



September 12, 2022 Council Meeting

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

**CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING AGENDA**



**September 12, 2022
7:00 P.M.**

CALL TO ORDER BY THE MAYOR

INVOCATION

Reverend Mark Massey, Pastor at True Light Tabernacle

PLEDGE OF ALLEGIANCE

Boy Scout Troop 59

SET THE AGENDA

CONSENT AGENDA

1. Approval of Liens for Weeds and Grass
 - 202 Rick Street
 - 224 Adrian Street
 - 102 Maple Drive
2. Acceptance of Grant from the State of North Carolina 911 Board in the amount of \$216,328
3. Approval of a Resolution Authorizing the Finance Officer to go before the LGC for approval of financing for a Powell Bill Project
4. Approval of a Resolution Declaring Surplus Property
5. Approval of Minutes of the August 22, 2022 Council Work Session Meeting

PRESENTATIONS

1. Presentation of a check to the City for an Artistic Bike Rack--*Mount Holly Community Development Foundation*

PUBLIC HEARING

1. Public hearing to consider amending Section 5.15 Watershed Overlay District of the Zoning Ordinance to allow for density averaging credits as authorized by NC General Statute 143-214.5 *Greg Beal*

PUBLIC COMMENT – Three (3) Minute Limit

OLD BUSINESS

NEW BUSINESS

1. Consideration and Approval of the Firm selected for Dutchmans Creek Pedestrian Bridge Final Design *Mark Jusko*
2. Consideration and Approval of Purchase of a Ladder Truck and Financing Options
Chief Ryan Baker and Michelle Woods

CLOSED SESSION

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

ADJOURN

CONSENT AGENDA



City of Mount Holly Action Agenda Item

To: City Council	Date: 09-07-2022
From: Brandon Livingston	Meeting Date: 09-12-2022
Agenda Item to be considered: Request for adoption of three liens for clearing of grass and weeds.	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: Staff is requesting that council adopt liens to be placed on 202 Rick Street, Gaston County Parcel ID: 124324, 224 Adrian Street, Gaston County Parcel ID: 124397, and 102 Maple Drive, Gaston County Parcel ID: 124386 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 202 Rick Street in the amount of \$475.00. Adopt one lien for 224 Adrian Street in the amount of \$475.00. Adopt one lien for 102 Maple Drive in the amount of \$475.00.	
Result of City Council Decision: _____	
Attachments: 1. Copy of ordinance to place lien on 202 Rick Street 2. Copy of ordinance to place lien on 224 Adrian Street 3. Copy of ordinance to place lien on 102 Maple Drive	

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#124324, 202 Rick Street, said parcel being owned by Martha Louise Helton; and,

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

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

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

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

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

CITY OF MOUNT HOLLY

By: _____
Mayor

Attest:

City Clerk

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

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

WHEREAS, certain abatement of public nuisance proceedings have been initiated by the City of Mount Holly pertaining to a certain lot or parcel located in the City of Mount Holly, North Carolina, and identified as Tax Parcel ID#124397, 224 Adrian Street, said parcel being owned by Judy Terry Joye; and,

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

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

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

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

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

CITY OF MOUNT HOLLY

By: _____
Mayor

Attest:

City Clerk

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

Drawn by & Return:

City of Mt. Holly, P.O. Box 406, Mt. Holly, NC 28120

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

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

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

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

Actual cost of clearing	\$ 125.00
Administrative cost	\$ 350.00

Total Lien Due	\$ 475.00

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

CITY OF MOUNT HOLLY

By: _____
Mayor

Attest:

City Clerk



City of Mount Holly Action Agenda Item

To: City Council

Date: 8/30/2022

From: Chief Brian Reagan

Meeting Date: 9/12/2022

Agenda Item to be considered:

Request for approval to accept a grant of no match from The State of North Carolina 911 Board in the amount of \$216,327.67.

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request: The Mount Holly Police Department is in dire need of a mission critical radio console update. Our Communications Center is currently operating with Centracom Gold Elite consoles, which reached end of life in 2011, which means they are no longer serviceable or repairable through the manufacturer. Our PSAP plans to purchase two (2) Motorola AXS consoles, which are the newest IP-based consoles on the market. The project plan is to purchase and implement these new consoles by utilizing 911 funds for the State approved portion of the total cost and the received funds from the above listed grant for the remaining costs.

Fiscal Impact:

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

Budget Code: 10-00-8000-550

Reviewed by City Attorney	☐ YES	☐ NO	☒ N/A
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Manager/Staff Recommendation:

Result of City Council Decision:

Attachments:



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: September 6, 2022
From: Michelle Wood	Meeting Date: September 12, 2022
Agenda Item to be considered: Approval of a Resolution Authorizing the Finance Officer to go before the LGC for approval of financing for a Powell Bill Project	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: Approve Resolution authorizing the Finance Officer to go before the LGC for application of financing for a Powell Bill Project	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	
Budget Code:	
Reviewed by City Attorney	☒ YES ☐ NO ☐ N/A
Manager/Staff Recommendation: Approve Resolution	
Result of City Council Decision: _____	
Attachments:	



City of Mount Holly Action Agenda Item

To: City Council From: Tony Walker	Date: 9/7/2022 Meeting Date: 9/12/2022
Agenda Item to be considered: Surplus Items	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: The Following attachment contains items 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: <u>Declare property surplus per the attachment</u>	
Result of City Council Decision: 	
Attachments: Resolution and Surplus List 1. Surplus List 2. RESOLUTION 3.	

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, August 22, 2022
COUNCIL CHAMBERS
6:30 PM

Call to Order

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

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

Invocation

Councilman David Moore led the Council, staff and attendees in prayer.

Set the Agenda

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

Consent Agenda

1. Budget Amendment

- South Gateway Connector Road
- First Responders Night at Gastonia Honey Hunters Commemorating 9/11

2. Approval of minutes from the August 8, 2022 Council Meeting .

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

Agenda

1. Update on ARPA Funds

Micelle Wood

Michelle Wood gave an update on the America Rescue Plan Act (ARPA) funding. Ms. Wood reported that the state of North Carolina was allocated \$5.4 billion. The City of Mount Holly was allocated \$5,181,064.35 with the first allocation of \$2,590,532.18 received on July 13, 2021 and the second allocation of \$2,590,532.17 received on July 15, 2022. Ms. Wood stated that staff would come back at a later date with options for spending the funds and amending the original ordinance. Ms. Wood stated that there would also need to be five policies placed on the consent agenda for adoption. Ms. Wood stated that the policies would include a retention policy, eligible use policy, allowable cost policy, civil rights compliance policy, and conflict of interest policy. Councilman Meadows asked if there was a target date for when this money would begin being set aside. Ms. Wood stated that there was not a target date set aside currently and that staff plans to meet internally to put together project options to bring back to the Council for their review. Councilman Meadows asked if anyone has looked at how this would impact the infrastructure projects that we thought we were going to do. Mr. Braswell discussed the current infrastructure priority project list and stated that is broken down by general fund and enterprise fund. Mr. Braswell stated the infrastructure priority project list would be reviewed and updated for Council to review. Mr. Braswell stated that he would like for Council to review the project list prior to the Council retreat. Councilman Meadows commented that this funding represents an opportunity to take certain things on that we normally would not have funding for. Councilman Meadows stated that the infrastructure projects have an ongoing funding source. Mayor Hough stated that he would like to see a list of the capital projects that were considered in the previous water and sewer rate study. Councilman Meadows stated that we have a couple of RFP's coming in the near future and that we could possibly partner with someone else who is doing a capital project.

2. Update on Belmont-Mount Holly Road Sidewalk Project.

Brian DuPont

Mr. DuPont stated that Council adopted a resolution of support for this project on November 2014. Mr. DuPont gave an update on the details of the current project. Mr. DuPont stated that the construction estimate is 1.1 million. Mr. DuPont stated that this project has been bid out and bids are due by September 9, 2022. Mr. DuPont stated that as part of the bid packet, staff is trying to bundle this in with a large scale paving project to achieve a better rate. Mr. DuPont stated that staff will be coming back to Council with bids for this project, for some crosswalk improvements in the downtown area, and some paving throughout the city. Mr. DuPont stated that this is a better and more comprehensive approach to secure a better rate. Mr. DuPont discussed the schedule and the process for the project. Mr. DuPont stated that staff will be coming back to the September 26, 2022 work session for direction on any LGC approvals. Mayor Hough asked if Councilmembers had any questions. There were no additional questions at this time.

3. Update on Mountain Island Park at Mount Holly Closing

Mark Jusko

Mr. Jusko stated that Duke Energy met with city staff last summer to inform us that in late 2022 they will be closing off our main access point to Mountain Island Park at Mount Holly for

upcoming maintenance projects. Mr. Jusko stated that the Duke says that the dam is in no danger of failing and that this closure is for maintenance purposes. Mr. Jusko stated that the closure will begin as of September 7, 2022. Mr. Jusko stated that the current access point will reopen in 2026. Mr. Jusko discussed details of a possible alternate route and trail access with a projected opening date of January 2023.

Closed Session

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

Councilman Moore makes a motion to enter into closed session pursuant to N.C.G.S 143-318.11 (a) (3 and 5). Councilwoman Shoemaker seconded the motion. All Council members present voted in favor. (Motion Carried) Time was 6:55 pm.

Councilwoman Pawlish made a motion to return to open session. Councilman Craig seconded the motion. All Council Members present voted in favor. (Motion Carried) Time was 7:37 pm. There was no action taken.

Adjourn

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilwoman Pawlish made the motion to adjourn the August 22, 2022 Council Meeting. Mayor Pro Tem Harris seconded the motion. All Council Members present voted in favor. (Motion Carried)

The meeting adjourned at 7:38 pm.

PRESENTATIONS



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: September 6, 2022
From: Miles Braswell, City Manager	Meeting Date: September 12, 2022
Agenda Item to be considered:	
Mount Holly Community Development Foundation – Check Presentation for Artistic Bike Rack	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request:	
Staff met with the Mount Holly Community Development Foundation (Foundation) Board Members on August 25, 2022 and were informed that the Foundation had committed \$5,100.00 towards a downtown kiosk previously. Since the Foundation learned that the kiosk was no longer a priority from the City Council, the funds were reappropriated to purchase the artistic bike rack under construction. The Foundation will be presenting the check to the Mayor and City Council during the September 12, 2022 City Council Meeting for this bike rack.	
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: Staff recommends accepting check.	
Result of City Council Decision: _____	
Attachments:	

PUBLIC HEARINGS



City of Mount Holly Action Agenda Item

To: City Council Greg Beal, Economic Development	Date: September 7, 2022
From: Coordinator, Planning Director	Meeting Date: September 12, 2022
Agenda Item to be considered: Public hearing to consider amending Section 5.15 Watershed Overlay District of the Zoning Ordinance to allow for density averaging credits as authorized by NC General Statute 143-214.5.	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: Per the NC General Statutes, 143-214.5 Water Supply Watershed Protection, jurisdictions must offer density averaging credits in their respective ordinances. However, a jurisdiction can have more stringent regulations than the State allows. An important note is that most all residential development is low density, under 24% impervious surface. But, for all developments, through the use of BMPs or stormwater controls, impervious surface can be increased up to 70% in the Lake Wylie Protected Area Watershed (measured 5 miles from full pond of the Catawba River/Upper Lake Wylie) and up to 50% in the Lake Wylie Critical Area Watershed (measured within the first ½ mile from full pond of the Catawba River/Upper Lake Wylie). This is called the high-density option, which the City instituted under the guidance of NCDENR in 2005. This proposed text amendment was submitted by staff, and would amend Section 5.15, Watershed Overlay District, of the City's Zoning ordinance to permit density averaging, which has been allowed in the State since 2012. Density averaging is the transfer of impervious development rights from one property to another, and involves two noncontiguous parcels in the same water supply watershed. In this scheme, a conservation easement is placed on one lot which limits development, while another property receives the additional impervious rights from the donating property. Both properties are platted showing the two areas in question. The overall density for both lots shall meet applicable density requirements found in 5.15 B&C. An example of density averaging credits in action is as follows: In the Lake Wylie Critical Area, on a 14-acre tract, seven acres must be set aside as natural or pervious, with the only other option being to install costly permeable pavers. If density averaging credits were instituted, 6 acres of land, on a property in the same critical watershed, could be set aside in conservation. This would give the 14-acre tract, 20-acres to work with, and the developer could now have 10-acres of impervious surface (50% max high-density). The donating tract would remain at 0% impervious surface; the donating tract can also retain some development rights for impervious surface. Staff has been working with Paul Clark, Water Supply Watershed Protection Coordinator with NCDEQ. The resulting ordinance mirrors the NCGS requirements, but limits the credits to the Lake Wylie Watershed, as the Mountain Island Lake Watershed does not have a high-density option.	

<i>Fiscal Impact:</i>			
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 held a public hearing at their regularly scheduled meeting on September 6th and voted, 7-0, to recommend approval of the attached text amendment to City Council.

Result of City Council Decision:

Attachments:

1. Text Amendment Application
2. Draft Ordinance
3. Copy of NC GS 143-214.5
4. PowerPoint from State Regarding Density Averaging
5. Plat Examples



**APPLICATION FOR TEXT AMENDMENT
CITY OF MOUNT HOLLY, NORTH CAROLINA**

Date Filed: **8-1-22**. Application Number: **220801-A**.

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

1. The amendment is found in the City of Mount Holly Zoning Ordinance relating to: **Watershed Overlay District-5.15 of the City's Zoning ordinance.**
2. The following statement best describes what you would like the text amendment to reflect: **To add a section to 5.15 to permit density averaging per NC GS 143-214-.5. The draft language is attached to this application. The language specifies what density averaging is, and provides details on how this process would work in the City.**
3. Name: **Paul Lowe, Assistant Planning Director.**

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

704-951-3014

Phone Number

Paul Lowe

Signature of Applicant

INSTRUCTIONS: Applications must be TYPED or LEGIBLE and filed with the City of Mount Holly Planning and Zoning Department, together with the application fee in the amount of **\$250.00 (See Fee Schedule)** at least 10 days prior to the Planning Commission meeting for initial consideration.

§ 5.15 WATERSHED OVERLAY DISTRICT.

(F) Density Averaging.

1. Legal Authority: NC GS 143-214.5 d2 permits density averaging in the State.
2. Definition & Applicability: Density averaging is the transfer of impervious development rights from one property to another, and involves two noncontiguous parcels in the same water supply watershed. A local government implementing a water supply watershed program shall allow an applicant to average development density on up to two noncontiguous properties for purposes of achieving compliance with the water supply watershed development standards if all of the following circumstances exist:
 - (1) The properties are within the same water supply watershed. If one of the properties is located in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.
 - (2) Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2B .0200.
 - (3) Vegetated buffers on both properties meet the minimum statewide water supply watershed protection requirements.
 - (4) Built upon areas are designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
 - (5) Areas of concentrated density development are located in upland areas and, to the maximum extent practicable, away from surface waters and drainageways.
 - (6) The property or portions of the donor properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as common area, conveyed to a local government as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that the local government can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the areas to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on individual deed and shall be irrevocable.
 - (7) Development permitted under density averaging and meeting applicable low-density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.
 - (8) A special use permit or other such permit or certificate shall be obtained from the local Watershed Review Board or Board of Adjustment to ensure that both properties considered together meet the standards of the watershed ordinance and that potential owners have record of how the watershed regulations were applied to the properties.
 - (9) All parcels must be located within the Planning & Zoning jurisdiction of the City of Mount Holly, and located within the Lake Wylie Watershed Critical Overlay District or in the Lake Wylie Watershed Protected Area Overlay District.

3. Process.

1. A pre-application meeting is required to go over the application materials and any questions about the process.
2. A City of Mount Holly Watershed Density Averaging application must be submitted with the following:
 - a. Surveys of both properties showing the current existing impervious amount and maximum impervious amount.
 - b. Draft of revised property deeds.
 - c. Stormwater mitigation plan.
 - d. Draft of revised plats for the revised impervious allowances.
 - e. Draft of homeowner covenants (if applicable).
 - f. Board of Adjustment fee.
3. Once all submittal requirements are met, the request will be heard by the Board of Adjustment (as the Watershed Review Board) at the next available hearing.
4. The Board of Adjustment must make written findings that the proposed project meets the requirements set forth in Section 12.12 of this Ordinance.
5. If approved, the applicant shall submit two (2) mylar maps for recording and one (1) paper copy of each plat for filing with the Planning Department for final review.
6. Once approved, the mylars and the deeds for each parcel must be recorded at the Gaston County Register of Deeds Office.
7. The Planning Department will issue a Density Averaging Certificate to the applicant at which time the applicant can submit plans for zoning and building permits.
8. A copy of the Density Averaging Certificate including surveys, recorded plat(s) deeds/ property descriptions, and any documentation reflecting the restrictions to the parcel that will remain undeveloped will be forwarded to the North Carolina Division of Water Quality.
9. No change in the development proposal can be made unless the certificate is amended by the Board of Adjustment.

(Ord. passed 5-13-1996)

§ 143-214.5. Water supply watershed protection.

(a) **Policy Statement.** – This section provides for a cooperative program of water supply watershed management and protection to be administered by local governments consistent with minimum statewide management requirements established by the Commission. If a local government fails to adopt a water supply watershed protection program or does not adequately carry out its responsibility to enforce the minimum water supply watershed management requirements of its approved program, the Commission shall administer and enforce the minimum statewide requirements. The reduction of agricultural nonpoint source discharges shall be accomplished primarily through the Agriculture Cost Share Program for Nonpoint Source Pollution Control.

(b) **Development and Adoption of Water Supply Watershed Classifications and Management Requirements.** – The Commission shall adopt rules for the classification of water supply watersheds and that establish minimum statewide water supply watershed protection requirements applicable to each classification to protect surface water supplies by (i) controlling development density, (ii) providing for performance-based alternatives to development density controls that are based on sound engineering principles, or (iii) a combination of both (i) and (ii). The Commission may designate water supply watersheds or portions thereof as critical water supply watersheds and impose management requirements that are more stringent than the minimum statewide water supply watershed management requirements. The Commission may adopt rules that require that any permit issued by a local government for a development or construction activity conducted by that local government within a designated water supply watershed be approved by the Department prior to issuance. Any variance from the minimum statewide water supply watershed management requirements must be approved by the Commission prior to the issuance of a permit by a local government. Except as provided by G.S. 153A-347 and G.S. 160A-392, the power to implement this section with respect to development or construction activities that are conducted by State agencies is vested exclusively in the Commission.

(c) **Classification of Water Supply Watersheds.** – The Commission shall assign to each water supply watershed in the State the appropriate classification with the applicable minimum management requirements. The Commission may reclassify water supply watersheds as necessary to protect future water supplies or improve protection at existing water supplies. A local government shall not be required to submit a revised water supply watershed protection program to the Commission earlier than 270 days after it receives notice of a reclassification from the Commission.

(d) **Mandatory Local Programs.** – The Department shall assist local governments to develop water supply watershed protection programs that comply with this section. Local government compliance programs shall include an implementing local ordinance and shall provide for maintenance, inspection, and enforcement procedures. As part of its assistance to local governments, the Commission shall approve and make available a model local water supply watershed management and protection ordinance. The model management and protection ordinance adopted by the Commission shall, at a minimum, include as options (i) controlling development density, (ii) providing for performance-based alternatives to development density controls that are based on sound engineering principles, and (iii) a combination of both (i) and (ii). Local governments shall administer and enforce the minimum management requirements. Every local government that has within its jurisdiction all or a portion of a water supply watershed shall submit a local water supply watershed management and protection ordinance to the Commission for approval. Local governments may adopt such ordinances pursuant to their general police power, power to regulate the subdivision of land, zoning power, or any combination of such powers. In adopting a local ordinance that imposes water supply watershed management requirements that are more stringent than those adopted by the Commission, a local

government must comply with Article 6 of Chapter 160D of the General Statutes. This section shall not be construed to affect the validity of any local ordinance adopted for the protection of water supply watersheds prior to completion of the review of the ordinance by the Commission or prior to the assumption by the Commission of responsibility for a local water supply watershed protection program. Local governments may create or designate agencies to administer and enforce such programs. The Commission shall approve a local program only if it determines that the requirements of the program equal or exceed the minimum statewide water supply watershed management requirements adopted pursuant to this section.

(d1) A local ordinance adopted to implement the minimum statewide water supply watershed management requirements applicable to agriculture and silviculture activities shall be no more restrictive than those adopted by the Commission. In adopting minimum statewide water supply watershed management requirements applicable to agriculture activities, the Commission shall consider the policy regarding agricultural nonpoint source discharges set out in subsection (a) of this section. The Commission may by rule designate another State agency to administer the minimum statewide water supply watershed management requirements applicable to agriculture and silviculture activities. If the Commission designates another State agency to administer the minimum statewide water supply watershed management requirements applicable to agriculture and silviculture activities, management requirements adopted by local governments shall not apply to such activities.

(d2) A local government implementing a water supply watershed program shall allow an applicant to average development density on up to two noncontiguous properties for purposes of achieving compliance with the water supply watershed development standards if all of the following circumstances exist:

- (1) The properties are within the same water supply watershed. If one of the properties is located in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.
- (2) Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2B .0200.
- (3) Vegetated buffers on both properties meet the minimum statewide water supply watershed protection requirements.
- (4) Built upon areas are designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.
- (5) Areas of concentrated density development are located in upland areas and, to the maximum extent practicable, away from surface waters and drainageways.
- (6) The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowners' association as common area, conveyed to a local government as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that the local government can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the areas to remain vegetated and limits on use shall be recorded on the subdivision plat, in homeowners' covenants, and on individual deed and shall be irrevocable.
- (7) Development permitted under density averaging and meeting applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

- (8) A special use permit or other such permit or certificate shall be obtained from the local Watershed Review Board or Board of Adjustment to ensure that both properties considered together meet the standards of the watershed ordinance and that potential owners have record of how the watershed regulations were applied to the properties.

(d3) A local government implementing a water supply watershed program shall allow an applicant to exceed the allowable density under the applicable water supply watershed rules if all of the following circumstances apply:

- (1) The property was developed prior to the effective date of the local water supply watershed program.
- (2) The property has not been combined with additional lots after January 1, 2021.
- (3) The property has not been a participant in a density averaging transaction under subsection (d2) of this section.
- (4) The current use of the property is nonresidential.
- (5) In the sole discretion, and at the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, State, and federal laws and regulations.
- (6) The remaining vegetated buffers on the property are preserved in accordance with the local water supply watershed protection program requirements.

(e) Assumption of Local Programs. – The Commission shall assume responsibility for water supply watershed protection, within all or the affected portion of a water supply watershed, if a local government fails to adopt a program that meets the requirements of this section or whenever a local government fails to adequately administer and enforce the provisions of its program. The Commission shall not assume responsibility for an approved local water supply watershed protection program until it or its designee notifies the local government in writing by certified mail, return receipt requested, of local program deficiencies, recommendations for changes and improvements in the local program, and the deadline for compliance. The Commission shall allow a local government a minimum of 120 days to bring its program into compliance. The Commission shall order assumption of an approved local program if it finds that the local government has made no substantial progress toward compliance. The Commission may make such finding at any time between 120 days and 365 days after receipt of notice under this subsection by the local government, with no further notice. Proceedings to review such orders by the Commission shall be conducted by the superior court pursuant to Article 4 of Chapter 150B of the General Statutes based on the agency record submitted to the Commission by the Secretary.

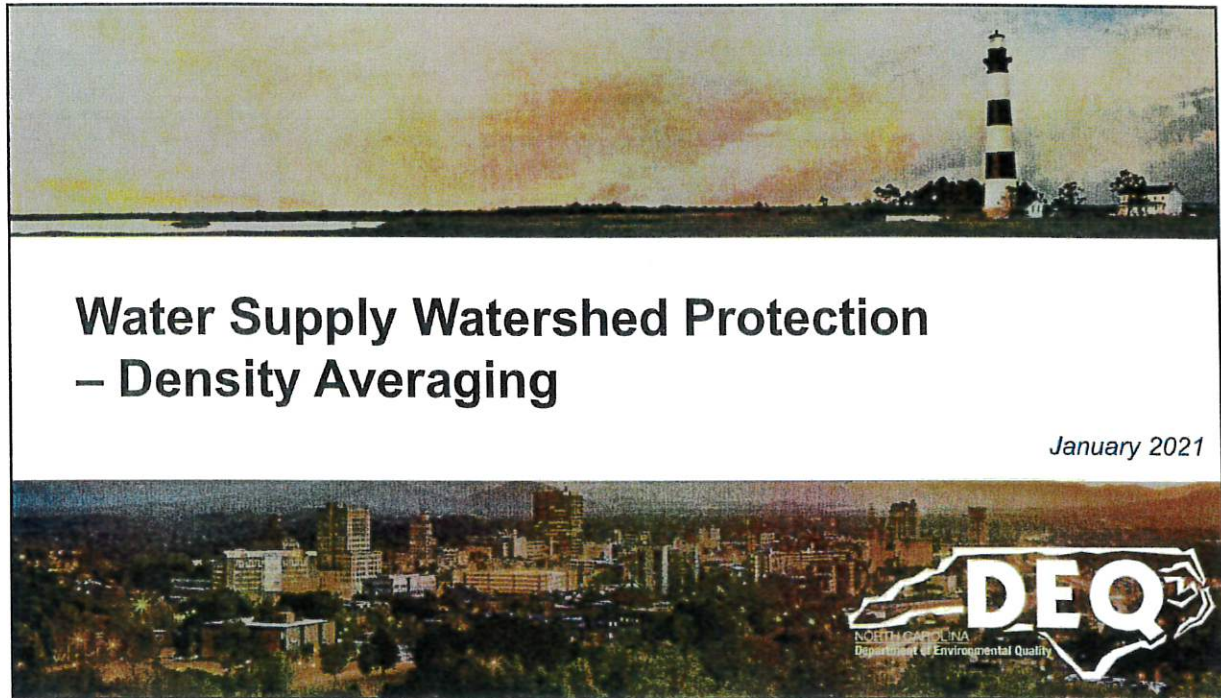
(f) State Enforcement Authority. – The Commission may take any appropriate preventive or remedial enforcement action authorized by this Part against any person who violates any minimum statewide water supply watershed management requirement.

(g) Civil Penalties. – A local government that fails to adopt a local water supply watershed protection program as required by this section or willfully fails to administer or enforce the provisions of its program in substantial compliance with the minimum statewide water supply watershed management requirements shall be subject to a civil penalty pursuant to G.S. 143-215.6A(e). In any area of the State that is not covered by an approved local water supply watershed protection program, any person who violates or fails to act in accordance with any minimum statewide water supply watershed management requirement or more stringent management requirement adopted by the Commission for a critical water supply watershed established pursuant to this section shall be subject to a civil penalty as specified in G.S. 143-215.6A(a)(7).

The clear proceeds of civil penalties provided for in this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

(h) Planning Grants to Local Governments. – The Secretary may make annual grants to local governments for the purpose of assisting in the development of local water supply watershed protection programs. The Secretary shall develop and administer generally applicable criteria under which local governments may qualify for such assistance. Such criteria shall give priority to local governments that are not then administering zoning ordinances in affected water supply watershed areas.

(i) Every State agency shall act in a manner consistent with the policies and purposes of this section, and shall comply with the minimum statewide water supply watershed management requirements adopted by the Commission and with all water supply watershed management and protection ordinances adopted by local governments. (1989, c. 426, s. 1; 1991, c. 342, s. 9; c. 471, s. 2; c. 579, s. 1; 1991 (Reg. Sess., 1992), c. 890, s. 14; 1998-215, s. 62; 2012-200, s. 7; 2019-111, s. 2.5(k); 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d); 2021-164, s. 1(a).)



Water Supply Watershed Protection – Density Averaging

January 2021

***Water Supply Watershed Protection
Density Averaging – Summary***

Session Law 2012-200 amended [N.C.G.S. 143-214.5](#) to require that local governments allow for "density averaging" of non-contiguous parcels for purposes of complying with local Water Supply programs. Legislation allows for two non-contiguous parcels to be treated as one single parcel to meet the built-upon area/density requirements of the WSWP rules and local ordinances. These parcels can be under the same or separate ownership.

Department of Environmental Quality



Water Supply Watershed Protection Points to Consider with Density Averaging

- Local governments with Water Supply programs required to allow density averaging
- If local ordinance prohibits density averaging, local governments should update ordinance to allow it. Please see [15A NCAC 02B .0623 \(4\)](#) for ordinance revision/approval process.
- If ordinance is silent on density averaging, better to update ordinance, but it is not required. Local governments should seek their legal counsel's input on whether to administer law via ordinance or state statute.
- Legislation sets NO timeline for compliance, but this is 2012 requirement. Local governments should consult their legal counsel to determine the most appropriate response to this legislation for their jurisdiction.
- For local governments who revise their ordinances to allow density averaging, ordinance and associated process documentation must be approved by WSWP Coordinator.

Department of Environmental Quality



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Water Supply Watershed Protection Density Averaging – Order of Presentation

- I. Regulatory Basis**
- II. Requirements for Local Governments that want to implement density averaging**
- III. Questions and Answers**

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I. Regulatory Basis

- NC General Statute 143-214.5 (d2), Items (1)-(8)
- https://www.ncleg.net/enactedlegislation/statutes/html/bysection/chapter_143/gs_143-214.5.html
- The following are minimum requirements needed to implement density averaging. Local governments may modify requirements (as long as they are not less stringent than state requirements) to help implement program successfully.



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I. NC General Statute 143-214.5 (d2)

Local governments must allow applicants to average development density on up to two noncontiguous properties if all eight of the conditions described on the following slides are met.



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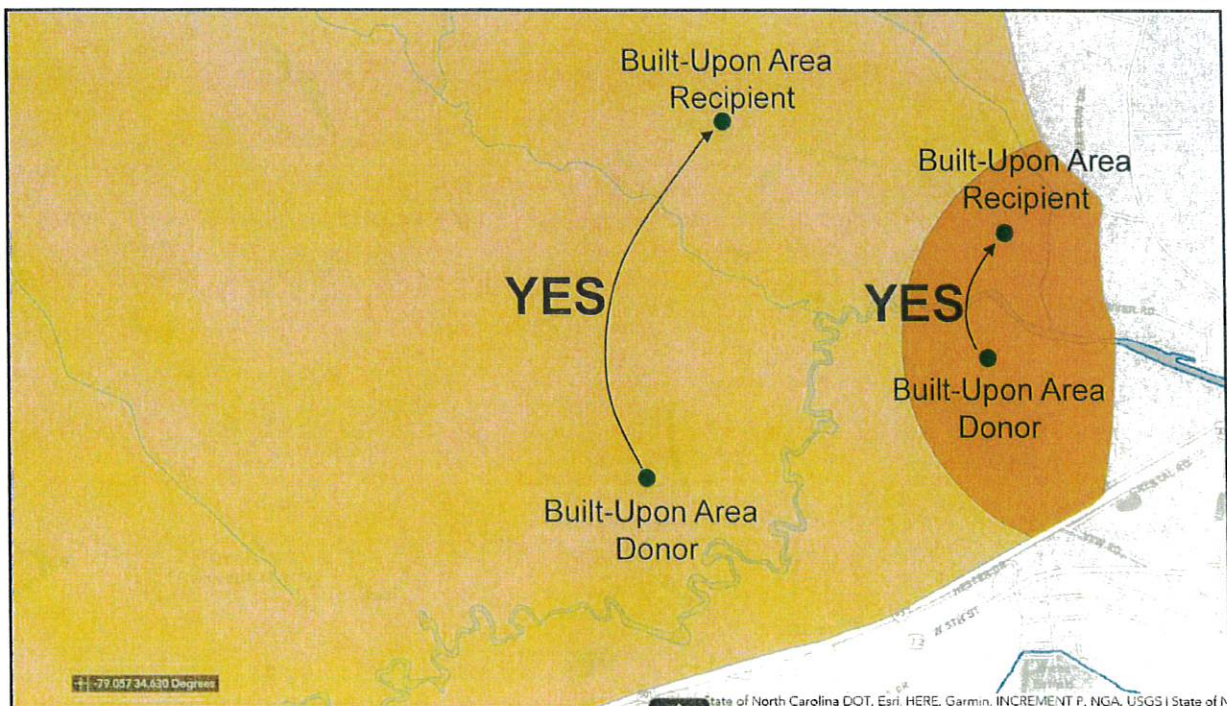
6

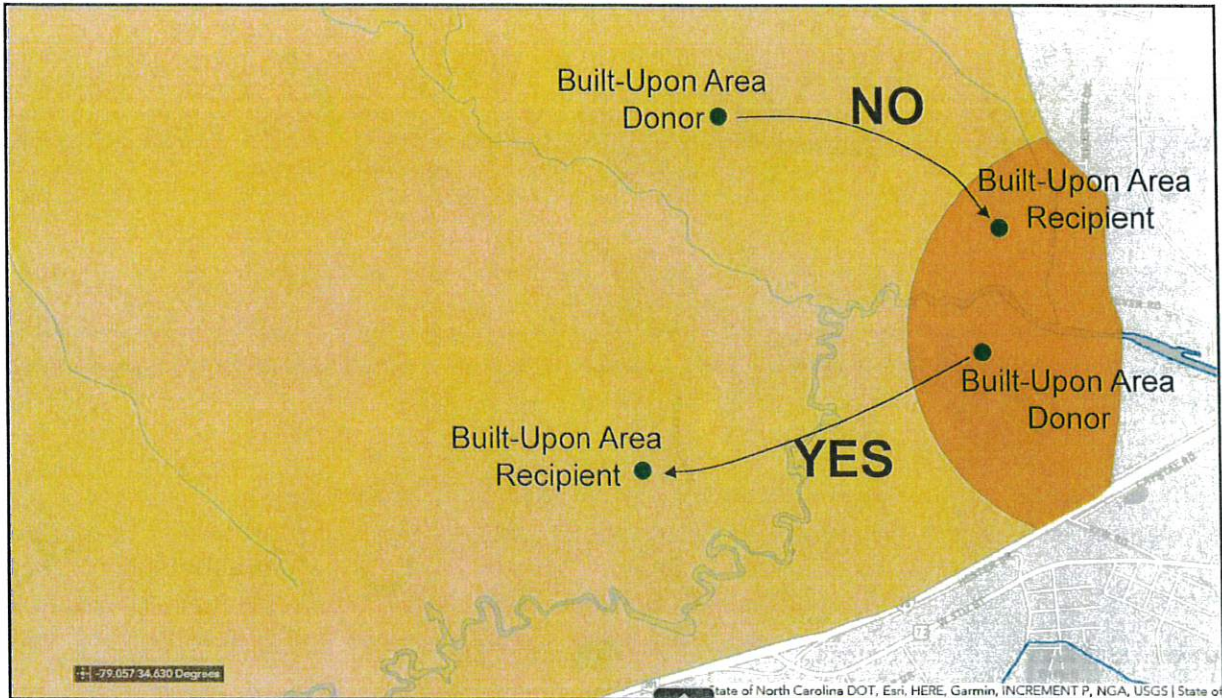
I. NC General Statute 143-214.5 (d2)(1)



- Properties must be within the same water supply watershed
- If only one property is in critical area, it must be the donating lot.
- If both properties are in non-critical area, either can donate.
- If both properties are in critical area, either can donate.

Please see following slides for examples.





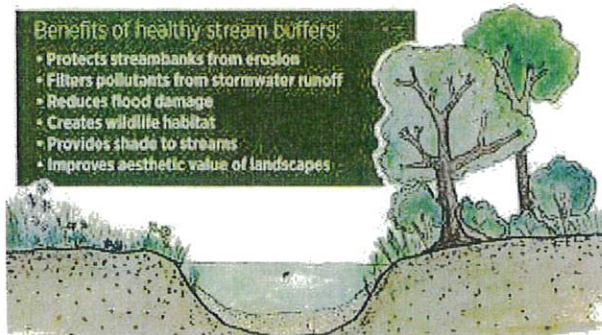
I. NC General Statute 143-214.5 (d2)(2)

- Participating properties' overall density average must meet applicable density or stormwater control requirements under 15A NCAC 02B .0200s and .0624.
- For example, average of two parcels in WS-IV watershed following low density option CANNOT exceed 24 percent built-upon area.

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I. NC General Statute 143-214.5 (d2)(3)



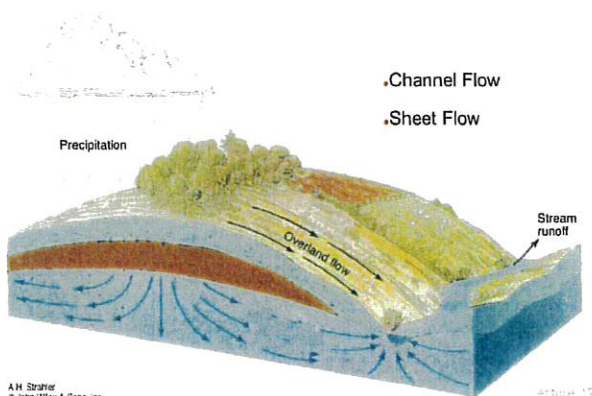
Buffers on both participating properties must meet minimum water supply watershed protection requirements.

Department of Environmental Quality



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I. NC General Statute 143-214.5 (d2)(4)



Built-up areas must be designed and located to do the following:

- Minimize stormwater runoff impact to receiving waters
- Minimize concentrated stormwater flow
- Maximize use of sheet flow and flow length through vegetated areas

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I. NC General Statute 143-214.5 (d2)(5) and (7)

To the maximum extent practicable

- Concentrated development areas should be in uplands away from surface waters and drainageways
- Development permitted under density averaging and meeting applicable **low density** requirements shall transport stormwater runoff by vegetated conveyances.

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I. NC General Statute 143-214.5 (d2)(6)



There are two requirements for the portions of properties that will remain undeveloped:

1. It must remain in a vegetated or natural state in perpetuity.
2. A metes and bounds description and irrevocable limits on use must be recorded.

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I. NC General Statute 143-214.5 (d2)(6)

Properties (or portions of) that will remain undeveloped must either be:

- Managed by a homeowners' association as a common area,
- Conveyed to the local government as a park or greenway,
- Placed under permanent conservation or farmland preservation easement, or
- Have long-term compliance handled by a local government through deed restrictions and electronic permitting mechanism.

Note: Any one of the four items listed above can be used to meet this requirement.

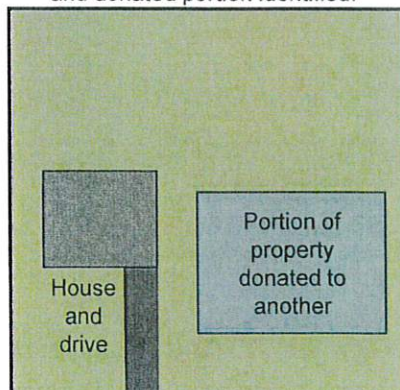
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What is a Metes and Bounds Description?

Entire property with house, driveway and donated portion identified.



- Boundaries or limits of a tract of land as described by reference to compass directions and distances between points on the land.
- For example, portion of property denoted by blue square must be accurately described in metes and bounds

Department of Environmental Quality



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I. NC General Statute 143-214.5 (d2)(8)



Local Watershed Review Board or Board of Adjustment shall issue special use (or other) permit or certificate to ensure both properties considered together meet standards of watershed ordinance and potential owners have record of how watershed regulations applied to properties

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II. Recommendations for Local Government Ordinances

Local government ordinances should:

- Define how density averaging will be documented and tracked to ensure all requirements for both donor and recipient parcels are publicly recorded and are irrevocable in perpetuity.
- Provide standard enforcement protocols for parcel owners that violate conditions of special permit/certificate issued for density averaging.
- Include all NCGS 143-214.5(d2) conditions. Note that local government ordinances may be more stringent than statute.

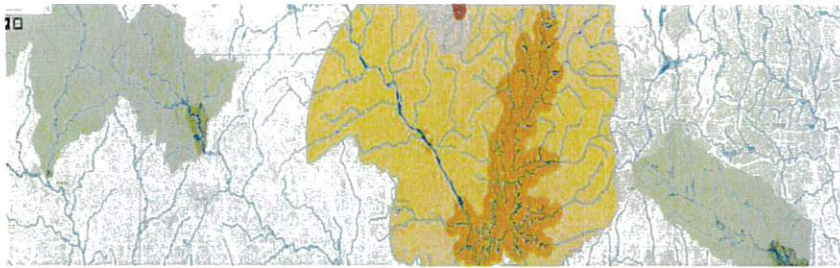
Local governments should accurately track all averaging among different properties.



18

Q1: Can any one property exceed the density maximum within the critical area?

- Yes. If both properties are located within the critical area, either property can donate and the receiving property will exceed the density maximum, but the donating property will be less than density maximum.
- Note that a property in the non-critical area may not donate to a property in the critical area. In this case, only the property in the non-critical area will exceed the density maximum.



19

Q2: Can one property donate to more than one property?

Yes, as long as:

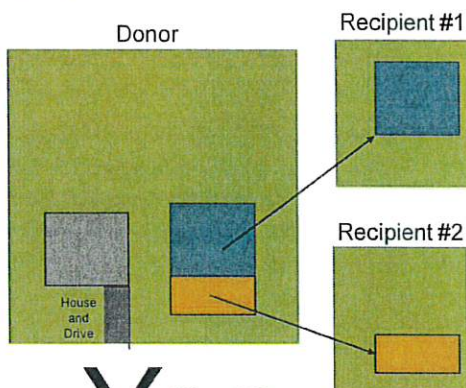
- Each donated portion is separate and each portion is donated to only ONE recipient,
- The deed of the donating property depicts the metes and bounds of all vegetated areas that have been donated and has marked them as built upon area (built-upon area) in addition to any actual built-upon area such as the house, driveway, patio, etc., and
- The total of the existing (pavement, roof, etc.) and the donated built-upon area(s) cannot exceed the maximum built-upon area for the donating lot.

Please see next slides for examples.



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Q2: Can one property donate to more than one property?



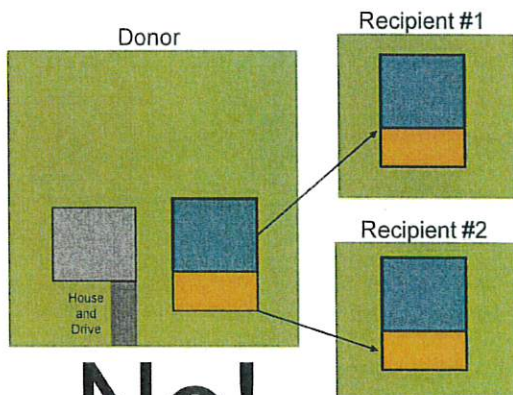
Yes

- Blue portion goes to recipient #1 who can exceed built-upon area by amount delineated in blue rectangle.
- Orange portion goes to recipient #2 who can exceed built-upon area by amount delineated in orange rectangle.
- Blue and Orange sections of donor are may not be built on or donated.



21

Q2: Can one property donate to more than one property?



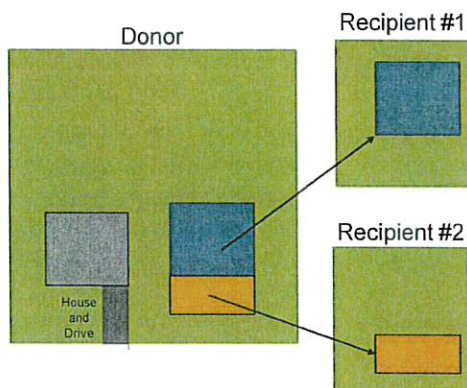
No!

- Blue and Orange built-upon area donations cannot go to BOTH recipient #1 AND recipient #2
- Blue and Orange built-upon area donations must go to EITHER recipient #1 OR recipient #2



22

Q2: Can one property donate to more than one property?



On the donor property, the total area of the house/drive, the blue donation area, and the orange donation area may not exceed the maximum built-upon area allowed under the low density option in 15A NCAC 02B .0624.



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Q3: Can one property receive donations from more than one property?

Yes, as long as:

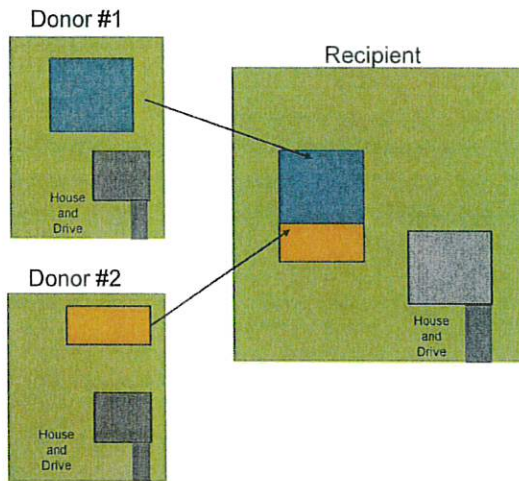
- Each donation transaction is separate,
- The deeds of the donating properties depict the metes and bounds of all vegetated areas that have been donated and have marked them as built-upon area in addition to any existing built-upon area such as the house, driveway, patio, etc.), and
- For each donating lot, the total of any existing (pavement, roof, etc.) built-upon area and the donated area cannot exceed the maximum built-upon area allowed under the low density option in 15A NCAC 02B .0624.

Please see next slide for examples.



24

Q3: Can one property receive donations from more than one property?



On each donor property, the area of the house/drive, and the blue or orange donation area may not exceed the maximum built-upon area allowed under the low density option in 15A NCAC 02B .0624.



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Water Supply Watershed Density Limits per 15A NCAC 02B .0624

WS Classification	Location	Low Density built-upon area limit	High Density built-upon area limit
WS-I	Not applicable: Watershed shall remain undeveloped		
WS-II	Critical Area	6%	6-24%
	Balance of WS	12%	12-30%
WS-III	Critical Area	12%	12-30%
	Balance of WS	24%	24-50%
WS-IV	Critical Area	24%	24-50%
	Protected Area	24%	24-70%

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Q3: Can a developed property donate to another property?

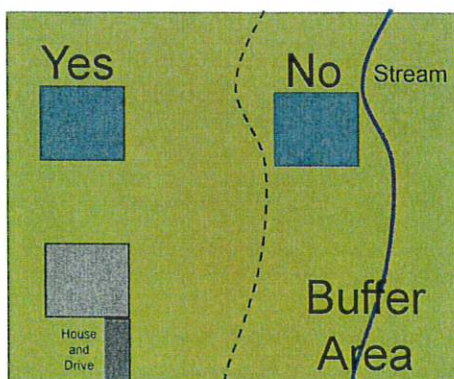
- Yes, as long as the donating property has not reached the maximum built-upon area (whether existing or donated) under low density allowed on its property and is willing to stay below its built-upon area limit including the donation in perpetuity.
- Please see NCDEQ-DEMLR – Stormwater Program memo on density averaging
<https://files.nc.gov/ncdeq/Energy%20Mineral%20and%20Land%20Resources/Stormwater/WS-Density-Averaging-Memo-2018-02-20.pdf>

Department of Environmental Quality



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Q4: Can a buffer, conservation easement, or other portion of property that is required to remain undeveloped be donated?



No. Development is prohibited (or severely limited) on these areas, so they cannot be donated to a recipient property to be developed.

Department of Environmental Quality



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Q5: Can a property that is exempt from Water Supply Watershed Program rules donate to another property?

- **No.** Because the property is exempt, it is not part of the WSWP program and does not have any built-upon area to donate to another property.
- However, if the “exempt” property agrees to abide by the density limits and other requirements of the WSWP program rules, a local ordinance could allow it to participate in density averaging.

Department of Environmental Quality



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Paul Clark
Water Supply Watershed Protection Coordinator
paul.clark@ncdenr.gov
(919) 707-3642

January 2021



OLD BUSINESS

NEW BUSINESS



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: 9-6-2022		
From: Mark Jusko	Meeting Date: 9-12-2022		
Agenda Item to be considered: <u>Consideration and approval of firm selected for Dutchmans Creek Pedestrian Bridge final design</u>			
Will this require a public hearing? ☐ YES ☒ NO			
Background/Purpose of Request The RFQ for the final design of the Dutchmans Creek Pedestrian Bridge was released on August 8, 2022. There was a pre-submittal meeting held on August 16, five firms attended the pre-submittal meeting. RFQ's were due on August 23. Three firms submitted their qualifications. The firms were McAdams, TGS Engineers, and Kisinger Campo & Associates (KCA). A staff selection committee made up of Brian DuPont, Jonathan Wilson, Derek Dixon, Jeremy Moss, Elizabeth Bell, and Mark Jusko met on August 29 th to make a recommendation. The selection committee ranked the firms in order : 1. Kisinger Campo & Associates (KCA) -Charlotte office 2. McAdams.- Charlotte office 3. TGS Engineers – Shelby office			
The selection committee would like to make a recommendation for City Council to choose Kisinger Campo & associates as the firm to provide the final design and documents for the Dutchmans Creek pedestrian bridge.			
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	YES	X NO	☐ N/A
Manager/Staff Recommendation: <i>To officially select Kisinger Campo & Associates (KCA) as the design firm for the Dutchmans Creek Pedestrian Bridge.</i>			
Result of City Council Decision: _____			



City of Mount Holly Action Agenda Item

To: Mayor and City Council Ryan Baker, Fire Chief	Date: September 7, 2022 Meeting Date: September 12, 2022
Agenda Item to be considered: Purchasing of a new Ladder Truck	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: We are requesting permission to purchase a new ladder truck. This is to replace our twenty-four-year-old ladder truck. The build time is over two years and four months from when the truck is ordered. We formed a committee that has worked for the last six months going through specifications and demoing several types of apparatus from different manufacturers. This purchase is in line with our current Capital Improvement Plan.	
Fiscal Impact:	
Will Item affect the current budget?	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Pre-audit Certification required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	0
Budget Code	
Reviewed by City Attorney	☐ YES ☒ NO ☐ N/A
Manager/Staff Recommendation:	
Result of City Council Decision: _____	
Attachments: Copy of the Presentation and Proposal	



Proposal for Furnishing Apparatus

Aug 11, 2022

Department: Mount Holly Fire & Rescue Services Department

Attn: Chief Ryan Baker

P. O. Box 406, Mount Holly, NC, 28120

Upon an order being placed by you, and final acceptance by Pierce Manufacturing, Inc. the apparatus and equipment herein named will be manufactured for the following prices:

	Price
One Enforcer Tractor Drawn 107' Ascendent Aerial Ladder	\$1,598,498.00
Shelving allowance	\$25,000.00
Graphics allowance	\$6,500.00

Total: **\$1,629,998.00**

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached, delays due to strikes, war, or intentional conflict, failures to obtain chassis, materials, or other causes beyond our control not preventing, within about 870 calendar days after receipt of this order and the acceptance thereof by Pierce Manufacturing, Inc.

Taxes: Tax is not included in this proposal. In the event that the purchasing organization is not exempt from sales tax or any other applicable taxes and/or the proposed apparatus does not qualify for exempt status, it is the duty of the purchasing organization to pay any and all taxes due.

Cancellation: In the event this proposal is accepted, and a purchase order is issued then cancelled or terminated by Customer before completion, Atlantic Emergency Solutions may charge a cancellation fee of 30% of the purchase price.

Terms: The terms of this proposal will be governed by the laws of the state of Virginia. No additional terms or conditions will be binding upon Atlantic Emergency Solutions unless agreed to in writing and signed by a duly authorized officer of Atlantic Emergency Solutions.

This proposal is valid for 45 days from date above.

Sincerely,

Frank Suggs

6809 Statesville Road
Charlotte, NC, 28269

Cell: 336-978-6012



Replacement Ladder 34



Ladder Committee



Deputy Chief Craig Spry(Chair)
Captain Justin Westbrook
Captain Ashton Chaney
Captain Patrick Mayhew
Firefighter Grant Roberts
Firefighter Patrick Craig

1. Evaluated Types of Ladders
2. Contacted Manufactures
3. Reviewed Truck Drawings
4. Contacted Fire Departments
5. Selected Top Two
6. Recommendations to the Chief



Why Do We Need a New Ladder?

- Our ladder is currently 24 years old
- NFPA 1901 recommends removing apparatus that is older than 25 years. (July 2024)
- Repair costs have continued to rise.

Year	Repairs
2018	\$13,581.99
2019	\$15,515.01
2020	\$10,418.91
2021	\$41,517.60

- Parts are not readily available for repairs
- Larger and taller buildings and the need for taller aerial and ground ladders.



MOUNT HOLLY FIRE DEPARTMENT

Selection Criteria

- Maintenance/Repairs
- Maneuverability
- Ground Ladder Compliment
- Compartment Space/Equipment Storage
- Faster Setup & Aerial Footprint
- Build Time
- Cost

Tractor Drawn Aerial (TDA)



Apparatus Selection

Manufacturers

Pierce

Seagrave

Ferrara

Sutphen

Pierce

- 4ft Longer Ladder
- 750lbs Tip-Load v/s 500lbs
- Better visibility for the rear driver
- Tightest Turning Radius
- Safety Air Bags
- Guaranteed Price Lock



Ladder Comparison

			
	TDA	Mid-Mount	Straight Ladder
Turning Radius	22ft	36ft	35ft
Out-Riggers/Stabilizers	2	4	4
Compartment Space	453cuft	168cuft	184cuft
Ground Ladders	322ft	170ft	115ft
Ladder Length	107	100	107



Maintenance and Repairs

- City Garage will handle regular PM
- Closest service center – Charlotte
- Mobile repair service
- Lightest overall weight reducing wear on:

- Brakes
- Tires
- Suspension

Warranties

- 1-year material and workmanship
- 5-year engine warranty
- 50-year on frame
- 10-year on cab/body/paint
- 20-year on ladder warranty



Maneuverability

- Access to every street and alley in the City
- Turning radius 22 feet = 13 feet shorter



Maneuverability



Smaller turning radius compared to a straight-frame aerial.

- Little to no backing in most cases at tight intersections, alleyways, cul-de-sacs, & positioning on corners of structures.
- Increased on-scene access (straight-frame aerial = 3-point turn, swing wide into oncoming traffic, around the block, or back up)
- TDAs can access areas a straight-frame aerial simply cannot.



Ground Ladders



115 feet on our current ladder



322 feet on the proposed ladder truck

Compartment Space



- 453 cubic feet compared to roughly 160 cubic feet in our current ladder.
- Currently, our technical rescue equipment is spread amongst three apparatus. With the TDA, we can consolidate that equipment into one truck. We will surplus a 1999 rescue truck.
- The new ladder will be equipped with:
 - Hydraulic extrication equipment
 - Lifting equipment
 - Stabilization equipment
 - Rope rescue equipment
 - Water rescue equipment
 - Fire suppression system



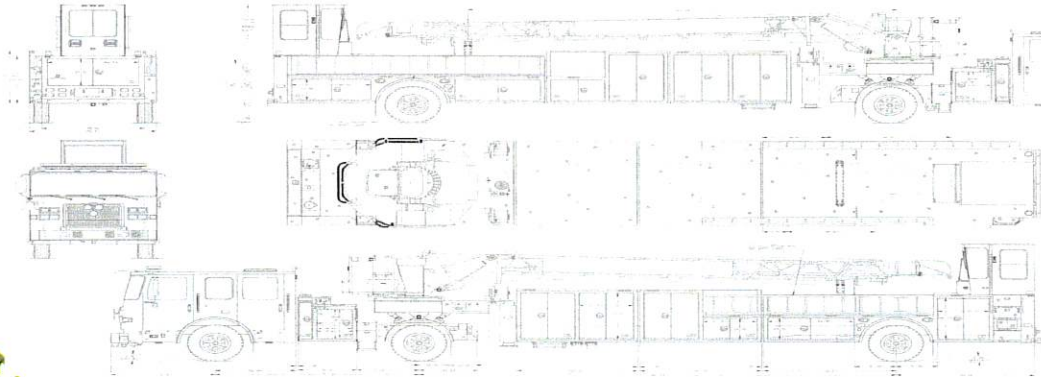
Setup and Reach

- TDAs only need two outriggers (one on each side). This allows for a fast setup between cars or other obstacles.
- Straight frame aerials require four stabilizers, restricting close proximity setups near cars or other obstacles.
- Proposed aerial has a max reach of 107ft (30% greater).
- Current aerial has a max reach of 75ft



Build Time

2 years, 4 months when the order is placed.



Funding



Truck Cost – Finance

•Pierce \$1,629,998 – Guaranteed Price Lock

•Seagrave - \$1,744,033



Financing

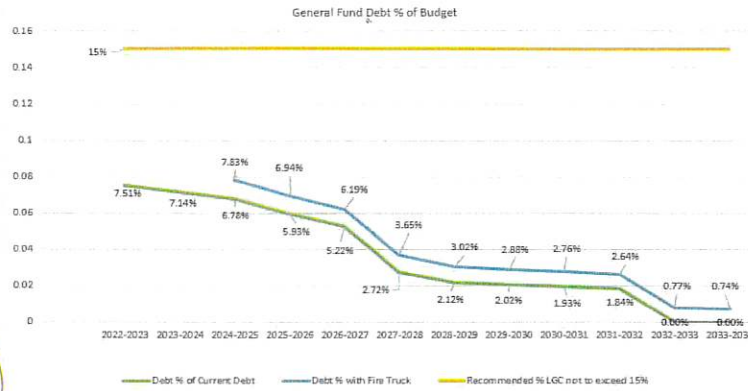
Freedom Financial provided 3 options for financing with a pre-payment discount which lowered the finance price to \$1,555,112 at a 3.64% locked interest rate for 10 years.

- Option "1" – 12 month deferral on the first payment
 - Option "2" – 24 month deferral on the first payment
 - Option "3" – 24 month deferral on the first principal payment and an interest only payment after 12 months
-
- Finance recommend's Option 2 with a debt service payment of \$195,217.00
 - Turn-in-lease option – due to the uniqueness of the truck it was hard to obtain a third party to give us a guaranteed residual cost at the end of the 10 years.



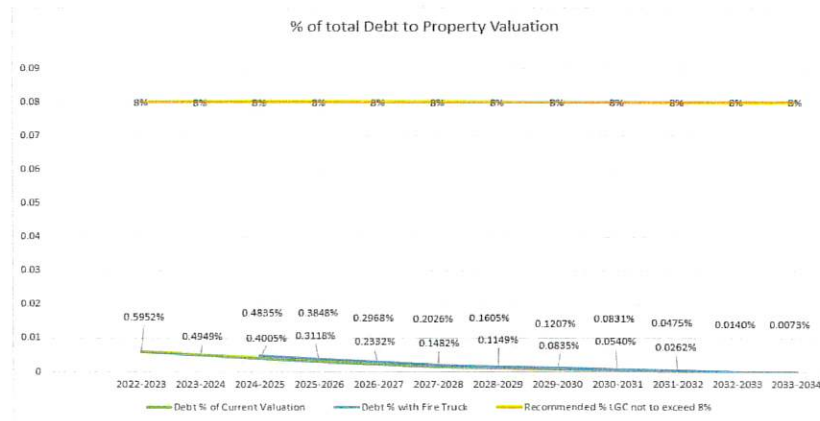
General Fund Debt to Budget Percentage

- LGC recommends staying below 15%



Total City Debt to Appraised Property Value Percentage

- LGC recommends staying below 8% but a practical threshold is 1-2%



Questions/Discussion



OTHER BUSINESS

REPORTS

Mount Holly Parks & Recreation

Monthly Report-August 2022

Sole Patrol-

The Sole Patrol met 23 days during the month of August. The total attendance was 380, with 32 different members attending. Their activities included walking, corn hole, and shuffleboard.

Fitness Center-

The Fitness Center was open 23 days throughout August. The total attendance was 199, with 22 different members attending.

Athletics-

Free-play basketball for youth was open at the Old Gym on Mondays-Thursdays after school and adult free-play basketball is available at the Tuckasee Community Center. We have been averaging 19 participants for both sessions.

We have 600 children participating on 57 teams in our fall athletics. We are offering soccer, girls' volleyball, girls' softball, and baseball. Games will be played throughout September and October.

Free-play pickleball was held Tuesdays and Thursdays from 1-3pm at the Tuckasee Community Center. We had a total of 41 visits by 14 different players.

Rentals & Special Events-

There were five shelter rentals at Tuckasee and River Street Parks. The estimated attendance was 220 people. The Tuckasee Community Center was rented three times during August; the estimated attendance was 140 people.

News & Notes-

We have two more Mount Holly Nights concert events one will be September 9th (Rick Strickland Band). The last one of the season will be Friday October 14th, and the entertainment will be provided by On the Border, the Eagles tribute band.

Parks & Recreation Commission is scheduled to meet September 27th at 630pm.

Incident Disposition Totals by Offense

MOUNT HOLLY POLICE

(08/01/2022 - 08/31/2022)

Offense:	Closed By Arrest:	Closed/Oth. Means:	Death of Offender:	Prosecut. Declined:	Cust. Oth. Jurisdic.:	Vic. Ref. Cooper.:	Juv. No Custody:	Not Applic.:	Unfound.:	Reported:	Actual:	Further Invest.:
11A - Rape	0	0	0	0	0	0	0	1	0	1	1	1
13A - Aggravated Assault	1	0	0	0	0	0	0	2	1	2	1	0
13B - Simple Assault	1	2	0	0	0	1	0	6	0	7	7	4
13C - Intimidation	0	0	0	0	0	0	0	1	0	1	1	1
220 - Burglary/Breaking & Entering	2	1	0	0	0	0	0	3	0	3	3	0
23D - Theft From Building	0	0	0	0	0	0	0	2	0	2	2	2
23F - Theft From Motor Vehicle	0	1	0	0	0	0	0	4	0	4	4	3
23G - Theft of Motor Vehicle Parts or Accessories	0	0	0	0	0	0	0	1	0	1	1	1
23H - All Other Larceny	0	2	0	1	0	0	0	3	0	4	4	1
240 - Motor Vehicle Theft	0	1	0	0	0	0	0	2	0	2	2	1
250 - Counterfeiting/Forgery	0	1	0	0	0	0	0	1	0	1	1	0
26A - False Pretenses/Swindle/Confidence Game	0	2	0	1	0	0	0	3	0	4	4	2
26B - Credit Card/Automatic Teller Machine Fraud	0	0	0	0	0	0	0	1	0	1	1	1
26E - Wire Fraud	0	0	0	0	0	0	0	2	0	2	2	2
290 - Destruction/Damage/Vandalism of Property	1	2	0	0	0	0	0	3	0	3	3	0
35A - Drug/Narcotic Violations	11	5	0	1	0	0	0	28	0	29	29	13
35B - Drug Equipment Violations	5	4	0	0	0	0	0	13	0	13	13	4
520 - Weapon Law Violations	8	1	0	0	0	0	0	10	0	10	10	1
90D - Driving Under the Influence	8	0	0	0	0	0	0	8	0	8	8	0
90F - Family Offenses, Nonviolent	0	0	0	0	0	0	0	1	0	1	1	1
90J - Trespass of Real Property	1	0	0	0	0	0	0	1	0	1	1	0
90Z - All Other Offenses	17	1	0	0	0	0	0	18	0	18	18	0

Incident Disposition Totals by Offense

MOUNT HOLLY POLICE

(08/01/2022 - 08/31/2022)

Offense:	Closed By Arrest:	Closed/Oth. Means:	Death of Offender:	Prosecut. Declined:	Cust. Oth. Jurisdic.:	Vic. Ref. Cooper.:	Juv. No Custody:	Not Applic.:	Unfound.:	Reported:	Actual:	Further Invest.:
90Z.01 - Traffic Violations	23	24	0	0	0	0	0	50	0	50	50	2
90Z.02 - Open Container	2	0	0	0	0	0	0	2	0	2	2	0
90Z.03 - Court Violations	2	0	0	0	0	0	0	2	0	2	2	0
90Z.05 - Found Property	0	1	0	0	0	0	0	7	2	7	5	4
90Z.06 - Involuntary Commitment	1	1	0	0	0	0	0	2	0	2	2	0
90Z.08 - Escape from Custody or Resist Arrest (Non Assaultive)	2	0	0	0	0	0	0	2	0	2	2	0
90Z.10 - Missing Person	0	0	0	0	0	0	0	2	1	2	1	1
90Z.11 - Call For Service	1	4	0	2	0	0	0	14	7	16	9	4
90Z.13 - B&E to Motor Vehicle	0	1	0	0	0	0	0	5	0	5	5	4
90Z.14 - Larceny after B&E	1	1	0	0	0	0	0	1	0	2	2	0
90Z.15 - Damage to Property <\$500.00	1	3	0	0	0	0	0	5	0	5	5	1
Totals:	88	58	0	5	0	1	0	206	11	213	202	54

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

CFS By Department - Select Department By Date
For MOUNT HOLLY POLICE 8/1/2022 - 8/31/2022

MOUNT HOLLY POLICE	Count	Percent
ALARM B	24	1.09%
ALARM R	24	1.09%
ANIMAL COMPLAINT	5	0.23%
ASSAULT AL OCC	8	0.36%
ASSAULT IN PROG	1	0.05%
ASSAULT W/ WEAPON	1	0.05%
ASSIST CITY DEPARTMENT	3	0.14%
ASSIST FD/EMS	18	0.82%
ASSIST LE AGENCY	24	1.09%
ASSIST OTHER	7	0.32%
B & E RES AL OCC	2	0.09%
B & E TO VEHICLE ALR OCC	5	0.23%
B & E VEHICLE IN PROGRESS	1	0.05%
CHECK ROADWAY	6	0.27%
CHECK THE WELFARE	35	1.60%
CHILD ABUSE AL OCC	1	0.05%
CHILD CUSTODY	2	0.09%
CIVIL DISPUTE	15	0.68%
COMMUNICATING THREATS	8	0.36%
COUNTERFEIT MONEY	1	0.05%
COURT	9	0.41%
DAMAGE TO PROPERTY	17	0.78%
DEATH INV UNATTENDED	1	0.05%
DEATH NOTIFICATION	1	0.05%
DISCHARGE FIREARM	4	0.18%
DISTURBANCE NATURE UNK	3	0.14%
DOMESTIC ARGUMENT	12	0.55%
DOMESTIC ASSAULT	5	0.23%
DRUGS	9	0.41%
FIGHT MULTIPLE SUBJ	2	0.09%
FOLLOW UP INVESTIGATION	41	1.87%
FOOT PATROL	11	0.50%
FOUND PROPERTY	8	0.36%
FRAUD	15	0.68%
FUNERAL ESCORT	1	0.05%
HANGUP 911	11	0.50%
HARRASSMENT	6	0.27%
HIT & RUN PD	5	0.23%
HIT & RUN PI	1	0.05%
IDENTITY THEFT	1	0.05%
INFORMATION ONLY	50	2.28%
INTOXICATED DRIVER	3	0.14%

MOUNT HOLLY POLICE	Count	Percent
INTOXICATED PEDESTRIAN	5	0.23%
JUVENILE	14	0.64%
JUVENILE CUSTODY ORDER	1	0.05%
K9 DEPLOYMENT-ARTICLE SEARCH	1	0.05%
K9 DEPLOYMENT-TRACKING	1	0.05%
K9 DEPLOYMENT-VEHICLE SEARCH	17	0.78%
LARCENY AL OCC	9	0.41%
LARCENY FROM VEHICLE	1	0.05%
LARCENY OF GAS	1	0.05%
LICENSE CHECK	3	0.14%
MENTAL COMMITMENT	1	0.05%
MISSING PERSON ADULT	3	0.14%
MISSING PERSON JUVENILE	1	0.05%
MV COLLISION PD	29	1.32%
MV COLLISION PI	4	0.18%
NOISE VIOLATION	17	0.78%
NOT AN ACTUAL CALL	1	0.05%
OBTAINING WARRANT	2	0.09%
OVERDOSE	11	0.50%
PARKING VIOL	7	0.32%
PERSONAL ESCORT	6	0.27%
PICK UP PROPERTY	1	0.05%
PROWLER	4	0.18%
PUBLIC NUISANCE BIKES/SKATEBOARDS/ATV/DIRT BIKES	9	0.41%
PUBLIC SERVICE CALL	32	1.46%
RECOVER STOLEN PROPERTY	1	0.05%
SCHOOL RES OFFICER	2	0.09%
SCHOOL TRAFFIC	5	0.23%
SERVE WARRANT	7	0.32%
SEX OFFENSE/RAPE AL OCC	1	0.05%
SOLICITATION	3	0.14%
SPECIAL ASSIGNMENT	33	1.51%
SPECIAL CHECK	1022	46.62%
STOLEN VEH IN PROGRESS	1	0.05%
STOLEN VEHICLE AL OCC	4	0.18%
STRANDED MOTORIST	28	1.28%
SUBJECT WITH A GUN/WEAPON	2	0.09%
SUICIDAL SUBJECT	2	0.09%
SUSPICIOUS PERSON	55	2.51%
SUSPICIOUS VEH OCCUP	56	2.55%
SUSPICIOUS VEH UNOCCUP	54	2.46%
TRAFFIC OTHER	8	0.36%
TRAFFIC STOP	282	12.86%
TRESPASS	20	0.91%
UNAUTHORIZED USE OF CONVEYANCE	1	0.05%
VERBAL ARGUMENT	17	0.78%
Total Records For MOUNT HOLLY POLICE	2192	Dept Calls/Total Calls 100.00%

Total Records

2192

Citation Totals by Charge

MOUNT HOLLY POLICE

(08/01/2022 - 08/31/2022)

Charge:	Number of Charges:
Speeding (Misdemeanor)	1
Speeding (Infraction)	28
Seat Belt	1
Passenger Seat Belt - Juvenile	2
No Operator License	19
Driving While License Revoked	29
Expired Registration	45
Inspection	3
Unsafe Movement	2
Failure To Stop (Stop Sign/Flashing Red Light)	1
Running Red Light	3
No Insurance	3
Failure To Reduce Speed	4
Other (Misdemeanor)	1
Other (Infraction)	34
Other (2nd Charge - Infraction)	75
Total:	251

Arrest Race/Sex Totals by Offense

MOUNT HOLLY POLICE

(08/01/2022 - 08/31/2022)

Primary Offense:	White Male:	Black Male:	Indian Male:	Asian Male:	White Female:	Black Female:	Indian Female:	Asian Female:	Juven.:	Adult:	Resd.:	NonRes.:	Arrests:
13A - Aggravated Assault	0	0	0	0	0	1	0	0	0	1	1	0	1
13B - Simple Assault	0	0	0	0	1	0	0	0	0	1	1	0	1
220 - Burglary/Breaking & Entering	1	0	0	0	0	0	0	0	0	1	1	0	1
35A - Drug/Narcotic Violations	2	2	0	0	4	0	0	0	0	8	4	4	8
520 - Weapon Law Violations	2	1	0	0	0	0	0	0	0	3	1	2	3
90D - Driving Under the Influence	1	3	0	1	0	0	0	0	0	5	3	2	5
90J - Trespass of Real Property	0	1	0	0	0	0	0	0	0	1	1	0	1
90Z - All Other Offenses	3	4	0	0	4	3	0	0	0	14	7	7	14
90Z.03 - Court Violations	2	2	0	0	0	0	0	0	0	4	2	2	4
90Z.11 - Call For Service	1	0	0	0	0	0	0	0	0	1	1	0	1
90Z.13 - B&E to Motor Vehicle	1	0	0	0	0	0	0	0	0	1	0	1	1
90Z.15 - Damage to Property <\$500.00	1	0	0	0	0	0	0	0	0	1	0	1	1
Totals:	14	13	0	1	9	4	0	0	0	41	22	19	41

PUBLIC WORKS REPORT

	AUGUST	2022	2021	2020
Water				
Daily Average (mgd)		3.163	3.129	2.922
Daily Maximum (mgd)		4.283	3.874	3.913
Daily Minimum (mgd)		2.649	2.715	2.436
Monthly Total (mg)		98.071	97.020	90.599
Customers				
Inside City Limits		7162	6882	6628
Outside City Limits		503	500	486
TOTAL		7665	7382	7114
Wastewater				
Daily Average (mgd)		2.052	2.115	2.064
Daily Maximum (mgd)		2.901	2.483	2.594
Daily Minimum (mgd)		1.534	1.624	1.360
Monthly Total Flow (mg)		63.608	65.580	63.997
American & Efird Total Flow (mg)		19.841	23.417	18.004
Customers				
Inside City Limits		6666	6423	6198
Outside City Limits		53	58	50
TOTAL		6719	6481	6248
Sanitation				
Number of Customers				
Residential		6162	5974	5791
Commercial / Industrial		150	153	153
Recycling		6271	6063	5865
Garbage Collected (tons)		492.72	477.01	479.91
General Yardwaste (tons)		50.50	41.16	61.26
Chipping (tons)		0.00	0.00	0.00
Leaves (tons)		0.00	0.00	0.00
Total Yardwaste (tons)		50.50	41.16	61.26
White Goods (tons)		0.00	0.00	0.00
Recycling (tons)	NA	NA	NA	NA

SIGN UP TO SPEAK AT
12-Sep-22
UNSCHEDULED PUBLIC COMMENT

This meeting is streamed live on the internet and a recording will be made public on the City Website

	NAME	ADDRESS	TOPIC
1	GARRIE BRINKLEY	176 TOM SAWYER LN	MUSEUM MOVE
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SIGN UP TO SPEAK AT THE

9/12/2022

Watershed Overlay District

This meeting is streamed live on the internet and a recording will be made public on the City Website

	NAME	ADDRESS	TOPIC
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