

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, October 23, 2023
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	Danny Jackson, Interim 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	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
Tara Douglas, Interim City Clerk	Michelle Wood, Finance Director

INVOCATION

Councilman Ivory Craig led the Council, staff and attendees in prayer.

PLEDGE OF ALLEGIANCE

SET THE AGENDA

With no changes to the agenda, Mayor Hough entertained a motion to approve the agenda as presented. Councilman Moore made a motion to approve the agenda as presented. Councilwoman Pawlish seconded the motion. All Council members present voted in favor. (Motion Carried)

CONSENT AGENDA

1. Budget amendment for hiring six firefighters and updating of the position allotment
2. Approve staff applying for the NCLM Safety Grant in the amount of \$10,000 to purchase additional security cameras for the Municipal Complex
3. Call for a public hearing to amend Section 5.2.5 of the Manual for Downtown Development to update the required height of awnings from ten feet to the standard for such improvements that are laid out in the State building code
4. Call for a public hearing to amend Note # 12 of Section 7.1 of the Zoning Ordinance to update the setbacks for Churches, synagogues and other associated activities that are located in residential zoning districts-while also specifying the needed setbacks for institutional uses that are provided for in Note # 12

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5. Call for public hearing to consider rezoning the following parcels (Parcel #s 123804, 123794, 123793, 123790, 123789, 123785 & 123784) from Residential Downtown (RD) to Central Business (B-1)
6. Call for public hearing to consider rezoning the following parcels (Parcel #s 124095, 307978, & 307979) from R-8-SF & R-8-MF to Office and Institutional (O-I)
7. Approval of Minutes from the October 9, 2023 Council Meeting
8. Approval of Minutes from the October 9, 2023 Closed Session

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

NEW BUSINESS

1. Review and consider approval of the proposed art and locations associated with the TDA's bee art project

Paul Lowe

Mr. Lowe presented this project which is a partnership between the City of Mount Holly, TDA and PAAC. Mr. Lowe stated that TDA will be funding this project. Mr. Lowe stated that this project is before Council today because the art will be located on city properties. Mr. Lowe stated that this project will consist of 24 mini bee art projects using three types of mediums. Mr. Lowe stated that this project and its art locations were approved by PAAC at the September meeting. Mr. Lowe stated that staff recommends approval and that he is happy to answer any questions. Mayor Hough entertained a motion to approve the proposed art and location associated with the TDA's Bee Art Project. Councilman Ivory Craig made a motion to approve the proposed art and location associated with the TDA's Bee Art Project. Councilman Meadows seconded the motion. All Council members present voted in favor. (Motion Carried)

2. Consideration of Request for Proposal Process for Veterans Park Expansion with Downtown Development

Marie Anders & Greg Beal

Mr. Beal stated that Council gave direction to look at developing an RFP. Mr. Beal stated that the City did a similar process for OMB (Old Mecklenburg Brewery) but that this process was a slightly different process. Mr. Beal discussed the concept plan which could include three multifamily buildings, some retail, blue water stream and park expansion that Council saw at their retreat. Mr. Beal stated that public-private partnership is allowed in the general statutes. Mr. Beal stated that public-private partnerships include the developer providing up to 50% of the financing of the total cost. Mr. Beal stated that an RFP process would provide a variety of

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proposals. Mr. Beal stated that Council would need to define the project area for the RFP. Mr. Beal stated that it is best not to get too prescriptive with what the City wants due to the potential creativity of the private proposals. Mr. Beal stated that he would answer any questions.

Councilman Meadows stated that there are multiple options to which to work through with the North Carolina General Statutes. Councilman Meadows asked staff to explore what the best zoning and uses should be there. Councilman Meadows stated that he believed Council wants active uses. Councilman Meadows stated that the listing of the potential debt structures should be eliminated out of the materials. Councilman Meadows stated we should leave it open to see the opportunities that the developer will bring. Councilman Meadows stated that the financing should be spelled out. Councilman Meadows stated that he would put parking in the mix and stated that staff added that which was brilliant. Councilman Meadows stated that he would like for staff to look at not restricting to a 3-story limit provided there are the proper buffers. Councilman Meadows stated that we need to look at the wording for ownership of the land. Councilman Meadows stated that the center of downtown would be moved closer to the Municipal Complex. Councilman Meadows stated that the citizens voted the park bonds down due to not wanting increased taxes not the denial of the amenities.

Councilman Moore asked for Mr. Beal to explain what was added and taken out. Mr. Beal stated that items that were added and taken out were determined by cost. Mr. Beal stated that it is best not to get too prescriptive and let the private partnership get creative and see what they would naturally bring to the table. Councilman Moore stated that he wants to make sure that the park is the focal point and that we get the amenities.

Mayor Hough stated that this is right behind historic downtown and that we should request the material match historical building. Mr. Beal stated that this is addressed in the strategic vision plan. Councilman Meadows stated that he has full confidence in staff and our legal team to carry out the RFP. Mr. Beal stated that all he needed from Council was the feedback provided.

OLD BUSINESS

1. Presentation on Environmental Analysis for 131 South Main Street

Creech & Associates and ECS

Mr. Alex Sayer from ECS present the environmental study for 131 South Main Street. Mr. Sayer stated that ECS was contracted by Creech & Associates to do an environmental study on the property. Mr. Sayer detailed the surveys that were conducted to include lead, asbestos, and mold. Mr. Sayer stated that mold, asbestos and lead were found throughout from sample collections taken from similar materials. Mr. Sayer discussed the options for renovation and abatement

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outlined. Mr. Sayer discussed the cost estimates for each option discussed. Councilman Meadows asked for clarification around option A. Mr. Meadows confirmed with Mr. Sayer that a standard plumbing leak behind a wall would cost approximately \$3800.00. Mr. Sayer stated that because any leak behind drywall containing asbestos would need abatement by a hazardous material team.

2. Update on Facilities Committee for Old City Hall ***Danny Jackson***
Mayor Hough stated that the relationship between the Mount Holly Historical Society would continue no matter the location. Mayor Hough stated that the property will be listed on 12/1/2023 by upset bid process. Mayor Hough stated that there is a handout of the timeline of events at your seat as well as online under the heading “What’s new in Mount Holly”. Sam Kline stated that 12/1/2023 is the soonest but the process could be longer. Mayor Hough stated that one of the biggest concerns was to provide the Historical Society time to raise funds as requested which is why the date of 12/1/2023 was decided for the listing, but it could take longer than that date. Mayor Hough stated that there would be an appraisal and then a listing.

Councilman Meadows asked Ms. Anders if she would outline how the upset bid process works. Ms. Anders stated that the upset bid process is a reactive process to an offer to purchase and is the typical default method for property disposal for a municipality. Ms. Anders stated that if the municipality receives an offer to purchase a piece of real property that the municipality owns then the City Council may make a motion to accept the offer subject to the upset bid procedure. Ms. Anders stated that there is a required minimum earnest deposit amount that is put up with the City Clerk. Ms. Anders stated that there is a 10-day period of time where anyone can put in an upset bid for a certain percentage higher than the previous bid and the upset bid process continues until there is a final high bid and it stands for 10 days with no upset. Mr. Anders stated that at this point the property can be sold pursuant to the upset bid procedure. Ms. Anders stated that Council can reject all offers at any time.

Mayor Pro Tem Harris asked Ms. Anders if there was no way that City could dictate that the building be used for history. Ms. Anders stated that the upset bid procedure does not have in that statute any authority for the City to dictate the use that the buyer would put to the property. Ms. Anders stated that it is important to remember that a local government like a municipality is limited in its authority to what the general statutes allow the municipality to do.

Mayor Pro Tem Harris asked about the procedures around the annexation sale and if it was different than the sale of the annexation parking lot? Ms. Anders stated that the City can dictate the compensation that it wishes to receive. Ms. Anders stated that the sale of the annexation was an upset bid procedure and that the City did not attempt to dictate uses in the sale of the annexation parking lot.

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Councilman Moore asked if the City decides to sell the building, then could the City put in the contract to have first rights? Ms. Anders stated that this could be done.

Councilman Meadows asked Ms. Anders to confirm that regardless of who owns the building that the City controls the parking. Ms. Anders stated that she would confirm, but that this was her recollection.

Mayor Hough asked Council if they would like to take action. Councilman Craig made a motion for the City to contract with Sam Kline to get an appraisal and a listing for the sale of the Old City Hall building no sooner than December 1, 2023. Councilwoman Shoemaker seconded the motion.

Councilmembers voting in favor: Councilman Craig, Councilwoman Shoemaker, Councilman Meadows, Councilwoman Pawlish.

Councilmembers voting against: Mayor Pro Tem Harris and Councilman Moore.

(Motion Carried by 4-2 vote)

CLOSED SESSION

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

Mayor Hough entertained a motion to go out of the regular meeting and enter into closed session pursuant to N.C.G.S 143-318.11 (a) (3 and 5). Councilwoman Pawlish made a motion to go out of the regular meeting and enter into closed session at 7:20 pm. Councilman Craig seconded the motion. All Council members present voted in favor. (Motion Carried)

Mayor Hough entertained a motion to come out of closed session and back into the regular meeting. Councilwoman Pawlish made a motion to come out of closed session and back into the regular meeting at 7:35 pm. Councilman Craig 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 a motion to adjourn the October 23, 2023 Council Meeting. Councilman Craig seconded the motion. All Council Members present voted in favor.

(Motion Carried)

The meeting adjourned 7:35 pm.