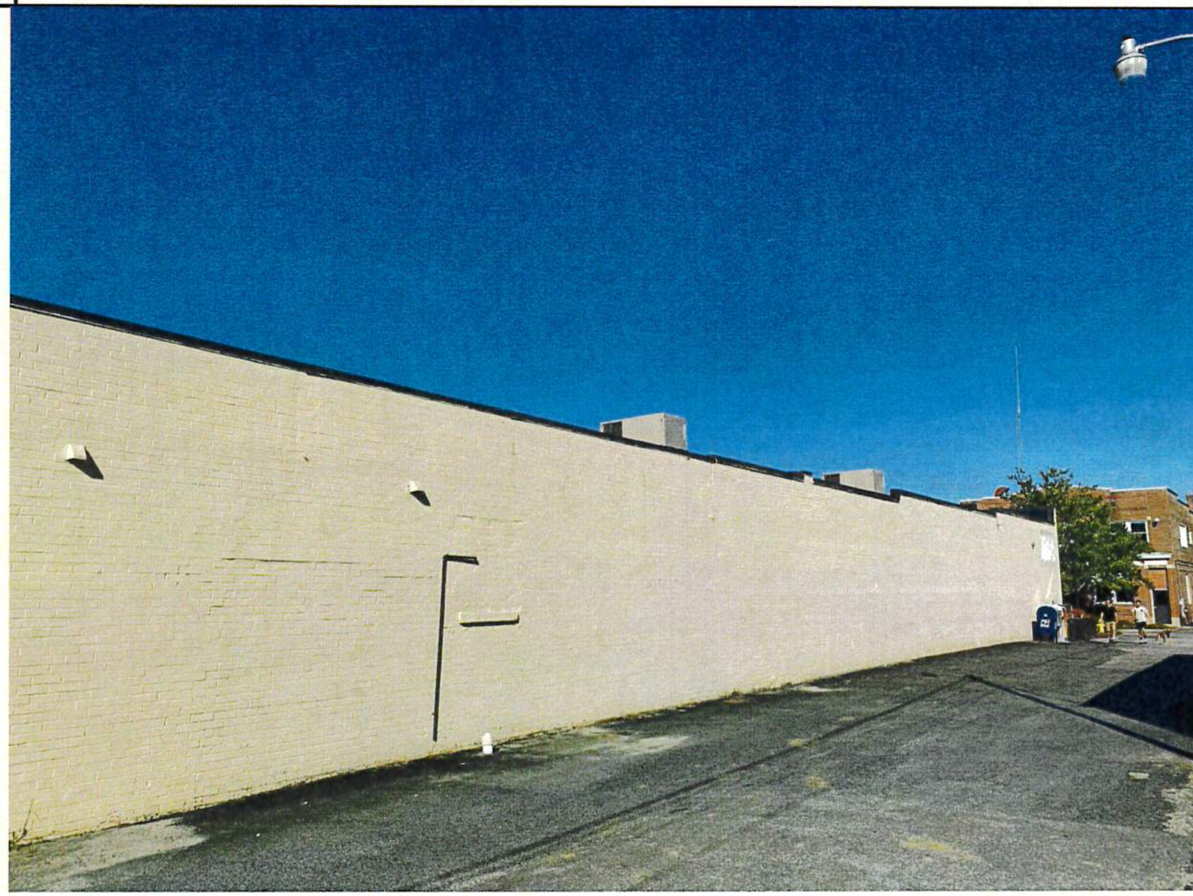
1) Work to secure additional quotes; 2) Work with Public Relations for School outreach; 3) Hold an art contest with the following schools: Ida Rankin, Catawba Heights, & Pinewood Elementary Schools, Mount Holly Middle, East Gaston High, Stuart Cramer High, Mountain Island Charter School & home school students residing in Mount Holly; 4) Submittals would be sent to staff & evaluated by PAAC members. The PAAC will select a winner from each school-who will have their artwork wrapped on a signal box; 5) Staff integrates the artwork into our application packet to the NCDOT & sends our packet to the district engineer in Shelby; 6) Through our contacts in Shelby staff works through the NCDOT to obtain approval of our program; 7) After approval by the NCDOT, book contractor & commence work. Due to the timeframes involved updated quotes might be needed.

PAAC Update
City Council
November 14th

Agenda

3 Traust Brewing Mural

Current Condition:



↖ 4 Traust Brewing Mural-Project

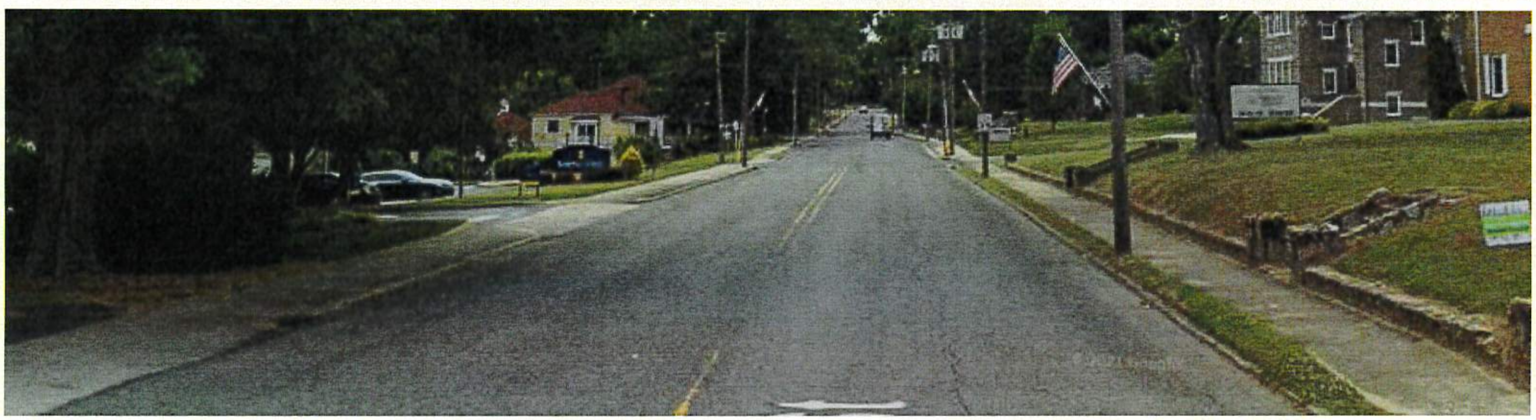
Next Steps:

1) Approval of design by City Council; 2) Ashley Jenkins preps & primes the building;
3) Encroachment agreement signed by property owner & artwork proposal agreed to between staff & the artists; 4) Work commences at the site; 5) Mural completed by mid-December.

↖ 5 Crosswalks

Alexander Street:

S Main Street:



↖ 6 Crosswalks

Alexander Street:

7 Crosswalks

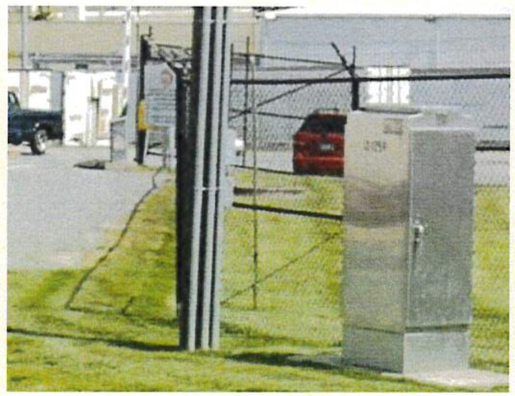
S MainStreet

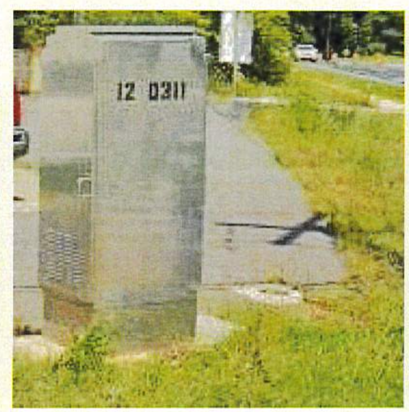
8 Crosswalks

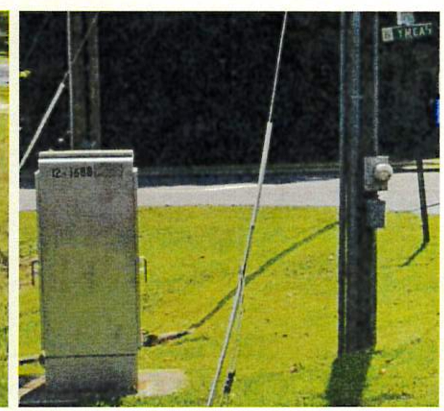
Next Steps:

1) Continue to work to secure quotes; 2) Wait for locate requests to be completed by 811; 3) Applicants, Arts on the Greenway & the Farmers Market, submit a crosswalk creation application to the Planning Department, 4) Have designs approved by the PAAC & City Council; 5) After approvals of the artwork have been secured, book contractor & commence work.

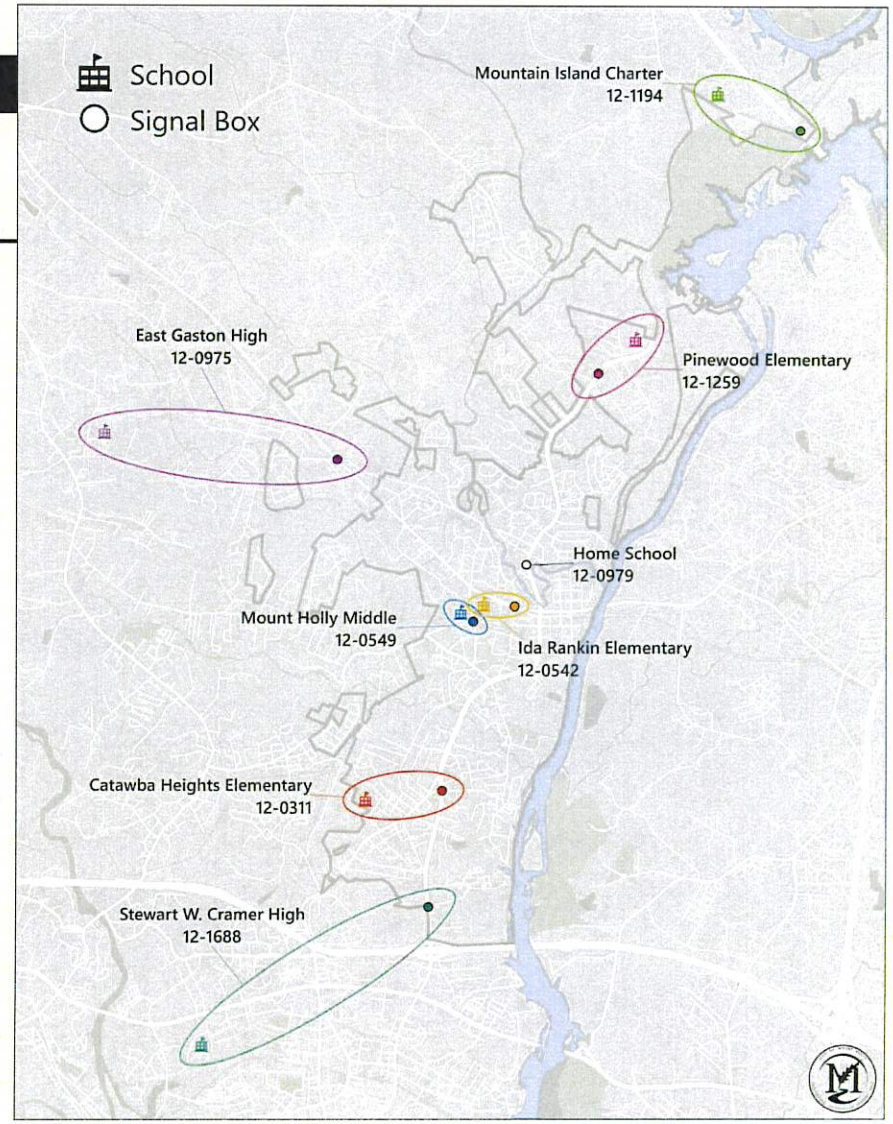
↖ 9 Signal Box Wraps







10 Signal Box Map



↖ 11 Signal Box Wraps

Next Steps:

1) Work to secure additional quotes; 2) Work with Public Relations for School outreach;
3) Hold an art contest with the following schools: Ida Rankin, Catawba Heights, & Pinewood Elementary Schools, Mount Holly Middle, East Gaston High, Stuart Cramer High, Mountain Island Charter School & home school students residing in Mount Holly; 4) Submittals would be sent to staff & evaluated by PAAC members. The PAAC will select a winner from each school- who will have their artwork wrapped on a signal box; 5) Staff integrates the artwork into our application packet to the NCDOT & sends our packet to the district engineer in Shelby;
6) Through our contacts in Shelby staff works through the NCDOT to obtain approval of our program; 7) After approval by the NCDOT, book contractor & commence work. Due to the timeframes involved updated quotes might be needed.

12 Future Projects

Storm Drain/SidewalkMurals

A storm drain and sidewalk mural on Sutton Drive in Raleigh.

Sculpture

Sun Twist

By Sun Twist of New Albany, PA

Location: Clayton Community Center

13 Future Projects

Potential Mural on Static Water Tank on Hwy 273

Water Plant-Mount Holly

Water is Life Mural-Greensboro

14 Questions & Wrap-Up

City of Mount Holly

Action Agenda Item

To:	City Council	**Date:**	11-3-2022
From:	Greg Beal, Planning Director	**Meeting Date:**	11-14-2022

Agenda Item to be considered: Consideration and approval of the final design, presented by Sydney Duarte & Treazy Treaz, for a planned mural on the southern façade of the Traust Brewing building, located at 128 S Main Street.

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

Background/Purpose of Request: City staff has been charged with working on art projects & increasing the amount of public art that is found in the City. To that end, staff has identified a location for a new mural by artists Sydney Duarte & Treazy Treaz, who created the Three Birds mural, on the southern façade of Traust Brewing, located at 128 S Main Street. The theme of the mural which includes Mother Nature, and numerous nature themes ties in quite nicely with the City's motto, "Connecting Community & Nature", and has been vetted by the Public Arts Advisory Commission (PAAC). The PAAC considered this matter at their October 26th meeting & voted unanimously, 6-0, to recommend the proposed mural concept to City Council. The cost of the project is $33,200. The breakdown of the project costs include-the following: $31,200 for the art/mural installation & $2,000 for a lift rental through Sunbelt Rentals. A discount of $11,500 has been provided by the artists, as they were provided a down payment on a previously-planned mural project last fiscal year at 108 S Main Street (Queen Bee Bakery) that was not able to be completed due to the condition of the wall. Due to this, the funds that were previously provided by the City will be transferred to the Traust mural project. The discount applied brings the overall project cost to $21,700. The source of funding for the project is account number, 10-40-4910-603, which is the Planning Department's Arts line item. Ashley Jenkins will prep and prime the wall per the artist's requests, after Council approval. The project is scheduled to be completed by December 5th and is weather dependent.

Staff has prepared an easement agreement that has been provided to the owners of Traust Brewing, Eric Stevens & Quin Bell, for review & comment. Staff has also has worked with the artist to have a artwork proposal prepared for review & approval by City Council.

Fiscal Impact:			
Will Item affect current budget	☒ YES	☐ NO	☐ N/A
Reviewed by Finance Director	☒ YES	☐ NO	☐ N/A
Preaudit Certification required	☐ YES	☐ NO	☒ N/A
Capital Project Ordinance required	☐ YES	☐ NO	☒ N/A
Budget Transfer required	☐ YES	☐ NO	☒ N/A
Total City Dollars:	***$ 21,700.00***		
Budget Code	10-40-4910-603		
Reviewed by City Attorney	☒ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:
Staff recommends approval of the proposed design, artwork proposal, and easement agreement per the PAAC's unanimous recommendation.

Attachments:

1. **Proposed design**
2. **Proposed artwork proposal**
3. **Proposed easement agreement**
4. **Pictures of the site & project timeline**

COMMISSIONED ARTWORK PROPOSAL

The following shall constitute a contract of freelance made on **11/9/22**, between **The City of Mount Holly** herein referred to as the client, and **Duarte Designs, Inc.** herein referred to as the artist.

SECTION 1. STATEMENT OF WORK BY ARTIST

Client hereby engages the artist to create a customized artwork to fit the client's space at 128 S Main St, Mount Holly, NC 28120 - Traust Brewing Company. The City of Mount Holly and the Duarte Design artist team hereby accept such freelance on the terms set forth in this contract.

SECTION 2. TERMS OF FREELANCE

The term of freelance shall be on the day or days here specified:
Begin: **11/15/22** End: **Three and a half weeks from start date or sooner depending on weather**. The Artist will create ***said work with a mockup sketch approved by the client.*** If more works/work are to be requested, subsequent pieces will be prorated to an agreed upon price determined by the artist and client in addition to this price listed on this document. Changes will be understood in a numbered list format during the process. Both parties agree to up to (3) rounds of changes to the artwork. Additional edits will be accommodated via a change order form. (See SECTION 5)

SECTION 3. COMPENSATION

Duarte Designs has estimated that this project will cost the client and will not exceed $21,700 to create aforementioned work. **The client agrees to pay 50% of the total cost + materials in advance.**

SECTION 4. DUTIES OF ARTIST

Artists shall provide their services in a competent manner, arrive and perform at times specified between the parties, abide by all reasonable rules and requirements that client shall make, and as long as client fully performs its obligations hereunder, render services exclusively for client during the term of this contract.

SECTION 5. OPTIONS

*If any other/extra services offered are required, they will be amended and priced in addition to this agreement.

SECTION 6. TERMINATION

If the CLIENT chooses to terminate the agreement before the contract ends, the CLIENT understands they will be charged an early termination fee of ¾'s of the agreed upon amount for the project is owed to the artist if the decision to terminate this contract is made. This contract shall automatically terminate without further notice at the end of the term of freelance as specified in SECTION 3.

SECTION 7. SCHEDULE OF SERVICES

Quantity	Item	Description	Cost
1	Exterior Mural Art	Traust Brewing Company wall 130' x 12' = 1560 sq ft.	$31,200
1	Sketch Concepts	Renderings of Artwork (final design awaiting inspirations images in a shared google folder from PAAC)	Included into the subtotal. Discussed and approved design by Greg Beal and PAAC
1	Wall Preparation	To be taken care of by building owner and PAAC team	
1	Lift	To be rented from Sunbelt Rentals	$2,000
1	Materials	Paint	Included in total price

Original Subtotal:	$33,200
The discount has been provided due to the fact that $11,500 had been provided to the artist to complete a mural at 108 S Main Street, but because the building was in a state of disrepair a mural could not be completed at this site. So the funds that were previously provided by the City will be transferred to the Traust mural project	$11,500
Subtotal with down payment removed	**$21,700**

Payment Plan:	
1st payment - Balance due on 11/15/22	$10,850
2nd Payment - Balance due on 12/5/22 or upon the completion date if sooner than 12/5/22	$10,850

Client's Full Legal Name ________________________________

Client's Signature ________________________________

Phone ____________________________

Email ________________________________

Date Signed ________________________________

Signature of artist(s) ________________________________

Date Signed ________________________

Drawn by and return to after recording: Marie M. Anders, attorney, Michael, Elting, & Anders, PLLC, 124 W. Catawba Ave., Mount Holly, NC 28120

NORTH CAROLINA
GASTON COUNTY

FACADE EASEMENT

THIS FACADE EASEMENT made and entered into this 14th day of November 2022 by and between MHNC Main Holdings LLC, a Nevada limited liability company, hereinafter the "Grantor"; and the City of Mount Holly, North Carolina, a North Carolina municipal corporation, hereinafter the "City"; collectively referred to as the "Parties".

WITNESSETH:

WHEREAS, Grantor is the current owner of a certain parcel of land (hereinafter the "Premises") described in Deed Book 5244 at Page 1612 in the Gaston County Registry and being further described as Gaston County Tax PID 123740, located at 128 S. Main Street, Mount Holly, NC 28120; and,

WHEREAS, the southern facade of the Premises contains an approximately 130-foot wall (hereinafter the "Southern Façade") on which the City would like to install and maintain a façade mural (hereinafter the "Mural") as identified by the City's Public Arts Advisory Committee; and,

WHEREAS, the City is authorized, pursuant to 160D-1312, to acquire real property for redevelopment, and such authority includes the power to acquire an easement for such purposes; and,

WHEREAS, the City would like to acquire an easement to have the Southern Facade of the Premises painted with the Mural and the Grantor is willing to grant such an easement.

NOW, THEREFORE, the Grantor, for and in consideration of the City's agreement to install and maintain a mural on the Southern Facade which will add character and enhance the attractiveness of the Premises and the City's downtown, conveys to the City an exclusive easement to install and maintain the Mural on the Southern Façade of the Premises as hereinafter described (the "Easement"):

1. This Easement is for the purpose of designing, producing, and maintaining the Mural,

approximately 130-feet by 12-feet in dimension, located on the Southern Facade of the Premises and being the entire Southern Façade of the Premises (the "Easement Area").

2. The City and its contractors, agents, and employees will have the right of access to the Easement Area over established roadways for the purposes authorized by this Easement.
3. The City shall perform the installation of the Mural and any maintenance of the same within the Easement Area at no cost to the Grantor in a good and workmanlike manner, on a lien-free basis.
4. This Easement shall run with the land and be binding upon the Parties' successors, heirs, and assigns. After five years from the date of this Easement, either party may terminate this Easement upon 90 days' written notice to the other party. The City agrees to remove or paint over the Mural within 180 days of such termination if such directive is contained in the termination notice.

TO HAVE AND TO HOLD the Easement herein granted for the purposes expressed herein to the City.

IN WITNESS WHEREOF, said Parties have hereunto set their hands and seals the day and year hereinabove first written.

The City of Mount Holly	MHNC Main Holdings LLC
By: ______________________________(SEAL) Bryan M. Hough, Mayor	By:_________________________(SEAL) Eric Stevens Title:
ATTEST: _________________________________ Amy Miller, City Clerk	By:_________________________(SEAL) Guinevere Bell Title:

STATE OF NORTH CAROLINA
COUNTY OF GASTON

NOTARY ACKNOWLEDGMENT

I, ____________________________, a Notary Public in and for said County and State, do hereby certify that Amy Miller personally came before me this day and acknowledged that he/she is City Clerk of the CITY OF MOUNT HOLLY, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council of the City of Mount Holly, NC, the foregoing instrument was signed in its name by Bryan M. Hough as its Mayor, sealed with its corporate seal, and attested by Amy Miller as its City Clerk. Witness my hand and notarial seal, this ___________________day of _____________, 2022.

____
Notary Public

My commission expires: __________________

NOTARY ACKNOWLEDGMENT

STATE OF ____________________
COUNTY OF ____________________

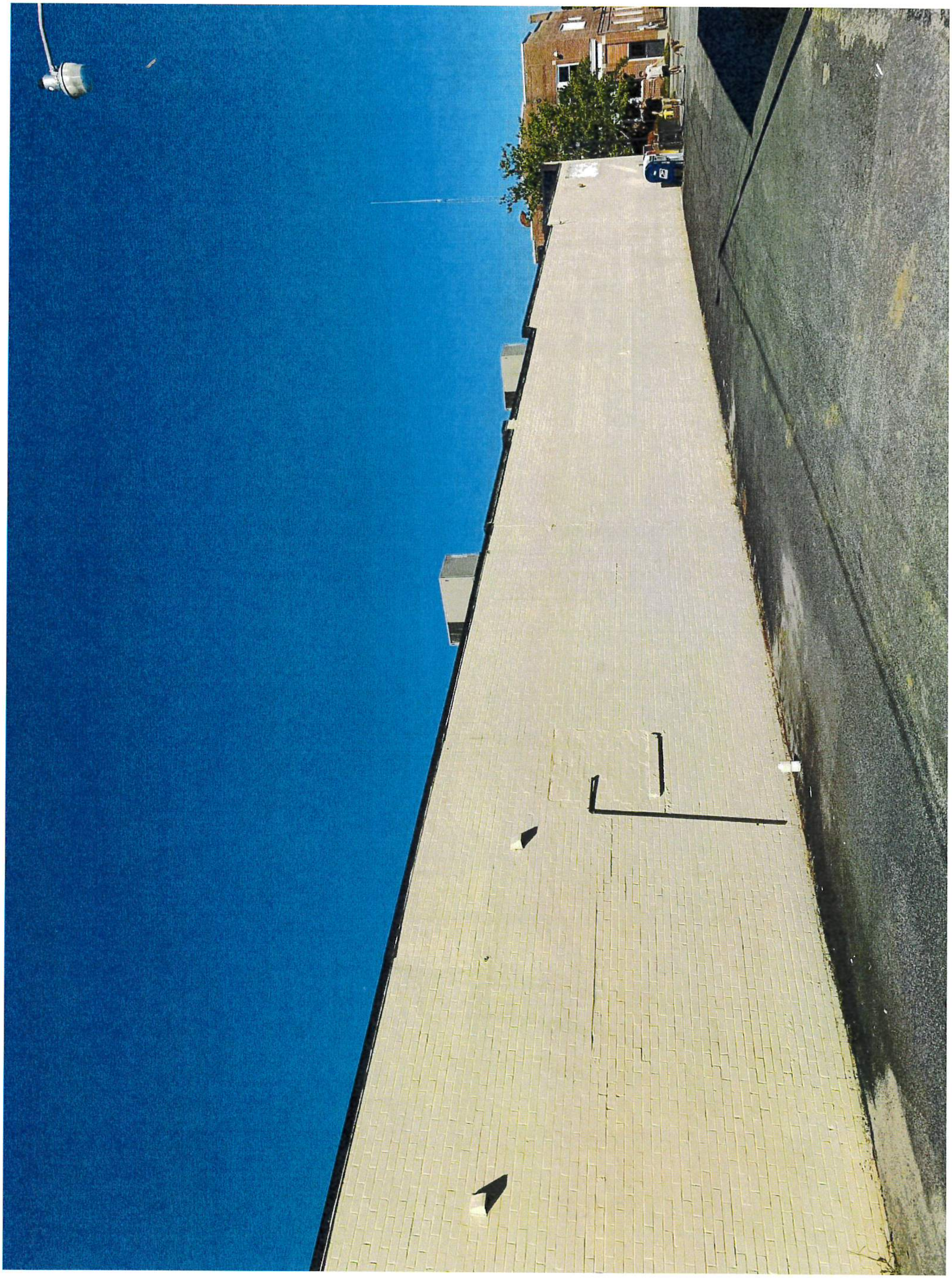
I, __________________________, a Notary Public in and for _______________ County and said State, do hereby certify that Eric Stevens and Guinevere Bell personally appeared before me this day and acknowledged that they are ________________________ of MHNC Main Holdings LLC, a Nevada limited liability company, and that by authority duly given and as the act of the Company, the foregoing instrument was signed in its name by them on behalf of the said Company.

Witness my hand and notarial seal, this _______ day of __________, 2022.

____
Notary Public

My commission expires: _________________

(seal)



Traust Mural Project Timeline
128 South Main Street

- PAAC approved proposed design provided by muralists on October 26th.
- Contacted Marie, who prepared a draft mural easement agreement.
- Contacted Ashley Jenkins, ensure that his work can be completed by November 15th.
- Received updated proposal between the City & the artist. The proposed agreement seeks payment for half of the mural costs by November 15th-which is $10,850.
- Attend November 14th City Council meeting, to ensure agreement & design are approved.
- Once approval is granted, relay this decision to artist. Have them commence their work.
- The submitted proposal by the artist seeks payment by December 5th for the remining cost of producing the mural, which is $10,850.
- Goal is to have mural completed by December 5th. The project is weather dependent.

OTHER BUSINESS

REPORTS

Mount Holly Parks & Recreation

Monthly Report-October 2022

Sole Patrol-

The Sole Patrol met 21 days during the month of October. The total attendance was 446, with 35 different members attending. Their activities included walking, corn hole, shuffleboard, and a Halloween luncheon.

Fitness Center-

The Fitness Center was open 21 days throughout October. The total attendance was 242, with 29 different members attending.

Athletics-

Free-play basketball for youth was open at the Old Gym on Mondays-Thursdays after school and adult free-play basketball is available at the Tuckaseege Community Center. We have been averaging 21 participants for both sessions.

Our fall soccer, baseball, and volleyball teams finished up their seasons in October.

Free-play volleyball is held Wednesday evenings at the Tuckaseege Community Center. We had 68 visits by 24 different players.

Free-play pickleball was held Tuesdays and Thursdays from 1-3pm at the Tuckaseege Community Center. We had a total of 51 visits by 11 different players.

Rentals & Special Events-

There were 12 shelter rentals at Tuckaseege and River Street Parks. The estimated attendance was 360 people. The Tuckaseege Community Center was rented two times during October; the estimated attendance was 140 people.

Our Mount Holly Nights event on October 14 featured On the Border. It was one of our most attended events of the year.

News & Notes-

The registration deadline for winter basketball is Thursday November 10th.

Citation Totals by Charge

MOUNT HOLLY POLICE

(10/01/2022 - 10/31/2022)

Charge:	Number of Charges:
Speeding (Infraction)	15
Seat Belt	3
Passenger Seat Belt - Juvenile	2
DWI	1
No Operator License	13
Driving While License Revoked	18
Expired Registration	21
Inspection	1
Unsafe Movement	1
Failure To Stop (Stop Sign/Flashing Red Light)	2
Running Red Light	6
No Insurance	1
Failure To Reduce Speed	4
Other (Infraction)	23
Other (2nd Charge - Infraction)	49
Total:	**160**

Incident Disposition Totals by Offense

MOUNT HOLLY POLICE

(10/01/2022 - 10/31/2022)

Offense:	Closed By Arrest:	Closed/Oth. Means:	Death of Offender:	Prosecut. Declined:	Cust. Oth. Jurisdic.:	Vic. Ref. Cooper.:	Juv. No Custody:	Not Applic.:	Unfound.:	Reported:	Actual:	Further Invest.:
13A - Aggravated Assault	1	1	0	1	0	0	0	1	0	2	2	0
13B - Simple Assault	0	5	0	2	0	0	0	6	0	8	8	3
200 - Arson	0	0	0	0	0	0	0	1	0	1	1	1
220 - Burglary/Breaking & Entering	1	1	0	0	0	0	0	5	0	5	5	3
23C - Shoplifting	0	0	0	0	0	0	0	1	0	1	1	0
23D - Theft From Building	0	0	0	0	0	0	0	1	0	1	1	1
23F - Theft From Motor Vehicle	1	0	0	0	0	0	0	2	0	2	2	1
23G - Theft of Motor Vehicle Parts or Accessories	0	1	0	0	0	0	0	3	0	3	3	2
23H - All Other Larceny	0	3	0	0	0	0	0	12	0	12	12	8
240 - Motor Vehicle Theft	0	0	0	0	0	0	0	1	0	1	1	1
250 - Counterfeiting/Forgery	0	1	0	0	0	0	0	3	0	3	3	2
26A - False Pretenses/Swindle/Confidence Game	1	1	0	0	0	0	0	7	0	7	7	5
26B - Credit Card/Automated Teller Machine Fraud	1	0	0	0	0	0	0	2	0	2	2	1
26E - Wire Fraud	0	0	0	0	0	0	0	2	0	2	2	2
26F - Identity Theft	0	1	0	0	0	0	0	3	0	3	3	2
290 - Destruction/Damage/Vandalism of Property	0	3	0	1	0	0	0	4	0	5	5	2
35A - Drug/Narcotic Violations	7	1	0	0	0	0	0	11	0	11	11	3
35B - Drug Equipment Violations	8	0	0	0	0	0	0	8	0	8	8	0
370 - Pornography/Obscene Material	0	0	0	0	0	0	0	1	0	1	1	1
90D - Driving Under the Influence	7	1	0	0	0	0	0	9	0	9	9	1
90F - Family Offenses, Nonviolent	0	0	0	0	0	0	0	3	0	3	3	3
90J - Trespass of Real Property	1	0	0	0	0	0	0	1	0	1	1	0

Incident Disposition Totals by Offense

MOUNT HOLLY POLICE

(10/01/2022 - 10/31/2022)

Offense:	Closed By Arrest:	Closed/Oth. Means:	Death of Offender:	Prosecut. Declined:	Cust. Oth. Jurisdic.:	Vic. Ref. Cooper.:	Juv. No Custody:	Not Applic.:	Unfound.:	Reported:	Actual:	Further Invest.:
90Z - All Other Offenses	3	1	0	0	0	0	0	6	0	6	6	2
90Z.01.- Traffic Violations	19	8	0	0	0	0	0	34	0	34	34	7
90Z.03 - Court Violations	1	0	0	0	0	0	0	1	0	1	1	0
90Z.05 - Found Property	0	4	0	0	0	0	0	7	0	8	8	4
90Z.06 - Involuntary Commitment	1	1	0	0	0	0	0	3	1	3	2	0
90Z.08 - Escape from Custody or Resist Arrest (Non Assaultive)	0	0	0	0	0	0	0	1	0	1	1	1
90Z.10 - Missing Person	0	0	0	0	0	0	1	1	1	3	2	0
90Z.11 - Call For Service	1	6	0	1	0	0	0	11	1	13	12	4
90Z.13 - B&E to Motor Vehicle	1	0	0	0	0	0	0	5	0	5	5	4
90Z.14 - Larceny after B&E	0	0	0	0	0	0	0	1	0	1	1	1
90Z.15 - Damage to Property <$500.00	0	1	0	1	0	0	0	5	0	6	6	4
W - Warrant Service	9	0	0	0	0	0	0	8	0	9	9	0
Totals:	**63**	**40**	**0**	**6**	**0**	**0**	**1**	**170**	**3**	**181**	**178**	**69**

Mt Holly PD
400 E CENTRAL AV MT HOLLY , NC 28120

CFS By Department - Select Department By Date
For MOUNT HOLLY POLICE 10/1/2022 - 10/31/2022

MOUNT HOLLY POLICE	Count	Percent
ALARM B	32	1.50%
ALARM R	19	0.89%
ALCOHOL VIOLATION	1	0.05%
ANIMAL COMPLAINT	6	0.28%
ASSAULT AL OCC	9	0.42%
ASSAULT IN PROG	3	0.14%
ASSIST FD/EMS	16	0.75%
ASSIST LE AGENCY	20	0.94%
ASSIST OTHER	9	0.42%
ATTEMPTED B & E	1	0.05%
B & E BUSINESS AL OCC	5	0.23%
B & E RES AL OCC	5	0.23%
B & E RES IN PROG	1	0.05%
B & E TO VEHICLE ALR OCC	3	0.14%
CHECK ROADWAY	13	0.61%
CHECK THE WELFARE	31	1.45%
CHILD CUSTODY	1	0.05%
CIVIL DISPUTE	16	0.75%
COMM SERV SPECIAL EVENT	4	0.19%
COMMUNICATING THREATS	9	0.42%
COUNTERFEIT MONEY	2	0.09%
COURT	9	0.42%
DAMAGE TO PROPERTY	12	0.56%
DEATH INV UNATTENDED	1	0.05%
DEATH NOTIFICATION	3	0.14%
DIRECT TRAFFIC	1	0.05%
DISCHARGE FIREARM	7	0.33%
DISTURBANCE NATURE UNK	1	0.05%
DOMESTIC ARGUMENT	27	1.26%
DOMESTIC ASSAULT	6	0.28%
DOMESTIC ESCORT	2	0.09%
DRUGS	8	0.37%
FOLLOW UP INVESTIGATION	39	1.83%
FOOT PATROL	1	0.05%
FOUND PROPERTY	14	0.66%
FRAUD	14	0.66%
FUNERAL ESCORT	2	0.09%
HANGUP 911	8	0.37%
HARRASSMENT	4	0.19%
HIT & RUN PD	9	0.42%
IDENTITY THEFT	2	0.09%
ILLEGAL DUMPING	1	0.05%

MOUNT HOLLY POLICE	Count	Percent
INDECENT EXPOSURE	1	0.05%
INFORMATION ONLY	38	1.78%
INTOXICATED DRIVER	3	0.14%
INTOXICATED PEDESTRIAN	5	0.23%
JUVENILE	11	0.52%
K9 DEPLOYMENT-VEHICLE SEARCH	12	0.56%
LARCENY AL OCC	24	1.12%
LARCENY FROM VEHICLE	4	0.19%
LICENSE CHECK	1	0.05%
LITTERING	1	0.05%
LOST PROPERTY	2	0.09%
MENTAL COMMITMENT	4	0.19%
MISC CALL	2	0.09%
MISSING PERSON ADULT	1	0.05%
MISSING PERSON JUVENILE	3	0.14%
MV COLLISION PD	37	1.73%
MV COLLISION PI	4	0.19%
NOISE VIOLATION	16	0.75%
OBTAINING WARRANT	9	0.42%
OVERDOSE	4	0.19%
PARKING VIOL	8	0.37%
PERSONAL ESCORT	4	0.19%
PROWLER	7	0.33%
PUBLIC NUISANCE BIKES/SKATEBOARDS/ATV/DIRT BIKES	7	0.33%
PUBLIC SERVICE CALL	37	1.73%
ROBBERY NO WEAPON AL OCC	1	0.05%
SCHOOL PROGRAM	2	0.09%
SCHOOL RES OFFICER	3	0.14%
SCHOOL TRAFFIC	7	0.33%
SERVE WARRANT	10	0.47%
SEX OFFENSE/RAPE AL OCC	1	0.05%
SOLICITATION	4	0.19%
SPEC ASSIGNMENT TRAFFIC	1	0.05%
SPECIAL ASSIGNMENT	32	1.50%
SPECIAL CHECK	1078	50.49%
STOLEN VEHICLE AL OCC	1	0.05%
STRANDED MOTORIST	28	1.31%
SUBJECT WITH A GUN/WEAPON	1	0.05%
SUICIDAL SUBJECT	3	0.14%
SUSPICIOUS PERSON	37	1.73%
SUSPICIOUS VEH OCCUP	48	2.25%
SUSPICIOUS VEH UNOCCUP	44	2.06%
TRAFFIC OTHER	5	0.23%
TRAFFIC STOP	181	8.48%
TRESPASS	14	0.66%
UNAUTHORIZED USE OF CONVEYANCE	2	0.09%
VERBAL ARGUMENT	10	0.47%
Total Records For MOUNT HOLLY POLICE	**2135** Dept Calls/Total Calls	**100.00%**

alls

Total Records 2135

Arrest Race/Sex Totals by Offense

MOUNT HOLLY POLICE

(10/01/2022 - 10/31/2022)

Primary Offense:	White Male:	Black Male:	Indian Male:	Asian/ Pac. Isl. Male:	White Female:	Black Female:	Indian Female:	Asian/ Pac. Isl. Female:	Juven.:	Adult:	Resd.:	NonRes.:	Arrests:
13A - Aggravated Assault	0	1	0	0	0	0	0	0	0	1	1	0	1
280 - Stolen Property Offenses	1	0	0	0	0	0	0	0	0	1	0	1	1
35A - Drug/Narcotic Violations	0	1	0	0	1	0	0	1	0	3	2	1	3
35B - Drug Equipment Violations	1	0	0	0	0	0	0	0	0	1	0	1	1
90D - Driving Under the Influence	4	2	0	0	0	0	0	0	0	6	3	3	6
90J - Trespass of Real Property	0	1	0	0	0	0	0	1	0	2	0	2	2
90Z - All Other Offenses	0	1	0	0	0	0	0	0	0	1	1	0	1
90Z.01 - Traffic Violations	1	0	0	0	1	0	0	0	1	1	2	0	2
90Z.03 - Court Violations	1	0	0	0	3	0	0	0	0	4	1	3	4
90Z.06 - Involuntary Commitment	1	0	0	0	0	0	0	0	0	1	0	1	1
90Z.13 - B&E to Motor Vehicle	0	1	0	0	0	0	0	0	0	1	1	0	1
W - Warrant Service	2	2	0	0	5	0	0	0	0	9	3	5	9
Totals:	**11**	**9**	**0**	**0**	**10**	**0**	**0**	**2**	**1**	**31**	**14**	**17**	**32**

PUBLIC WORKS REPORT

OCTOBER	2022	2021	2020
Water			
Daily Average (mgd)	3.224	2.908	2.708
Daily Maximum (mgd)	3.847	3.359	3.042
Daily Minimum (mgd)	2.836	2.443	2.278
Monthly Total (mg)	99.456	92.290	83.951
Customers			
Inside City Limits	7198	6976	6664
Outside City Limits	507	505	494
TOTAL	7705	7481	7158
Wastewater			
Daily Average (mgd)	1.732	2.184	2.328
Daily Maximum (mgd)	2.339	2.551	3.383
Daily Minimum (mgd)	1.097	1.597	1.625
Monthly Total Flow (mg)	53.697	67.703	72.155
American & Efird Total Flow (mg)	14.631	20.616	17.118
Customers			
Inside City Limits	6696	6507	6229
Outside City Limits	53	59	50
TOTAL	6749	6566	6279
Sanitation			
Number of Customers			
Residential	6171	6045	5819
Commercial / Industrial	148	154	154
Recycling	6278	6145	5886
Garbage Collected (tons)	455.43	585.25	574.50
General Yardwaste (tons)	51.06	44.55	103.63
Chipping (tons)	0.00	0.00	0.00
Leaves (tons)	12.50	12.50	12.40
Total Yardwaste (tons)	63.56	57.05	116.03
White Goods (tons)	0.00	0.00	0.00
Recycling (tons)	NA	NA	NA