October 10, 2016
Council Meeting

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

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL

October 10, 2016
7:00 P.M.
CALL TO ORDER BY THE MAYOR

INVOCATION
Taylor Vancil, Minister of Music at First Baptist Church

PLEDGE OF ALLEGIANCE
Boy Scout Troop 59

SET THE AGENDA

CONSENT AGENDA

1. Approval of Lien for Weeds and Grass
2. Approval of a Proclamation for Breast Cancer Awareness Month
3. Approval of a Proclamation for Dyslexia Awareness Month
4. Approval of Amendment to the Fee Schedule as it relates to the Grand Hall
5. Approval of a Mutual Aid Agreement between the Mount Holly Police Department and the Cramerton Police Department
6. Approval of a Resolution Declaring Surplus Property
7. Call for a public hearing for a text amendment to amend Articles 3, 4, 5, 6 and 9 of the Zoning Ordinance to reflect reorganization, educational/institutional uses and legislative updates.
8. Call for a public hearing, regarding a request by C@ Design Development for a rezoning and annexation of Tax Parcel ID #'s 202122, 202120 and 181214 from R-12 Single Family to Single Family Conditional District and Tax Parcel ID #'s 181227 and 202690 from R-1 Gaston County to Single Family Conditional District
9. Approval of the Resolution Directing the clerk to investigate the Annexation Petition of the Property Located at Tax Parcel ID #'s 202122, 202120, 181227, 202690 and 181214 and Approval of the Certificate of Sufficiency of the annexation petition
10. Approval of the minutes of the September 12, 2016 Council Meeting
11. Approval of the minutes of the September 26, 2016 Work Session Meeting

PRESENTATIONS

1. Presentation of the Community Foundation of Gaston County Impact Grant — *Reeves McGlohon*

PUBLIC HEARING

1. Public Hearing for review and recommendation for the adoption of Rules of Procedure for the Planning Commission and Board of Adjustment under Section 12.2 and 13.2 of the Zoning Ordinance — *Brian DuPont*
2. Public Hearing to amend Chapter 17, Subdivision Ordinance of the City Code of Laws in regard to regulating private trails in developments — *Chief Don Roper*

PUBLIC COMMENT – Three (3) Minute Limit

OLD BUSINESS

NEW BUSINESS

1. Recommendation for Construction Manager at Risk for the North Fire Station and Public Works Facility — *Miles Braswell*
2. Consideration and Approval of Fees and Contract for Architectural Services for the City Garage — *Kemp Michael*
3. Discussion to finalize the Scope of Services for the Strategic Visioning Plan — *Greg Beal*

OTHER BUSINESS

CLOSED SESSION

ADJOURN

CONSENT AGENDA

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 09-22-16
From: Matt Kusak	**Meeting Date:** 10-10-16

Agenda Item to be considered: *Request for adoption of one lien for clearing of grass and weeds*

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request : Staff is wishing that council adopt three liens to be placed on 102 Maple Drive, Gaston County Parcel ID: 124386, 103 Webb Street Parcel ID: 124316 and West Glendale Avenue Parcel ID: 124167 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 Avenue in the amount of $390.00.

Adopt one lien for 103 Webb Street in the amount of $375.00.

Adopt one lien for West Glendale Avenue in the amount of $380.00

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 103 Webb Street**
3. **Copy of ordinance to place lien on West Glendale 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	$ 40.00
Administrative cost	$ 350.00
Total Lien Due	$ 390.00

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 ________________, 2016.

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# 124316, 103 Webb Street, said parcel being owned by Regina Hampton ; 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	$ 25.00
Administrative cost	$ 350.00
Total Lien Due	$ 375.00

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 ________________, 2016.

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# 124167 , West Glendale Avenue, said parcel being owned by Douglas Truesdale 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	\$ 40.00
Administrative cost	\$ 350.00
Total Lien Due	\$ 390.00

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 ________________, 2016.

CITY OF MOUNT HOLLY

By: ________________________
Mayor

Attest:

____
City Clerk

City of Mount Holly
Action Agenda Item

To: City Council **From:** Danny Jackson, City Manager	**Date:** October 5, 2016 **Meeting Date:** October 10, 2016

***Agenda Item to be considered:* Consent Agenda #2 – Approval of a Proclamation for Breast Cancer Awareness Month**

Will this require a public hearing? ☐ YES ☒ NO

***Background/Purpose of Request :* The month of October has been declared Breast Cancer Awareness Month. The City Council historically has been asked to approve a Proclamation to the effect. In observance of Breast Cancer Awareness we are asked to wear something pink to the City Council meetings during the month of October.**

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:

Result of City Council Decision:

Attachments:

PROCLAMATION

National Breast Cancer Awareness Month

Whereas, Breast cancer affects so many women and their families that one in eight women are diagnosed with breast cancer during their lifetime, making this the most frequently diagnosed cancer among women in America, other than skin cancer; and

Whereas, this year, more than 246,000 women and 2,600 men will be diagnosed with breast cancer in America, and about 40,000 deaths will occur due to breast cancer; and

Whereas, the 2.8 million breast cancer survivors living in America today are a testament to courage, as well as to the importance of promoting awareness about breast cancer, providing information, funding research, following recommended screening guidelines and offering treatment to those who are affected; and

Whereas, there continues to be a need to increase awareness of breast cancer screening and to promote research for the prevention and cure of breast cancer; and

Whereas, the month of October is designated as National Breast Cancer Awareness Month and the pink ribbon is the internationally recognized symbol of breast cancer awareness,

Therefore I, Bryan Hough, Mayor of the City of Mount Holly, North Carolina, do hereby proclaim the month of October, 2016 as

Breast Cancer Awareness Month

in the City of Mount Holly and urge citizens to participate in activities that will increase awareness of what Americans can do to prevent breast cancer, and to wear pink ribbons in honor of those who have lost their lives to breast cancer and those who are now bravely fighting the battle.

This the 10th day of October, 2016.

____
Bryan Hough, Mayor

ATTEST:

____
Amy Miller, City Clerk

City of Mount Holly
Action Agenda Item

To:	City Council	**Date:**	October 5, 2016
From:	Danny Jackson, City Manager	**Meeting Date:**	October 10, 2016

***Agenda Item to be considered:* Consent Agenda #3 – Approval of a Proclamation for Dyslexia Awareness Month**

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

***Background/Purpose of Request :* The month of October has also been declared Dyslexia Awareness Month. The City Council historically has been asked to approve a Proclamation to the effect.**

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:

Result of City Council Decision:

Attachments:

City of Mount Holly
Proclamation

DECLARING OCTOBER DYSLEXIA AWARENESS MONTH

Whereas, dyslexia is a language-based learning disability, that affects approximately one in five people, regardless of race, gender, age, or socioeconomic status; and

Whereas, neurological in origin, dyslexia affects the way the brain processes information, and is characterized by difficulties with reading, writing and spelling despite normal intelligence; and

Whereas, those with dyslexia benefit greatly from specialized assistance from highly trained teachers, multi-sensory learning programs and individualized instruction; and

Whereas, early identification, alternative instruction and extra support from friends, family and teachers can contribute to the success dyslexic students enjoy in the classroom, in life and, later on, in employment.

NOW, THEREFORE, I, BRYAN HOUGH, Mayor of the City of Mount Holly, North Carolina, by the virtue of the authority vested in me as Mayor, do hereby proclaim the month of October 2016 as **"DYSLEXIA AWARENESS MONTH"** in the City of Mount Holly.

Witnessed my hand this 10th day of October 2016.

Bryan Hough, Mayor
City of Mount Holly

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** October 7, 2016
From: Danny Jackson, City Manager	**Meeting Date:** October 10, 2016

***Agenda Item to be considered:* Consent Agenda #4 – Approval of an amendment to the Fee Schedule as it relates to the Grand Hall.**

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

***Background/Purpose of Request :* As a follow-up to our discussion at the City Council Work Session regarding the Grand Hall Policy and use of the open area in Administration, please see the revised fees associated with the mentioned uses.**

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: Motion to approve an amendment to the Fee Schedule as submitted.

Result of City Council Decision:

Attachments: Copy of amended fees for the Grand Hall

Municipal Complex Facility Rental Fees

Grand Hall	Current	Proposed
Full Hall Resident	$1,000	$1,200
Full Hall Non-Resident	$1,500	$1,700
North End	$500	$650
Civic Group Inside City	$500	$500
Civic Group Outside City	$1500	$1500
Cleaning Full Hall	$200	$200
Cleaning North End	$150	$150
Exceeding Hours	$125	$125
Security	$200	$200

Rental of Upstairs Admin Space can be rented to Organizations approved by the City Manager for a fee of $1500 plus additional $200 Cleaning Fee

Training Rooms	Current	
A or B Resident	$25/3hrs	$25 each additional hour
A or B Non Resident	$50/3hrs	$50 each additional hour
A and B Resident	$50/3hrs	$50 each additional hour
A and B Non Resident	$100/3hrs	$100 each additional hour

City of Mount Holly
Action Agenda Item

To: City Council	**Date: 9-26-16**
From: Chief Roper	**Meeting Date:** 10-10-16

Agenda Item to be considered: Adopt a resolution authorizing the Police Chief to enter a mutual aid agreement with the Cramerton Police Department to provide assistance with the McAdenville Christmas lights during the month of December.

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request: The annual Christmas light display in McAdenville is a longstanding and nationally recognized tradition in NC. The Cramerton police department provides police protection to the town of McAdenville, and has made a mutual aid request to the Mount Holly Police Department for assistance with traffic and security during the event to supplement their manpower. Such requests are common with agencies throughout NC, especially among neighboring communities such as McAdenville and Mount Holly. This assistance would be in the form of off-duty officers working traffic control. The officers would be paid directly by the city of McAdenville. This agreement would not affect MHPD budget or staffing levels. NC law allows police agencies to provide mutual aid assistance to other jurisdictions as needed. This agreement formalizes the request since the assistance is being sought over the course of the month of December.

Fiscal Impact:

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

Manager/Staff Recommendation:
Approve resolution as requested

Result of City Council Decision:

Attachments:

1. Law Enforcement Mutual Aid Agreement
2. Copy of NCGS 160A-288 and 90-95.2
3. Resolution

LAW ENFORCEMENT
MUTUAL AID AGREEMENT

This Mutual Aid Agreement made and entered into this 23rd day of September 2016, by and between the Cramerton Police Department and the Mount Holly Police Department.

BASIS FOR AGREEMENT

North Carolina General Statutes Sections 160A-288, 153A-212 and 90-95.2 allow and authorize mutual aid assistance and cooperation between law enforcement agencies. The Participating Agencies wish to provide temporary assistance to one another in enforcing the General Statutes of North Carolina and acknowledge that this Agreement mutually benefits each Participating Agency in the form of enhanced law enforcement capabilities and efficiency within the jurisdiction of each Agency.

AGREEMENT

1. REQUESTING ASSISTANCE

The Cramerton Police Department acting under the authority of Chief Greg Ratchford is requesting mutual aid assistance from the Mount Holly Police Department. The Cramerton Police Department requests personnel and equipment resources to assist at the annual McAdenville Christmas Light Display and within the towns of McAdenville and Cramerton. The duration of this aid shall be December 1 – December 26, 2016.

2. DUTIES OF REQUESTING AGENCY

a. **OPERATIONAL COMMAND.** While operating with the Cramerton Police Department under this Agreement, a law enforcement officer of the Mount Holly Police Department shall be subject to the lawful operational command of the officer supervising the event to which he or she is temporarily assigned to provide assistance, and shall operate under the direct supervision of said officer.

b. **REPORTING REQUIREMENTS.** The Mount Holly officer(s) who is temporarily assigned shall provide a time report to the officer of the Cramerton Police Department who is supervising the event, or his designee. The time report shall summarize the hours worked and the assignments performed by the temporarily assigned officer(s).

c. **EQUIPMENT.** The temporarily assigned officer(s) shall report to duty with the Cramerton Police Department with necessary equipment that has been issued by his or her own agency. The Cramerton Police Department shall supply the temporarily assigned officer with any additional money, equipment, supplies and/or support personnel reasonably necessary to perform his or her expected duties. If the Cramerton Police Department issues to temporarily assigned officer(s) any equipment that requires specialized training or certification, the Cramerton Police Department shall ascertain that the temporarily assigned officer(s) has undergone the necessary training or possesses the required certification.

3. DUTIES OF ASSISTING AGENCY

a. **BENEFITS.** For personnel and administrative purposes, the temporarily assigned officer(s) shall remain under the authority and control of the Mount Holly Police Department, and shall be entitled to

Worker's Compensation and other benefits to which he or she would normally be entitled were he or she not temporarily assigned.

b. **DISCIPLINARY ACTIONS.** Disciplinary actions arising out of temporary assistance provided under this Agreement shall remain the responsibility of the Mount Holly Police Department. The Cramerton Police supervisor in charge of the event in which an officer is temporarily assigned pursuant to this Agreement may, at any time, relieve such officer of his or her duties and shall immediately forward a written statement setting forth the reason for such action to the Chief of Police of the Mount Holly Police Department or their designee.

4. AUTHORITY OF ASSIGNED OFFICERS

While temporarily assigned to the Cramerton Police Department, law enforcement officer(s) of the Mount Holly Police Department shall have the same jurisdiction, powers, rights, authority, benefits and immunities as the regular officers of the Cramerton Police Department in addition to those associated with his or her regular employment. Nothing contained in this Agreement shall be construed as limiting or reducing any officer's common law or statutory authority, including but not limited to the common law power of *posse comitatus* or the statutory authority conferred by North Carolina General Statute Section I5A-402.

5. INSURANCE AND INDEMNITY

a. **LIABILTY INSURANCE.** The Chief of Police of the Cramerton Police Department certifies by execution of this Agreement that all employees subject to this Agreement or reasonably expected to be subject to this Agreement, including assisting officers, are covered by liability insurance.

b. **INDEMNITY FOR ACTS OR OMISSIONS.** The Cramerton Police Department specifically covenants and agrees to assume liability for any act or omission which was committed by, or was the responsibility of, the temporarily assigned officer(s), except as otherwise provided for in this Agreement. The Cramerton Police Department further agrees to hold harmless and indemnify the Mount Holly Police Department for any damages or costs, including attorney's fees, incurred by the Mount Holly Police Department in this regard.

c. **INDEMNITY FOR PROPERTY DAMAGE.** The Cramerton Police Department agrees to hold harmless and indemnify the Mount Holly Police Department for any damages or injury to the property of the Cramerton Police Department incurred in the course and scope of a temporarily assigned officer's duties. The Mount Holly Police Department agrees to hold harmless the Cramerton Police Department for any damages or injury to the property of the Mount Holly Police Department.

d. **RIGHTS OF SUBROGATION.** This Agreement shall not, however, be construed as a bar to any other rights or claims, either direct or by way of subrogation, which either Agency shall have against any other entity, party or person.

6. TERM AND WITHDRAWAL

a. **TERM.** In any event, the term of this Agreement shall be for a specified period time from the date first above written and shall terminate automatically at the expiration of that written term.

b. WITHDRAWAL. In the event either Agency should desire to withdraw from this Agreement, the head of that Agency shall provide written notice to the head of the other Agency setting forth the effective date of such withdrawal.

7. OTHER MUTUAL AID AGREEMENTS

This Agreement does not affect any other service or mutual aid agreement, previously entered into between the two Agencies for other services not contemplated by this Agreement, nor prevents either agency from entering into other such agreements.

8. GOVERNING BODY AUTHORIZATION

The head of each Participating Agency certifies by execution of this Agreement that their duly elected governing body has adopted an appropriate resolution or ordinance authorizing said Agency head to enter into this Agreement pursuant to North Carolina General Statutes Sections 160A-288 and 90-95.2.

IN WITNESS WHEREOF, the parties hereto have set their hand and seals.

____

Chief Greg Ratchford, Cramerton Police Department

____

Chief Don Roper, Mount Holly Police Department

§ 160A-288. Cooperation between law-enforcement agencies.

(a) In accordance with rules, policies, or guidelines officially adopted by the governing body of the city or county by which he is employed, and subject to any conditions or restrictions included therein, the head of any law-enforcement agency may temporarily provide assistance to another agency in enforcing the laws of North Carolina if so requested in writing by the head of the requesting agency. The assistance may comprise allowing officers of the agency to work temporarily with officers of the requesting agency (including in an undercover capacity) and lending equipment and supplies. While working with the requesting agency under the authority of this section, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those he normally possesses. While on duty with the requesting agency, he shall be subject to the lawful operational commands of his superior officers in the requesting agency, but he shall for personnel and administrative purposes, remain under the control of his own agency, including for purposes of pay. He shall furthermore be entitled to workers' compensation and the same benefits when acting pursuant to this section to the same extent as though he were functioning within the normal scope of his duties.

(b) As used in this section:

(1) "Head" means any director or chief officer of a law-enforcement agency including the chief of police of a local department, chief of police of county police department, and the sheriff of a county, or an officer of one of the above named agencies to whom the head of that agency has delegated authority to make or grant requests under this section, but only one officer in the agency shall have this delegated authority at any time.

(2) "Law-enforcement agency" means only a municipal police department, a county police department, or a sheriff's department. All other State and local agencies are exempted from the provisions of this section.

(c) This section in no way reduces the jurisdiction or authority of State law-enforcement officers.

(d) For purposes of this section, the following shall be considered the equivalent of a municipal police department:

(1) Campus law-enforcement agencies established pursuant to G.S. 115D-21.1(a) or G.S. 116-40.5(a).

(2) Colleges or universities which are licensed, or exempted from licensure, by G.S. 116-15 and which employ company police officers commissioned by the Attorney General pursuant to Chapter 74E or Chapter 74G of the General Statutes.

(3) Law enforcement agencies operated or eligible to be operated by a municipality pursuant to G.S. 63-53(2).

(4) Repealed by Session Laws 2013-360, s. 16B.4(d), effective July 1, 2013.

(5) A Company Police agency of the Department of Agriculture and Consumer Services commissioned by the Attorney General pursuant to Chapter 74E of the General Statutes. (1967, c. 846; 1971, c. 698, s.1; c. 896, s.4; 1977, c. 534; 1981, c. 93, s. 2; 1987, c. 671, s. 4; 1989, c. 518, s. 2; 1991, c. 636, s. 3; 1991 (Reg. Sess., 1992), c. 1043, s. 6; 1997-143, s. 1; 1999-68, s. 4; 2005-231, s. 8; 2006-159, s. 4; 2009-94, s. 1; 2011-260, s. 4; 2013-360, s. 16B.4(d).)

§ 90-95.2. Cooperation between law-enforcement agencies.

(a) The head of any law-enforcement agency may temporarily provide assistance to another agency in enforcing the provisions of this Article if so requested in writing by the head of the other agency. The assistance may comprise allowing officers of the agency to work temporarily with officers of the other agency (including in an undercover capacity) and lending equipment and supplies. While working with another agency under the authority of this section, an officer shall have the same jurisdiction, powers, rights, privileges, and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those he normally possesses. While on duty with the other agency, he shall be subject to the lawful operational commands of his superior officers in the other agency, but he shall for personnel and administrative purposes remain under the control of his own agency, including for purposes of pay. He shall furthermore be entitled to workers' compensation when acting pursuant to this section to the same extent as though he were functioning within the normal scope of his duties.

(b) As used in this section:

(1) "Head" means any director or chief officer of a law-enforcement agency, including the chief of police of a local police department and the sheriff of a county, or an officer of the agency to whom the head of the agency has delegated authority to make or grant requests under this section, but only one officer in the agency shall have this delegated authority at any time.

(2) "Law-enforcement agency" means any State or local agency, force, department, or unit responsible for enforcing criminal laws in this State, including any local police department or sheriff's department.

(c) This section in no way reduces the jurisdiction or authority of State law-enforcement officers. (1975, c. 782, s. 1; 1981, c. 93, s. 1; 1991, c. 636, s. 3.)

RESOLUTION TO AUTHORIZE THE POLICE CHIEF TO ENTER INTO A MUTUAL AID AGREEMENT WITH THE CRAMERTON POLICE DEPARTMENT

WHEREAS, THE CITY OF MOUNT HOLLY, North Carolina Police Department is recognized as a law enforcement agency within the state of North Carolina; and

WHEREAS, Donald Roper is the duly appointed Chief of Police of the Mount Holly Police Department; and

WHEREAS, The Mount Holly Police Department is authorized under NC General Statutes Sections 160A-288 and 90-95.2 to provide mutual aid assistance and cooperation between law enforcement agencies. The participating agencies wish to provide temporary assistance to one another in enforcing the General Statutes of North Carolina and acknowledge that this agreement mutually benefits each participating agency in the form of enhanced law enforcement capabilities and efficiency within the jurisdiction of each agency; and

WHEREAS, The Mount Holly Police Department has adopted a position dedicated to teamwork and partnerships to address and solve problems in our city and neighboring areas, and to this end has formed working relationships with several federal, state, and local law enforcement agencies to act as resource multipliers giving added efficiency when addressing issues; and

WHEREAS, The Mount Holly Police Department, and the City of Mount Holly, has benefitted in the past from a number of these partnerships, and recognizes that these partnerships, and mutual aid assistance, is essential to having the ability to provide adequate police services to citizens; and

WHEREAS, The Mount Holly Police Department has received a request from the Cramerton Police Department to assist with the annual Christmas light event in McAdenville during the month of December. This request will have no negative impact on the MHPD budget or staffing levels as the Officers will work the event during off-duty hours and be compensated entirely by the city of McAdenville;

NOW, THEREFORE, BE IT RESOLVED that the MOUNT HOLLY CITY COUNCIL of THE CITY OF MOUNT HOLLY, NORTH CAROLINA hereby:

Adopts this Resolution authorizing the Chief of Police to enter into this mutual aid agreement with the Cramerton Police Department.

Adopted on________________________, 2016

______________________________, Mayor
City of Mount Holly

ATTEST:

______________________, Clerk

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	October 6, 2016
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	October 10, 2016

Agenda Item to be considered:

Surplus Property

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

Background/Purpose of Request:

The following attachment contains four (4) vehicles that need to be considered surplus.

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: Declare property surplus per the attachment

Result of City Council Decision:_____

Attachments: Resolution and Surplus Property List

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

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

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

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

Adopted on this 10^{th} day of October, 2016.

SIGNED:

____

Mayor Bryan Hough

ATTEST:

____

Amy R. Miller, City Clerk

Department	Qty	Equipment/ Vehicle Year	Equipment/ Vehicle Make	Model	VIN or Serial #	Description	Known problems
Fire	1	2002	Chevrolet	Impala	2G1WF55K529364819	4 Door	Front end issue
Fire	1	2003	Ford	Crown Vic	2FAHP71W73X220693	4 Door	Unknown
Fire	1	2005	Ford	Crown Vic	2FAHP71W85X160989	4 Door	Unknown
Utilities	1	2007	Ford	F-150	1FTRF12237NA74617	2 Door	Engine issue

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 10-4-2016
From: Brian DuPont	**Meeting Date:** 10-10-2016

Agenda Item to be considered:

Call for a Public Hearing for a text amendment to amend Articles 3, 4, 5, 6 and 9 of the Zoning Ordinance to reflect reorganization, educational/institutional uses and legislative updates.

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request :

Staff has determined that there are certain articles of the Zoning Ordinance that need reorganization so that the ordinance is more "developer friendly". There have also been some legislative updates that have resulted in our Zoning Ordinance needing to be updated. Lastly, there are some educational/institutional uses that need to be amended.

Planning Commission recommended that Council call for a public hearing.

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:

Request that the City Council call for a public hearing in November for the above amendments to the Zoning Ordinance.

Result of City Council Decision:

Attachments:

1.

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** October 7, 2016
From: Greg Beal, Planning Director	**Meeting Date:** October 10, 2016

Agenda Item to be considered: Call for a public hearing, regarding a request by C2 Design Development, to consider rezoning a 101.74-acre tract of land in total, comprised of parcels identified by Tax Parcel ID #'s 202122, 202120 and 181214 from R-12 Single Family to Single Family Conditional District and parcels identified by Tax Parcel ID # 181227 and 202690 from R-1 Gaston County to Single Family Conditional District.

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

Background/Purpose of Request: An application was received by staff requesting a rezoning of the aforementioned parcels.

Three of the properties are currently located in the Mount Holly ETJ and two properties are located in Gaston County's zoning jurisdiction. All of the properties combined are approximately 101.74 acres in size. The applicant wishes to rezone the properties to a Conditional District to include Single Family Residential as detached homes. The applicant will be requesting permission to develop 312 single family homes.

Additionally, the applicant is requesting annexation for all 5 properties.

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:
The Planning Commission made a unanimous recommendation (Sept) to City Council to call for public hearing to consider rezoning a 101.74-acre tract of land from R-12 Single Family and R-1 (Gaston County Zoning) to Single Family Conditional District; the applicant is also seeking annexation for the proposed development in a public hearing to be set and heard by City Council. The recommendation by the Planning Commission is supported by Staff. The item was pulled from last month's agenda because of a revenue suspension by the State for back taxes on the property owned by Westview Ltd. However, the revenue suspension was lifted by the State on Friday, and on Monday, the City Attorney's Office confirmed this. The Planning Commission was made aware of this issue on Monday as well.

Result of City Council Decision:

Attachments: ***Rezoning Application***
Map

REZONING APPLICATION
CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: August 15, 2016 Application Number: 8-15-16A

The undersigned does (do) hereby respectfully make the application and request to the City of Mount Holly to amend the Zoning Map of Mount Holly as hereinafter requested and in support of this application the following facts are shown:

1. The real property, sought to be rezoned, is owned in fee simple by: Thomas Worth Springs III and Catherine See Springs, Howard R. Walls
Address: 400 W Catawba Ave Mt. Holly, NC 28120, 126 Forest Drive Belmont, NC 28012
as evidenced by Deed Book _____ on Page _____ in the Gaston County Registry. There are no restrictions or covenants of record appearing in the chain of title, which would prohibit the property from being put to the use specified in Paragraph five (5) of this application.

2. The real property sought to be rezoned is located at/on See attached (physical address) on the Left or Right (circle one) side of the _____ (street) between _____ (street) and _____ (street), and has a Tax Listing of: Tax Book _____, Map _____, Parcel _____. Said lot(s) has (have) a frontage of _____ feet and is approximately _____ acres in size.

3. A complete legal description of the boundaries of said realty (to be completed by an attorney) is attached to this application along with a survey or tax map of said realty.

4. It is desired and requested that the real property herein described be rezoned from Gaston County R-1 Zone to Conditional Use Zone.

5. If Conditional Use rezoning is requested, a site specific plan (see Appendix) is hereby attached (check) X Yes or _____ N/A.

6. If the Conditional Use Rezoning is requested, it is proposed that the real property be put to the following use, with the following specific improvements including building sizes and proposed screening in accordance with the attached site plan as mentioned in Paragraph five (5).

Single Family Residential Subdivision with 52' and 62' wide Lots.

7. Attached is a list of all the properties adjacent to the subject property including the owners' name(s) and address and tax book, map, and parcel number of each lot as shown on the Gaston County Tax Maps. Adjacent properties are considered all those immediately or diagonally adjacent to the subject property, including any properties immediately across any creeks, rivers, railroads, highways or other natural or man-made barriers.

Thomas W. Springs III

Thomas Worth Springs III
Howard R. Walls

Name of Applicant(s)

Owners X Howard R Walls

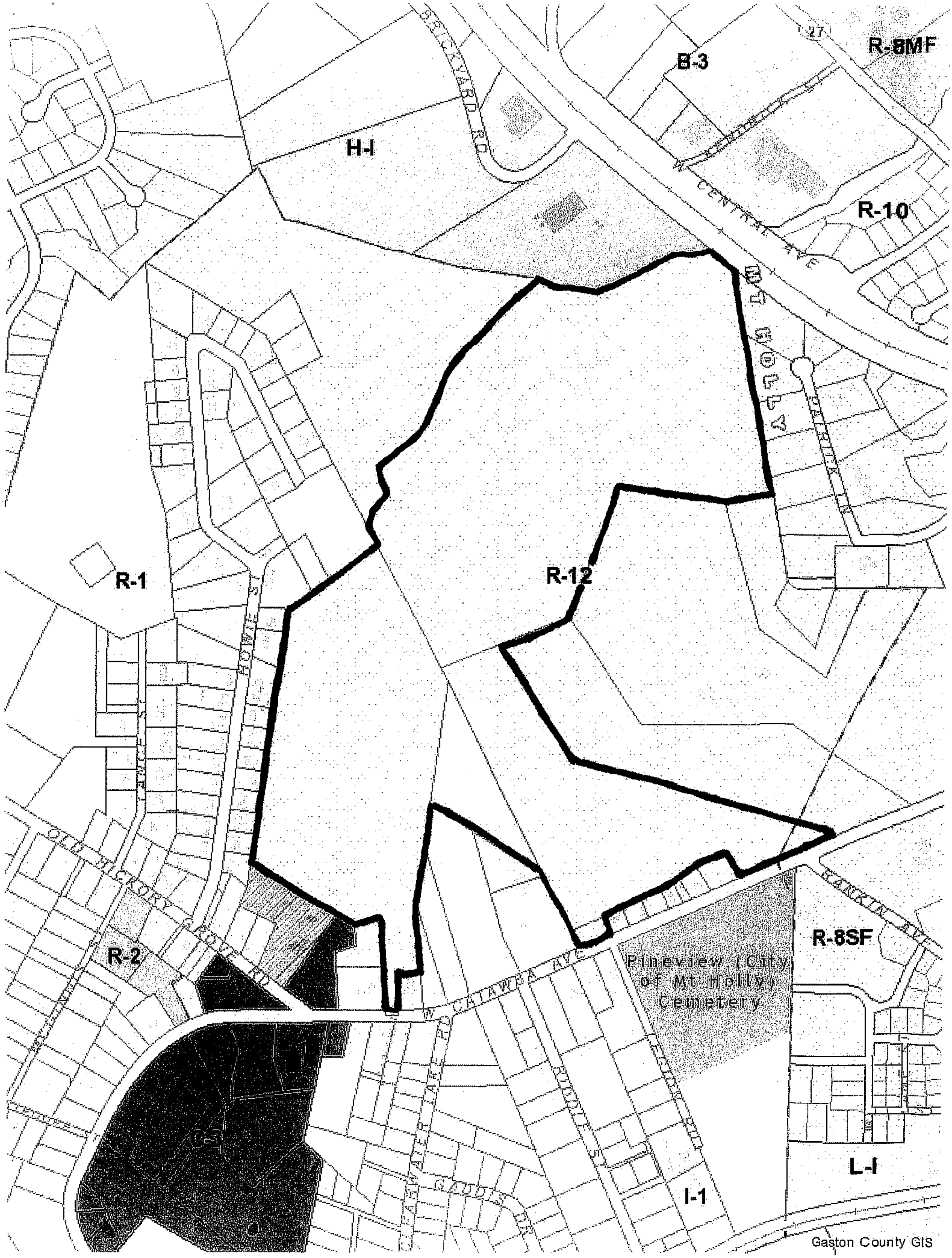
Interest of Applicant in Subject Realty:
(Must be the owner if requesting Conditional Use Rezoning)

Applicant's Address: 400 W Catawba Ave Mt. Holly, NC 28120

Thomas W. Springs III

Phone Number: 704-827-7791, 704-460-4101 Signature: X Howard R Walls

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of $ 800 (See Fee Schedule) at least 15 days prior to the Planning Commission meeting for initial consideration.



B-3
R-8MF
H-I
R-10
R-1
R-12
R-2
R-8SF
Pineview (City of Mt Holly) Cemetery
L-I
I-1
CENTRAL AVE
MT HOLLY
W CATAWBA AVE
OLD HICKORY GROVE RD
Gaston County GIS

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** October 7, 2016
From: Jonathan Wilson	**Meeting Date:** October 10, 2016

Agenda Item to be considered: Approval of the Certificate of Sufficiency regarding Gaston County Tax Parcel #'s 202122, 202120, 181214, 181227 and 202690.

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

Background/Purpose of Request: As required by State Law a Certificate of Sufficiency has to be approved by the City Council before a piece of property can be considered for annexation. In regard to the proposed annexation of Gaston County Tax Parcel #'s 202122, 202120, 181214, 181227 and 202690, the City Attorney has processed the mentioned Certificate and is submitting it to the City Council for approval.

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:
Motion to approve the Certificate of Sufficiency for Gaston County Tax Parcel #'s 202122, 202120, 181214, 181227 and 202690

Result of City Council Decision:

Attachments: Annexation Petition
Copy of the Certificate of Sufficiency for the aforementioned properties

CITY *of* MOUNT HOLLY

DANNY JACKSON, ASSISTANT TO THE CITY MANAGER
COMMUNITY DEVELOPMENT

131 South Main Street
Post Office Box 406
Mount Holly, NC 28120
704-822-2938
704-822-2933 fax
www.mtholly.us

PLANNING
ZONING
CODE ENFORCEMENT
PARKS AND RECREATION
GIS TECHNOLOGY
PUBLIC HOUSING

PETITION REQUESTING ANNEXATION

Date: 8/12/16

To the City Council (name of governing body) of the (City/Town/Village) of Mount Holly:

1. We the Undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the (City/Town/Village) of ________________.

2. The area to be annexed X is contiguous or _____ is not contiguous (check one) to the (City/Town/Village) of Mount Holly and the boundaries of such territory are as follows:

***INSERT MEETS AND BOUNDS DESCRIPTION**

**3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in termination of vested rights previously acquired for this property. (If zoning vested rights are claimed, indicate below and attach proof.)

NAME	ADDRESS	VESTED RIGHTS DECLARED? (YES OR NO)	SIGNATURE
Thomas Springs III	400 W. Catawba Av. Mt Holly, NC 28120	No	Thomas W Springs III

* The City of Mount Holly may wish to require a meets and bounds description and/or map.

** This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.

ADDITIONAL ATTACHMENTS MAY BE USED

CITY *of* MOUNT HOLLY

DANNY JACKSON, ASSISTANT TO THE CITY MANAGER
COMMUNITY DEVELOPMENT

131 South Main Street
Post Office Box 406
Mount Holly, NC 28120
704-822-2938
704-822-2933 fax
www.mtholly.us

PLANNING
ZONING
CODE ENFORCEMENT
PARKS AND RECREATION
GIS TECHNOLOGY
PUBLIC HOUSING

PETITION REQUESTING ANNEXATION

Date: 8/12/16

To the City Council (name of governing body) of the (City/Town/Village) of Mount Holly:

1. We the Undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the (City/Town/Village) of ________________.

2. The area to be annexed __X__ is contiguous or _____ is not contiguous (check one) to the (City/Town/Village) of Mount Holly and the boundaries of such territory are as follows:

***INSERT MEETS AND BOUNDS DESCRIPTION**

**3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in termination of vested rights previously acquired for this property. (If zoning vested rights are claimed, indicate below and attach proof.)

NAME	ADDRESS	VESTED RIGHTS DECLARED? (YES OR NO)	SIGNATURE
Howard R Walls	126 Forest Drive Belmont, NC 28012	No	Howard Walls

* The City of Mount Holly may wish to require a meets and bounds description and/or map.

** This is one possible format for zoning vested rights declaration. This language may require modification to reflect the requirements of the municipal zoning vested rights ordinance, if any.

ADDITIONAL ATTACHMENTS MAY BE USED

METES AND BOUNDS DESCRIPTION – 400 W. CATAWBA AVENUE

LYING AND BEING IN THE TOWN OF MT. HOLLY, GASTON COUNTY, NORTH CAROLINA, BEGINNING AT A POINT IN THE NORTHERLY MARGIN OF W. CATAWBA AVENUE; THENCE NORTH 02-51-16 WEST 444.72 FEET TO A POINT; THENCE SOUTH 70-53-44 WEST 128.40 FEET TO A POINT; THENCE NORTH 60-47-16 WEST 100.37 FEET TO A POINT; THENCE NORTH 58-24-16 WEST 465.68 FEET TO A POINT; THENCE NORTH 09-09-20 EAST 1,215.78 FEET (PASSING AN #4 REBAR FOUNDS AT 339.00 FEET AND 923.47 FEET) TO A POINT; THENCE NORTH 55-59-46 EAST 513.17 FEET TO A POINT; THENCE NORTH 27-55-55 WEST 108.20 FEET TO A POINT; THENCE NORTH 33-02-49 EAST 37.09 FEET TO A POINT; THENCE NORTH 04-01-54 WEST 42.81 FEET TO A POINT; THENCE NORTH 45-18-54 EAST 106.14 FEET TO A POINT; THENCE NORTH 17-09-50 WEST 125.50 FEET TO A POINT; THENCE NORTH 51-57-33 EAST 110.27 FEET TO A POINT; THENCE NORTH 52-26-41 EAST 107.42 FEET TO A POINT; THENCE NORTH 34-39-39 EAST 99.60 FEET TO A POINT; THENCE NORTH 24-02-18 EAST 145.47 FEET TO A POINT; THENCE NORTH 29-13-49 EAST 172.31 FEET TO A POINT; THENCE NORTH 45-07-43 EAST 451.23 FEET TO A POINT; THENCE NORTH 52-29-33 EAST 82.18 FEET TO A POINT; THENCE SOUTH 80-01-13 EAST 303.98 FEET TO A POINT; THENCE NORTH 66-02-37 EAST 409.41 FEET TO A POINT; THENCE NORTH 73-48-19 EAST 275.40 FEET TO A POINT; THENCE SOUTH 06-05-32 EAST 248.05 FEET TO A POINT; THENCE SOUTH 09-30-48 EAST 961.02 (PASSING AN #4 REBAR FOUND AT 720.21 FEET) TO A POINT; THENCE SOUTH 80-29-12 WEST 229.65 FEET TO AN #4 REBAR FOUND; THENCE NORTH 81-29-58 WEST 518.17 FEET TO A POINT; THENCE SOUTH 20-58-38 WEST 652.26 FEET TO A POINT; THENCE SOUTH 69-24-46 WEST 359.94 FEET TO A POINT; THENCE SOUTH 32-50-04 EAST 650.00 FEET TO AN #4 REBAR FOUND; THENCE SOUTH 73-56-23 EAST 1,352.66 FEET (PASSING AN #4 REBAR FOUND AT 1,304.93 FEET) TO A POINT IN THE NORTHERLY MARGIN OF SAID W. CATAWBA AVENUE; THENCE WITH SAID ROAD SOUTH 67-12-47 WEST 560.22 FEET TO A POINT; THENCE LEAVING SAID ROAD NORTH 30-49-04 WEST 161.42 FEET TO AN #4 REBAR FOUND; THENCE SOUTH 63-51-54 WEST 831.90 FEET TO A POINT; THENCE NORTH 24-55-05 WEST 294.44 FEET TO A POINT; THENCE NORTH 55-59-22 WEST 633.00 FEET TO A POINT; THENCE SOUTH 09-12-44 WEST 470.29 FEET TO A POINT; THENCE SOUTH 02-59-18 EAST 324.78 FEET TO A POINT; THENCE SOUTH 87-07-44 WEST 114.47 FEET TO A POINT; THENCE SOUTH 02-51-16 EAST 174.21 FEET TO A POINT IN NORTHERLY MARGIN OF W. CATAWBA AVENUE; THENCE WITH NORTHERLY MARGIN OF SAID ROAD NORTH 89-53-34 WEST 60.33 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 101.74 +- ACRES AS SURVEYED BY CHRISTOPHER D. FAULK L-5013.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S.160A-58

WHEREAS, a petition from Thomas Springs III and Howard R Walls requesting annexation of an area described in said petition was received on August 12,2016, by the City Council of the City of Mount Holly; and

WHEREAS, G.S. 160A-58 provides that the sufficiency of the petition shall be investigated by the City of Mount Holly Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Mount Holly deems it advisable to proceed in response to this request for annexation:

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

The City of Mount Holly Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the City Council the result of his investigation.

This 10th day of October, 2016.

Bryan M. Hough, Mayor

Attest:

Amy Miller, City Clerk

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Mount Holly, North Carolina:

I, Amy Miller, City of Mount Holly Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G, S. 160A-58.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Mount Holly, this 10th day of October, 2016.

(SEAL)

____
City of Mount Holly Clerk

City of Mount Holly
Mount Holly City Council Meeting
Monday, September 12, 2016
Council Chambers
7:00 pm

Call to Order
Mayor Bryan Hough called the meeting to order at 7:00 pm. The following were present:

Mayor Bryan Hough	Danny Jackson, City Manager
Mayor Pro Tem David Moore	Greg Beal, Planning Director
Councilman Jerry Bishop	Ryan Baker, Fire Chief
Councilwoman Carolyn Breyare	Ray Clemmer, Assistant Director of Utilities
Councilman Jeff Meadows	Dave Johnson, Utilities Director/City Engineer
Councilman Jim Hope	Don Roper, Chief of Police
Councilman Perry Toomey	Miles Braswell, Assistant City Manager
Kemp Michael, City Attorney	Africa Otis, Finance Officer

Invocation

Reverend Charles McCorkle, Pastor at Wesley Chapel Holiness Church gave the invocation.

Pledge of Allegiance

Boy Scout Troop 59 of the First United Methodist Church in Mount Holly led attendees in the Pledge of Allegiance.

Set the Agenda

Mayor Hough advised that Items 2 and 9 regarding the annexation request need to be removed from the agenda. With no additional changes to the agenda Councilman Hope made a motion to approve the agenda as amended. Councilwoman Breyare seconded the motion. All Council Members voted in favor. (Motion carried)

CONSENT AGENDA

1. Call for a public hearing for review and recommendation for the adoption of Rules of Procedure for the Planning Commission and Board of Adjustment under Section 12.2 and 13.2 of the Zoning Ordinance
2. Approval of a resolution of support for the Bicycle Planning Grant for NCDOT
3. Budget Amendment (Parks and Recreation-Victory Chevrolet Donation and Land of Frost Donation)
4. Approval of ABC Commission Travel Policy
5. Request for the Release of Cash Security for Dutchman's Ridge, Map 2
6. Approval for the Release of the Maintenance Bond associated with the Beaty-Ferstl Intersection Improvements
7. Approval of Resolution Declaring Surplus Property
8. Approval of the minutes of the August 8, 2016 Council Meeting
9. Approval of the minutes of the August 22, 2016 Work Session Meeting

Councilman Toomey made a motion to approve the consent agenda. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. (Motion carried)

PRESENTATIONS

1. Community Health Assessment Presentation

Ms. Abigail Newton with the Gaston County Department of Health and Human Services came before the city Council to present the 2015 Gaston County Community Health Assessment. Each Health Department in NC is required to perform this assessment every 3 to 4 years. The Assessment describes health related issues and community opinions about county health issues.

2. Presentation of a Resolution Honoring Daphne Barton for her Years of Service Volunteering with the Mount Holly Christmas Parade

    Mayor Hough and the City Council presented Ms. Daphne Barton with a Resolution as a token of their appreciation for the years she has spent volunteering with the Mount Holly Christmas Parade.

3. Introduction of Mount Holly Middle School Principal Jamie Peoples

    Councilman Jim Hope introduced the new principal at Mount Holly Middle School, Ms. Jamie Peoples. Ms. Peoples thanked the Council and advised she is looking forward to good things in Mount Holly.

4. Introduction of Police Chaplains

    Chief Roper advised that several months ago, the Department started working with local clergy to establish a MHPD Chaplain program. At this time Chief Roper introduced Reverend Max Pendleton, Reverend Angela Pleasants, Reverend Charles McCorkle and Reverend Dump Harper. These are the MHPD Chaplains and with their help the department developed a policy to take care of the mind, body and spirit.

PUBLIC HEARING

1. Public Hearing regarding a request by Staff, for a text amendment to Article 3, 5, 6, and 7 of the Zoning Ordinance to reflect recommended uses with definitions.

    Mr. DuPont advised that the goal of the amendments is to be proactive in the type of businesses that may come to the city but would not be permitted under the current ordinances. The amendments allow for Cluster Mailboxes, Brewery, Brew-pub, Distillery, Microbrewery, Outfitter, Taproom and Winery. The purpose of the proposed uses is to promote the long term viability in the City and diversity in the downtown area.

    At this time, Councilwoman Breyare made a motion to enter into the public hearing regarding a request by Staff, for a text amendment to Article 3, 5, 6, and 7 of the Zoning Ordinance to reflect recommended uses with definitions. Councilman Bishop seconded the motion. All Council Members voted in favor. (Motion carried) With no one signed up to speak, Councilwoman Breyare made a motion to close the public hearing and return to open session. Councilman Toomey seconded the motion. All Council Members voted in favor. (Motion carried)

    Mr. DuPont advised that the Planning Commission voted to table the decision and did not make a recommendation to the City Council. Councilman Bishop made a motion to approve the text amendment to Article 3, 5, 6, and 7 of the Zoning Ordinance to reflect recommended uses with definitions as presented. (Resolution 09122016A). Councilman Meadows seconded the motion. Motion carried with a 4/2 vote. Councilwoman Breyare and Councilman Hope voted against the motion.

PUBLIC COMMENT – Three (3) Minute Limit

Louise Faulkenberry
109 Walnut Avenue
Mount Holly, NC 28120

Ms. Faulkenberry came before the City Council to invite them to participate in Life Chain of Gaston County. Life chain is an annual event of more than 650 people gathered to pray against abortion. Life Chain will take place October 2nd between 2:00-3:00pm on Main street and Catawba Avenue in Mount Holly.

Elwood Smith
701 East Charlotte Avenue
Mount Holly, NC 28120

Mr. Smith came before the City Council to complain that the City does not cut the grass on his side of the underpass. He has been trying to get the City to cut it for 2 years and there a rodents and snakes living less than 10 feet from his house.

CLOSED SESSION

1. Closed Session - pursuant to N.C.G.S 143-318.11 (a)(3 and 6)

At this time Councilman Bishop made a motion to enter into closed session pursuant to NCGS 143-318.11 (a) (3 and 6). Mayor Pro Tem Moore seconded the motion. All Council members present voted in favor. (Motion carried)

Councilman Bishop made a motion to return to open session. Mayor Pro Tem Moore seconded the motion. All Council members voted in favor. (Motion carried)

In open session, Councilman Meadows made a motion to appeal the case 16 CVS 1659 with NC Court of Appeals. (Resolution 09122016B). Councilman Bishop seconded the motion. All Council Members voted in favor. (Motion carried)

ADJOURN

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilman Bishop made the motion to adjourn the September 12, 2016 Council Meeting. Mayor Pro Tem Moore seconded the motion. All Council members present voted in favor. (Motion carried)

The meeting adjourned at 8:45 p.m.

City of Mount Holly
Mount Holly City Council Work Session Meeting
Monday, September 26, 2016
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, City Manager
Mayor Pro Tem David Moore	
Councilman Jerry Bishop	David Johnson, City Engineer/ Director of Utilities
Councilman Jim Hope	Ryan Baker, Fire Chief
Councilman Perry Toomey-absent	Mark Jusko, Recreation Supervisor
Councilman Jeff Meadows	Miles Braswell, Assistant City Manager
Councilwoman Carolyn Breyare	Don Roper, Police Chief
Attorney Kemp Michael	Greg Beal, Planning Director
	Africa Otis, Finance Officer

Invocation

Mayor Pro Tem david Moore led the Council, staff and attendees in prayer.

SET THE AGENDA

With no changes to the agenda, Mayor Pro Tem Moore made a motion to approve the agenda as presented. Councilman Meadows seconded the motion. All Council Members voted in favor. (Motion carried)

CONSENT AGENDA

1. Approval of Surplus Property
2. Call for a Public Hearing to amend Chapter 17, Subdivision Ordinance of the City Code of Laws in regard to regulating private trails in developments

Councilman Bishop made a motion to approve the consent agenda. Mayor Pro Tem Moore seconded the motion. All Council Members present voted in favor. (Motion carried)

WORK SESSION AGENDA

1. Update from the Strategic Visioning Plan Scope of Services

   Mr. Beal advised that Arnett Muldrow will make a presentation at the October meeting regarding the Strategic Visioning Plan. Mr. Beal commented that the company will research what things are feasible for Mount Holly. Mr. Meadows commented that he hopes this process isn't redundant of what is being done by Buxton Company. Councilwoman Breyare advised that if there is a committee for this process Kathy Haverty would like to serve on the committee.

2. Presentation of Water Tank Options

Mr. Johnson asked what we can do to brand the City. The branding would come from people seeing the logo from Interstate 85 and becoming familiar with it. Mr. Johnson showed an example of each tank to council and explained how each one would look lighted. We also looked at the Hewitt tank because this is what is seen when you come across the bridge into Mount Holly on Highway 27. He suggested placing the logo only on this tank as well. Michael Butler took pictures of the Hewitt Street tank and configured the placement of the logo. Councilwoman Breyare commented that she showed the proposed pictures to 18 different people and no one knew what the logo meant. She suggested putting GO GASTON on the stem and maybe that would pay for the painting of the tanks. Mayor Pro Tem Moore stated he likes option 3. Mayor Hough prefers the option with Mount Holly around the bottom. Mr. Johnson advised that he will get final prices (bids) and bring those results back to Council.

3. Americans with Disabilities Act – Title II Update

Mr. Braswell updated the City Council regarding the ADA Title II program and compliance within the City. He advised that he is serving in the capacity of the coordinator of the program; however each department will have a liaison. There were questions from Council regarding staffing for enforcement of the program. Mr. Braswell advised that currently the City is sufficiently staffed for the program but we are working on putting a reasonable plan in place to correct the issues within the City. Mr. Jackson added that at the last Manager's meeting he asked the question about ADA plans and only one of the municipalities have a plan in place.

4. Update on the Grand Hall Policy

Mr. Jackson advised that back in April, Gaston Hospice was allowed to have an event in the upstairs administration area as a test run to see if this could possibility work as an extra revenue stream for the City. Mr. Jackson showed pictures of the event and asked for feedback regarding their feeling toward the use of the space. He advised that only a select few would be allowed to hold events in the space. It was consensus of the Council to allow Mr. Jackson to use his own discretion in regard to renting the Admin space.

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

At this time Mayor Pro Tem Moore made a motion to enter into closed session pursuant to NCGS 143-318.11 (a) (3). Councilman Bishop seconded the motion. All Council members present voted in favor. (Motion carried)

Councilman Bishop made a motion to return to open session. Mayor Pro Tem Moore seconded the motion. All Council members voted in favor. (Motion carried)

6. Adjourn

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilman Bishop made the motion to adjourn the September 26, 2016 Council Work Session Meeting. Councilman Meadows seconded the motion. All Council members present voted in favor. (Motion carried)

The meeting adjourned at 7:51 p.m.

PRESENTATIONS

City of Mount Holly
Action Agenda Item

To:	City Council	**Date:**	October 5, 2016
From:	Danny Jackson, City Manager	**Meeting Date:**	October 10, 2016

***Agenda Item to be considered:* Presentations #1 – Presentation of the Community Foundation of Gaston County Impact Grant Awards**

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

***Background/Purpose of Request :* Mr. Reeves McGlohon, Mount Holly Coordinator for the Community Foundation of Gaston County will be in attendance to announce this year's winners of the grants awarded by the Community Foundation of Gaston County. The total amount of funding again this year was $10,000. The Grant Committee this year received a total of 10 applications vying for various amounts of money. Mr. McGlohon will speak to the particulars of the review process for the committee that reviewed the submitted applications.**

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:

Result of City Council Decision:

Attachments:

PUBLIC HEARINGS

City of Mount Holly
Action Agenda Item

To: City Council **From:** Brian DuPont	**Date:** 10-4-16 **Meeting Date:** 10-10-16

Agenda Item to be considered: Public hearing for the adoption of Rules of Procedure for the Planning Commission and Board of Adjustment under Section 12.2 and 13.2 of the Zoning Ordinance

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

Background/Purpose of Request : Planning and Development staff have recognized the need for formally adopting a set of procedures that govern the review boards.

Under Section 12.2 and 13.2 of the Zoning Ordinance Rules of Procedure are referenced and should be kept on file with the City. During review by Staff, no Rules of Procedure can be obtained and in order to be in compliance with City ordinance and North Carolina Statutes these Rules need to be adopted.

The Rules will become an Appendix to the Zoning Ordinance. Planning Commission recommended adoption of the Rules of Procedure.

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:
Request that City Council adopt the Rules of Procedure.

Result of City Council Decision:

Attachments:

1. Rules of Procedure
2. Section 12.2 and 13.2
3.

Rules of Procedure
Planning Commission & Board of Adjustment
City of Mount Holly

I. Authority

a. The Planning Commission and Board of Adjustment shall be governed by North Carolina General Statute Section 160A-361 and 160A-388 and the Mount Holly Zoning Ordinance under Articles 12, 13, and 14.

b. The Planning Commission and Board of Adjustment here after referred to as Commission and Board.

II. Officers

a. Chair: The Chair shall be annually designated by City Council from one of the Planning Commission members.

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

c. The Commission consisting of nine (9) regular members. Eight (8) members shall reside within the Mount Holly city limits and shall be appointed by the City Council. One (1) member shall reside within the extraterritorial planning jurisdiction and shall be appointed by the Gaston County Board of Commissioners.

d. The Board, consisting of five (5) regular members and four (4) alternate members, each to be appointed for three-year terms. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the City Council may appoint certain members for less than three years so that the terms of all the members shall not expire at the same time. Four (4) regular members shall reside within the Mount Holly city limits and be appointed by the City Council from the regular membership of the Planning Commission. One (1) regular member shall reside in the extraterritorial planning jurisdiction (ETJ) and be appointed by the Gaston County Board of Commissioners. The Board shall also consist of four (4) alternate members, which shall be appointed from the remaining membership of the nine (9) member Planning Commission. The length of terms and the manner of appointment for members of the Board shall coincide with their terms on the Planning Commission. Alternate members may attend all meetings of the Board but shall serve, participate and vote only in the absence of a regular member, except for procedural matters as described in the Rules of Procedure.

III. Rules of Conduct for Members

a. Members of the Commission may be removed for cause, including violation of the rules stated below.

b. If, in a calendar year, he/she:
   i. Is absent from three (3) consecutive regular meetings, or
   ii. Has less than a 50% attendance record at regular meetings.

c. *Conflict of Interest*:
   i. No member may participate in or vote on any matter in a manner that would violate the affected person's constitutional rights to an impartial decision.
   ii. No member may participate in a hearing if the member has an impermissible conflict which include but is not limited to: a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business or other associational relationship with an affected person or a financial interest in the outcome of the matter.
   iii. No member shall discuss any case with any of the parties thereto prior to the public hearing on that case. Provide, however, members may receive and/or seek information pertaining to the case from any other member of the Commission.
   iv. No member shall vote on any matter involving an application or appeal unless the member attended the public hearing on that application or appeal.
   v. Members shall not express individual opinions on the proper judgment of any case with any parties thereto prior to its determination of that case.

IV. Meetings

a. *Regular*: Shall be held at the Municipal Complex in the Council Chambers, at 400 East Central Avenue, Mount Holly, NC at 6:30 PM on the first Monday of each month.
b. *Special*: Special meetings maybe called at any time by the Chair or City staff provided public notice and notice to each member is given at least 48 hours notice.
c. *Cancellation*: Whenever there are no appeals, applications or other business before the Commission, or whenever so many regular and alternate members notify of inability to attend, that a quorum will not be available, the meeting shall be cancelled.
d. *Quorum*: A quorum for all meetings shall be five members, including alternates sitting in place of members.

V. Voting

a. *Requirements*: All members, including the chair, shall vote on all issues unless the conflicted under Section III, Part C. The concurring vote of four-fifths of the members shall be necessary to grant a variance. The concurring vote of a majority shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari in favor of the applicant or appellant.
b. *Recusal*: If an objection is raised to a member's participation in a hearing and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

VI. Hearings

a. *Application Procedure*: Each application for a hearing shall be made on forms provided by the Planning and Development Department. Any fees established under the Fee Schedule are required at the time of application submittal.
b. *Notice*: Public notice of hearings in accordance with Mount Holly Zoning Ordinance shall be conducted prior to scheduling of any hearing.
c. *Zoning Board of Adjustment*: The Board shall follow quasi-judicial procedures when deciding appeals, variance requests and special use permits.

d. *Affirmation*: For any quasi-judicial hearing by the Board any individual from the public must be affirmed before giving a statement.

e. *Procedures for Hearings by the Board of Adjustment (Appeals, Variances, Special Use Permits, Vested Rights):*

1. Statement of Hearing - Chair shall state the purpose of the hearing
2. Oaths - Chair shall request any individual that wishes to speak on the hearing be called forward and willfully affirms to give true statements.
3. Subpoenas - The Board through the Chair, or in the Chair's absence, anyone acting as Chair, may subpoena witnesses and compels the production of evidence. To request issuance of a subpoena, person with standing under § 160A-393(d) may make a written request to the Chair, explaining why it is necessary for certain witnesses or evidence to be compelled. The Chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The Chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the Chair may be appealed to the full Board of Adjustment. If a person fails or refuses to obey a subpoena, issued pursuant to this section, the Board of Adjustment or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena by obeyed, and the Court shall have jurisdiction to issue these orders after notice to all proper parties.
4. Presentations - Chair will then proceed to let Staff make a presentation and then the applicant make a presentation.
5. Open Public Hearing - Chair will then open the public hearing to individuals that have signed up for public comment.
6. Speakers - Each person who appears shall be required to state their name and address. The Board will hear any evidence that pertain to the facts of the case or how the facts relate to the provisions of the Zoning Ordinance or State zoning law.
7. Close Public Hearing - Chair will then close the public hearing.
8. Discussion - Chair will allow discussion and questions to Staff and/or applicant by Board.
9. Conclusion - Chair shall summarize the evidence which has been presented.
10. Decision - The final Decision of the Board shall be by written order stating the reasons of the Board therefore, shall be entered in the minutes of the Board and signed by the Chair and City staff as witness. Where a variance is granted, the record shall state in detail any unnecessary hardships upon which the appeal was based and which the Board finds to exist. The Decision may reverse or affirm, wholly or partly, or modify the order, requirement, Decision or determination appeal from. The Decision shall state in detail what, if any, conditions and safeguards are imposed by the Board in connection with the granting of any request.

    Written Decisions made by the Board shall be served within a reasonable time from the conclusion of the hearing. Written Decisions will be provided to the applicant, owners of the subject property if not the applicant, and other persons who have filed a written request for such notice. Written Decisions made by the Commission shall be filed in the minutes and shall be public record available for inspection at all reasonable times.

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

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

   Written Decisions made by the Commission shall be filed in the minutes and shall be public record available for inspection at all reasonable times.

VII. Appeals

a. Appeals from the Board may be taken to the Superior Court of Gaston County by proceeding in the nature of certiorari pursuant to North Carolina General Statute Section 160A-393. A petition for review by Superior Court within thirty (30) days after the decision is effective or after a written copy thereof is given in accordance with Section 12.12 of the Zoning Ordinance.

Read, approved and adopted by the Planning Commission and Board of Adjustment of the City of Mount Holly on the ______ day of _______________, 2016.

_______________________________ _______________________________

Planning Director Chair

_____________________ _____________________

Date Date

Article XII Establishment of the Board of Adjustment

Section 12.1 Board Established

There shall be and is hereby created a Board of Adjustment (hereafter referred to as the Board), consisting of five (5) regular members and four (4) alternate members, each to be appointed for three-year terms. In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the City Council may appoint certain members for less than three years so that the terms of all the members shall not expire at the same time. Four (4) regular members shall reside within the Mount Holly city limits and be appointed by the City Council from the regular membership of the Planning Commission. One (1) regular member shall reside in the extraterritorial planning jurisdiction (ETJ) and be appointed by the Gaston County Board of Commissioners from the regular membership of the Planning Commission. The Board shall also consist of four (4) alternate members, which shall be appointed from the remaining membership of the nine (9) member Planning Commission. The length of terms and the manner of appointment for members of the Board shall coincide with their terms on the Planning Commission. Alternate members may attend all meetings of the Board but shall serve, participate and vote only in the absence of a regular member, except for procedural matters as described in the Rules of Procedure. During the absence of any regular member an alternate member regardless of his/her residency, shall serve and may exercise all the powers and duties of a regular member.

Section 12.2 Meetings and Procedures

The Board shall adopt and abide by rules of procedure which shall govern the meeting schedule, election of officers, voting, quorums, attendance and general conduct of meetings. The rules of procedure shall be in accord with the North Carolina General Statutes and shall be kept in the office of the Zoning Enforcement Officer for public information. All meetings are open to the public.

Section 12.3 Powers and Duties

The Board shall hear and decide special use and permits, requests for variances, appeals of decisions of administrative officials charged with enforcement of the Ordinance, herein referred to as the Zoning Enforcement Officer, and appeals as outlined in Chapter 4 Buildings, and Chapter 9 Housing of the City of Mount Holly Code of Laws. The term "decision" as used in this section, includes any final and binding order, requirement or determination. The Board shall follow quasi-judicial procedures when deciding appeals and requests for variances and special use

2

Article XIII Establishment of the Planning Commission

There shall be and is hereby created a Planning Commission consisting of nine (9) regular members. Eight (8) members shall reside within the Mount Holly city limits and shall be appointed by the City Council. One (1) members shall reside within the extraterritorial planning jurisdiction and shall be appointed by the Gaston County Board of Commissioners. The members shall serve three (3) year overlapping terms initially established as follows: three (3) members appointed for a term of three (3) years; three (3) members appointed for a term of two (2) years; and three (3) members appointed for a term of one (1) year. At completion of initial terms of office each new appointment or reappointment shall be for a term of three (3) years. In addition, the Planning Commission shall consist of up to three (3) alternate members which shall vote and participate only in the absence of a regular member. Alternate members shall also serve three (3) year overlapping terms. During the absence of any regular member, an alternate member regardless of his/her residency, shall serve and may exercise all the powers and duties of a regular member.

Section 13.1 Purpose

The purpose of the Planning Commission shall be to:

A. Prepare studies and plans for the provision of orderly growth within the city limits and the extraterritorial planning jurisdiction.

B. Develop and recommend to City Council policies, ordinances, and administrative procedures and other means for carrying out plans in a coordinated and efficient manner.

C. Review and make recommendations on matters including rezoning petitions, subdivision plats and planned unit developments.

D. Perform any other related duties that the City Council may direct pursuant to G.S. 160A-361.

Section 13.2 Meetings and Procedures

The Planning Commission shall adopt and abide by rules of procedure which shall govern the meeting schedule, election of officers other than Chairman, voting, quorums, attendance and general conduct of meetings. All meetings are open to the public.

City of Mount Holly
Action Agenda Item

To: City Council	**Date:** 10-04-16
From: Chief Don Roper	**Meeting Date:** 10-10-16

Agenda Item to be considered: Public hearing to review Subdivision and Land Development Ordinance Amendment for trail requirements by developers.

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

Background/Purpose of Request : Planning and Public Safety staff has developed recommendations for emergency response requirements for trail systems to be considered as amendments to Article III, section 3.12, Neighborhood Recreation Sites. This information was presented to the Planning Commission at their meeting on 10-03-16.

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 recommendation

Result of City Council Decision:

Attachments:

1. **Draft recommendations for emergency response requirements.**
2. **Greenway response area map**

Chapter 17, Subdivision and Land Development Ordinance
Amendment for Trail Label Requirements by Developers

Article III. Section 3.12, Neighborhood Recreation Sites

Emergency Response Requirements for Trail System:

The purpose of the trail system requirements is to assure that when off road amenities are provided by a development that public health, safety, and welfare are appropriately assured during the review and approval by the City of Mount Holly.

If a developer proposes or is required to provide any trail system or network as part of the development, then the following items will be required at a minimum and will be included as part of the Greenway Response Map for the City of Mount Holly:

1. Private greenways or trails need to be a minimum of eight (8) feet wide and at a minimum gravel surface for emergency response trucks or all terrain vehicles. If dirt or natural surface trails are proposed the developer will need to provide other measures in order to assure appropriate response can be maintained.
2. If foot bridges are proposed it is required that a vehicle access point is provided if the distance between them exceeds two miles.
3. Trail marking on routes will be required with a maximum of ¼-mile between markers, and;
4. Signage for trail makers will be assigned a specific labeling system to be used based on the projects location on the Greenway Response Map. (Example: Project is in Zone Red (R) and they are the 2nd development in that Zone (B), then all Trail Makers for that development will begin with RB followed by the mile marker based on Item 3 above, RB-0.25 or RB-1.75)
5. Developer will provide global positioning system (GPS) coordinate of the trail to be placed on the Greenway Response Map.
6. Developer is required to provide a kiosk at all trail heads referencing specific information to that trail including but not limited to how markers on the trail can be used when contacting Emergency 911 Services, provide map of trail with reference to kiosk location ('You are Here' indicator), map will need to show access points along the trail to be used for emergency services.
7. All trail markers and kiosks will be constructed and placed in a permanent nature in order to assure high visibility and awareness for all users of the trails.
8. The City may require other information be provided that is specific to the project.

SILVER FOX CT
FOX TRAIL DR
JADA LYNETTE LN
COX LAKE RD
TILLMAN RD
RASURE LN
STONEY BROOK DR
NO NAME
NO NAME
HONBARGER LN
HEATHERGATE LN
NO NAME
BEN HARKEY LN
ALBERT HARKEY LN
WAYNES WAY
JOHNSON ST
HENDERSON ST
BLACKBERRY LN
HUMMINGBIRD LN
NO NAME
LUMBER LN
RED MAPLE DR
NO NAME
ROLLINGWOOD DR
HARRIS WAY
SANDERS RD
WINDERMERE RD
LOW MEADOW DR

OLD BUSINESS

NEW BUSINESS

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	October 4, 2016
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	October 10, 2016

Agenda Item to be considered:

Construction Manager at Risk – New Fire Station and Public Works Facility

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

Background/Purpose of Request :

During the January 15, 2015 City Council Retreat, staff was tasked with proceeding with the Construction Manager at Risk construction delivery method. Through this method, a Request for Qualifications (RFQ) was developed and an RFQ was advertised on November 15, 2015. The Statement of Qualifications (SOQ) were due from interested firms on December 4, 2015. Three (3) firms responded and are listed below:

- CoxSchepp Construction, LLC
- Edison Foard Construction Services, Inc. / RJ Leeper Construction, LLC (a joint venture partnership)
- Miles McClellan Construction Co., Inc.

On January 11, 2016, the Construction Committee recommended and City Council approved the City Attorney to begin negotiations with CoxSchepp Construction, LLC. A contract was prepared and around mid-August, when moving to the Guaranteed Maximum Price addendum phase, CoxSchepp Construction, LLC informed the City that they could not perform as our Construction Manager at Risk due to statutory limitations.

The Construction Committee has since reconvened and interviewed Edison Foard Construction Services / RJ Leeper on September 16, 2016 and interviewed Miles McClellan Construction on October 3, 2016.

Both firms are highly qualified to perform as the Construction Manager, but Miles McClellan is the top choice. They have the ability to work on our projects with their current workload.

On behalf of the staff representatives to the Construction Committee, we recommend Miles McClellan Construction Company, Inc. as the Construction Manager at Risk for both the new Fire Station and the new Public Works Facility.

If approved, the City Attorney will begin contract negotiations with Miles McClellan Construction Company, Inc. If a contract cannot be negotiated between Miles McClellan and the City, then the Construction Committee recommends that the City Attorney begins contract negotiations with Edison Foard Construction Services, Inc. / RJ Leeper Construction, LLC (a joint venture partnership).

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 of Miles McClellan Construction Company, Inc. to provide a fee to serve as the Construction Manager at Risk for the new Fire Station and the new Public Works Facility.

Result of City Council Decision:_____

Attachments: None

City of Mount Holly
Action Agenda Item

To:	Mayor and City Council	**Date:**	October 7, 2016
From:	Miles Braswell, Asst. City Manager	**Meeting Date:**	October 10, 2016

Agenda Item to be considered:

Architectural Design Fee – Garage and Storage Facility

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request :

On March 14, 2016, Milligan Architecture, Inc. was approved by the City Council to perform design and construction administration for the new Fire Station and the Public Works Facility. Since this time, a fee was negotiated and approved and we now have working drawings for both new facilities.

During the fee negotiation and subsequent design meetings, Milligan Architecture has been accommodating to all staff and Construction Committee requests. What was not included during the initial design phase was the relocation/renovation of a Garage facility on the Adrian site.

With the request from the Construction Committee, Staff engaged Milligan Architecture to provide a fee for renovating an existing Adrian facility warehouse that will serve as a new Garage facility for the City fleet maintenance. A second warehouse, adjacent to the proposed new Garage, will require minor renovation design so the City can occupy the space as a storage facility.

Milligan Architecture proposes to use the same engineers that are being utilized for the North Fire Station and the Public Works Facility. The design fee proposed is $81,500.00 for both the Garage and Storage Facility.

The Construction Committee met on September 16, 2016 and discussed Milligan's fee.

On behalf of the staff representatives to the Construction Committee, we recommend Milligan Architecture, Inc. to perform architectural design and construction administration services for the Garage and Storage Facility.

If approved, the City Attorney will move into the contract phase with Milligan Architecture, Inc.

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 of Milligan Architecture, Inc. fee to provide architectural design and construction administration services for the Garage and Storage Facility.

Result of City Council Decision:______

Attachments: Milligan Architecture, Inc. Proposal dated August 1, 2016

MILLIGAN ARCHITECTURE, INC.

August 1, 2016

Attn: Kemp A. Michael, Atty
Michael, Lopez & Anders, PLLC
124 W. Catawba Avenue
Mount Holly, NC 28120

RE: Contract Proposal for Architectural/Engineering Services
Town of Mount Holly, NC
Public Works Shop & Maintenance Facility

Dear Kemp,

It has been a pleasure working with you, Marie, Miles, David and all others on the proposed North Fire Station and Public Works Facility and I would again like to thank you for the opportunity of providing the Architectural/Engineering Services for these projects. I am grateful and humbled to be able to provide the following proposal for the upgrade at the proposed maintenance garage. The services terms and conditions proposed by Milligan Architecture, Inc. are enumerated herein with all required engineering services being performed by the same consulting licensed professional engineers being utilized on the other projects:

Plumbing/HVAC	Professional Engineering Assoc., PA
Electrical	Haas & Kennedy, PA
Structural	Ritchie Engineering, PC
Civil	Northeast Engineering, PA

SCOPE OF WORK:
This proposal is based on the following general description of the design scope of work:

PUBLIC WORKS MAINTENANCE SHOP

- Approximately 10,000 sq. ft. Type 2B building
- Garage area to have heat & ventilation
- Office & Personnel Areas to receive heating and cooling
- Full load Emergency Generator - Diesel (Note: This generator will be sized to include the administration building and additional engineering fees are part of this project)
- Fire Protection (sprinkler system) basis of design criteria
- Design of covered wash pit
- Addition to building to house the air compressor, bulk fluids with containment and pesticide / herbicide storage
- Site upgrades including exit drives and required retaining walls

BASIC SERVICES consist of those services listed below:

- System design and working drawings for the construction / renovation of facilities noted
- Written specifications as required.
- Respond to all comments by reviewing agencies.
- Design meetings as required by officials
- Site Visits to consist of a minimum of three (3) visits per month by Architect and a total of Four (4) visits by each of the consulting engineers during construction observation

The following will be provided for our use:

- Project instructions and criteria (Part of Study).
- Subsurface Investigation report (including results of slab investigation)

Services not included in BASIC SERVICES are, but not limited too:

- Asbestos / lead paint abatement
- Site Lighting - to be leased from Duke Energy per Town officials
- Special Systems electrical design (IT)
- Specialty audio / visual / alarm design services

COMPENSATION
Compensation for the above outlined basic services shall be a fixed fee as noted below

Public Works Shop Building	**$ 84,000.00**
Credit for Study per Initial Design Contract	**$ 2,500.00**
Total fee per this Phase	**$ 81,500.00**

This fee will be invoiced at schedule as per agreement in initial design contract.

The fee noted above is based on the following:

- Preliminary design finalized during study phase with Owner Representatives

This fee is good for thirty (30) days from this date.

Delivery of above services: includes two (2) complete sets of drawings plus an electronic copy in pdf format.

ADDITIONAL SERVICES shall be same as noted in the initial design contract.

Compensation for additional services will be invoiced hourly per the following rate schedule or a lump sum amount as mutually agreed upon.

HOURLY RATE SCHEDULE shall be same as noted in the initial design contract.

Services will be invoiced in parts that are consistent with your payment schedule. If the project is abandoned or if this agreement is terminated through no fault of Milligan Architecture Inc., compensation shall be paid to Milligan Architecture Inc. for all services performed prior to notification of such suspension. Payment will be considered past due if not paid in full within thirty (30) days of our invoice date. Past due accounts are subject to a finance charge of 1.5% per month.

Milligan Architecture, Inc. will not be responsible for any work related to asbestos/lead abatement and/or involvement with absolute pollution.

For your information, Milligan Architecture, Inc. maintains professional liability coverage for damages as a result of our negligent acts, errors or omissions. In all events, the owner agrees to limit any claims against architect and its consultants to the amount of available insurance, and to hold the architect and its consultants harmless for any claims in excess of such insurance. If any higher limit of liability is desired by the client, then an additional fee to offset the additional costs associated with a higher limit can be added to this fee proposal. A certificate of insurance coverage can be provided to you upon request.

If the services indicated herein are acceptable, please return a signed copy of this contract proposal to us. We regret that we cannot proceed with any work until we have entered into a contract.

We thank you for considering our services on this project.

Respectfully submitted,
Milligan Architecture, Inc.
By:

William E. Milligan, Pres.

Contract Accepted (name, signature, title and date required)
The terms and conditions set forth in this professional services contract are acceptable.

______________________________ ______________________________

Printed Name *Signature*

______________________________ ______________________________

Title *Date*

MtHolly SHOP PROP

City of Mount Holly
Action Agenda Item

To:	City Council	**Date:**	October 5, 2016
From:	Greg Beal, Planning Director	Meeting Date:	October 10, 2016

Agenda Item to be considered: **Discussion to finalize the Scope of Services for the Strategic Vision Plan Update**

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

Background/Purpose of Request: City staff has been working with the selected firm that Council chose to draft the Strategic Vision Plan Update. At the work session meeting on September 26th, I simply sought buy-in and direction at this meeting from the Mayor and City Council on the Draft, and you provided such. After that meeting I contacted Tripp Muldrow and Aaron Arnett with the four questions posed by Council on the upcoming Strategic Vision Plan Update. My sincere apologies if I misrepresented any of those questions, which you will find below, along with a collaborative response from Mr. Muldrow and Mr. Arnett.

1) ***Will there be a reevaluation of Phase 5 Implementation Plan items with a focus of why certain things did not get accomplished? If so, can we point to the feasibility of particular items found within the original Implementation Plan? For instance, certain downtown streets did not get extended and there are no plans to do so because they would essentially be "roads to nowhere," having to cross the railroad track and culminating at the River. This question was very important to Council in an effort to address issues that have come up with a small number of citizens pointing to the original plan as a "failure" on certain fronts because not all of the items were implemented/addressed in recent years.*** Response from Arnett Muldrow: We will definitely be evaluating the original plan including victories and those projects not accomplished. We will be clear why certain projects didn't get done and highlight those not implemented that are impractical or unnecessary. Aaron will re-assure council that our process is very much focused on making recommendations that make sense and are not "pie in the sky." There may be a project or two in the original plan that may not have been timely to implement but may need to be re-examined. We will do so with the appropriate recognition of timing.
2) ***In a related question, can we insure that the new Implementation Plan does not incorporate "pie in the sky" or unobtainable goals (i.e. traffic circles in the middle of 5-lane State roadways)? Council was clear that if funding was the issue, that should not prevent "big ideas or projects" from making the list; the City has done very well in obtaining grant funding.*** Response from Arnett Muldrow: As I read question #2, I circle back to my comment in one... our recommendations will do several things: identify a time frame, identify a lead partner for implementation, and identify funding potential (without necessarily committing to that funding). Indeed some recommendations may require funding that is as of yet not identified but we will be prepared to offer options on where that funding may work over time.
3) ***The Market Study component was a big topic of discussion. The City has committed a lot of funding to the Buxton Market Study, which essentially is a snapshot of a trade area, with more focus on expanding the trade area and focus beyond 250 Beatty Drive (South Gateway) in Year Two, which just began. How will Arnett Muldrow utilize the Buxton data in the Market Study for the Strategic Vision Plan Update, while at the same time avoiding redundancy? Council was concerned that the City would essentially be paying for two***

market studies. My goal at the work session was to insure them that we would find value in the Buxton data, but at the same time, we may need to repackage it to make it work better for the City of Mount Holly. Response from Arnett Muldrow: Without getting too much into the weeds on the Buxton study — we are very sensitive to the concern. We have deliberately not priced the market study portion of our work at a level that would in any way be duplicative of Buxton's work. However, we will want to look at their data combined with an assessment of downtown's potential. Bear in mind that Buxton concentrates on retail development and most often on suburban-oriented retail. We will be looking at other market potential — office, housing, and the unique nature of downtown retail. Aaron will work hard to reassure Council on Monday that we are great team players on these efforts and will make sure we augment, not duplicate, the Buxton work.

4) ***I think we have a good foundation with the Mayor-appointed Economic Development Committee being the basis for the Steering or Advisory Committee for the Vision Plan Update. City Council added two Planning Commission members, selected by the Planning Commission as a whole, to be a part of the process; there are now 12 Steering Committee members. A Council member asked if they could recommend additional members to be a part of the Steering Committee. I explained that we would probably want to keep the size of the committee manageable, but if they thought of someone that would be of great help, we would be receptive.*** Response from Arnett Muldrow: We are fine with a steering committee that has some cross representation. We have found that any more than 15 members is very unwieldy, so we would recommend ideally 10-12 members, but more would be ok.

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: Aaron Arnett of Arnett Muldrow will present to Council on Monday night, October 10th at your regular business meeting. Mr. Arnett will come prepared with a presentation that outlines Arnett Muldrow's qualifications, while illustrating the type of deliverables they are to expect from this process. The goal for Monday is to finalize the scope of services so that the contract and budget amendment can be prepared for Council approval in a timely manner.

Result of City Council Decision:

Attachments: Draft Scope of Services

DRAFT SCOPE OF WORK: MOUNT HOLLY, NORTH CAROLINA STRATEGIC VISION PLAN UDPATE

PROJECT UNDERSTANDING

- In 2008 the City of Mount Holly completed a Strategic Vision Plan that outlined a broad community vision, underpinned by a market study, and supported with specific policy and plan concepts.

- This plan has served the City of Mount Holly well. Since the completion of the plan, the City has enjoyed a revitalized downtown, implementation of extensive park and greenway improvements, and thrived through the economic recession of 2008.

- The 2016 Strategic Vision Plan Update is designed to revisit the original plan and accomplish several things.

- First, the Update is to serve as a celebration of accomplishments since the 2008 plan noting the many significant achievements of the plan while exploring the reasons why other recommendations were either partially completed or not implemented.

- Second, the Update does not seek to "reinvent the wheel" of the original vision, but does seek to explore practical recommendations for the ongoing expansion and success of downtown, integrate existing plan efforts such as the Bike and Trail Master Plan by Alta Planning, and the current Market Study by Buxton, and explore new development opportunities outside of downtown including land at the Beatty Drive/Interstate 85 intersection (Exit 27), and areas north of downtown that are experiencing residential development.

- The Update should include creative illustrative plans, sketches, and before and after renderings for key areas in the City of Mount Holly that are grounded in market realities.

- While being creative, the Update should also be accompanied by an action oriented implementation strategy that engages many partners and is clear, concise, and goal oriented.

- The Update should, from start to finish, incorporate a robust public engagement process that reaches key stakeholders in the City of Mount Holly alongside residents, business owners, and partner groups.

Task One: Document Review and Base Map Preparation

The Arnett Muldrow team will review the work of Buxton on the market assessment, Alta Planning on the Mount Holly Riverfront Greenway, and other plans as indicated by Mount Holly. Simultaneously, the Arnett Muldrow team will coordinate with staff at the City of Mount Holly to prepare base maps of the City that will be used throughout the process. We will rely on the City to provide GIS data layers and aerial photography.

Deliverables:
- Document review write up.
- Base maps for the project.

Task Two: Project Management and Kick Off Meeting (Trip One – One Day)

Arnett Muldrow & Associates will come to Mount Holly to meet with a steering committee established by the City to guide the process of the Strategic Vision Plan Update. We suggest a committee of between 10 and 15 people representative of key partner groups. Since Mount Holly has already established a working group to select firms, this may form the core of the Steering Committee.

We also recommend that the City of Mount Holly form a small Technical Committee comprised of City Staff that will provide direct coordination with the Arnett Muldrow team throughout the project.

During this initial visit we will meet with both the Steering and Technical Committee to develop a project management plan with a master project schedule with distinct milestones and deliverables. We will also develop a public engagement strategy that uses social media, innovative outreach techniques including online surveys, "pop up" public input stations, and other techniques to gather input from a wide cross section of Mount Holly residents and stakeholders.

Deliverables:
- Master Project Schedule for Mount Holly along with milestones and expected deliverables.
- Project Management Plan and monthly reporting schedule detailing progress-to-date, percent complete.
- Draft Public Survey.

Task Three: Reconnaissance and Input Visit (Trip Two – Three Days)

The Arnett Muldrow team will return to Mount Holly for an intensive three-day reconnaissance and input visit. During the visit, the team will conduct up to 30 individual and/or small group meetings as well as a facilitated public input meeting. This visit will allow us to complete a detailed reconnaissance of Mount Holly. After this visit we will prepare a brief community assessment report for Downtown Mount Holly detailing achievements, major projects, future projects, assets, and challenges. We will also prepare a summary of the public input survey to share with the community.

Deliverable

- Community Assessment Report for Mount Holly
- Existing Conditions and Opportunities Map
- Public Input Survey Results

Task Four: Market Study Update

The market study update for Mount Holly will be a key component of the plan recognizing that Buxton has already completed a detailed retail market study of the community. Using the Buxton model alongside Arnett Muldrow's own research we will determine the current and future demand for retail/commercial uses, office, hotel, and residential uses in Mount Holly, examine the composition of the Downtown shopping customer, track and interpret national economic trends that will impact development in the community, and evaluate opportunities for the community based on sound market data.

This task will include:

- A report examining the existing retail, office and housing mix in Mount Holly.
- A trade area definition defining the primary and secondary geographies that feed the market.
- Tourism/local market study (zip code survey) defining the local versus visitor traffic.
- An overview of office and housing market potential with recommendations for new opportunities.
- Demographic and psychographic composition of the market.
- Key retention and recruitment opportunities to include potential space demand scenarios for business categories identified as opportunities
- Individual business reports detailing market definition for each business that participates in the zip code survey

All of this data will be summarized using easy to understand infographics that clearly articulate the market position of Mount Holly.

Deliverable

- Annotated Market Study Presentation
- Graphically Rich Market Study Report

Task Five: Strategic Vision Plan Update Work Session (Trip Three – Three and a Half Days)

Arnett Muldrow is committed high level of transparency and community participation for this project. As a result, the Arnett Muldrow team will conduct an intensive 3.5 day work session and community charrette/workshop in Mount Holly allowing the community to see the project team in action. The visit will include the following: briefing and follow up meetings, public input session open to all interested stakeholders, follow-up meetings with key property/business owners, implementation site visits with key property/business owners, and strategic sessions with key partners on implementation techniques. Arnett Muldrow will facilitate the meetings during the process. The Strategic Vision Plan update will develop the following:

The physical plan will include an illustrative plans that serves as a graphical table of contents for the plan's physical recommendations that addresses the following elements: land use, urban design, housing, gateways, transportation (circulation and streets improvements), parking, infill development and rehabilitation opportunities, public spaces, utilities and infrastructure. This plan will also include the development of conceptual designs for targeted development and redevelopment sites, public infrastructure improvements focusing on the streetscape, roads and traffic design, parking strategies for downtown, and other public/private improvements and redevelopments identified through the planning process (understanding that NC DOT plans are underway for the widening of 273 from A & E Drive to Tuckaseege Road as a complete street.)

Arnett Muldrow will work closely with private sector stakeholders/land owners to identify development and redevelopment sites, generate plans for these sites that correspond to both City and private sector goals, and draft strategies for implementation. The plan will include graphics that powerfully capture the public's imagination and generate enthusiasm. The graphics will include artist renderings, before and after photo renderings, and SketchUp computerized visual simulations that will be critical to creating the vision that provides a tangible target for the future.

At the conclusion of the visit, Arnett Muldrow will present the concepts to both the Technical and Steering Committee.

Deliverables

- Before and after photo-renderings of selected buildings and sites
- Before and after hand-renderings of selected buildings and sites
- Architectural assessment of selected buildings with recommendations
- Redevelopment site plans for targeted development sites
- Streetscape improvement recommendations
- Open space/park recommendations
- Overall illustrative plan that addresses the following elements: land use, urban design, gateways, transportation (circulation and streets improvements), parking, infill development and rehabilitation opportunities, public spaces, utilities and infrastructure.
- Three dimensional modeling of the district or sites as needed
- All presentation material, maps, drawings, etc. in jpeg format and native editable file format

Task Six: Plan Refinement and Public Presentation (Trip Four – One Day)

Arnett Muldrow will seek on site and follow up feedback from the Technical and Steering Committee to be used to create plan refinements, additions, and changes as needed. We will return to Mount Holly to share the presentation in an open public meeting. Because the original plan included design guidelines for both the Downtown Area, Voluntary Annexation Areas, and the South Gateway (and since the North Carolina Legislature amended the ability of local governments to regulate design through guidelines), we will explore techniques available to ensure quality development in the community as it continues to grow.

Deliverables

- Plan refinements.
- Design guidance and updates.
- Updated Presentation (annotated)

Task Seven: Implementation Workshop and Follow-up (Trip Five – One Day)

Arnett Muldrow will return to Mount Holly for an implementation meeting with both the Technical and Steering Committees after the draft plan is complete and reviewed. Arnett Muldrow will create an implementation "strategy board" for Mount Holly during this workshop that outlines the first, next, and long-term steps needed to implement the recommendations of the plan while acknowledging the successes already achieved. The strategy board will delineate responsible parties, time frames, goals, and themes on one page. The implementation workshop will also explore funding strategies for the proposed objectives, projects and strategies through analysis of existing tools and development resources, as well as recommendations for the type and structure of future financing tools and development incentives.

Task Seven: Deliverable:
Implementation Strategy Board

Task Eight: Draft Report
Arnett Muldrow will prepare a draft Strategic Vision Plan Update document and implementation program that will address the expectations identified in tasks one and two while incorporating the input, market analysis, plans, and detailed recommendations developed throughout the Update process. We will deliver the draft plan to the Technical Committee for a preliminary review, take edits, then deliver a revised draft to the Steering Committee.

Task 5: Deliverable:
- Draft Strategic Vision Plan for Mount Holly.

Task 7: Final Report and Executive Summary Poster

Task seven will incorporate the implementation strategy board, funding strategies, and revisions to the draft report into a final document. Arnett Muldrow will also create an executive summary/implementation poster that showcases the plan's recommendations and desired outcomes in a user-friendly, graphically rich illustrative manner to share with potential investors, business owners, grant providers, and the tourist industry.

Task 7: Deliverables
- Implementation Strategy Board
- Poster Size Illustrative Executive Summary
- Final report

Time Frame and Fee Proposal

Arnett Muldrow can complete the project in eight months from notification of start to completion based on an aggressive schedule determined in partnership with the City of Mount Holly.

This project can be completed for a lump sum fee of $______ plus expenses billed at cost *not to exceed* $______. This fee is negotiable based on revisions of the scope.

The following breakout provides a task by task itemization of project costs.

	Tasks		
1	Document Review and Base Map Preparation	39.0	
			$
2	Kick Off Trip	28.0	
			$
3	Reconnaissance Visit and Input	222.0	
			$
4	Market Study Update	76.0	
			$
5	Vision Plan Work Session	276.0	
			$
6	Refinement and Public Presentation	176.0	
			$
7	Implementation Workshop	29.0	
			$
8 and 9	Draft and Final Report	185.0	
			$
	Subtotal Hours	**289.0**	
	Subtotal Fee		**$**

OTHER BUSINESS

REPORTS