



August 14, 2023
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
Danny Jackson, Interim City Manager

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



**August 14, 2023
7:00 P.M.**

CALL TO ORDER BY THE MAYOR

INVOCATION

PLEDGE OF ALLEGIANCE

Boy Scout Troop 59

SET THE AGENDA

CONSENT AGENDA

1. Approval of Budget Amendments
 - Utilities/Enterprise Fund
 - Building Maintenance
2. Approval to apply for an Asset Inventory and Assessment Grant from NC DEQ for water and sewer
3. Approval of a temporary part-time Customer Service Clerk
4. Approval of placing a four-acre conservation easement on Parcel #213897, a City owned property
5. Approval of McAdams to perform the engineering and design services the Glendale Property Project
6. Approval of Minutes of the July 10, 2023 Council Meeting
7. Approval of Minutes of the July 10, 2023 Closed Session

PRESENTATIONS

1. Presentation of a Proclamation recognizing Sarah Elizabeth Rozzelle Nichols for her 90th Birthday
Mayor Bryan Hough
2. Swearing In of Fire Fighters Blake Davis, Quentin Hooker and Hunter Hufstetler
Mayor Bryan Hough
3. Swearing In of Fire Captains Blake Buchanan, Robert Heussy and Grant Roberts
Mayor Bryan Hough

PUBLIC HEARING

1. Public hearing for a proposed text amendment to amend Section-3.21 of the Zoning Ordinance (Solid Waste Storage Equipment) to provide standards for screening requirements within the existing section
Paul Lowe
2. Public hearing for a proposed text amendment to amend Section-5.14-B-2 of the Zoning Ordinance (Residential Downtown-Dimension Requirements) to provide a minimum lot sizes for townhomes
Paul Lowe
3. Public hearing for a proposed text amendment to amend Section-10.5-C-10-a of the Zoning Ordinance (Street Tree Canopy) to update the language to ensure that street trees are provided via developments
Paul Lowe
4. Public hearing for a proposed text amendment to amend Appendixes: 1, 2, & 3 of the Subdivision Ordinance
Paul Lowe

PUBLIC COMMENT – Three (3) Minute Limit

OLD BUSINESS

NEW BUSINESS

1. Consideration and Approval of a Lease Renewal Agreement with Arts on the Greenway for the Massey Building *Marie Anders*
2. Discussion of Land Use and Training Facility Concepts for the Fire Department *Chief Ryan Baker*

CLOSED SESSION

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

ADJOURN

CONSENT AGENDA



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: August 8, 2023
From: Jonathan Wilson, Utilities Director	Meeting Date: August 14, 2023
Agenda Item to be considered: Budget Amendments for the Enterprise Fund to cover expenditures related to projects funded in Fiscal Year 2023 that were not completed by June 30, 2023.	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: Budget Amendments are for the following items/projects:	
- Field Services Crane Truck: \$108,785.55 (Truck was ordered through Ford in August 2022 however due to circumstances outside of the City's control the truck has not been built/delivered) - Generator for Stanley Booster Station: \$56,772.63 (Generator was purchased but has not been delivered/installed by contractor) - Broome Street Waterline Replacement (Design): \$16,185.50 (Design was not completed by June 30, 2023 and is still on-going) - Water Distribution System upgrades (Design): \$69,100 (Design was not completed by June 30, 2023 and is still on-going) - Lower Dutchmans Sewer (Design): \$40,631.50 (Design was not completed by June 30, 2023 and is still on-going, construction funding was approved in the current fiscal year) - Downtown Water Distribution (Design): \$23,443.27 (Design was not completed by June 30, 2023 for this two-phase project, construction funding was approved for phase 1 in the current fiscal year)	
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:	\$ 314,918.45
Budget Code	62-91-8000-550 / 62-91-7110-194
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: Approval of the requested budget amendments to cover expenditures that are associated with projects from fiscal year 2023 that were not completed by June 30, 2023.	
Result of City Council Decision:	
Attachments:	
1. Budget Amendment 2. Crane Truck Purchase Order, Quote 3. Stanley Booster Station Generator Purchase Order, Quote 4. Broome Street Waterline Replacement Design Purchase Order, Contract	

Compensation Schedule

- 5. Water Distribution Upgrades Purchase Order, Contract Compensation Schedule***
- 6. Lower Dutchmans Sewer Purchase Order, Contract Compensation Schedule***
- 7. Downtown Water Distribution Purchase Order, Contract Compensation Schedule***



CITY OF MOUNT HOLLY
FY 23-24 Budget Amendment

Account Number	Description	Account Debit	Account Credit
62-91-8000-550	Capital Outlay	\$165,558.00	
62-91-7110-194	Professional Services	\$149,360.00	
62-91-3991-000	Fund Balance Appropriation		\$314,918.00
TOTAL		\$314,918.00	\$ 314,918.00

Date Submitted: 14-Aug-23

Finance Officer:

City Manager:

Department Comments:

Amendment to appropriate fund balance to cover expenditures related to projects funded in FY 23

that were not completed by June 30, 2023

CITY OF MOUNT HOLLY

PURCHASE ORDER

Page 1

Date : 08/25/22

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7900

Requisition #:

P.O.#:000014264

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

SHIP TO :

FIELD SERVICES DIVISION
218 ADRIAN ST
PO BOX 406
Mount Holly, NC 28120

Ship Date:08/25/22

VENDOR NO #: 33608

TO:

CROSSROADS FORD OF INDIANTRAIL
88 DALE JARRETT BLVD
INDIAN TRAIL, NC 28079

TERMS: UPON RECEIPT

Quantity	UOM	Description		Unit Price	Extension	Account Number
1	1 EA	F-750 DUMP TRUCK	N	101889.90	101,889.90	62-91-8000-550
2	1 EA	F-450 CRANE TRUCK	N	108785.55	108,785.55	62-91-8000-550

SUBTOTAL: 210,675.45

TAX AMOUNT: 0.00

TOTAL: 210,675.45

RECEIVED _____

NCGS 143-133.3 prohibits the Town from entering into contracts with contractors and subcontractors who have not complied with the requirement of Article 2 of Chapter 64 of the North Carolina General Statutes. Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if contractor utilizes a subcontractor, contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE
MANNER REQUIRED BY THE LOCAL GOVERNMENT
BUDGET AND FISCAL CONTROL ACT

PO NUMBER MUST APPEAR
ON ALL INVOICES, PACKING
LISTS AND PACKAGES

AUTHORIZED BY _____

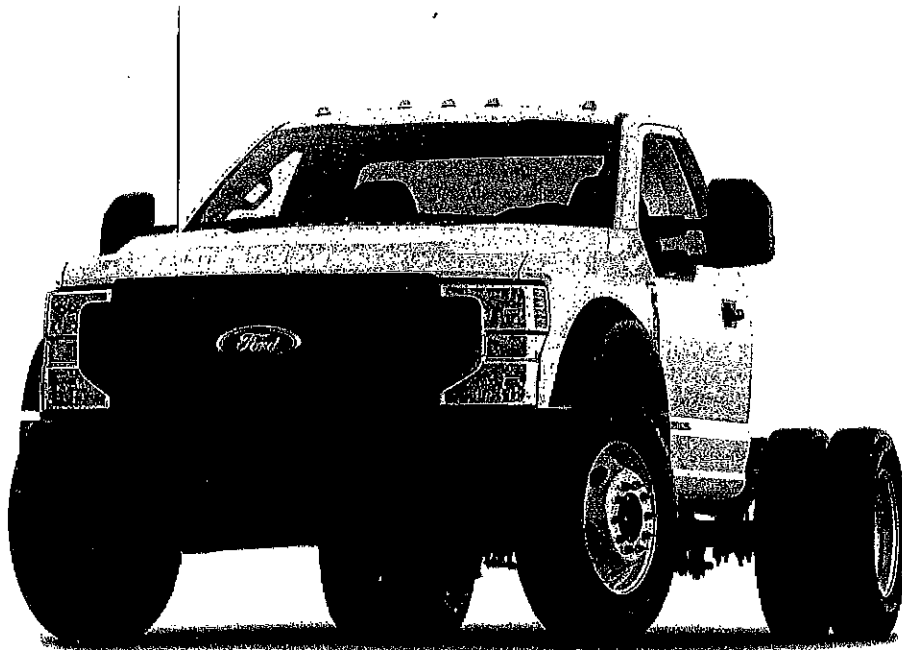
APPROVED FOR ISSUE _____

DEP FINANCE OFFICER

Prepared for: Robert Stewart, City of Mount Holly | Mobile: 704-201-9565
Email: robert.stewart@mtholly.us

2022 F-450 Chassis 4x2 SD Regular Cab 145" WB DRW XL (F4G)

Price Level: 270



Client Proposal

Prepared by:

Hank Kale

Office: 704-283-8521

Quote ID: CM-F4G

Date: 07/28/2022

2023 MODEL YEAR QUOTED



Crossroads Ford of Indian Trail | 88 Dale Jarrett Blvd, Indian Trail, North Carolina, 28079
Office: 704-283-8521 | Fax: 704-283-6110

Prepared for: Robert Stewart

City of Mount Holly

Prepared by: Hank Kale

07/28/2022



Crossroads Ford of Indian Trail | 88 Dale Jarrett Blvd Indian Trail North Carolina |

28079

2022 F-450 Chassis 4x2 SD Regular Cab 145" WB DRW XL (F4G)

Price Level: 270 | Quote ID: CM-F4G

Pricing Summary - Single Vehicle 2023 MODEL YEAR QUOTED

Budget Numbers

Vehicle Pricing

Base Vehicle Price

Price: \$108,785.55

Options

Price Includes Government Price Concession

Colors

Upfitting

Fleet Discount

Tax / Tag NOT Included

Fuel Charge

Destination Charge

Total

Customer Signature

Acceptance Date

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.

CITY OF MOUNT HOLLY
PURCHASE ORDER

Page 1

Date : 02/10/23

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7900

Requisition #:

P.O.#:000014475

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

SHIP TO :

FIELD SERVICES DIVISION
218 ADRIAN ST
PO BOX 406
Mount Holly, NC 28120

Ship Date:02/07/23

VENDOR NO #: 33150

TO:

POWER GENERATION & CONTROL
136 CHARCOAL RD
CHERRYVILLE, NC 28021

TERMS: UPON RECEIPT

Quantity	UOM	Description		Unit Price	Extension	Account Number
1	1 EA	500KW BLUE STAR GENERATOR	Y	96311.57	96,311.57	62-91-8000-550
2	1 EA	1200A ASCO AUTOMATIC TRANSFER SWITCH	Y	23852.66	23,852.66	62-91-8000-550
3	1 EA	LABOR	Y	21600.00	21,600.00	62-91-8000-550
4	1 EA	CRANE SERVICE	Y	2619.34	2,619.34	62-91-8000-550
5	1 EA	CONCRETE PAD CONSTRUCTION	Y	3750.00	3,750.00	62-91-8000-550
6	1 EA	FACTORY AUTHORIZED START-UP	Y	1500.00	1,500.00	62-91-8000-550
7	1 EA	ELECTRICAL SUPPLIES Item No: 27 BOOSTER	Y	27303.29	27,303.29	62-91-8000-550

SUBTOTAL: 176,936.86

TAX AMOUNT: 12,385.58

TOTAL: 189,322.44

RECEIVED _____

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APPROVED FOR ISSUE _____

DEP FINANCE OFFICER

Power Generation and Control, Inc.
 136 Charcoal Road
 Cherryville, NC 28021
 704-769-8010
 www.pgandc.com

Estimate

Date	Estimate #
8/16/2022	12860

Bill To:
City of Mt. Holly Ronnie Hale PO Box 406 Mount Holly, NC 28120

Ship To:
Stanley Booster Station 950 W Charlotte Ave. Mount Holly, NC 28120

Description	Terms	Project	
	Net 15	New Generator and ATS	
	Qty	Rate	Total
Provide and Install New 500kw Blue Star Generator and Automatic Transfer Switch at Stanley Booster			
New 500kw Blue Star Generator and Accessories	1	96,311.57	96,311.57
* Level 1 Steel Enclosure			
* Jacket Water Heater			
* Battery Charger			
* 24hr 100% Load Fuel Tank			
* 480/277 VAC			
* 2 Yr Warranty			
New 1200A Asco Automatic Transfer Switch and Accessories		23,852.66	23,852.66T
* 1200A 480VAC			
* Nema 1 Enclosure			
* Service Entrance Rated			
* 2 Yr Warranty			
Installation Costs			
Labor		21,600.00	21,600.00T
Crane Service		2,619.34	2,619.34T
Concrete Pad Construction		3,750.00	3,750.00T
Factory Authorized Start-up		1,500.00	1,500.00T
Electrical Supplies		27,303.29	27,303.29T
* Conduit			
* Wire			
* Conduit Accessories			
** Please note. This is a turn-key estimate, and this generator is sized to run one pump only as per request **			
Gaston County Sales Tax		7.00%	5,643.77
PG&C appreciates the opportunity, and we look forward to doing business with you!			Total \$182,580.63

\$61,746.71
 left on PO

Power Generation and Control, Inc.
 136 Charcoal Road
 Cherryville, NC 28021
 704-769-8010
 www.pgandc.com

Invoice

Date	Invoice #
2/21/2023	3977

Bill To
City of Mt. Holly Ronnie Hale PO Box 406 Mount Holly, NC 28120

Ship To
Stanley Booster Station 950 W Charlotte Ave. Mount Holly, NC 28120

P.O. No.	Terms	Due Date	Project
000014475	Net 15	3/8/2023	New Generator and ATS

Description	Qty	Rate	Amount
** Please note. This is a turn-key estimate, and this generator is sized to run one pump only as per request **			
			Paid RH
PG&C appreciates the opportunity, and we look forward to doing business with you!			Subtotal \$120,164.23 Sales Tax (7.0%) \$1,669.69 Total \$121,833.92 Balance Due \$121,833.92

CITY OF MOUNT HOLLY
PURCHASE ORDER

Page 1

Date : 09/21/22

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7110

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

TO:

ROBINSON & SAWYER, INC.
707 EAST SECOND AVE
GASTONIA, NC 28054

Requisition #:

P.O.#:000014297

SHIP TO :

UTILITIES ADMINISTRATION
218 ADRIAN ST
PO BOX 406
MOUNT HOLLY, NC 28120

Ship Date:09/16/22

VENDOR NO #: 18326

(704)-000-0000

TERMS: UPON RECEIPT

Quantity	UOM	Description		Unit Price	Extension	Account Number
1	1 EA	DESIGN SURVEYING BROOME ST	N	6500.00	6,500.00	62-91-7110-194
2	1 EA	WATER LINE DESIGN & PERMITTING SERVICES	N	43296.00	43,296.00	62-91-7110-194
3	1 EA	CONTINGENCY	N	2000.00	2,000.00	62-91-7110-194

SUBTOTAL: 51,796.00

TAX AMOUNT: 0.00

TOTAL: 51,796.00

RECEIVED _____

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APPROVED FOR ISSUE _____

DEP FINANCE OFFICER

Fees

We will provide the indicated services for the following fees:

Design Surveying:

Lump Sum Fee..... \$6,500.00

Water Line Design and Permitting Services:

Lump Sum Fee..... \$43,296.00

Bidding Services:

Lump Sum Fee..... \$5,000.00

Construction Administration:

Budgetary Allowance..... \$19,200.00 (Hourly)

(Based on 4-month construction duration and two site visits per week)

Reimbursable Expenses (Not included in Lump Sum Fees above)

Mileage	\$0.625/mi
Construction Drawing Printing (24"x36" fill-size format, b/w bond)	\$1.75/sheet
8 1/2 " x 11" Copies (b/w & color, 1 sided)	\$0.15/ea. & \$0.75/ea.
Other reimbursables (sub-consultants, postage, travel costs, courier, and governmental permitting fees)	Cost + 10%

*Fees and reimbursables will be invoiced monthly and when work is completed.

All services listed above are subject to Robinson & Sawyer's Standard Contract Terms and Conditions which are attached to and made a part of this proposal.

Should you have any questions concerning our proposal, please do not hesitate to call me. We appreciate this opportunity and look forward to working with you on this project.
Sincerely,

Robinson & Sawyer, Inc.



Donald D. Smith, PE
President

CITY OF MOUNT HOLLY
PURCHASE ORDER

Page 1

Date : 12/20/22

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7900

Requisition #:

P.O.#:000014415

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

SHIP TO :

FIELD SERVICES DIVISION
218 ADRIAN ST
PO BOX 406
Mount Holly, NC 28120

Ship Date:12/16/22

VENDOR NO #: 30000

(704)-377-9844

TERMS: UPON RECEIPT

TO:

WILLIS ENGINEERS
10700 SIKES PLACE
SUITE 115
CHARLOTTE, NC 28277

Quantity	UOM	Description	Unit Price	Extension	Account Number
1	1 EA	DOWNTOWN WATER HUITT ST TANK RENOVATION	72000.00	72,000.00	62-91-7900-596

SUBTOTAL: 72,000.00

TAX AMOUNT: 0.00

RECEIVED _____

TOTAL: 72,000.00

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APPROVED FOR ISSUE

DEP FINANCE OFFICER

COMPENSATION SCHEDULE

<u>Phase</u>	<u>Basis</u>	<u>Fee</u>
Design	Lump Sum	58,000
Bidding and Award	Lump Sum	8,000
Regulatory	Hourly	6,000
Construction	Hourly	<u>TBD</u>
Total Estimated Technical Services		\$72,000

HOURLY RATE SCHEDULE

The following standard hourly rates will be utilized in calculating fees and may be adjusted annually.

<u>Staff Member</u>	<u>Hourly Rate</u>
Principal	\$225.00
Managing Engineer	200.00
Senior Project Manager	150.00
Project Coordinator	125.00
Project Manager	120.00
Project Engineer	100.00
Design Engineer	90.00
Engineer Intern	60.00
 Construction Services Manager	 120.00
Senior Field Inspector (RPR)	105.00
Construction Inspector	90.00
Senior Technician	90.00
Technician	60.00
Administrative	60.00
 <u>Direct Expenses</u>	 <u>Rates</u>
Shipping, postage, printing, travel and subsistence	At Cost
Mileage	IRS Issued
Technical Services by Others	At Cost Plus 10%

CITY OF MOUNT HOLLY

PURCHASE ORDER

Page 1

Date : 08/23/22

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7110

Requisition #:

P.O.#:000014257

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

SHIP TO :

UTILITIES ADMINISTRATION
218 ADRIAN ST
PO BOX 406
MOUNT HOLLY, NC 28120

Ship Date:08/18/22

VENDOR NO #: 30000

(704)-377-9844

TERMS: UPON RECEIPT

TO:

WILLIS ENGINEERS
10700 SIKES PLACE
SUITE 115
CHARLOTTE, NC 28277

***** DUPLICATE *****

Quantity	UOM	Description	Unit Price	Extension	Account Number
1	1 EA	DESIGN OF LOWER DUTCHMANS CREEK PARALLEL SEWER	235000.00	235,000.00	62-91-7110-194

SUBTOTAL: 235,000.00

TAX AMOUNT: 0.00

RECEIVED

TOTAL: 235,000.00

NCGS 143-133.3 prohibits the Town from entering into contracts with contractors and subcontractors who have not complied with the requirement of Article 2 of Chapter 64 of the North Carolina General Statutes. Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if contractor utilizes a subcontractor, contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

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APPROVED FOR ISSUE _____

DEP FINANCE OFFICER

COMPENSATION SCHEDULE

<u>Phase</u>	<u>Basis</u>	<u>Fee</u>
Design	Lump Sum	\$150,000
Bidding and Award	Lump Sum	20,000
Surveys and Utility Locations	Hourly	35,000
Regulatory Approvals	Hourly	30,000
Construction Assistance	Hourly	<u>TBD</u>
Total Estimated Technical Services		\$235,000

The following standard hourly rates will be utilized in calculating fees and may be adjusted annually.

<u>Staff Member</u>	<u>Hourly Rate</u>
Principal	\$225.00
Managing Engineer	200.00
Senior Project Manager	150.00
Project Coordinator	125.00
Project Manager	120.00
Project Engineer	100.00
Design Engineer	90.00
Engineer Intern	60.00
Construction Services Manager	120.00
Senior Field Inspector (RPR)	105.00
Construction Inspector	90.00
Senior Technician	90.00
Technician	60.00
Administrative	60.00
<u>Direct Expenses</u>	<u>Rates</u>
Shipping, postage, printing, travel and subsistence	At Cost
Mileage	IRS Issued
Technical Services by Others	At Cost Plus 10%

CITY OF MOUNT HOLLY
PURCHASE ORDER

Page 1

Date : 07/06/22

Phone (704) 827-3931 - Fax (704) 822-2933

Ship To 7110

Requisition #:

P.O.#:000014121

INVOICE TO :

City of Mount Holly
400 E Central Ave
P O Box 406
Attn: Account Payable
Mount Holly, NC 28120

SHIP TO :

UTILITIES ADMINISTRATION
218 ADRIAN ST
PO BOX 406
MOUNT HOLLY, NC 28120

Ship Date:07/06/22

VENDOR NO #: 30000

(704)-377-9844

TERMS: UPON RECEIPT

TO:

WILLIS ENGINEERS
10700 SIKES PLACE
SUITE 115
CHARLOTTE, NC 28277

***** DUPLICATE *****

Quantity	UOM	Description		Unit Price	Extension	Account Number
1	1 EA	DOWNTOWN WATER DESIGN	Y	268000.00	268,000.00	62-91-7110-194

SUBTOTAL: 268,000.00

TAX AMOUNT: 0.00

RECEIVED _____

TOTAL: 268,000.00

NCGS 143-133.3 prohibits the Town from entering into contracts with contractors and subcontractors who have not complied with the requirement of Article 2 of Chapter 64 of the North Carolina General Statutes. Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if contractor utilizes a subcontractor, contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

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DEP FINANCE OFFICER

COMPENSATION SCHEDULE

<u>Phase</u>	<u>Basis</u>	<u>Fee</u>
Evaluation	Lump Sum	Completed
Final Design	Lump Sum	\$138,000
Bidding and Award	Lump Sum	15,000
Surveys and Utility Locations	Hourly	80,000
Subsurface Investigation	Hourly	15,000
Regulatory Approvals	Hourly	20,000
Construction Assistance	Hourly	<u>TBD</u>
Total Estimated Technical Services		\$268,000

The following standard hourly rates will be utilized in calculating fees and may be adjusted annually.

<u>-Staff Member</u>	<u>Hourly Rate</u>
Principal	\$225.00
Managing Engineer	200.00
Senior Project Manager	150.00
Project Coordinator	125.00
Project Manager	120.00
Project Engineer	100.00
Design Engineer	90.00
Engineer Intern	60.00
 Construction Services Manager	 120.00
Senior Field Inspector (RPR)	105.00
Construction Inspector	90.00
Senior Technician	90.00
Technician	60.00
Administrative	60.00
 <u>Direct Expenses</u>	 <u>Rates</u>
Shipping, postage, printing, travel and subsistence	At Cost
Mileage	IRS Issued
Technical Services by Others	At Cost Plus 10%



City of Mount Holly Action Agenda Item

To: Mayor and City Council From: Jeremy Moss, Facility Maintenance	Date: July 3, 2023 Meeting Date: August 14, 2023
Agenda Item to be considered: <u>Budget amendment to carry over money not spent in last budget year 2022 - 2023.</u> 	
Will this require a public hearing? ☒ YES ☐ NO	
Background/Purpose of Request: _ <u>Staff thought the work would be completed by June 30, 2023. The money is for the following items:</u> <u>Glass curtain Wall design at the Water Plant - \$35,000. - 62-91-7960-194</u> <u>New roof on the Arts on the Greenway Building – \$274,100. - 10-00-8000-550</u> <u>Arts on the Greenway roof design/construction administration - \$11,200.00 – 10-00-4260-194</u> <u>Mold remediation and repair at Fire Station #34 – \$293,581.66 – 10-00-4260-351</u>	
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:	\$ 613,881.66
Budget Code	See above accounts
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: Staff recommends the funds be transferred so work can continue.	
Result of City Council Decision: 	
Attachments: 	

CITY OF MOUNT HOLLY
FY 23-24 Budget Amendment

Account Number	Description	Account Debit	Account Credit
62-91-7960-194	Professional Services	\$35,000.00	
62-91-3991-000	Fund Balance Appropriation		\$35,000.00
10-00-8000-550	Capital Outlay	\$274,100.00	
10-00-4260-194	Professional Services	\$11,200.00	
10-00-4260-351	Maint/Repair Bldgs & Grounds	\$293,582.00	
10-00-3991-000	Fund Balance Appropriation		\$578,882.00
TOTAL		\$613,882.00	\$613,882.00

Date Submitted: 8/14/2023

Finance Officer: _____

City Manager: _____

Department Comments:

Amendment to appropriate fund balance to cover expenditures related to projects funded in FY 23

that were not completed by June 30, 2023



City of Mount Holly Action Agenda Item

To: Mayor and City Council From: Jonathan Wilson, Utilities Director	Date: August 9, 2023 Meeting Date: August 14, 2023
Agenda Item to be considered: Approval to apply for an Asset Inventory and Assessment (AIA) grant from the North Carolina Department of Environmental Quality during the Fall 2023 Application round.	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: The Asset Inventory and Assessment grants were created in Session Law 2015-241 in the changes made to NCGS 159G, to broaden the use of grant funds to encourage water and wastewater utilities to become more viable and more proactive in the management and financing of their systems. The grants are limited to \$200,000 from the Wastewater Reserve or the Drinking Water Reserve, over a period of three years. Some examples of eligible projects include: water and wastewater asset inventory; condition assessment of critical assets; other components of critical assets; GIS-based depiction of the water system and/or wastewater system; prioritization of the most critical rehabilitation and replacement of assets; operations and maintenance of assets; as well as cost estimations. All applications are due no later than 5:00 pm on Monday, October 2, 2023. The program allows for us to apply for \$200,000 for water and another \$200,000 for wastewater. Additionally, the grant is nonmatching.	
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 that City Council approval to apply for an Asset Inventory and Assessment Grant from NCDEQ for water and wastewater infrastructure.	
Result of City Council Decision: _____	
Attachments:	
1. Resolution allowing Staff to apply for grant 2. Funding Recipients' FAQ for Preparing Scopes of Work for Asset Inventory and Assessment (AIA) Grants from DWI	

RESOLUTION OF THE CITY OF MOUNT HOLLY FOR
APPLICATION FOR NC DEQ WATER AND WASTEWATER ASSET INVENTORY AND
ASSESSMENT GRANT

WHEREAS, The City of Mount Holly has need for and intends to construct, plan for, or conduct a study in a project described as Water and Wastewater Asset Inventory and Assessments and

WHEREAS, The City of Mount Holly intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY:

That City of Mount Holly, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Mount Holly to make a scheduled repayment of the loan, to withhold from the City of Mount Holly any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Danny Jackson, Interim City Manager, the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 14th day of August 2023 at Mount Holly, North Carolina.

Bryan Hough, Mayor

Amy Miller, City Clerk

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Mount Holly does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council duly held on the 14th day of August 2023; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of August 2023.

(Signature of Recording Officer)

(Title of Recording Officer)

**Funding Recipients' FAQ for Preparing Scopes of Work
for
Asset Inventory and Assessment (AIA) Grants
from
The Division of Water Infrastructure (DWI)**

What is a Scope of Work for an AIA project?

- The Division of Water Infrastructure (Division) requires an approved Scope of Work (Scope) prior to transmitting the formal Grant Offer to recipients of approved AIA grants.
- Scopes for AIA projects provide the Division with an overview of the project tasks, costs, timeline, and deliverables/recommendations which are used to direct disbursements.
- The Scope should look and feel similar to the description of services to be provided in the application and an engineering contract.

How do I submit my AIA Scope?

- Scopes should be submitted by the recipient (not the consultant) to the appropriate DWI project manager, as identified in the Letter of Intent to Fund (LOIF) for the AIA project, by the date indicated in the LOIF.
- The recipient (not the consultant) may submit a request for a modest extension of the submittal date via an email or letter on appropriate letterhead sent to the DWI project manager. The request must include a justification for the delay and propose a new date for submitting the scope.
- Contact your Division project manager regarding any anticipated changes to the project as described in the application prior to submitting your Scope.

What does DWI require in an AIA Scope?

- Scopes must be consistent with the project described in the approved funding application, especially the budget and challenges described in the application narrative.
- Scopes must contain the following:
 - A concise narrative describing how each project activity addresses the challenges in the approved AIA application,
 - Anticipated activities to be performed during the AIA project,
 - The cost for each project activity,
 - A schedule for completing the project within 24 months of the anticipated Grant Offer, and
 - The deliverables to be produced for the project, including GIS shape files as applicable to the project.

What are eligible AIA project activities?

- Project activities should adhere to the Division's "Water and Wastewater Utility Evaluation Guidance Document: Asset Inventory and Assessment, Capital Cost, and Operating Cost

Analyses” document which primarily is to help guide engineers and consultants during an AIA project. The latest version is posted to the DWI website ([here](#)).

- The total eligible project cost must not exceed the total awarded amount shown in the LOIF.
 - Justification must be provided if either the project as described in the application or the costs in the application budget change in the Scope.
- If equipment is an integral part of your project, contact your Division project manager prior to submitting the scope.
 - Eligible equipment costs (tablets, computers, and asset management equipment) must be no more than 10% of the grant AND justified in the scope.

What is required for the Scope narrative?

- The Scope narrative should consist of a discussion of each task and how the tasks relate to the challenges and benefits described in the approved application for funding.
- Reference any applicable historic asset management work and describe how the proposed project Scope builds upon those past asset management efforts.
- Specify that any GIS data delivered to the recipient will be provided in a format they can easily and readily update with current resources, and clearly identify who will own the data.
- Remember, the application was funded based on the specific needs of the system and proposed benefits of the AIA project.

What is required of the project schedule?

- The project schedule must show the anticipated start and end dates for each project activity.
- The final project completion date must be within 24 months of the date the Grant Offer is sent to the applicant (this language is in the Grant Offer Transmittal letter). Typically, the Grant Offer will be issued within one month of scope approval.
- Specify that DWI will be copied on draft and final deliverables, including GIS data layers.
- Provide regular (no less frequent than every other month unless otherwise directed by the Division) updates, preferably with the submittal of reimbursement requests.

What makes up the Deliverable?

- The deliverable consists of the documents, plans, and/or recommendations as a result of the project, including GIS data layers if applicable.
- Scopes must specify that both the draft and final deliverables will be submitted to the Division for review and approval prior to processing the final reimbursement request.

What if my Local Government Unit (Unit) has been designated Distressed?

- Distressed Units are required to complete the activities established in NCGS §159G-45(b), and an AIA grant provides funding to fulfill some of those requirements.
- Distressed Units are required to complete short-term and long-term plans for infrastructure repair, maintenance, and management of which a complete AMP and 10-year CIP are integral parts. AIA projects for distressed recipients must either:
 - Result in a complete Asset Management Plan (AMP) including at least a 10-year Capital Improvement Plan (CIP), or
 - Establish the basis of an AMP and a timeline for fulfilling all the activities required of distressed units.

- In general, a complete AMP consists of:
 - List of assets/asset registry;
 - Spatial database/GIS map;
 - A risk-based condition assessment of all water and/or wastewater assets;
 - Minimum 10-year Capital Improvement Plan;
 - Recommended schedule and plan for Operation, Maintenance and Rehab/Replacement, including time/cost estimates for annual budgeting;
 - Staffing plan to implement AMP/CIP, as needed; and
 - Rate study (minimum 5-year rate programming to address CIP).
- As stated in the LOIF for this project, contact your Division project manager prior to creating the Scope to discuss how this project helps your Unit fulfill the statutory requirements for Distressed Units.

Suggested Scope Format (Adobe PDF or other non-editable format)

Section 1 – Reference: Contact information, points of contact, project name, funding cycle, etc.

Section 2 – Narrative: A concise narrative description of the Scope referencing any applicable historic asset management efforts, describing how the proposed Scope builds on past efforts, and connecting the challenges described in the application with the main project activities.

Section 3 – Itemized Tasks: A description, cost, and schedule/timeline of each main project activity, enough so the Division can determine what tasks will be accomplished during the project and what is eligible for reimbursement.

Section 4 – Deliverables: A summary of the anticipated documents and plans to be created during the project with milestones including a timeline for the Division to approve the draft and final deliverables, enough so the Division can determine that the recipient will meet the funding requirements.



City of Mount Holly Action Agenda Item

To: Mayor and City Council	Date: August 8, 2023
From: Michelle Wood	Meeting Date: August 14, 2023
Agenda Item to be considered: Temporary Part-time Customer Service Clerk Position	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: Approve a position in the Customer Service area for a part-time customer service clerk due to staffing shortage for an extended temporary length of time. This position is highly utilized to cover walk-in customers, peak payments, routing of calls throughout the city, and relieve the full-time customer service clerks to handle other high demand daily duties. This will not have any budget implications due to the absence and unpaid current part-time customer service clerk position.	
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 Action Agenda Item

To: City Council

Date: August 9, 2023

From: Greg Beal, Planning Director

Meeting Date: August 14, 2023

Agenda Item to be considered: Approval of placing a four-acre conservation easement on Parcel #213897, a City owned property

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request: In September of 2022, City Council approved a text amendment to the Watershed Overlay District Ordinance to allow for State-mandated density averaging credits. An additional text amendment to Section 12.10 was approved in October to appoint the Board of Adjustment as the approval authority for density averaging applications, as typical and as the Board already serves as the Watershed Review Board for watershed variances and interpreting watershed boundaries. This was done in an effort to assist commercial development in areas where maximum impervious surface prohibited full development of the property, while preserving other areas within the same WS-IV Lake Wylie Critical or Protected Watershed. Staff has no concerns on the approved ordinances, as they are authorized and meet NC General Statutes 143-214.5(d)(2). Additionally, the State Department of Environmental Quality has provided guidance throughout the process.

At this stage, City staff has approved a subdivision plat for the development of five parcels along Caldwell Drive. Phase 1 of the development is underway and has been approved. The nearly 14-acre development (13.64-acres) is capped at 50% impervious surface through the use of BMPs (i.e. retention pond), as it is located in the Lake Wylie WS-IV Critical Area. The developer would need 4-acres of credits from a surveyed donating property, the 170.3 acre Upper Lake Wylie Conservation Easement, which is owned by the City. This conservation property is approved for such things as passive recreation, trails, bridge crossings to meet the purpose of the preservation of riparian buffers and natural areas in the protection of water quality.

On December 12, 2022, by unanimous vote, City Council agreed to participate as the donating property for Density Credits for the Davis Moore Healthcare Project. It is important to note that this is represented as an easement and not a transfer or sale of City-owned property. Through the City's donation of 4-acres of credits, at least two additional, tenant-driven buildings will be constructed at an estimated investment of \$30 million, with permanent jobs being dependent on the tenants of these two buildings. It is estimated that the City will receive \$116,400 annually for these buildings in property taxes alone. Without density credits, Phase 2 of the project is not possible.

Davis Moore Healthcare, having submitted a completed application, as well as the required submittals under the Density Averaging Ordinance, went before the Watershed Review Board on Monday, August 7th in the format of an evidentiary hearing. The five-member Watershed Review Board, being the Board of Adjustment, voted unanimously to approve the density credit application contingent upon the approval of an easement agreement by City Council, as prepared by the City Attorney.

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 approval of the conservation easement agreement, which was also made as a contingency for approval by the Board of Adjustment, serving as the Watershed Review Board in this case.

Result of City Council Decision:

Attachments: Proposed Conservation Easement

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Moore & Van Allen PLLC (HSB)
100 N. Tryon Street, Suite 4700
Charlotte, NC 28202-4003

STATE OF NORTH CAROLINA

COUNTY OF GASTON

DEED OF EASEMENT AND

DECLARATION OF RESTRICTIONS

This DEED OF EASEMENT AND DECLARATION OF RESTRICTIONS (this "Declaration") is made and entered into as of the ____ day of _____, 2023, by CITY OF MOUNT HOLLY, a North Carolina municipal corporation ("Property Owner") with an address at 400 E. Central Ave., Mount Holly, NC 28120, for the benefit of and enforceable by MT. HOLLY LOT 1, LLC ("Lot 1 Owner"), OC DMC 2, LLC ("Lot 2 Owner"), MT HOLLY MP LOT 3, LLC ("Lot 3 Owner") and MT HOLLY MP LOT 4, LLC ("Lot 4 Owner"), each a North Carolina limited liability company, and MT. HOLLY MEDICAL OFFICE PARK, INC., a North Carolina non-profit corporation ("Lot 5 Owner" and together with Lot 1 Owner, Lot 2 Owner, Lot 3 Owner and Lot 4 Owner, and their successors or assigns, the "Benefitted Owners").

WHEREAS, Property Owner is the owner in fee simple of that certain real property located at 1732 Drywall Drive, Mount Holly, Gaston County, North Carolina having Parcel No. 213897 and PIN No. 4507550526 (the "Property").

WHEREAS, located in the same water supply watershed to the Property are the following parcels (individually and collectively, as applicable, the "Project Parcels"): (i) that certain real property having Parcel No. 309164, which is owned by Lot 1 Owner, (ii) that certain real property having Parcel No. 309165, which is owned by Lot 2 Owner, (iii) that certain real property having Parcel No. 309166, which is owned by Lot 3 Owner, (iv) that certain real property having Parcel No. 309167, which is owned by Lot 4 Owner and (v) that certain real

property having Parcel No. 309168, which is owned by Lot 5 Owner. The Project Parcels are described, collectively, on Exhibit A attached hereto and depicted on Exhibit A-1 attached hereto. The Benefitted Owners intend to develop and/or construct improvements on each of the Project Parcels.

WHEREAS, in accordance with N.C. Gen Stat. 143-214.5 (the "NCDEQ Watershed Regulations"), the City of Mount Holly has adopted a water supply watershed protection program that regulates development activities within Watershed Overlay Districts (as defined and further described in Section 5.15 of the Mt. Holly Zoning Code) in Mount Holly (the "Mt. Holly Watershed Program") and together with the NCDEQ Watershed Regulations, the "Watershed Regulations", as may be amended from time to time).

WHEREAS, the Property and each of the Project Parcels lies within the Lake Wylie WS-IV Critical Watershed and are subject to the Watershed Regulations.

WHEREAS, the Watershed Regulations set forth certain density requirements for specific development projects. Subject to various terms and conditions, the Watershed Regulations permit density averaging among participating properties, including noncontiguous properties and properties owned by different property owners (the "Density Averaging Regulations", as may be amended from time to time).

WHEREAS, Property Owner has agreed to donate to the Project Parcels an easement over an undeveloped four (4) acre portion of the Property, as more particularly described on Exhibit B attached hereto and depicted on Exhibit B-1 attached hereto (the "Donated Property"), for the purpose of permitting one or more of the Benefitted Owners to apply the undeveloped acreage of the Donated Property to the density calculation of its Project Parcel, as applicable and as permitted by the Density Averaging Regulations. In connection therewith, such Benefitted Owners shall apply for a variance from the Watershed Regulations and for the issuance of a special use (or other) permit or certificate from the City of Mount Holly that permits density averaging among the Donated Property and the applicable Project Parcels (the "Permit").

WHEREAS, among other things, the Density Averaging Regulations restrict activity on the Donated Property and further mandate that undeveloped portions of the Donated Property be maintained in compliance with certain requirements described therein.

WHEREAS, Property Owner has agreed to record this Declaration to place certain restrictions on the Donated Property, as more particularly described herein.

NOW, THEREFORE, in consideration of the mutual covenants and understandings set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby represents, covenants, warrants and agrees:

1. Easement and Restrictions. The Property Owner does hereby grant and convey all impervious development rights over the Donated Property to the Benefitted Owners and their successors and assigns for the benefit of the Project Parcels. The Donated Property shall remain undeveloped, in a vegetated or natural state, in perpetuity. The Donated Property may not be developed, operated, maintained, landscaped or otherwise utilized in a manner that violates the

Watershed Regulations, the Density Averaging Regulations or the Permit and Property Owner hereby agrees to cause the Donated Property to comply, in perpetuity, with the Watershed Regulations, the Density Averaging Regulations and the Permit.

2. Covenants to Run With the Land. The easement, covenants, reservations and restrictions set forth herein (i) shall be deemed covenants running with the land and, shall pass to and be binding upon Property Owner, Property Owner's heirs, successors and assigns in title to the Donated Property and all subsequent Property Owners, (ii) are not merely personal covenants of Property Owners, and (iii) shall burden the Donated Property and benefit and be appurtenant to the Project Parcels. The benefits shall inure to the Benefitted Owners in perpetuity. Property Owner hereby agrees that any and all requirements of the laws of the State of North Carolina to be satisfied in order for the provisions of this Declaration to constitute deed restrictions and covenants running with the Donated Property and which touch and concern the Donated Property shall be deemed to be satisfied in full, and that any requirements of privity of estate are intended to be satisfied, and that an equitable servitude in the form of a negative easement has been created to insure that these restrictions run with the land. Each and every contract, deed or other instrument hereafter executed covering or conveying the Donated Property or any portion thereof shall conclusively be held to have been executed, delivered and accepted subject to this Declaration and such covenants, reservations, and restrictions, regardless of whether such covenants, reservations and restrictions are set forth in such contract, deed or other instruments. If a portion or portions of the Donated Property are conveyed, all of such covenants, reservations and restrictions shall run to each portion of the Donated Property.

3. Remedies; Enforceability. Property Owner hereby agrees and consents that the Benefitted Owners (as applicable) shall be entitled, for any breach of the provision hereof, and in addition to all other remedies provided by law or in equity (including all damages suffered by the applicable Benefitted Owner(s)), to obtain specific performance by Property Owner of its obligations under this Declaration in any court of competent jurisdiction.

4. Amendment. This Declaration shall not be amended or, except as otherwise provided herein, terminated except by written instrument, executed by Property Owner and the Benefitted Owners, or their successors or assigns, which amendment shall be duly recorded in the Office of the Register of Deeds for the county in which the Donated Property is located.

5. Severability. If any portion hereby shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining portions hereof shall not in any way be affected or impaired thereby.

6. Construction. Unless the context clearly requires otherwise, as used in this Declaration, words of the masculine, feminine or neuter gender shall be construed to include any other gender when appropriate and words of the singular number shall be construed to include the plural number, and vice versa, when appropriate. This Declaration and all the terms and provisions hereof shall be construed to effectuate the purposes set forth and to sustain the validity hereof.

7. Successors and Assigns. This Declaration shall be binding on Property Owner, its

successors and assigns and shall inure to the benefit of Benefitted Owners, their successors and assigns and may be enforced by Benefitted Owners or any other persons specifically given enforcement rights herein.

8. Headings. The titles and headings of the sections of this Declaration have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof, nor be considered or given any effect in construing this Declaration or any provisions hereof, or in ascertaining intent if any questions or intent shall arise.

9. Governing Law. This Declaration shall be governed by the laws of the State of North Carolina.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

IN WITNESS WHEREOF, Property Owner has executed this Declaration and caused the same to be dated as of the day and year first above written.

CITY OF MOUNT HOLLY,
a North Carolina municipal corporation

By: _____
Name: Bryan M. Hough
Title: Mayor

Attest:

City Clerk

ACKNOWLEDGMENT

STATE OF NORTH CAROLINA)
COUNTY OF _____)

On the ____ day of _____ in the year 2023 before me, the undersigned personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his capacity, and that by his/her their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of _____
Print Name: _____
Commission Expires: _____

EXHIBIT A

Description of Project Parcels

THAT CERTAIN PARCEL OR TRACT OF LAND SITUATED, LYING AND BEING IN THE CITY OF MOUNT HOLLY, COUNTY OF GASTON, STATE OF NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1/2" IRON REBAR, SAID POINT HAVING NAD83 GRID COORDINATES OF N: 555,597.29, E: 1,395,523.19, AND ALSO BEING ON THE SOUTHERN RIGHT-OF-WAY MARGIN OF CALDWELL DRIVE (S.R. 2145) A 60' PUBLIC RIGHT-OF-WAY AS SHOWN IN PLAT BOOK 47, PAGE 108 OF THE GASTON COUNTY PUBLIC REGISTRY; THENCE RUNNING WITH THE AFORESAID MARGIN OF CALDWELL DRIVE THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1.) NORTH 85°16'10" EAST A DISTANCE OF 163.53 FEET TO A NEW 1/2" IRON REBAR;

2.) NORTH 88°18'02" EAST A DISTANCE OF 642.10 FEET TO A NEW 1/2" IRON REBAR, SAID POINT BEING THE NORTHWEST CORNER OF THE CITY OF MOUNT HOLLY PROPERTY AS DESCRIBED IN DEED BOOK 2252, PAGE 481 OF THE REGISTRY; THENCE RUNNING WITH THE AFORESAID CITY OF MOUNT HOLLY PROPERTY THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1.) SOUTH 04°42'01" EAST A DISTANCE OF 36.05 FEET TO AN EXISTING 1/2" IRON REBAR;

2.) SOUTH 31°27'19" WEST A DISTANCE OF 249.85 FEET TO AN EXISTING 1/2" IRON REBAR;

3.) SOUTH 38°46'10" EAST A DISTANCE OF 58.19 FEET TO AN EXISTING 1/2" IRON REBAR;

4.) NORTH 85°14'49" EAST A DISTANCE OF 189.98 FEET TO A NEW 1/2" IRON REBAR, SAID POINT BEING ON THE WESTERN LINE OF THE SOUTHERN BENEDICTINE SOCIETY PROPERTY AS DESCRIBED IN DEED BOOK 265, PAGE 55 OF THE REGISTRY;

THENCE RUNNING WITH THE AFORESAID SOUTHERN BENEDICTINE SOCIETY PROPERTY SOUTH 04°43'19" EAST, PASSING AN EXISTING 1/2" IRON PIPE AT 15.07 FEET, A TOTAL DISTANCE OF 481.72 FEET TO A NEW 1/2" IRON REBAR, SAID POINT BEING ON THE NORTHERN RIGHT-OF-WAY MARGIN OF INTERSTATE HIGHWAY 85; THENCE RUNNING WITH THE AFORESAID MARGIN OF INTERSTATE HIGHWAY 85 THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1.) SOUTH 87°03'05" WEST A DISTANCE OF 378.03 FEET TO A NEW 1/2" IRON REBAR;

2.) NORTH 74°23'18" WEST, PASSING AN EXISTING CONCRETE MONUMENT AT 113.12 FEET, A TOTAL DISTANCE OF 535.00 FEET TO AN EXISTING 1/2" IRON REBAR, SAID POINT BEING THE SOUTHEASTERN CORNER OF THE MARK A DUNCAN PROPERTY (NO DEED FOUND); THENCE RUNNING WITH THE AFORESAID MARK A DUNCAN PROPERTY NORTH 04°44'58" WEST A DISTANCE OF 603.79 FEET TO THE POINT AND PLACE OF BEGINNING;

HAVING AN AREA OF 594,179 SQUARE FEET OR 13.6405 ACRES OF LAND, MORE OR LESS, AS SHOWN ON A SURVEY PREPARED BY R. B. PHARR & ASSOCIATES, P.A. DATED MAY 24, 2022. JOB NO. 94140.

EXHIBIT A-1

Depiction of Project Parcels

[attached]

EXHIBIT B

Legal Description of Donated Property

That certain parcel or tract of land situated, lying and being in the City of Mount Holly, County of Gaston, State of North Carolina and being more particularly described as follows:

COMMENCEING at NGS Monument "RIVERSIDE" NAD-83 Coordinates of N:575,883.49ft; E: 1,406,100.22ft; thence South 68°19'57" West a horizontal ground distance of 2,606.32ft to a 1/2" new iron rod located on the margin of CSX Railroad (variable width right of way) as described in Plat Book 72, Page 5 and recorded in the Gaston County Registry; thence leaving the said margin of CSX Railroad South 49°50'26" East a distance of 131.24 feet to a 1/2" new iron rod located on the margin of Duke Energy Easement as described in said Plat Book and recorded in said Registry; thence with the said margin of Duke Energy Easement the following two (2) courses and distances; 1) South 40°09'34" West a distance of 774.40 feet to a 1/2" new iron rod; 2) South 21°40'03" West a distance of 376.87 feet to a 1/2" new iron rod; thence leaving the said margin of Duke Energy Easement North 68°19'57" West a distance of 24.79 feet to a 1/2" new iron rod located on the said margin of CSX Railroad; thence with the margin of said CSX Railroad the following eight (8) courses and distances; 1) North 68°19'57" West a distance of 51.18 feet to a 1/2" new iron rod; 2) North 14°22'48" East a distance of 28.02 feet to a 1/2" new iron rod; 3) North 13°56'00" East a distance of 153.34 feet to a 1/2" new iron rod; 4) along the arc of a curve to the right said curve having an arc length of 497.97 feet a radius of 1822.10 feet (chord bearing of North 23°30'12" East and chord distance of 496.42 feet) to a 1/2" new iron rod; 5) with a compound curve to the right said curve having an arc length of 400.70 feet a radius of 1822.12 feet (chord bearing of North 37°30'54" East and chord distance of 399.90 feet) to a 1/2" new iron rod; 6) North 45°28'25" East a distance of 93.85 feet to a 1/2" new iron rod; 7) South 43°54'38" East a distance of 50.37 feet to a 1/2" new iron rod; 8) North 46°13'04" East a distance of 29.99 feet to THE POINT AND PLACE OF BEGINNING.

Containing an area of 174241 square feet or 4.0000 acres.

as shown on a survey prepared by R. B. Pharr & Associates, P.A. dated, March 23, 2023 Job No. 94989.

EXHIBIT B-1

Depiction of Donated Property

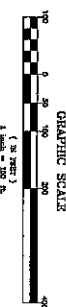
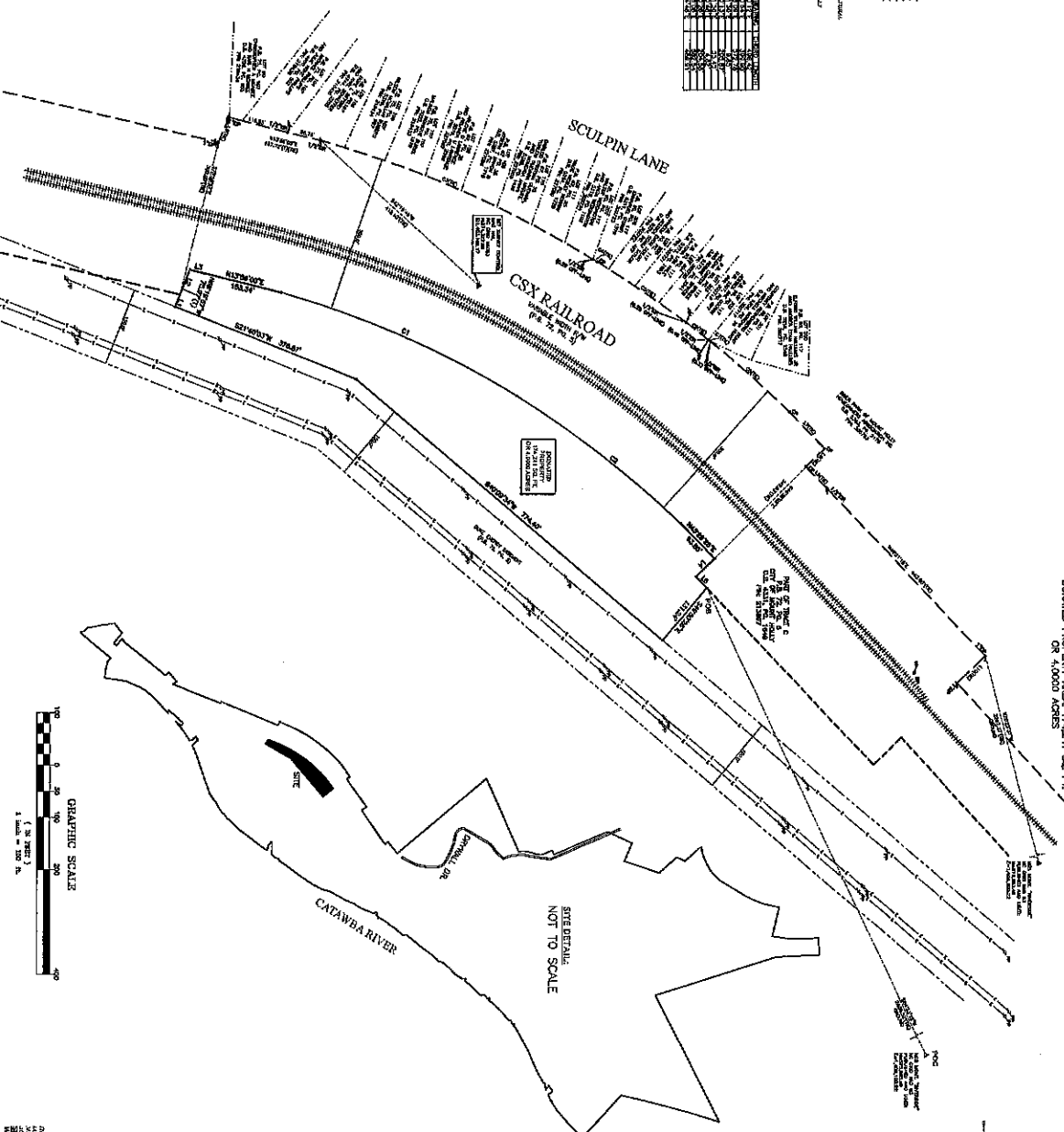
[attached]

DENSITY AVERAGING PLAT
PREPARED FOR DAVIS MOORE ACQUISITION, LLC
 1732 DRYWALL DRIVE

DONATED PROPERTY AREA: 174,241 SQ. FT.
OR 4.0000 ACRES[illegible]

CURVE TABLE:				
CURVE	POSSIBLE	NO. OF	CHORD	WAVELENGTH
		LENGTH		
1	1000	1000	1000	1000
2	1000	1000	1000	1000
3	1000	1000	1000	1000
4	1000	1000	1000	1000
5	1000	1000	1000	1000
6	1000	1000	1000	1000
7	1000	1000	1000	1000
8	1000	1000	1000	1000
9	1000	1000	1000	1000
10	1000	1000	1000	1000
11	1000	1000	1000	1000
12	1000	1000	1000	1000
13	1000	1000	1000	1000
14	1000	1000	1000	1000
15	1000	1000	1000	1000
16	1000	1000	1000	1000
17	1000	1000	1000	1000
18	1000	1000	1000	1000
19	1000	1000	1000	1000
20	1000	1000	1000	1000
21	1000	1000	1000	1000
22	1000	1000	1000	1000
23	1000	1000	1000	1000
24	1000	1000	1000	1000
25	1000	1000	1000	1000
26	1000	1000	1000	1000
27	1000	1000	1000	1000
28	1000	1000	1000	1000
29	1000	1000	1000	1000
30	1000	1000	1000	1000
31	1000	1000	1000	1000
32	1000	1000	1000	1000
33	1000	1000	1000	1000
34	1000	1000	1000	1000
35	1000	1000	1000	1000
36	1000	1000	1000	1000
37	1000	1000	1000	1000
38	1000	1000	1000	1000
39	1000	1000	1000	1000
40	1000	1000	1000	1000
41	1000	1000	1000	1000
42	1000	1000	1000	1000
43	1000	1000	1000	1000
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45	1000	1000	1000	1000
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68	1000	1000	1000	1000
69	1000	1000	1000	1000
70	1000	1000	1000	1000
71	1000	1000	1000	1000
72	1000	1000	1000	1000
73	1000	100		

姓名	王德胜
性别	男
年龄	45
职业	教师
住址	北京市朝阳区
电话	13801234567
身份证号	110101197001010001
备注	无



SITE DETAILS:
NOT TO SCALE

CATAWBA RIVER

OWNERS & AFFILIATE:
I ASSURE YOU THAT I AM THE ONLY

DEFINED LEGALLY AND THAT I HAD NOT DONE THIS PLACE OF MY OWN FREE
WILL AND FREE CONSENT

 (TYPE OR PRINT NAME)
 2/17/8

DENSITY AVERAGING IMPERVIOUS TRANSFER PL

THIS IS A PERSONAL STORY. The author does not intend to present this story as a scientific or historical document and does not intend to present this story as a scientific or historical document.

NOT RECORDED IN 1980. 1981-1982. 1983-1984. 1985-1986. 1987-1988. 1989-1990. 1991-1992. 1993-1994. 1995-1996. 1997-1998. 1999-2000. 2001-2002. 2003-2004. 2005-2006. 2007-2008. 2009-2010. 2011-2012. 2013-2014. 2015-2016. 2017-2018. 2019-2020. 2021-2022. 2023-2024. 2025-2026. 2027-2028. 2029-2030. 2031-2032. 2033-2034. 2035-2036. 2037-2038. 2039-2040. 2041-2042. 2043-2044. 2045-2046. 2047-2048. 2049-2050. 2051-2052. 2053-2054. 2055-2056. 2057-2058. 2059-2060. 2061-2062. 2063-2064. 2065-2066. 2067-2068. 2069-2070. 2071-2072. 2073-2074. 2075-2076. 2077-2078. 2079-2080. 2081-2082. 2083-2084. 2085-2086. 2087-2088. 2089-2090. 2091-2092. 2093-2094. 2095-2096. 2097-2098. 2099-2100. 2101-2102. 2103-2104. 2105-2106. 2107-2108. 2109-2110. 2111-2112. 2113-2114. 2115-2116. 2117-2118. 2119-2120. 2121-2122. 2123-2124. 2125-2126. 2127-2128. 2129-2130. 2131-2132. 2133-2134. 2135-2136. 2137-2138. 2139-2140. 2141-2142. 2143-2144. 2145-2146. 2147-2148. 2149-2150. 2151-2152. 2153-2154. 2155-2156. 2157-2158. 2159-2160. 2161-2162. 2163-2164. 2165-2166. 2167-2168. 2169-2170. 2171-2172. 2173-2174. 2175-2176. 2177-2178. 2179-2180. 2181-2182. 2183-2184. 2185-2186. 2187-2188. 2189-2190. 2191-2192. 2193-2194. 2195-2196. 2197-2198. 2199-2200. 2201-2202. 2203-2204. 2205-2206. 2207-2208. 2209-2210. 2211-2212. 2213-2214. 2215-2216. 2217-2218. 2219-2220. 2221-2222. 2223-2224. 2225-2226. 2227-2228. 2229-2230. 2231-2232. 2233-2234. 2235-2236. 2237-2238. 2239-2240. 2241-2242. 2243-2244. 2245-2246. 2247-2248. 2249-2250. 2251-2252. 2253-2254. 2255-2256. 2257-2258. 2259-2260. 2261-2262. 2263-2264. 2265-2266. 2267-2268. 2269-2270. 2271-2272. 2273-2274. 2275-2276. 2277-2278. 2279-2280. 2281-2282. 2283-2284. 2285-2286. 2287-2288. 2289-2290. 2291-2292. 2293-2294. 2295-2296. 2297-2298. 2299-2300. 2301-2302. 2303-2304. 2305-2306. 2307-2308. 2309-2310. 2311-2312. 2313-2314. 2315-2316. 2317-2318. 2319-2320. 2321-2322. 2323-2324. 2325-2326. 2327-2328. 2329-2330. 2331-2332. 2333-2334. 2335-2336. 2337-2338. 2339-2340. 2341-2342. 2343-2344. 2345-2346. 2347-2348. 2349-2350. 2351-2352. 2353-2354. 2355-2356. 2357-2358. 2359-2360. 2361-2362. 2363-2364. 2365-2366. 2367-2368. 2369-2370. 2371-2372. 2373-2374. 2375-2376. 2377-2378. 2379-2380. 2381-2382. 2383-2384. 2385-2386. 2387-2388. 2389-2390. 2391-2392. 2393-2394. 2395-2396. 2397-2398. 2399-2400. 2401-2402. 2403-2404. 2405-2406. 2407-2408. 2409-2410. 2411-2412. 2413-2414. 2415-2416. 2417-2418. 2419-2420. 2421-2422. 2423-2424. 2425-2426. 2427-2428. 2429-2430. 2431-2432. 2433-2434. 2435-2436. 2437-2438. 2439-2440. 2441-2442. 2443-2444. 2445-2446. 2447-2448. 2449-2450. 2451-2452. 2453-2454. 2455-2456. 2457-2458. 2459-2460. 2461-2462. 2463-2464. 2465-2466. 2467-2468. 2469-2470. 2471-2472. 2473-2474. 2475-2476. 2477-2478. 2479-2480. 2481-2482. 2483-2484. 2485-2486. 2487-2488. 2489-2490. 2491-2492. 2493-2494. 2495-2496. 2497-2498. 2499-2500. 2501-2502. 2503-2504. 2505-2506. 2507-2508. 2509-2510. 2511-2512. 2513-2514. 2515-2516. 2517-2518. 2519-2520. 2521-2522. 2523-2524. 2525-2526. 2527-2528. 2529-2530. 2531-2532. 2533-2534. 2535-2536. 2537-2538. 2539-2540. 2541-2542. 2543-2544. 2545-2546. 2547-2548. 2549-2550. 2551-2552. 2553-2554. 2555-2556. 2557-2558. 2559-2560. 2561-2562. 2563-2564. 2565-2566. 2567-2568. 2569-2570. 2571-2572. 2573-2574. 2575-2576. 2577-2578. 2579-2580. 2581-2582. 2583-2584. 2585-2586. 2587-2588. 2589-2590. 2591-2592. 2593-2594. 2595-2596. 2597-2598. 2599-2600. 2601-2602. 2603-2604. 2605-2606. 2607-2608. 2609-2610. 2611-2612. 2613-2614. 2615-2616. 2617-2618. 2619-2620. 2621-2622. 2623-2624. 2625-2626. 2627-2628. 2629-2630. 2631-2632. 2633-2634. 2635-2636. 2637-2638. 2639-2640. 2641-2642. 2643-2644. 2645-2646. 2647-2648. 2649-2650. 2651-2652. 2653-2654. 2655-2656. 2657-2658. 2659-2660. 2661-2662. 2663-2664. 2665-2666. 2667-2668. 2669-2670. 2671-2672. 2673-2674. 2675-2676. 2677-2678. 2679-2680. 2681-2682. 2683-2684. 2685-2686. 2687-2688. 2689-2690. 2691-2692. 2693-2694. 2695-2696. 2697-2698. 2699-2700. 2701-2702. 2703-2704. 2705-2706. 2707-2708. 2709-2710. 2711-2712. 2713-2714. 2715-2716. 2717-2718. 2719-2720. 2721-2722. 2

SURVEYOR'S CERTIFICATE:
STATE OF MICHIGAN
COUNTY OF CLATSOP
I, THE UNDERSIGNED, EXAMINED CERTAIN

PLANT WAS PRELIMINARILY ACCOMPANIED BY TWO OF THE 4-10 AM. A. M. WINDS. H. C. WINDS
ORIGINAL STRUCTURE EXISTING AT THE TIME OF THE FIRE WAS NOT OF THE SAME

11/11/11

Page 1

000 E. 7TH ST. AND CHARLOTTE, N.C. 28004 TEL. 9

References



City of Mount Holly Action Agenda Item

To: Mayor and City Council From: Elizabeth Bell, Project Manager	Date: August 1st, 2023 Meeting Date: August 14, 2023
Agenda Item to be considered: Consideration and Approval of McAdams to perform the Engineering & Design services for the Glendale Property Project.	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: On Friday, June 16, 2023 the City of Mount Holly advertised the Engineering & Design Services for the Glendale Property Request for Qualifications with a submittal date of July 14, 2023. A total of one firm submitted qualifications, that being McAdams. The packet was distributed for review to Mark Jusko and Jonathan Wilson, as well as Danny Jackson and Brian DuPont. McAdams is very experienced in this type of project so the group discussed how well of a fit they would be based on past projects with the City, and archeological abilities as well as references. McAdams is the recommended firm by the involved parties. The next step is to develop a scope and enter into the contract negotiation process with the selected firm.	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☐ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☐ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☐ NO ☐ N/A
Budget Transfer required	☐ YES ☐ NO ☐ N/A
Reviewed by City Attorney	☐ YES ☐ NO ☐ N/A
Manager/Staff Recommendation: <u>Approval to enter into contract negotiations for the Engineering & Design Services for the Glendale Property.</u>	
Result of City Council Decision: _____	
Attachments:	



CITY OF MOUNT HOLLY

RFQ Engineering + Design Services for The Glendale Property / July 14, 2023



MCADAMS



COVER LETTER

July 14, 2023

Elizabeth Bell, City of Mount Holly
400 East Central Avenue
Mount Holly, NC 28120
elizabeth.bell@mtholly.us

Point of Contact
Nick Lowe, RLA
2100 South Tryon Street
Suite 400
Charlotte, NC 28203
Cell: 704. 239. 5088
Fax: 704. 527. 2003
lowe@mcadamsco.com

RE: RFQ Engineering + Design Services for The Glendale Property

Dear Ms. Bell,

McAdams is pleased to submit our qualifications for surveying, construction administration and design for the development of a walkway with historical and educational signage; playground area; shelter; and parking. Our proven project success and the enclosed qualifications demonstrate that McAdams is well-positioned to deliver an exceptional level of service and high-quality, buildable designs. Specifically, we offer the City of Mount Holly the following strengths:

- ▶ **Dedicated Civic Spaces Group:** Public projects require specialized knowledge and expertise. McAdams' Civic Spaces team members have dedicated their careers to developing projects within the public arena. Our team also understands the special effort needed to execute a conceptual master plan and design a project that meets the City's expectations and is within budget.
- ▶ **Subject Matter Experts:** Our team is comprised of experts in designing park spaces throughout North Carolina. We have vast experience providing site-specific solutions and creating park spaces with similar facilities and programming with unique site conditions. The Glendale Property project will require an experienced team to confirm historical site features and provide a method for intertwining them into a final experience that is both meaningful and functional for the end user. We are committed to exploring all options to ensure that the final built product is a success for the City and its residents, and accurately communicates the site's history.
- ▶ **Experience with Similar Projects:** Our team has delivered many similar projects within the Charlotte Metropolitan area. We are well-versed with local codes and permitting agencies, and understand the steps necessary to coordinate and permit a park of this size. Early coordination with permitting agencies, will mitigate surprises further into the design process and help keep the project on schedule and within budget. Identification and coordination of site utilities and discovery of any historically important structures or artifacts at an early stage will define site layout and identify any conflicts with permitting agency requirements for the site development. McAdams has partnered with Richard Grubb and Associates (RGA) for historical / archaeological site surveying.
- ▶ **Project Leadership:** Dan Lambert, RLA, will serve as principal-in-charge. With 23 years of experience creating park spaces for municipalities across the Southeast, Dan brings both experience and specialized knowledge to the project. Nick Lowe, RLA, will lead the team as project manager and will maintain on-going communication from concept through construction. With over 17 years of experience serving clients, Nick has the knowledge and skills to provide a creative and sustainable park design for the City, on-time and within budget.

Please do not hesitate to reach out if I can provide any further information at nlowe@mcadamsco.com or 704. 239. 5088. McAdams thanks you for your consideration of our credentials and is hopeful to continue working with the City of Mount Holly on this exciting project.

Sincerely,

McAdams

Nick Lowe, RLA / Senior Landscape Architect

At McAdams we create meaningful experiences through inspired design.

Founded in 1979, McAdams is a full-service civil engineering, land planning, landscape architecture, transportation and geomatics firms with offices in Charlotte, Raleigh and Durham, North Carolina and Dallas-Fort Worth, Texas. Comprised of over 425 professionals, McAdams is passionate about providing unique and engaging experiences for our clients and our clients' clients. We understand the importance of a lasting impression and strive to bring life to the collective vision for project success. All design charts a path to the built environment, which may create budgetary or constructability constraints, however our team works to blend creativity with reality which enables a concept to be executed. Our engineering expertise and other integrated services help provide efficient and effective solutions to serve your project needs. We care about the end product and we share our clients' goals.

The firm includes over 100 professional engineers and engineering designers; 25 registered landscape architects; eight certified planners; 20 professional land surveyors; 10 LEED® certified professionals; six certified floodplain managers; one certified floodplain surveyor; one certified arborist; and one certified professional in erosion and sediment control. Our organizations has been structured to function as an extension to our clients' staffs. We have organized ourselves to provide a full array of services so that we can control quality and delivery schedule to the maximum extent.

OUR SERVICES:

The services we offer at McAdams are comprehensive and unique. We provide a full array of services necessary for site development which can be utilized on a project as the project, client and consulting team requires. These capabilities include:

- Civil Engineering
- Stormwater
- Stream + Wetland Design
- Geomatics
- Land Planning
- Urban Planning + Design
- Landscape Architecture
- Transportation
- Construction Administration

> LOCATIONS:

Charlotte, NC
2100 South Tryon Street
Suite 400
Charlotte, NC 28203
704. 527. 0800

Additional Locations:

Raleigh, NC (HQ)
Durham, NC
Lewisville, TX
Roanoke, TX

> YEAR ESTABLISHED:

April 2, 1979

> TYPE OF OWNERSHIP:

C-Corporation

> FEDERAL EMPLOYER IDENTIFICATION:

56-1234550

> AUTHORIZED OFFICIAL:

David Malcolm, RLA
Vice President, Planning + Design

> FIRM LICENSURE:

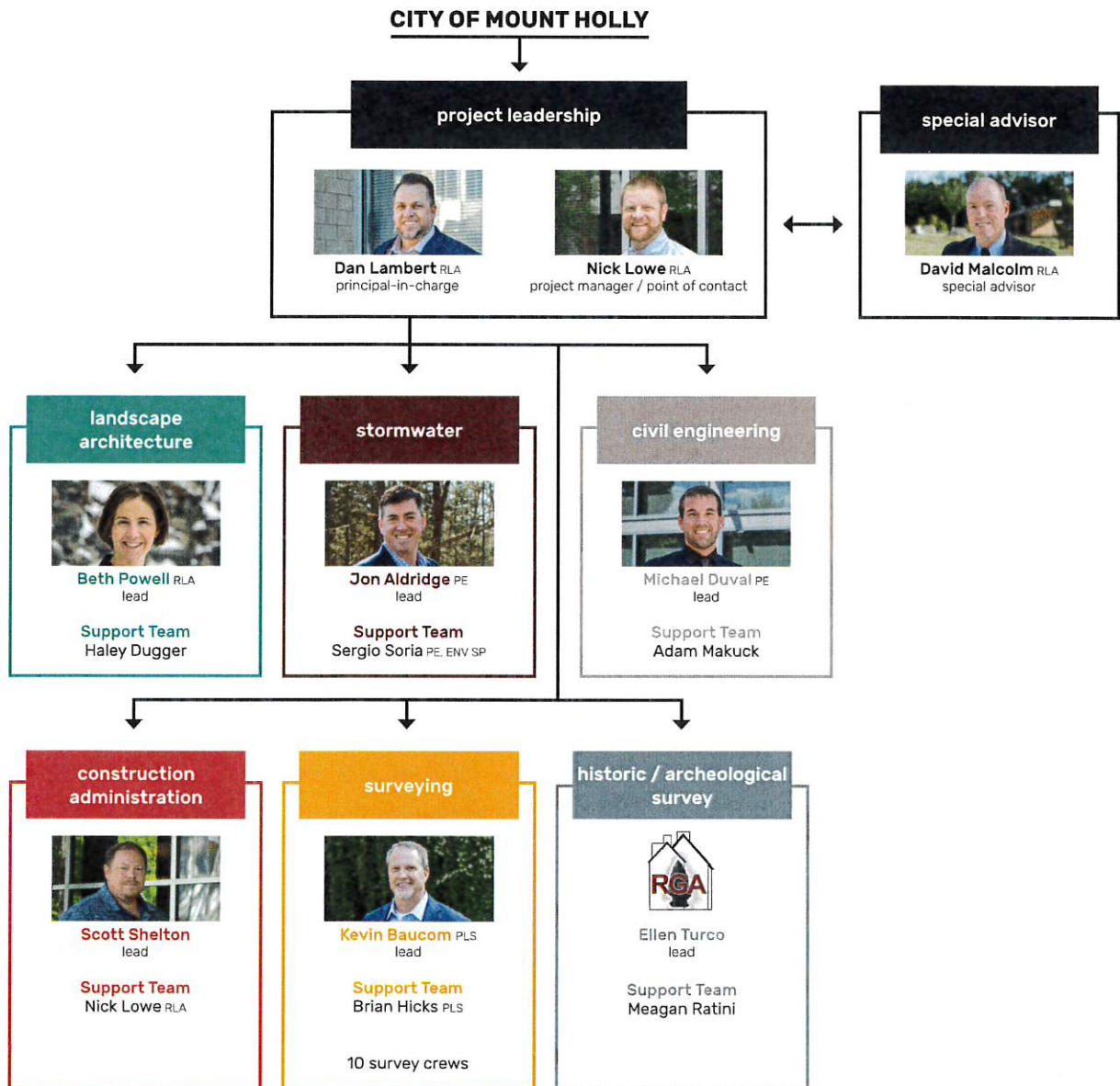
North Carolina:
NCBELS: #C-0293
NCBOLA: #C-187

South Carolina:
SCLLR: #C-00552 (PE / PLS)
SCLLR: #402 (LA)

Texas:
TBPELS:
#F-19762 (Engineering)
#10194440 (Surveying)

TBAE: #BR3185





Dan Lambert RLA

McAdams > Principal-in-Charge
Charlotte, NC

As director of McAdams' Landscape Architecture group, Dan is responsible for landscape and hardscape design; detailing; construction documentation and specifying; site planning; campus and facilities planning; urban design; environmental design; site grading and drainage; public meeting facilitation; rezoning and entitlement; and production of supporting graphics and illustrations, both hand drawn and digital. Internally, Dan is responsible for project management; plan review for quality control and assurance; staff supervision and mentoring; marketing and business development; and strategic planning.

RELEVANT EXPERIENCE:

- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Snow Hill Road Park, Master Plan / Durham, NC



> EDUCATION:

B.S. in Landscape
Architecture, Colorado State
University

> REGISTRATIONS:

Registered Landscape
Architect (RLA): NC #1456;
CO #958; SC #949; TN #1190

Council of Landscape
Architectural Registration
Boards: #16671

Nick Lowe RLA

McAdams > Project Manager / Construction Administration Support
Charlotte, NC

Nick is a senior landscape architect and park planner with McAdams and has 17 years of experience in the planning and industry. Nick has managed complex parks and recreation master plan projects for planning and design industry throughout the Carolinas and has experience planning outdoor environments and public open spaces. His recent endeavors have led to working with local governments to create high-performance public spaces that include phased master plans which help maximize valuable resources for construction. His focus on creating parks that reflect place through sustainable design and space making helps clients deliver truly authentic places.

RELEVANT EXPERIENCE:

- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Connectivity Master Plan / Concord, NC
- > Veterans Park Master Plan / Mount Holly, NC
- > Rowan County Parks + Recreation Master Plan / Salisbury, NC
- > Parks, Recreation + Greenways Master Plan / Concord, NC



> EDUCATION:

B.S. in Horticulture, NC State
University

M.L.A., Virginia Polytechnic
Institute + State University

> REGISTRATIONS:

RLA: NC #1959; SC #1371

David Malcolm RLA

McAdams > Special Advisor
Charlotte, NC

David is the vice president of Planning and Design for McAdams. He has over 27 years of experience in parks and recreation planning and design projects. David's focus within the practice is improving cities and communities by bringing form to planning and design projects for public and private sector clients. His specialties range from the design and creation of vibrant public spaces to the planning of new communities within urban, mixed-use, resort and destination locations. He has successfully led public consensus building for small town main street revitalization projects and large brownfield redevelopment sites in metropolitan areas.

RELEVANT EXPERIENCE:

- > Parks + Recreation Master Plan / Huntersville, NC
- > Parks, Recreation + Greenways Master Plan / Concord, NC
- > Comprehensive Parks, Recreation + Greenway Master Plan / Chatham County, NC



> EDUCATION:

B.S. in Landscape
Architecture, Virginia
Polytechnic Institute + State
University

> REGISTRATIONS:

RLA: NC #0969; SC #1268;
GA #001693; FL #6666821

Beth Powell RLA

McAdams > Landscape Architecture Lead
Charlotte, NC

Beth contributes her breadth of skills as a landscape architect to the McAdams team and brings specialized experience in historic preservation. In projects of all types, her preservation perspective informs innovative ways to integrate cultural history with contemporary needs. She has successfully facilitated development of numerous Cultural Landscape Reports, historic master plans and construction documents in alignment with the preservation standards and guidelines established by the US Department of the Interior. Her completed planning, design and implementation projects support clients in stewarding their land by identifying and restoring lost historic character; reducing maintenance demand; improving overall sustainability and resilience; and accommodating changing needs without intruding on the historic experience.

RELEVANT EXPERIENCE:

- > Clermont Property Master Plan / New Bern, NC
- > Morgan-Windsor Alley / Monroe, NC
- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Heritage Park Master Plan / Hope Mills, NC



> EDUCATION:

M.L.A. in Landscape
Architecture, NC State
University

> REGISTRATIONS:

RLA: NC #2244;
VT #125.0133733

Haley Dugger

McAdams > Landscape Architecture Support
Charlotte, NC

Haley is a creative landscape designer with seven years of experience. She believes creating successful spaces takes time, foresight and great design. When designing, her focus is on the site's history, the community's needs (past, present and future) and intentional designs that function smoothly while bringing a spark to the space. Haley's strengths lie in interpersonal skills, a knack for picture ideas, passion for great design and a commitment to equity. She has experience in mixed-use; multi-family; master-planning; and parks + recreation.

RELEVANT EXPERIENCE:

- > Worth Mountain Master Plan / York County, SC
- > Lee County Multi-sports Park / Lee County, NC
- > Sugar Creek Greenway / Mecklenburg County, NC
- > Fred Alexander Park / Mecklenburg County, NC



> EDUCATION:

B.L.A., Oklahoma State University

Jon Aldridge PE

McAdams > Stormwater Lead
Charlotte, NC

Jon has been with McAdams for over 19 years and currently serves as director of our Water Resources department in our Charlotte office. His comprehensive project management experience in both the public and private sectors includes overall stormwater management design and master planning; neighborhood stormwater retrofit and repair projects; water quality and low-impact development (LID) / green stormwater infrastructure (GSI) design; stormwater control measure (SCM) design; and analyses of stormwater conveyance systems. His primary responsibilities include overall management of the Charlotte Water Resources team, as well as over-seeing the technical design and implementation of stormwater management techniques.

RELEVANT EXPERIENCE:

- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Pearl Street Park, Renovations / Charlotte, NC
- > Municipal Golf Course, Drainage Assessment / Asheville, NC
- > Carter-Ann Street, Stormwater Improvements Phase II / Asheville, NC



> EDUCATION:

B.S. in Civil Engineering, NC State University

> REGISTRATION:

Professional Engineer (PE):
NC #033782; SC #32309;
TX #138291

NCSU BMP Inspection +
Maintenance Certification
#325

Sergio Soria PE, ENV SP

McAdams > Stormwater Support
Charlotte, NC

Sergio is passionate about water resources and protecting the natural and constructed environment from stormwater pollution and damage. He has worked on various projects throughout North Carolina, Texas, Virginia and California, including the Fayetteville Watershed Masterplan, as well as stormwater improvements in cities and towns, including but not limited to Lenoir, Fayetteville, Charlotte, Oxford and Waxhaw. Additionally, Sergio has designed erosion and sediment control plans for a varying size of sites across multiple states.

RELEVANT EXPERIENCE:

- > Carter-Ann Street, Stormwater Improvements Phase II / Asheville, NC
- > Sugar Creek Greenway / Charlotte, NC
- > McAlpine Creek Greenway / Mecklenburg County, NC



> EDUCATION:

B.S. in Civil Engineering, San Diego State University

> REGISTRATIONS:

PE: NC #051354; SC #39946

Envision Sustainability Professional (ENV SP): #34044

Level III: Design of Erosion and Sediment Control Plans: NCDOT #4405

Michael Duval PE

McAdams > Civil Engineering Lead
Charlotte, NC

Michael has been with McAdams for over four years and currently serves as a project engineer in our Charlotte office. He serves as the lead design engineer on a variety of projects including parks, single-family, multi-family, commercial, mixed-use and medical office buildings. Michael has developed a diverse experience in civil engineering and stormwater design by working in different market sectors, municipalities and states. His experience includes designing drainage systems, detention ponds, water quality systems and overall stormwater management.

RELEVANT EXPERIENCE:

- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Pearl Street Park, Renovations / Charlotte, NC
- > Fred Alexander Park / Mecklenburg County, NC
- > North Mecklenburg Park, Splash Pad / Huntersville, NC
- > Belk Tonawanda Park, Phase 1B / Monroe, NC



> EDUCATION:

B.S. in Civil Engineering, Texas A&M University

> REGISTRATIONS:

PE: NC #048769; SC #37969; TX #133095

Adam Makuck

McAdams > Civil Engineering Support
Charlotte, NC

Adam has been with McAdams since 2020 and serves as a Designer II in the Land Development department. With a background in civil engineering, he brings a deep understanding of site layouts and engineering needs for land development. Adam serves as a lead designer for projects completing designs for site layout, grading, utilities, stormwater managements, erosion control, and road improvements. He serves a variety of clients including residential single-family, residential townhomes, multi-family apartments, public works and commercial, helping them with preliminary engineering, construction documents, permitting and construction as-builts.

RELEVANT EXPERIENCE:

- > Liberty Park, Phase II Improvements / Mooresville, NC
- > Mallard Creek Recreation Center Renovation / Charlotte, NC
- > Sugar Creek Greenway / Charlotte, NC
- > Mint Morehead Apartments / Charlotte, NC
- > Parkside Road Improvements / Charlotte, NC



> EDUCATION:

B.S. in Civil Engineering,
Clemson University

Scott Shelton

McAdams > Construction Administration Lead
Charlotte, NC

Scott is a collaborative and creative professional in the project engineering and management field with more than 22 years of progressive industry experience. He functions as a team player displaying business acumen and outstanding customer service. Scott demonstrates technical expertise in all phases of construction, contract administration, training, cost / budget analysis and problem resolution. He has exceptional oral, written, facilitation, presentation and interpersonal skills and a thorough knowledge of engineering methods and standards. Scott is results-oriented with a strong track record in accomplishing objectives. He is currently a Planning Board member for the Town of Waxhaw, North Carolina.

RELEVANT EXPERIENCE:

- > UNC Charlotte, Heritage / Charlotte, NC
- > UNC Charlotte, Parking Lot 8 Expansion / Charlotte, NC
- > Camellia Gardens / Harrisburg, NC
- > Carraway Community Park, Redevelopment / West Columbia, SC
- > Broadstone, Highland Creek / Charlotte, NC



> EDUCATION:

B.S. in Geology, George
Mason University

> CERTIFICATIONS:

NCSU BMP Certification
#4082

Kevin Baucom PLS

McAdams > Surveying Lead

Charlotte, NC

Kevin has 23 years of surveying experience and joined McAdams in 1998. He currently serves as the director of Geomatics for the Charlotte market. During his career in surveying, Kevin has managed a wide variety of projects in various market sectors, including municipal, energy, higher education and private land development. He leads his team by consistently meeting project deadlines, delivering high quality work and focusing on client service through responsiveness and the flexibility to meet the specific needs of each client.

RELEVANT EXPERIENCE:

- > Pearl Street Park, Renovations / Charlotte, NC
- > New Centre Park, Phase II / Clover, SC
- > Veteran's Park Master Plan / Mount Holly, NC
- > Memorial Plaza / Mount Holly, NC
- > Union Athletic Park / Union County, NC
- > Junction 1504 Apartments / Charlotte, NC



> EDUCATION:

A.A.S. in Land Surveying +
Civil Engineering Technology,
Central Piedmont Community
College

B.S. in Mathematical
Sciences, UNC Chapel Hill

M.B.A., Queens University

> REGISTRATIONS:

Professional Land Surveyor
(PLS): NC #L-4275;
SC #L-22748; VA #L-2808

Brian Hicks PLS

McAdams > Surveying Support

Charlotte, NC

Brian brings over 20 years of experience in land surveying. After running his own company for 13 years, he joined McAdams as survey project manager in our Charlotte office. He works on a diverse group of public and private projects including municipal, residential and commercial. Brian's varied experience and knowledge is an integral part of our surveying team. His specialty is resolving complex boundary issues managing quality assurance / quality control.

RELEVANT EXPERIENCE:

- > McAlpine Creek Greenway / Mecklenburg County, NC
- > Pearl Street Park, Renovations / Charlotte, NC
- > Liberty Park, Phase II Master Plan / Mooresville, NC
- > New Centre Park, Phase II / Clover, SC



> EDUCATION:

A.A.S. in Surveying
Technology, Central Piedmont
Community College

A.A.S. in Architectural
Technology, Virginia Western
Community College

> REGISTRATIONS:

PLS: NC #L-4281;
VA #L-2822; TN #L-2317

Ellen Turco

RGA > Historic + Archeology Survey Lead
Wake Forest, NC

Ellen has over 20 years of experience in cultural resources management across multiple industries, such as transportation; telecommunications; oil and gas infrastructure; and land development. Her experience includes historical research and writing; architectural surveys and analysis; National Register of Historic Places evaluations for individual resources, districts and landscapes; both State and Federal Historic Preservation Tax Credit applications; and the preparation of both Memorandum of Agreement and Programmatic Agreement documents. She has conducted and directed cultural resources surveys in accordance with Sections 106 and 110 of the National Historic Preservation Act, as amended, National Environmental Policy Act (NEPA) and other municipal and State cultural resource regulations. Ellen exceeds the qualifications set forth in the Secretary of Interior's Standards for an Historian and Architectural Historian [36 CFR 61].

RELEVANT EXPERIENCE:

- > Smith-Reynolds Airport, Expansion, Phase II Historic Architecture Survey + Evaluations / Winston-Salem, NC
- > NC 115, Phase I + II Historic Architecture Survey + Evaluation / North Wilkesboro, NC



> EDUCATION:

B.A. in Philosophy, Eckerd College

M.A. in Public History, NC State University

Meagan Ratini ^{RPA}

RGA > Historic + Archeology Survey Support
Cranbury, NJ

Meagan has over 10 years of experience in archaeological investigations across the Eastern US, including excavations; geophysical surveys; collections projects; and laboratory analyses. She specializes in combining traditional archaeological methodology, archaeological geophysics and geographic information systems (GIS) to create fuller understandings of the past. She has served as Principal Investigator for phase I and II archaeological investigations and monitoring on sites ranging in date from the Archaic Period to the 1950s and has conducted analysis for Phase III data recovery projects, both historic and precontact. Her geophysical projects have delineated numerous historic-period cemeteries and have identified potentially National Register-eligible archaeological features for military bases; the US Army Corp of Engineers (USACE); other Federal and State agencies; museums; and private clients. Meagan has experience across the southeastern states and meets the qualifications set forth in the Secretary of Interior's Standards for Archaeologists [36 CFR 61].

RELEVANT EXPERIENCE:

- > Ground-Penetrating Radar Survey of George, Caroline + William Streets / Fredericksburg, VA



> EDUCATION:

B.A. in Anthropology + English, Rutgers University

M.A. in Historical Archaeology, University of Massachusetts Boston

> REGISTRATIONS:

Register of Professional Archaeologists (RPA)



> LOCATION:

525 Wait Avenue
Wake Forest, NC 27587
919. 238. 4596

> CONTACT:

Ellen Turco
919. 238. 4596 ext. 400

Established in 1988, RGA is a woman-owned small business, dedicated to cultural resources management. The field of cultural resources management brings professional education and skills to the study and protection of historic architecture and cultural and archaeological sites. RGA specializes in regulatory compliance, community-based historic preservation planning, archaeology investigations, historic architecture surveys, cemetery studies and public history projects that interpret our history for broad audiences. RGA has completed over 7,000 archaeological, historical and architectural projects. RGA's North Carolina office is in historic Wake Forest. The firm currently holds two on-call service agreements with the North Carolina Department of Transportation (NCDOT) to conduct studies of historic architecture and archaeology.

SERVICES TO BE PROVIDED:

- > Historical / Archaeological Survey

CONFLICT OF INTEREST > **SECTION 4**

CONFLICT OF INTEREST

McAdams has reviewed the scope of work required to be completed for Mount Holly's Engineering and Design Services for The Glendale Property project and has determined that there are no conflicts of interest with our team, City of Mount Holly or the individual project.



Pearl Street Park, Renovations / Charlotte, NC

Pearl Street Park

Historically Significant Park Renovation
> Charlotte, NC



Located in the Dilworth district just south of uptown Charlotte, Pearl Street Park is known as the first African American public park built in the City. Today, the park finds itself surrounded by redevelopment projects such as the Metropolitan, Midtown Terraces and East Morehead Apartments, all catalyzed by the Little Sugar Creek Greenway. As redevelopment continues to encroach on the historic park, the McAdams team was commissioned to provide master planning services to re-activate the park and respond to shifting land uses towards mixed-use, office, retail and upscale multi-family residences. The master plan also considered infrastructure improvements, such as portions of a new roadway extending Pearl Parkway.

Given the park's historic significance, the team worked to preserve the park's stories while accommodating new users and recreation trends. The park's redesign includes reconfigured multi-purpose fields, sports courts, urban plaza areas, a small comfort station / building, inclusive playground and walking paths. The team's multidisciplinary approach enabled innovative design solutions that considered numerous site complexities, such as two major powerline easements, utility easements, floodplain, Post Construction Stormwater Ordinance (PCSO) restrictions, new roadway right-of-way and several deed restrictions. One of the most innovative outcomes of the park improvements was the restoration of the existing onsite stream. The design of a nested floodplain alleviated channel instability and provides a water quality benefit for the urban runoff entering Little Sugar Creek. The newly restored stream provides function uplift to the riparian environment while providing opportunities for visitors to engage with nature.

> TEAM:

David Malcolm, RLA (principal-in-charge); Nick Lowe, RLA (project manager); Jon Aldridge, PE (stormwater); Brian Hicks, PLS (surveying)



McADAMS

> **PROJECT OWNER:**
Mecklenburg County

> **PROJECT REFERENCE:**
Karen Weston-Chien
Mecklenburg County
Project Manager
Valerie C. Woodard Center
3205 Freedom Drive
Suite 101
Charlotte, NC 28208
980. 314. 2516
karen.weston-chien@mecklenburgcountync.gov

> **PROJECT DATES:**
Anticipated End: 07/2021
Actual End: 12/2021

> **PROJECT COSTS:**
Est. Contract Cost: \$2.7 M
Final Contract Cost: \$2.7 M

> **PROJECT SIZE:**
8.3 acres

> **SERVICES RENDERED:**
Surveying
Landscape Architecture
Stream Restoration
Water Resources
Civil Engineering
Construction Administration

Clermont Property Master Plan

Historically Significant Site Planning

> New Bern, NC



There are confirmed and anticipated archaeological resources on the Clermont Property from the pre-colonial period when native people navigated the creek and hunted the forests; the Colonial period when a signer of the Declaration of Independence and North Carolina's first American-born governor resided there; the plantation period when enslaved people worked the fields; and the Civil War when Union soldiers camped across the property.

With such a layered history held in one place, McAdams proactively engaged the community to identify and consider differing priorities during two days of in-person meetings. An overwhelming consensus for a passive park and protection of the historic record preserved in the ground guided the vision for the property's future within the realities of limited maintenance resources. The plan strategically collocates higher intensity features not only to promote accessibility and visitor convenience, but also to reduce both up-front archeological costs and long-term maintenance demand. Across the rest of the property, existing woodlands are left largely intact and continuing to lease nearly half of the property's 50-acres for hay production preserves its historic land use and relegates maintenance away from Tryon Palace staff.

TEAM:

David Malcolm, RLA (principal-in-charge); Beth Powell, RLA (project manager); Ellen Turco (architectural historian)



> PROJECT OWNER:
Tryon Palace Foundation

> PROJECT REFERENCE:
Jon Segal
Tryon Palace Foundation
Member
420 Gatewood Drive
New Bern, NC 28562
949. 633. 9899
jonsegal@rocketmail.com

> PROJECT DATES:
Anticipated End: 05/2023
Actual End: 05/2023

> PROJECT COSTS:
Est. Contract Cost: \$25,000
Final Contract Cost: \$25,000

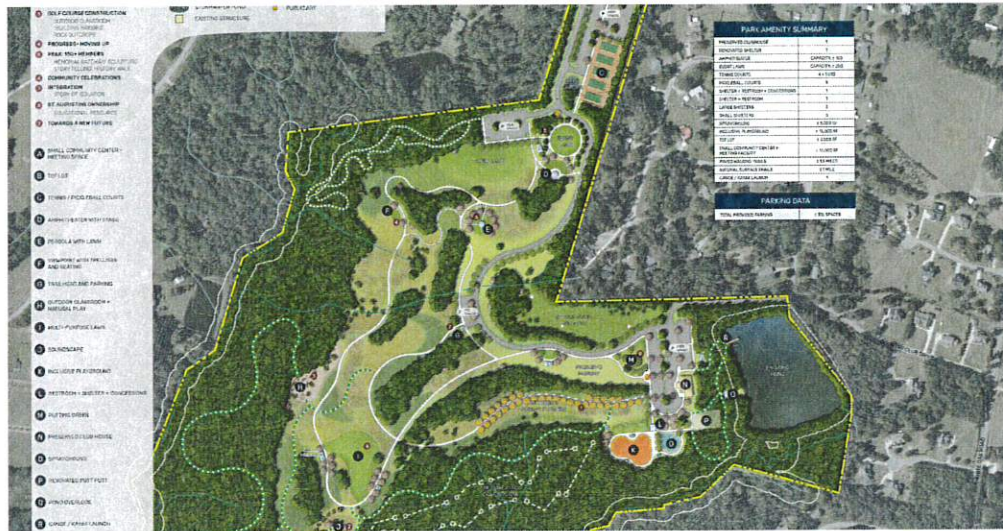
> PROJECT SIZE:
55 acres

> SERVICES PROVIDED:
Planning
Public Engagement
Landscape Architecture

Meadowbrook Park Master Plan

Historically African American Golf Course Repurposing

> Garner, NC



> PROJECT OWNER:

Town of Garner

> PROJECT REFERENCE:

Maria Munoz-Blanco
Town of Garner
Director of Parks, Recreation
+ Cultural Resources
209 East Garner Road
Garner, NC 27529
919. 773. 4436
mmunozblanco.garnernc.gov

> PROJECT DATES:

Anticipated End: 03/2021
Actual End: 09/2021

> PROJECT COSTS:

Est. Contract Cost: \$73,630
Final Contract Cost: \$73,630

> PROJECT SIZE:

120 acres

> SERVICES PROVIDED:

- Water Resources
- Environmental Permitting
- Master Planning
- Public Engagement
- Landscape Architecture
- Cost Estimating

In 2016, the Town purchased Meadowbrook Country Club and Golf Course, a historically African American golf course, with the goal of transitioning the golf course into a public park. The park site is listed on the National Register of Historic Places and recognized as one of the first Golf Club Associations in the State of North Carolina (founded in circa 1961), which allowed African Americans to become active club members. It is the Town's desire to develop this property into a park which provides recreation to Garner citizens while preserving and promoting the historical significance. Community engagement coupled with intentional design will create a distinct civic space expanding the Town's already impressive Commission for Accreditation of Park and Recreation Agencies certified (CAPRA) park system.

The reimagined park concept leads patrons through the park as they would move through time. The site is punctuated with focal points and programmed niches representative of milestones in the park's history such as commemoration of the first 35 members of the country club; struggles in building a golf course by amateur members; celebration of peak membership period; decline in the memberships; and finally the golf courses' bright future transformed into a park.

> TEAM:

Rachel Cotter, RLA (project manager); Chris Stanley, PE, CFM, CPESC (stormwater); Garrett Jenkins (designer); Ellen Turco (historic + cultural resource review)

Memorial Plaza

Mount Holly Police Department
> Mount Holly, NC



The City of Mount Holly reached out to McAdams to begin immediate work on a Police memorial to pay tribute to an officer's sacrifice, as well as honor the Mount Holly Police Department (MHPD) and the surrounding community that supported the department through their loss and the families. The memorial centers around honoring service and immersing visitors into the story that prompted the creation of the plaza. The officer's motto was "Be on the pursuit of the ultimate good," which is seen on a memorial wall that travels through the site. Nighttime will change the memorial into yet another experience with blue light beams illuminating plantings, sculptures and leading patrons through the memorial wall descent. The memorial seeks to provide a timeless space for community, healing, honor and remembrance.

TEAM:

David Malcolm, RLA (principal-in-charge); Nick Lowe, RLA (project manager); Michael Duval, PE (engineer); Kevin Baucom, PLS (surveying)



McADAMS

> PROJECT OWNER:

City of Mount Holly

> PROJECT REFERENCE:

Jonathan Wilson
City of Mount Holly
Planning Project Manager
400 East Central Avenue
Mount Holly, NC 28120
910. 426. 4109
jonathan.wilson@mtholly.us

> PROJECT DATES:

Anticipated End: 12/2021
Actual End: 12/2021

> PROJECT COSTS:

Est. Contract Cost: \$578,492
Final Contract Cost: \$787,945

> PROJECT SIZE:

0.37 acres

> SERVICES PROVIDED:

Landscape Architecture
Civil Engineering
Survey
SUE

Pack Square

Vision Document

> Asheville, NC



McADAMS

> **PROJECT OWNER:**

City of Asheville

> **PROJECT REFERENCE:**

Steph Monson Dahl
City of Asheville
Urban Design + Place
Strategies Manager
70 Court Plaza, 4th Floor
Asheville, NC 28801
828. 337. 4111
sdahl@ashvillenc.gov

> **PROJECT DATES:**

Anticipated End: 08/2023
(est.)
Actual End: TBD

> **PROJECT COSTS:**

Est. Contract Cost: \$16.8 M
Final Contract Cost: TBD

> **PROJECT SIZE:**

1.5 acres

> **SERVICES PROVIDED:**

Visioning
Public Engagement
Conceptual Design

The one-and-a-half-acre Pack Square Plaza is a place of civic pride and expression that sits at the intersection of the municipal, cultural and institutional anchors. This collaborative community engagement and planning process is intended not only to create a new and welcoming gathering place, but to create a planning process that facilitates healing, shared values and inclusive programming – a place that will bring people together rather than divide them. The vision document is also intended to provide more equitable outcomes in the areas of public health; safety; social; and economic development and artistic and cultural expression.

The City of Asheville and Buncombe County understand that it is time to set a new narrative around the past, present and future of Pack Square Plaza. By having conversations about the site and broader issues, we can create community consensus for a vision document that will serve as a guidebook to illustrate how the Vance Monument site, Pack Square Plaza and surrounding area can be redeveloped for the future.

TEAM:

Mitchell Silver, FAICP, Hon. ASLA (principal-in-charge + project manager); Nick Lowe, RLA (assistant project manager)

Veteran's Park Master Plan

Bond Improvement Projects

> Mount Holly, NC



McAdams is the prime consultant managing a team of architects, engineers, scientists, landscape architects and planners. The team is examining a new gymnasium, downtown Veteran's Park expansion and pedestrian bridge crossings for expansion of the Town's greenway system. Veteran's Park will contain multiple phases which are planned to include a new Veteran's memorial; a downtown amphitheater for large community events; and a new passive use area with restored urban stream, playgrounds and picnic areas. The team has prepared conceptual designs, schematic plans and cost estimates to provide to the City leadership for preparation of a potential bond package. To date, this project has no errors or omissions.

TEAM:

David Malcolm, RLA (principal-in-charge); Nick Lowe, RLA (project manager); Michael Duval, PE (civil engineering); Kevin Baucom, PLS (surveying)



McADAMS

> PROJECT OWNER:

City of Mount Holly

> PROJECT REFERENCE:

Jonathan Wilson
City of Mount Holly
Planning Project Manager
400 East Central Avenue
Mount Holly, NC 28120
704. 951. 3014
jonathan.wilson@motholly.us

> PROJECT DATES:

Anticipated End: 05/2023
Actual End: 05/2023

> PROJECT COSTS:

Est. Contract Cost: TBD
Final Contract Cost: TBD

> PROJECT SIZE:

33 acres

> SERVICES PROVIDED:

Planning + Design
Engineering
Landscape Architecture
Greenway Planning
Cost Estimation

Liberty Park

Phase II Improvements

> Mooresville, NC



McADAMS

> PROJECT OWNER:

Town of Mooresville

> PROJECT REFERENCE:

Chris Wyckoff
Town of Mooresville
Director, Facilities +
Construction
413 North Main Street
Mooresville, NC 28115
704. 662. 7040
cwyckoff@mooresvillenc.gov

> PROJECT DATES:

Anticipated End: 05/2023
Actual End: 06/2023

> PROJECT COSTS:

Est. Contract Cost: \$7.7 M
Final Contract Cost:
\$8,558,186

> PROJECT SIZE:

5.5 acres

> SERVICES PROVIDED:

Landscape Architecture
Stream Restoration
Stormwater
Civil Engineering
Natural Resources
Surveying
Connectivity

McAdams provided due diligence; site inventory and analysis; master planning; and preliminary design and layout services for Phase II of the Town of Mooresville's Liberty Park. The existing park, one block from downtown Mooresville, is considered the Town's primary in-town open space and is currently under construction, receiving upgrades to Phase I. The park will have a plan for total renovation upon completion of this planning and preliminary design. Phase II focuses on a new restroom building; pavilion; park equipment; walkways; stream restoration and enhancement; new furnishings; parking; lighting; and landscaping. The park is situated adjacent to an urban stream that contains large boulders and waterfalls. McAdams is restoring 250 linear feet and enhancing an additional 1,000 linear feet of stream to improve ecologic function. Providing a safe access to, and across, this natural amenity will help to connect pedestrians to the historic war building and adjacent neighborhoods. The team delivered concept alternatives for the park improvements that will tie to the Phase I designs, as well as blend with the context of the surrounding community and history. Finally, providing a safe and comfortable environment for park visitors will help to provide a valuable open space for residents and visitors to the Town.

TEAM:

David Malcolm, RLA (principal-in-charge); Daniel Lambert, RLA (project manager); Nick Lowe, RLA (landscape architecture); Jon Aldridge, PE (stormwater); Kevin Baucom, PLS (surveying); Michael Duval, PE (project engineer)



Heritage Park MP

Archaeological Data Recovery

> Hope Mills, NC

> PROJECT OWNER:

Town of Hope Mills

> REFERENCE:

Lamarco Morrison
Director
5770 Rockfish Rd.
Hope Mills, NC 28348
910. 426. 4107
lmorrison@
townofhopemills.com

> PROJECT DATES:

Anticipated End:
07/2023
Actual End: 07/2023

> PROJECT COSTS:

Est. Contract Cost:
\$44,840
Final Contract Cost:
TBD

> PROJECT SIZE:

7.36 acres

> SERVICES:

Archaeological Data
Recovery

> TEAM:

Jason Galloway, RLA,
LEED® AP (project
manager); Ellen Turco
(principal senior
historician)

RGA is completing archaeological data recovery investigations at site 31CD2213 in support of a Heritage Park Master Plan for the Town of Hope Mills. Site 31CD2213 represents the remains of Hope Mills No. 1 Factory and possibly the antebellum-period Rockfish Factory. The survey investigation exposed intact subsurface foundations and deposits associated with the circa 1874 to 1954 mill complex. The site is considered a contributing element to the Hope Mills Historic District and was recommended for archaeological data recovery to mitigate project impacts. Site mitigation would yield new information about the Hope Mills Historic District and contribute to our understanding of the economy and development of large-scale textile manufacturing in both the antebellum and Reconstruction South.



Yeargan Farm

Historic Structures Survey Report

> Garner, NC

> PROJECT OWNER:

Town of Garner

> REFERENCE:

María Muñoz-Blanco
Director of Parks,
Recreation + Cultural
Resources
900 7th Ave.
Garner, NC 27529
919. 773. 4436
mmunozblanco@
garnernc.gov

> PROJECT DATES:

Anticipated End:
06/2021
Actual End: 06/2021

> PROJECT COSTS:

Est. Contract Cost:
\$7,416
Final Contract Cost:
\$7,416 (historic
assessment)

> PROJECT SIZE:

71 acres

> SERVICES:

Historic Assessment

> TEAM:

Shweta Nanekar,
RLA, LEED® AP BD+C
(project manager);
Ellen Turco (principal
investigator + principal
senior historian)

RGA completed a Historic Structures Survey Report and National Register of Historic Places (NRHP) evaluation of the L.C. Yeargan Farm. The farm consists of a highly intact 1919 Colonial Revival farmhouse at the center of a complex of domestic and agricultural outbuildings little changed over the last century. The buildings and surrounding landscape exemplify the mid-size farm of the 1920s and 1930s in Wake County. RGA recommended the farm is recommended eligible for the NRHP under Criteria A and C. The Capital town is studying the feasibility of preserving the main house and using it as an event space.

PROJECT TASK + OFFICE LOCATION

The historical / archaeological survey project task will be performed out of RGA office in Wake Forest, North Carolina by Ellen Turco. Below is the office location:

Wake Forest, NC

525 Wait Avenue
Wake Forest, NC 27587

PROJECT APPROACH

Effective park design is a collaborative process between members of the design team, City staff, decision makers and other stakeholders. Our approach integrates all disciplines from early in the process to ensure all aspects of the natural, cultural, regulatory and built environments are addressed. The result is impactful public spaces that enhance quality of place, social connections and financial sustainability. The following represents our typical process and anticipated schedule:



HISTORICAL / ARCHAEOLOGICAL APPROACH

RGA will perform a geophysical survey of the Glendale parcel informed by the results of background research. Magnetometry and/or a limited ground-penetrating radar (GPR) survey could be conducted in areas of the parcel that are accessible to the handheld and manually pushed machinery. Magnetometry is most suitable for identifying areas of heating (such as a hearth) or deposits of brick, which may indicate an archaeological site. A more intensive GPR survey based on the magnetometry and landscape clues are better able to identify the nature and depths of possible archaeological deposits, including buried structural remains, pits or shaft features. These surveys are limited by the presence and preservation of any potential archaeological remains and by restrictive landscape features, such as excessive vegetation. Geophysical surveys detect information of a different nature and can be determined through archaeological excavations, and as such, ground-truthing is recommended to confirm and refine the geophysical results. Subsequent archaeological testing can utilize the results of a magnetometry and /or GPR survey to better target and assess potential archaeological resources.

UNITED IN OUR PURSUIT OF
YOUR VISION, WE WILL LEVERAGE
OUR KNOWLEDGE, OFFERINGS
AND CULTURE TO **CREATE
MEANINGFUL EXPERIENCES.**



McAdams Group, Inc.

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CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, July 10, 2023
COUNCIL CHAMBERS
7:00 PM

Call to Order

Mayor Pro Tem Harris called the meeting to order at 7:00 pm. The following were present:

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

Invocation

Reverend Mark Massey, Pastor at True Light Tabernacle led Council, staff and attendees in prayer.

Pledge of Allegiance

Boy Scout Troop 59 led the Council, staff and attendees in the Pledge of Allegiance.

SET THE AGENDA

Mayor Pro Tem Harris advised that the Presentation of Police Department Grant for K9 will be added at as item #2 under Presentations. With no additional changes to the agenda Councilwoman Pawlish made a motion to approve the agenda as amended. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

CONSENT AGENDA

1. Approval of Liens for Weeds and Grass
 - 224 Adrian Street
 - 103 Webb Street
2. Approval of Final Plat for Mooreland Oaks Phase 2
3. Call for a public hearing for a proposed text amendment to amend Section-3.21 of the Zoning Ordinance (Solid Waste Storage Equipment) to provide standards for screening requirements within the existing section
4. Call for a public hearing for a proposed text amendment to amend Section-5.14-B-2 of the Zoning Ordinance (Residential Downtown-Dimension Requirements) to provide a minimum lot sizes for townhomes
5. Call for a public hearing for a proposed text amendment to amend Section-10.5-C-10-a of the Zoning Ordinance (Street Tree Canopy) to update the language to ensure that street trees are provided via developments
6. Call for a public hearing for a proposed text amendment to amend Appendixes: 1, 2, & 3 of the Subdivision Ordinance
7. Approval of Rules of Procedure for the Public Art Advisory Commission
8. Approval of a Resolution to Support PFAS Litigation
9. Approval of Minutes of the June 26, 2023 Council Work Session Meeting
10. Approval of Minutes of the June 26, 2023 Closed Session

Councilman Moore made a motion to approve the consent agenda. Councilman Meadows seconded the motion. All Council Members present voted in favor. (Motion Carried)

PRESENTATIONS

1. Presentation on Eagle Scout Project at River Street Park

Mr. Jusko introduced Amelia Hill-Pfeffer to present her Eagle Scout Project. She advised that she will be building a porch swing by the water at River Street Park. A final location within the park will be determined after final approval from the Council and the Boy Scouts. Councilman Meadows made a motion to approve the Eagle Scout Project. Councilwoman Shoemaker seconded the motion. All Council Members voted in favor. Motion carried.

2. Presentation of K-9 Grant to the Police Department

Ms. Melanie Kovacks with Aftermath Care Services presented the Police Department with a check for \$250 for a K-9 Officer Grant. She advised that this is a way to give back to the community.

3. Presentation of a Donation from Miss Mount Holly to the MHAA

Miss Mount Holly Jamie Logan presented the Mount Holly Athletic Association with a check for \$480 that she received from the Mount Holly Sneakers Drive. She advised that she was looking for a way to give back to the community and is hoping the money she raised will help kids in Mount Holly be a to participate in the recreation department sports programs.

4. Presentation of a Key to the City to Teen Miss Mount Holly Reece Williams

Councilman Moore presented Teen Miss Mount Holly Reece Williams with a Key to the City for representing Mount Holly over the past year. David Moore presented Reece a Key to the City for the great year had representing Mount Holly.

5. Presentation of a Key to the City to Miss Mount Holly Jamie Logan

On behalf of the Mayor and City Council, Councilman Moore presented Miss Mount Holly Jamie Logan with a Key to the City. Councilman Moore advised that Jamie has spent numerous hours volunteering in Mount Holly during her reign. He commented that Jamie was at most of the Mount Holly events and volunteered with the recreation department and coached an 8-year-old soccer team. Jamie thanked the Council and commented that looking back over the past year it has been one of the best years of her life.

PUBLIC HEARING

1. Public hearing for review and recommendation to City Council, to consider an application, submitted by True Homes, for a proposed rezoning of an 89.5-acre tract of land being Tax Parcel #s: 178060, 309482, 309483, 309484, 309462, 309461, 309460, 309459, 309458, 309457, 309456, 309455, 309454, 309453, 309452, 309481, 309480, 309479, 309478, 309477, 309476, 309475, 309474, 309473, & 309472 from Conditional District Single Family, approved on May 13, 2019, to Amended Conditional District Single Family

Councilwoman Pawlish made a motion to enter into and public hearing for review and recommendation to City Council, to consider an application, submitted by True Homes, for a proposed rezoning of an 89.5-acre tract of land being Tax Parcel #s: 178060, 309482, 309483, 309484, 309462, 309461, 309460, 309459, 309458, 309457, 309456, 309455, 309454, 309453, 309452, 309481, 309480, 309479, 309478, 309477, 309476, 309475, 309474, 309473, & 309472 from Conditional District Single Family, approved on May 13, 2019, to Amended Conditional District Single Family. Councilwoman Shoemaker seconded the motion. All Council Members voted in favor.

Mr. Livingston advised that True Homes submitted an application for a proposed rezoning of a 59.5-acre tract to Amended Conditional District Single Family. These parcels were originally rezoned and annexed into the City in May and August of 2019. The current rezoning request seeks to add three additional lots to the planned development bringing the total lot count to 141. The additional lots will be provided within the existing development. Councilman Meadows commented that there have been 3 lots added from the original conditional zoning that was put in place; what was the change other than the 3 lots being put in place? Usually there is a balance between the conditional zoning and the development rights. What was the addition to the plan? Mr. Livingston commented that the 3 lots are being added from common open space however the open space requirements will still be met. The developer, Shawn Gasparini with True Homes came forward and commented that there was no trade-off for the additional

3 lots. He explained that when the developer got into Phase 3 of the project, they hit a tremendous amount of rock (unsuitable soil). The cost associated with removing the unsuitable soil was astronomical. In order to balance and recoup some of the cost of the removal 3 additional lots were added to the development. Mr. Gasparini commented that the open space is still met with 27.67 acres which is way above the 5.95 acres of open space required by the City. To answer the questions posed by Councilman Meadows, Mr. Gasparini advised that there were no additional considerations given. Councilman Meadows commented that he has no intentions of standing in the way of this moving forward but he is concerned that the point of a conditional rezoning is the balance struck in the beginning. Once you make a deal and struck a balance, if the deal is changed by providing more development rights something should have been added to the development other than helping out financially. Mr. Meadows commented that he feels it sets a bad precedence. Councilwoman Shoemaker made a motion to come out of the public hearing. Councilwoman Pawlish seconded the motion. All Council Members voted in favor. (Motion carried)

Councilman Meadows made a motion to approve the proposed rezoning of an 89.5-acre tract of land being Tax Parcel #s: 178060, 309482, 309483, 309484, 309462, 309461, 309460, 309459, 309458, 309457, 309456, 309455, 309454, 309453, 309452, 309481, 309480, 309479, 309478, 309477, 309476, 309475, 309474, 309473, & 309472 from Conditional District Single Family, approved on May 13, 2019, to Amended Conditional District Single Family. Councilwoman Shoemaker seconded the motion. All Council Members voted in favor.

2. Public hearing for a proposed text amendment to permit lounges to operate in the B-1, Central Business District with certain conditions. If approved, the proposed text amendment would update the following sections of the Zoning Ordinance: 3.26, 6.2, 6.5, & 7.1

Councilwoman Shoemaker made a motion to enter into public hearing for a proposed text amendment to permit lounges to operate in the B-1, Central Business District with certain conditions. Councilwoman Pawlish seconded the motion. All Council Members voted in favor.

Mr. Lowe advised that Billy Rick applied for a text amendment that would permit lounges in the B-1, Central Business District. He advised that if approved alcohol sells would be allowed that is not produced on site. Planning staff recommends approval.

Councilwoman Shoemaker made a motion to come out of the public hearing. Councilman Meadows seconded the motion. All Council Members voted in favor.

Councilman Meadows made a motion to approve the proposed text amendment to permit lounges to operate in the B-1, Central Business District with certain conditions. Councilwoman Pawlish seconded the motion. All Council Members voted in favor. Motion carried.

PUBLIC COMMENT – Three (3) Minute Limit

No one was signed up to speak.

NEW BUSINESS

1. Approval of City Mural Policy

Mr. Lowe advised that the proposed mural policy was drafted by staff and approved by PAAC. The policy put parameters around the design of the murals and creates an approval process.

Councilman Meadows made a motion to approve the Mural Policy. Councilman Moore seconded the motion. All Council Members voted in favor. Motion carried.

2. Consideration and Approval of Dutchman's Creek Blueway Study

Mr. Beal advised that over the past 3 months staff has been working with McAdams on the Dutchman's Creek Blueway Study. Mr. Beal commented that the Blueway Study is another component that came from the Strategic Visioning Plan. Nick Lowe with McAdams presented an overview and the goals of the study. He advised that Mount Holly has a unique opportunity to attract visitors in the community with paddling the Blueway. Mr. Lowe commented that there are lots of opportunities for local business as points of interest along the Blueway. He also advised that the study addresses the need for a kayak launch and an ADA kayak launch at the Dutchman's Creek Access area that the City leases

from Duke Energy. Councilman Meadows asked about funding for the proposed blueway. Mr. Beal replied that it could be included in upcoming budgets and staff will look for additional funding options.

Councilwoman Shoemaker made a motion to approve the Dutchman's Creek Blueway Study. Councilwoman Pawlish seconded the motion. All Council Members voted in favor. Motion carried.

3. Consideration and Approval of Wayfinding Master Sign Plan

Mr. Beal advised that direction from Council to redesign the wayfinding signage came as an item out of the Council Retreat. At the May meeting council agreed to the red and gold signage to highlight all the attractions in Mount Holly. Mr. Beal presented the master sign plan for the city and highlighted the consistency of the design for each sign. Councilman Meadows commented that he likes the consistency of the signage stating that it set a tone of a high quality of life. Councilwoman Shoemaker made a motion to approve the Wayfinding Master Sign Plan. Councilman Meadows seconded the motion. All Council Members voted in favor. Motion carried.

4. Discussion of Designating Loading/Unloading Zone on Central Ave

Mr. Beal advised that staff is seeking direction from Council in regard to designating parking spaces as loading/unloading zones in the downtown area. This came as a request from a downtown business owner that has no way to drop off supplies to their business without parking on the sidewalk. Council discussed the possibility of designating certain parking spaces in the downtown area as 15-minute parking. Councilman Moore suggested the spaces at Moose Pharmacy be considered for limited parking as several of the elderly citizens could use those spaces. Councilman Meadows suggested limiting the 15-minute parking to business hours not to interfere with downtown events. Mrs. Anders advised that she would also look to other cities and towns to see how they handle similar situations. She will bring back a draft ordinance for Council review at a future meeting.

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3, 5 and 6)

Councilwoman Pawlish made the motion to enter into Closed Session Pursuant to N.C.G.S 143-318.11 (a)(3, 5 and 6) at 8:06pm. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

The City Clerk was told by the Interim City Manager to leave the meeting during closed session at 8:43 pm.



City of Mount Holly Action Agenda Item

To: City Council

Date: August 9, 2023

From: Amy Miller, City Clerk

Meeting Date: August 14, 2023

Agenda Item to be considered: *Approval of the Minutes from the July 10, 2023 Closed Sessions*

Will this require a public hearing?

☐ YES

☒ NO

Background/Purpose of Request: *As per the internal staff policy shared with Council, approval of closed session minutes will be part of the consent agenda. A copy of the minutes will be provided under a separate cover to Council as part of the closed session information packet.*

Fiscal Impact:

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

Manager/Staff Recommendation:
Approval

Result of City Council Decision:

Attachments:

1. Minutes emailed with the closed session information

PRESENTATIONS



To: Mayor and City Council From: Amy Miller, City Clerk	Date: August 9, 2023 Meeting Date: August 14, 2023
<i>Agenda Item to be considered:</i> A Resolution to Recognizing Sarah Elizabeth Rozzelle Nichols for her 90 th Birthday	
Will this require a public hearing? ☐ YES ☒ NO	
<i>Background/Purpose of Request:</i> Mrs. Nichols daughter contacted the city to request the Mayor and City Council recognize her mother for her 90 th birthday. Mrs. Anders has ben in contact with the daughter and is preparing the resolution.	
<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
<i>Manager/Staff Recommendation:</i> Approval	
<i>Result of City Council Decision:</i> _____	
<i>Attachments:</i>	



City of Mount Holly Action Agenda Item

To: Mayor and City Council
Ryan Baker, Fire Chief

Date: July 31, 2023
Meeting Date: August 14, 2023

Agenda Item to be considered:

Swearing in of Firefighters

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

Firefighters Blake Davis, Hunter Huffstetler, and Quentin Hooker, have completed their 6-month probationary period. They will take his oath of office given by the Mayor. Firefighters will have their badge numbers assigned and pinned.

Fiscal Impact:

Will Item affect 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:			
Budget Code			
Reviewed by City Attorney	☐ YES	☐ NO	☐ N/A

Manager/Staff Recommendation:

Result of City Council Decision:

Attachments: Oath of Office

Firefighters Quentin Hooker, Blake Davis, and Hunter Huffstetler when I am done, say I will.

Do you solemnly swear that you will support and defend the Constitution of the United States of America and the State of North Carolina against all enemies, both foreign and domestic, and you will faithfully and impartially discharge your duties as a Firefighter of the City of Mount Holly Fire Department under the appointment of the City of Mount Holly to the laws of the North Carolina to the best of your skills and abilities, so help you God.



City of Mount Holly Action Agenda Item

To: Mayor and City Council
Ryan Baker, Fire Chief

Date: 7/31/2023
Meeting Date: 8/14/2023

Agenda Item to be considered:

Swearing in of Fire Captains

Will this require a public hearing? ☐ YES ☒ NO

Background/Purpose of Request:

Captain's Robert Heussy, Grant Robert, and Blake Buchanan will take their oath of office given by the Mayor.

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
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Manager/Staff Recommendation:

Result of City Council Decision:

Attachments: Oath of Office

Captains Robert Heussy, Blake Buchanan, and Grant Roberts when I am done, say I will.

Do you solemnly swear that you will support and defend the Constitution of the United States of America and the State of North Carolina against all enemies, both foreign and domestic, and you will faithfully and impartially discharge your duties as a Captain of the City of Mount Holly Fire Department under the appointment of the City of Mount Holly to the laws of the North Carolina to the best of your skills and abilities, so help you God.

PUBLIC HEARINGS



City of Mount Holly Action Agenda Item

To: City Council

Date: 8-8-2023

From: Paul Lowe, Assistant Planning Dir.

Meeting Date: 8-14-2023

Agenda Item to be considered: Public hearing for a proposed text amendment to amend Section-3.21 of the Zoning Ordinance (Solid Waste Storage Equipment) to provide standards for screening requirements within the existing section.

Will this require a public hearing?

☒ YES

☐ NO

Background/Purpose of Request:

This proposed text amendment has been submitted by staff and would provide standards for screening requirements within the existing Section, 3.21.

Currently specifications for solid waste storage (dumpster screening) are discussed in Section 3.21, but are found in passing in Chapter 10. The proposed ordinance amendment would better describe the needed screening requirements for dumpsters, and provide these standards in the section where they are discussed.

The Planning Commission wanted to make an addition to the recommendation made by staff that chain length be spelled out as a prohibited material, which was added to the Commission's recommendation to Council.

The Planning Commission considered this proposed text amendment at their August 7th meeting, and voted unanimously to recommend 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:

Staff recommends approval of this proposed text amendment.

Attachments:

1. Text Amendment Application.
2. Proposed Redlines.



APPLICATION FOR TEXT AMENDMENT
CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **6-15-23**. Application Number: **TA-23-9**

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: **amend Section-3.21 of the Zoning Ordinance (Solid Waste Storage Equipment) to provide standards for screening requirements within the existing section.**
2. The following statement best describes what you would like the text amendment to reflect: **This proposed text amendment has been submitted by staff and would provide standards for screening requirements within the existing Section, 3.21.**

Currently specifications for solid waste storage (dumpster screening) are discussed in Section 3.21, but are found in passing in Chapter 10. The proposed ordinance amendment would better describe the needed screening requirements for dumpsters, and provide these standards in the section where they are discussed.

Section-3.21 Solid Waste Storage Equipment (Dumpster Screening)

~~Any business or industrial establishment abutting a residential zoning district, including office districts, and providing solid waste storage equipment shall locate such equipment a minimum of 25 feet from said residential property line and shall enclose said equipment, on all sides with a screening device as described in Ch. 10 of this Zoning Code.~~

~~All dumpsters, or similar equipment-including compactors shall be screened on all sides by a fence or wall of at least eight feet tall & shall be placed at least 25 feet from any property lines, except in the B-1 zoning district & the Downtown Gateway Overlay District. Materials used for fencing/walls must be constructed in a durable fashion with weather resistant materials and be of consistent pattern. Acceptable screening materials are wood, brick, finished concrete, stone, or stamped steel. If a fence is used as a screening element, the finished portion of the fence shall be placed on the outside of the structure. Gates shall be constructed so that dumpsters shall not be visible.~~

~~Dumpsters found in the B-1 district & the Downtown Gateway Overlay District are not required to meet setback requirements, but shall be screened on all sides by a fence or wall of at least six feet. Materials used for fencing/walls must be constructed in a durable fashion with weather resistant materials and be of consistent pattern. Acceptable screening materials are wood, brick, finished concrete, stone, or stamped steel. If a fence is used as a screening element, the finished portion of the fence shall be placed on the outside of the structure. Gates shall be constructed so that dumpsters shall not be visible.~~

~~Exemption. Screening is not required in the HI district, unless the dumpster is located within fifty (50) feet of a residential zoned property, or is visible from any public street rights-of-way, the common elements of any private street or drive, or from existing or planned greenways that are included on any adopted City plan, including the Comprehensive Pedestrian Plan, Comprehensive Pedestrian Plan, or the Park Plan.~~

Trash enclosures, like all improvements made within the City's limits, are required to be permitted. First applying for & waiting for the issuance of a zoning compliance permit through the City of Mount Holly Planning Department and possibly the application and issuance of a building permit through the Gaston County Building Inspections Department.

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 30 days prior to the Planning Commission meeting for initial consideration.

Section-3.21 Solid Waste Storage Equipment (Dumpster Screening)

~~Any business or industrial establishment abutting a residential zoning district, including office districts, and providing solid waste storage equipment shall locate such equipment a minimum of 25 feet from said residential property line and shall enclose said equipment, on all sides with a screening device as described in Ch. 10 of this Zoning Code.~~

All dumpsters, or similar equipment-including compactors shall be screened on all sides by a fence or wall of at least eight feet tall & shall be placed at least 25 feet from any property lines, except in the B-1 zoning district & the Downtown Gateway Overlay District. Materials used for fencing/walls must be constructed in a durable fashion with weather resistant materials and be of consistent pattern. Acceptable screening materials are wood, brick, finished concrete, stone, or stamped steel. Chain length is a prohibited material. If a fence is used as a screening element, the finished portion of the fence shall be placed on the outside of the structure. Gates shall be constructed so that dumpsters shall not be visible.

Dumpsters found in the B-1 district & the Downtown Gateway Overlay District are not required to meet setback requirements, but shall be screened on all sides by a fence or wall of at least six feet. Materials used for fencing/walls must be constructed in a durable fashion with weather resistant materials and be of consistent pattern. Acceptable screening materials are wood, brick, finished concrete, stone, or stamped steel. Chain length is a prohibited material. If a fence is used as a screening element, the finished portion of the fence shall be placed on the outside of the structure. Gates shall be constructed so that dumpsters shall not be visible.

Exemption. Screening is not required in the HI district, unless the dumpster is located within fifty (50) feet of a residential zoned property, or is visible from any public street rights-of-way, the common elements of any private street or drive, or from existing or planned greenways that are included on any adopted City plan, including the Comprehensive Pedestrian Plan, Comprehensive Pedestrian Plan, or the Park Plan.

Trash enclosures, like all improvements made with in the City's limits, are required to be permitted. First applying for & waiting for the issuance of a zoning compliance permit through the City of Mount Holly Planning Department and the application and issuance of a building permit through the Gaston County Building Inspections Department, if applicable.



City of Mount Holly Action Agenda Item

To: City Council

Date: 8-8-2023

From: Paul Lowe, Assistant Planning Dir.

Meeting Date: 8-14-2023

Agenda Item to be considered: Public hearing for a proposed text amendment to amend Section-5.14-B-2 of the Zoning Ordinance (Residential Downtown-Dimension Requirements) to provide a minimum lot sizes for townhomes.

Will this require a public hearing?

☒ YES

☐ NO

Background/Purpose of Request:

This proposed text amendment has been submitted by staff and would correct an oversight in the Section-5.14-B-2 which regulates dimensional requirements in the Residential Downtown zoning district.

Currently the dimensional standards listed in the Zoning Ordinance for the Residential Downtown (RD) zoning district does not provide standards for townhomes, which are permitted by right in this district. This proposed modification sets the minimum lot width for townhomes developed in RD district at 20 ft.

The Planning Commission considered this proposed text amendment at their August 7th meeting, and voted unanimously to recommend 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:

Staff recommends approval of this proposed text amendment.

Attachments:

1. Text Amendment Application.
2. Proposed Redlines.



APPLICATION FOR TEXT AMENDMENT
CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **6-15-23**. Application Number: **TA-23-8**

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: **amend Section-5.14-B-2 of the Zoning Ordinance (Residential Downtown-Dimension Requirements) to provide a minimum lot sizes for townhomes.**
2. The following statement best describes what you would like the text amendment to reflect: **This proposed text amendment has been submitted by staff and would correct an oversight in the Section-5.14-B-2- which regulates dimensional requirements in the Residential Downtown zoning district.**

Currently the dimensional standards listed in the Zoning Ordinance for the Residential Downtown (RD) zoning district does not provide standards for townhomes, which are permitted by right in this district. This proposed modification sets the minimum lot width for townhomes developed in RD district at 20 ft.

Section-5.14-B-2-RD, Residential Downtown-Dimension Requirements

(B) *Dimension requirements.*

(2) Minimum required lot width: ~~35-foot single family lots less than 45 feet wide require alley access to unit parking. Attached housing (i.e., townhouses, live/work units and stacked flats) require access to unit parking.~~ Single family homes: 35 feet, Attached homes (Dwelling, townhome; condominium): 20 feet. Single family lots that are less than 45 feet wide require alleys. Parking for attached homes can be provided on individual lots or via a common parking area.

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 30 days prior to the Planning Commission meeting for initial consideration.

-Section-5.14-B-2-RD, Residential Downtown-Dimension Requirements

(B) *Dimension requirements.*

(2) Minimum required lot width: ~~35-foot single family lots less than 45 feet wide require alley access to unit parking. Attached housing (i.e., townhouses, live/work units and stacked flats) require access to unit parking.~~ Single family homes: 35 feet, Attached homes (Townhomes, condominiums, live/work units, and stacked flats): 20 feet. Single family lots that are less than 45 feet wide require alleys. Parking for attached homes can be provided on individual lots or via a common parking area.



City of Mount Holly Action Agenda Item

To: City Council

Date: 8-8-2023

From: Paul Lowe, Assistant Planning Dir.

Meeting Date: 8-14-2023

Agenda Item to be considered: Public hearing for a proposed text amendment to amend Section-10.5-C-10-a of the Zoning Ordinance (Street Tree Canopy) to update the language to ensure that street trees are provided via developments.

Will this require a public hearing?

☒ YES

☐ NO

Background/Purpose of Request:

This proposed text amendment has been submitted by staff and would correct an oversight in the Section-10.5-C-10-a which regulates the placement of street trees.

The current language states that "Developers may plant canopy trees along all public and private streets." The proposed text amendment would update this language to read-Developers shall plant canopy trees along all public and private streets. This modification would ensure that trees are planted along our roadways-which will help to replace trees lost due to development-while helping to buffer our neighborhoods & developments. Outside of being a listed element in the City's scoring matrix, street trees help to buffer uses, enhance the aesthetics of the City, replace trees that are lost to development, help improve property values, and provide many environmental benefits-including carbon sequestration and providing habitat to animals.

98 street trees have/will be provided in 2023 via approved developments while a projected minimum of 248 trees will be provided via four annexation cases under review.

The Planning Commission considered this proposed text amendment at their August 7th meeting, and voted unanimously to recommend 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:

Staff recommends approval of this proposed text amendment.

Attachments:

1. Text Amendment Application.
2. Proposed Redlines.
3. Street Trees Provided by Developments Approved in 2023/Projected Street Trees Provided Associated with Current Annexation Cases.



APPLICATION FOR TEXT AMENDMENT
CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **6-15-23**. Application Number: **TA-23-7**

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: **amend Section-10.5-C-10-a of the Zoning Ordinance (Street Tree Canopy) to update the language to ensure that street trees are provided via developments.**
2. The following statement best describes what you would like the text amendment to reflect: **This proposed text amendment has been submitted by staff and would correct an oversight in the Section-10.5-C-10-a which regulates the placement of street trees.**

The current language states that "Developers may plant canopy trees along all public and private streets." The proposed text amendment would update this language to read-Developers shall plant canopy trees along all public and private streets. This modification would ensure that trees are planted along our roadways-which will help to replace trees lost due to development-while helping to buffer our neighborhoods & developments. Outside of being a listed element in the City's scoring matrix, street trees help to buffer uses, enhance the aesthetics of the City, replace trees that are lost to development, help improve property values, and provide many environmental benefits-including carbon sequestration and providing habitat to animals.

Section-10.5-C-10-a-Required Landscaping/Buffer Yards-Street Tree Canopy

(10) *Street tree canopy.*

(a) Developers ~~may~~ **shall** plant canopy trees along all public and private streets. The spacing of street trees will be in accordance with the three species size classes listed in § 10.4 of this ordinance, and no trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet; except in special plantings designed or approved by a landscape architect.

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 30 days prior to the Planning Commission meeting for initial consideration.

-Section-10.5-C-10-a-Required Landscaping/Buffer Yards-Street Tree Canopy

(10) *Street tree canopy.*

(a) Developers ~~may~~ **shall** plant canopy trees along all public and private streets. The spacing of street trees will be in accordance with the three species size classes listed in § 10.4 of this ordinance, and no trees may be planted closer together than the following: small trees, 30 feet; medium trees, 40 feet; and large trees, 50 feet; except in special plantings designed or approved by a landscape architect.

Street Trees Provided in Recent Developments

Development	Date of Plan Approval	Number of Street Trees
Caldwell Medical Office Park	2023	19
Gateway Center	2023*	17
Stowe Multifamily	2023*	29
Sycamore Woods	2023*	23
Xpress Car Wash	2023	10
		98
<i>* Close to being approved.</i>		
Annexation Projects Under Review	Date of Plan Approval	Number of Street Trees (Projected)
Broadleaf	-	112
Holly Springs	-	56
Knox	-	56
Southaven	-	24
		248



City of Mount Holly Action Agenda Item

To: City Council
From: Paul Lowe, Assistant Planning Dir.

Date: 8-9-2023
Meeting Date: 8-14-2023

Agenda Item to be considered: Public hearing for a proposed text amendment to amend Appendixes: 1, 2, & 3 of the Subdivision Ordinance.

Will this require a public hearing? ☒ YES ☐ NO

Background/Purpose of Request:

The following text amendments to Appendixes: 1, 2, & 3 of the Subdivision Ordinance are proposed by staff to provide clarity, and to make the document easier for both staff & developers to use.

The changes to Appendix 1 would be to add map standards for exempt plats. These are plats that do not create new lots, including recombination plats. Though these modifications can be made solely by deed, many times customers want to submit a plat to have it reviewed & approved by staff. Currently, we do not have standards for exempt plats. This update would provide map standards for exempt plats. The proposal would also update the title of this section from Map Information to Map Standards.

The proposed change to Appendix 2, the current Appendix 9, would to move this section so it follows the updated Map Standards section. This would help both staff & design professionals in locating required plan elements. It would also provide a more logical flow of information. An exempt map certificate, or signature block, would be also added to this section. After the section is moved, subsequent sections will be renumbered.

The change to Appendix 3, would to be the Roadway-Street Lighting section and would clarify that street lights need to be installed at a minimum of every 200 feet. This is included in City's Scoring Matrix & is a common note on development plans. This alteration simply spells out a requirement that developers are currently meeting.

The Planning Commission reviewed this consideration at their August 7th meeting, and voted to recommend postponing the public hearing regarding this proposed text amendment until their September 5th meeting. The request to postpone came from staff after receiving feedback from the City Attorney. She was concerned with how the proposal to move and renumber sections in the Subdivision Ordinance, might impact other sections of the Subdivision Ordinance or the Zoning Ordinance as a whole-if the proposed renumbered sections were referenced in other parts of the City's ordinances/codes.

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 that the public hearing on this matter be tabled until Council's September 11th meeting.

Attachments:

1. Text Amendment Application.
2. Proposed Redlines.



APPLICATION FOR TEXT AMENDMENT
CITY OF MOUNT HOLLY, NORTH CAROLINA

Date Filed: **6-15-23**. Application Number: **TA-23-10**

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: **amend Appendixes: 1, 2, & 3 of the Subdivision Ordinance.**

The following statement best describes what you would like the text amendment to reflect: **The following text amendments to Appendixes: 1, 2, & 3 of the Subdivision Ordinance are proposed by staff to provide clarity, and to make the document easier for both staff & developers to use.**

The changes to Appendix 1 would be to add map standards for exempt plats. These are plats that do not create new lots, including recombination plats. Though these modifications can be made solely by deed, many times customers want to submit a plat to have it reviewed & approved by staff. Currently, we do not have standards for exempt plats. This update would provide map standards for exempt plats. The proposal would also update the title of this section from Map Information to Map Standards.

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Subdivision Ordinance

Appendix 1-Mapping Standards-C-Map Information

A) MAP INFORMATION STANDARDS

Information	Sketch Plan	Construction/Site Plan	Final Plat	Exempt Plat
Title Block Containing:				
Name of Development	X	X	X	X
Name of map or plan (sketch plan, preliminary plan, etc.)	X	X	X	X
Owner's name with address and daytime phone number	X	X	X	X
Location (including address, city, township, & state)	X	X	X	X
Date(s) map(s) prepared or revised	X	X	X	X
Scale of drawing in feet per inch (drawing shall not be at a scale of not less than 1" equal to 200')	X	X	X	X
Bar Graph Scale		X	X	X
Name, address, & telephone number of preparer of map	X	X	X	X
Developer's name, address, and daytime phone number (if different from owner's)	X	X	X	X
Information	Sketch Plan	Construction/Site Plan	Final Plat	Exempt Plat
Zoning district(s) within the property & adjacent properties	X	X	X	X
Existing land use within the property & adjacent properties	X	X		X
Plat book or deed book references		X	X	X
Names of adjoining property owners (or subdivisions or developments of record with plat book and or/deed book reference)		X	X	X
Tax map, block, & parcel(s) number	X	X	X	X
Vicinity map showing location of site relative to surrounding area typically drawn in the	X	X	X	X

upper right hand corner, at a scale of 1" = 2000'				
Corporate limits, city lines, and other jurisdiction lines, if any, on the tract	X	X	X	X
North arrow & orientation (North arrow shall be oriented towards top of map where practicable)	X	X	X	X
Floodway and floodway fringe field survey boundaries		X	X	X
Boundaries to be subdivided or developed:				
Distinctly and accurately represented and showing all distances; show bearings and distances and curve data on outside boundaries and street centerlines on preliminary with street centerline ties to boundary	X	X	X	X
Showing locations of intersecting boundary lines of adjoining property	X	X	X	X
Information	Sketch Plan	Construction/Site Plan	Final Plat	Exempt Plat
Tie at least one corner to NC grid and provide grid coordinates where at least one of the two control monuments needed are within 2000' (feet) of the boundary or tied to the nearest street intersections.		X	X	X
Location and description of all monuments, and markers, and control corners			X	X
Existing property lines on tract subdivided. If existing property lines are to be changed, label as "old property lines" and show as dashed lines.	X	X	X	X
Dimensions, location, and use of all existing				

buildings measured at the closest point; distance from buildings to closest property lines; buildings to remain on final	X	X	X	
The name and location of any property or building on the National Register of Historic Places or locally designated historic property		X	X	
Railroad lines and right-of-way	X	X	X	
Water courses, ponds, lakes, or streams	X	X	X	X
Marshes, swamps, and other wetlands	X	X	X	
Areas to be dedicated or reserved for the public or a local jurisdiction		X	X	X
Areas dedicated as common area or open space under control of an owners association	X	X	X	X
Location of floodway & floodway fringe from the Flood Hazard Boundary Maps and cross-section elevations	X	X	X	X

Information	Sketch Plan	Construction/Site Plan	Final Plat	Exempt Plat
Existing and proposed topography of tract and 100 feet beyond property showing existing contour intervals of no greater than 5 feet (2 feet where available) and labeling at least two contours per map and all others at 10 foot intervals from sea level		X		
Proposed lot lines & dimensions; show bearings and distances on final	X	X	X	X
Square footage of all proposed lots under one (1) acre in size; smallest lot indicated		X	X	X
Acreage on all lots over		X	X	X

one acre				
Site calculations including:				
Acreage in total tract	X	X	X	X
Acreage in public greenways and other open space		X	X	X
Total number of lots proposed	X	X	X	X
Linear feet in streets		X	X	X
Area in newly dedicated right-of-way		X	X	X
Lots sequenced or numbered consecutively		X	X	
Street data illustrating:				
Existing and proposed right-of-way within and adjacent to property...				
R/W lines	X	X	X	X
Total R/W width dimension	X	X	X	X
R/W width dimension from centerline of existing public streets		X	X	X
Cul-de-sac R/W radius from center point		X	X	X

Information	Sketch Plan	Construction/Site Plan	Final Plan	Exempt Plat
Existing and proposed streets showing:				
Pavement or curb lines		X		
Pavement width dimensions (face-to-face) (or EP to EP)		X		
Cul-de-sac pavement radius from center point		X		
Existing & proposed street names		X	X	X
Location, dimension, & type of all easements (Existing & proposed)		X	X	X
Utility Layout Plan showing connections to existing systems, line sizes, material of lines, location of fire hydrants, blowoffs, valves, manholes, catch basins, force mains, etc. for the following				

types of utility lines: (not to substitute for construction plans)				
Sanitary sewer		X		
Water distribution		X		
Storm sewer		X		
Natural gas, electric, cable TV		X		
Plan for providing water and sewer service graphic or narrative form	X			

APPENDIX 9.2

CERTIFICATIONS AND APPROVAL BLOCKS

The following Certificates, Notes, and Approval Blocks shall appear on the appropriate plans and plats in substantially the following formats:

(Move section from number nine to number two, renumber succeeding sections. Also, add the exempt certificate.)

Sketch Plan (Major & Minor):	Sketch Plan Approved
	_____ Planning and Development Director Date: _
Exempt Map	Exemption Certificate
	I hereby certify that this plat is exempt in accordance with Section of 1.5 of the City of Mount Holly's Subdivision and Land Development Ordinance and maybe recorded with the Gaston County Register of Deeds Office.
	Planning Director Date

Construction Plan (Major & Minor):	Construction Plan Approved
	_____ Planning and Development Director Date:

Certificate of City Council Approval: (Final Plat)	Certificate of City Council Approval Approved for the recording by the City of Mount Holly, NC City Council on the _____ day of _____ 20____ pursuant to authority of Article II of the Subdivision Ordinance. Must be recorded within thirty (30) days of this date.
	_____ City Clerk
Certificate of Zoning Approval: (Final Plat)	Certificate of Zoning Approval This plat meets all the requirements of the City of Mount Holly Zoning Ordinance, signed the _____ day of _____ 20____.
	_____ Planning and Development Director

Certificates of Survey and Accuracy

I, _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book __, page __, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book ____, page ____; that the ratio of precision as calculated is 1:____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number, and seal this ____ day of _____, A.D., 20 ____.

Seal or Stamp

Surveyor

Registration #

(maximum allowable error: 1:10,000)

Appendix 3-Roadway-Street Lighting

1. The developer shall be required to install decorative street lighting on all streets **at a minimum of every 200 feet**. All lighting shall be installed prior to final acceptance by the City. The City shall not be responsible for maintenance and repair of decorative street lighting. Maintenance and repair of decorative lighting shall be the responsibility of the utility provider, or the homeowner or property owners' association.

OLD BUSINESS

NEW BUSINESS

MEMORANDUM

TO: Mayor and City Council, City of Mount Holly

FROM: Marie M. Anders, City Attorney

RE: Request from the Mount Holly Community Development Foundation and Arts on the Greenway regarding the Massey building lease

DATE: August 10, 2023

The City Council leased its property located at 500 E. Central Ave., which is sometimes referred to as the "Massey building," to the Gaston County Art Guild on August 13, 2018. The lease is for a term of five years with five one-year renewal options, and the space is also sublet to artist tenants. The Gaston County Art Guild assigned the lease to the Mount Holly Community Development Foundation with permission from the City Council effective May 1, 2019. The Foundation's arts subcommittee occupied the space and worked directly with subtenants. This subcommittee then formed a separate nonprofit corporation, Arts on the Greenway, that has now received official 501(c)(3) recognition.

The initial five year term ends August 12, 2023. Arts on the Greenway approached Interim City Manager Danny Jackson about renewing the lease under its original terms and receiving assignment of the lease from the Foundation, which the Foundation agrees to do. The original lease states that the rental payments would be negotiated for any lease renewal, but the rest of the terms would remain the same. The lease rental for the initial five year term is stated to be 90% of the artist tenant sublease payments received by the tenant. Arts on the Greenway is requesting that the rental be modified to be 75% of the artist tenant sublease payments received by the tenant. Enclosed is a segment of an email from Wanda Campbell, the president of Arts on the Greenway, making this request.

Please find enclosed a proposed lease assignment, renewal, and modification agreement that incorporates all of the elements of the request from the Arts on the Greenway. If the Council wishes to approve this request, then the City Council may approve this agreement. The lease would not have to be re-advertised in the newspaper, since the original terms and conditions would remain unchanged and the renewal is for one year only. The artist tenants would also remain in place. It is my understanding that at least some representatives from Arts on the Greenway will be in attendance Monday night in case Council has questions regarding this request.



Michael, Elting, & Anders, PLLC <office@mounthollylaw.com>

Re: AOTG Lease 2023

Wanda Campbell <wwjc501@gmail.com>

Tue, Aug 8, 2023 at 3:43 PM

To: "Michael, Elting, & Anders, PLLC" <office@mounthollylaw.com>, Sandy Collier <byrdlady49@yahoo.com>, Wanda Campbell <wwjc501@gmail.com>

Cc: Danny Jackson <dannyjackson@mtholly.us>, Brian Dupont <brian.dupont@mtholly.us>

LEASE

PROPOSAL TO THE MOUNT HOLLY CITY COUNCIL

Dear Member of the City Council,

For four years Arts on the Greenway has had the privilege of representing Mount Holly as part of the partnership helping build the Arts Community for the city. As Arts on the Greenway grows in many respects.... Projects, classes community involvement and receiving our 501c3 and so on... our operating expenses grow. We are now faced with needing to replace 3 door locks and keys for all artists, many lights are out and need new fixtures are needed, plus the labor to do this. Our cash register is over 8 years old and outdated and our printer is on its last

leg. We find the daily operating costs for toilet paper, trash bags, paper products and cleaning supplies have increased as well. Other expenses are also WI-FI, Pest management 2 times a year, and Fire extinguisher yearly maintenance. Since we will be a separate organization (no longer under the MHCDF) we must now pay our own insurance which will be approximately \$1,400 per year.

You have been supportive in letting us rent your building for our large art facility and hope we have represented the city, as a partner, with all our artistic endeavors. We would like to continue working and expanding in what we have to offer for area residents.

We kindly ask the City Council to consider lowering the percentage of our rent they receive from 90% to 75%. The extra funds will help us with operational expenses while we continue to search for grants to buy needed equipment and renovate the interior of the building.

Thank you for considering this so we can continue to serve the art community in the City of Mount Holly and surrounding areas.

Thank You,
Wanda Campbell, President
Arts on the Greenway
Sandy Collier, Tenant Coordinator

[Quoted text hidden]

NORTH CAROLINA
GASTON COUNTY

ASSIGNMENT, MODIFICATION, AND EXTENSION
TO LEASE AGREEMENT

THIS AGREEMENT, made and entered into effective this 14th day of August, 2023, ("Effective Date") by and between the CITY OF MOUNT HOLLY, a North Carolina municipal corporation (hereinafter referred to as "Lessor" or "City"), and ARTS ON THE GREENWAY, a North Carolina nonprofit corporation ("AOTG"), as Assignee of the MOUNT HOLLY COMMUNITY DEVELOPMENT FOUNDATION, INC., a North Carolina nonprofit corporation ("MHCDF") (hereinafter referred to as "Lessee");

WITNESSETH:

THAT, WHEREAS, City and Gaston County Art Guild, a North Carolina nonprofit corporation ("GCAG"), entered into a certain Lease Agreement dated effective August 13, 2018, (hereinafter referred to as "the Lease"), with regard to certain property located at 500 E. Central Ave., Mount Holly, North Carolina, (hereinafter referred to as "the Property"); and,

WHEREAS, MHCDF assumed the Lease from GCAG pursuant to an Assignment of Lease effective on or about May 1, 2019; and,

WHEREAS, AOTG was a subcommittee of MHCDF before forming a separate nonprofit corporation, and at the present time MHCDF wishes to assign the Lease to AOTG; and,

WHEREAS, the Initial Term of the Lease ended on August 12, 2023; but the Lease gives the Lessee an option to extend the Lease for a maximum of five successive one year periods if the Lessee is not in default; and,

WHEREAS, neither party is in default under the Lease; and,

WHEREAS, the parties wish to modify the Lease to extend the term of the Lease for one year and to make further modifications as set forth below.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, the receipt and sufficiency of the same being hereby acknowledged, the parties do hereby agree as follows:

1. For valuable consideration, MHCDF ("Assignor"), does hereby assign all of its right, title, and interest in and to the Lease for lease of the Property to AOTG ("Assignee"), and Assignee does hereby assume all benefits and obligations of said Lease as of the Effective Date. City approves this assignment of Lease from Assignor to Assignee and hereby releases Assignor from its obligations under the Lease from and after the Effective Date.

2. Extension Term. The Lease term is hereby extended for an additional one (1) year and shall end (unless sooner terminated as provided in the Lease) at midnight on August 12, 2024 ("First Extension Term").
3. The parties agree that the First Extension Term is under the same terms and conditions as the original Lease with the exception of the amount of rental, which shall be as set forth herein:

Lessee shall pay to City as rent for the Property the following amounts (collectively the "Lease Payment"): an amount equal to seventy-five percent (75%) of all amounts received by Lessee for the sublease of any portion of the Premises ("Gross Sublease Payments"). Lease Payments shall be due monthly on or before the 15th day of each month and shall be determined based upon the receipts from the previous month. Rental Payments shall be accompanied by a detailed report setting forth the Gross Sublease Payments indicating the amount of each payment and the sub-lessee from whom it was received.

4. Section 12 of the Lease is modified to change the address of the Lessee as follows:

Arts on the Greenway
500 E. Central Ave.
Mount Holly, NC 28120

5. The rules and regulations in the Exhibit B to the Lease are removed in their entirety and hereby replaced with those rules and regulations set forth in the Exhibit B attached hereto and incorporated herein by reference.
6. Except for these modifications, the said Lease is ratified and continued as written.

IN WITNESS WHEREOF, the parties hereto have caused the due execution of this Agreement, by authority duly given, in duplicate originals, the day and year set forth above.

CITY:

CITY OF MOUNT HOLLY

By: _____ (SEAL)
Name: Bryan M. Hough
Title: Mayor

ASSIGNOR:

MOUNT HOLLY COMMUNITY DEVELOPMENT
FOUNDATION, INC.

By: _____ (SEAL)
Name: Stephanie McLaughlin
Title: President

ASSIGNEE/LESSEE:

ARTS ON THE GREENWAY

By: _____ (SEAL)

Name: Wanda Campbell

Title: President

EXHIBIT "B"
Arts on the Greenway (AOTG)
Rules for Tenant Occupancy

1. Space is leased to artists for the purpose of creating works of art. Continued occupancy of each artist's space is contingent on the regular presence of the artist for the purpose of creating art and such other standards as the master tenant, AOTG, may deem appropriate for the continued viability and financial success of AOTG. At the beginning of each artist's sublease from AOTG, a security deposit in the amount of \$50 shall be collected and held in a separate account. Security deposits will be refunded at the termination of the artist's sublease of a studio if vacated in a satisfactory manner. The officers of AOTG will determine the refund.
2. Rent is due in full the first of the month. Rent will be considered late after the 7th day of the month and a late fee of \$15 will be assessed. Failure to pay the rent and late fee will result in a 30 day notice to vacate.
3. All artists shall properly dispose of their waste. No oil paint, solvents, or other non water-soluble materials shall be disposed of through the plumbing waste system. Such solvents, diluents (thinners), turpentine, and any other non water-soluble wastes shall be disposed of off-site in accordance with applicable laws and regulations by carrying away from the premises. Care shall be taken in the handling and storage of any flammable or combustible materials to prevent fire. Oily rags shall be kept in a steel, self-closing oily rag can and disposed of daily. Tenants shall follow standards as set forth in ASTM D7355-10 (Standard Guide for Artists' Paint Waste Disposal in Smaller Commercial and Educational Settings). Tenants shall follow any instructions or directives of the Fire Marshall with respect to handling such materials and all other aspects of occupancy of the space. The use of gasoline, kerosene, or similar petroleum products on the premises is forbidden unless advance permission is granted by the Lessor and Owner. No oil or acrylic paint waste shall be disposed of in a manner that uses the City solid waste system.
4. Occupancy and use of any space in the building shall be in conformity with the Codes of the City of Mount Holly and the laws and regulations of the State of North Carolina.
5. The premises are smoke-free. Any smoking or other use of tobacco products shall be conducted outside the building on the north side at least ten feet from any entrance door.
6. No firearms or other dangerous weapons shall be permitted on the premises in accordance with Mount Holly City Code Sec. 14-23.
7. Artist tenants shall leave parking spaces next to the side entrance of the building available for patrons and visitors. Exceptions are made for loading purposes during actual times of loading/unloading.
8. All art sales on premises shall be run through the gallery sales desk and be subject to a standard minimum gallery commission of fifteen (15%) percent of the sales price whether sold from the gallery, an artist's studio, or any other place on the premises. Any tenant artist found in violation of this rule shall immediately reimburse the gallery the appropriate commission. More than one violation of this policy shall be grounds for eviction without refund of rent or security deposit. Artists are encouraged to sell as much art on premises as possible in order to help maintain the financial viability of AOTG.
9. Food and drink are not permitted in the gallery space except for during special events when food or drink are served as part of such special event. Any food consumed by a

- tenant should be consumed in a resident studio or other designated area except for special events when food or drink are served as part of such special event.
10. Guests and patrons are not permitted outside the gallery/gift shop/restroom area without a tenant escort, with the exception of special events, open houses, or other designated events when appropriate persons will be monitoring studios, common spaces, and other non-gallery areas.
 11. Realizing that guests and patrons will be escorted to artists' studio, artist's space shall be kept in reasonable order and meet all requirements or orders of the Fire Marshall of the City of Mount Holly.
 12. Artists' studio spaces shall be subject to inspection by the lessor during normal business hours.
 13. Each tenant artist shall be required to donate eight (8) hours per month (a total of 96 hours per year) of his or her time to tending the gallery/gift shop (for 35 hours per year or 7 Saturdays) or other assigned duties (61 hours per year). This obligation of volunteer time is part of the consideration provided by each tenant artist for the use of space and facilities at AOTG in the same manner that monthly studio lease rent payments are made by each tenant artist. Failure to provide said time to the operation of the gallery/gift shop shall be grounds for eviction. Each tenant artist shall sign up for such volunteer time on the calendar provided by the tenant organization group. The artist tenant understands that AOTG is a cooperative business and each tenant is expected to volunteer additional time to chores such as hanging shows, general cleaning of gallery and other common areas, work in support of special events, and other volunteer work as may be reasonably called upon in support of the operation.
 14. The tenant artist understands that financial viability of AOTG depends upon utility conservation. Each tenant shall take reasonable care to conserve utilities, such as turning lights off when not in use. Any concerns that would add to utilities should be reported to the building coordinator immediately.
 15. During hours when the gallery is not open, each artist tenant shall keep the premises locked from the outside. Sharing a key to the building with anyone shall be grounds for eviction without refund of deposit. If a tenant believes that their key has been lost or stolen, the tenant shall immediately inform Owner (City of Mount Holly) and AOTG.
 16. No artist studio or other space on the premises shall be used for domiciliary or similar purpose such as overnight sleeping, cooking, or bathing.
 17. Tenant artists shall endeavor to attend and participate in regular tenant meetings. AOTG requires that tenant artists attend 8 out of 12 tenant meetings per year in order to conduct AOTG business.
 18. Tenant artists shall use the space with appropriate consideration of other tenants in the building by avoiding: (1) making excessive or disturbing amplified sounds or noise (it is expected that work in some visual arts media by their natures create noise, and permission to work in such media would be granted by the lessor under terms of the lease or other written permission); (2) the generation of noxious fumes (it is expected and accepted that fumes in the appropriate and normal use, handling, and storage of oil paints and solvents customarily used in oil painting and other fumes related to customary artist media may be present on the premises from time to time); and (3) other activities and offensive behaviors that interfere with or inhibit use of the premises by other artists or repulse gallery customers.

NORTH CAROLINA

LEASE AGREEMENT

GASTON COUNTY

THIS LEASE, effective as of the 13 day of August, 2018, by and between the CITY OF MOUNT HOLLY, a North Carolina municipal corporation, as Lessor ("City"), and GASTON COUNTY ART GUILD, a North Carolina nonprofit corporation, as Lessee ("Lessee");

WITNESSETH:

WHEREAS, City is authorized by NCGS 160A, Article 12, to lease property it owns if the Council determines that the property will not be needed by the City for the term of the lease; and,

WHEREAS, City is the owner of certain property located at 500 E. Central Ave., Mount Holly, NC, tax parcel ID # 220660, Mount Holly, North Carolina (the "Property"); and

WHEREAS, the City Council of the City of Mount Holly has determined that the Property will not be needed by the City for its exclusive use during the term of the lease; and

WHEREAS, Lessee wishes to lease the Property for the purpose of an art gallery, a gift shop, and art studios for sublease to artists.

NOW, THEREFORE, in consideration of the terms, conditions and covenants hereinafter set forth, the City does hereby lease to Lessee, and Lessee does hereby lease from the City the Property under the terms and conditions hereinafter set forth:

1. Effective Date – Duration. This lease shall be effective as of the date appearing hereinabove and shall exist and continue, unless sooner terminated as hereinafter provided, for five (5) years from the date as stated above. Initial possession or occupancy of the Property under this Lease shall commence immediately upon the execution of the Lease by both parties and shall continue uninterrupted throughout the duration of the Lease, subject only to the City's rights of entry for inspection and certain maintenance.
2. Rent/Consideration. Lessee shall pay to City as rent for the Property the following amounts (collectively the "Lease Payment"): an amount equal to ninety percent (90%) of all amounts received by Lessee for the sublease of any portion of the Premises ("Gross Sublease Payments"). Lease Payments shall be due monthly on or before the 15th day of each month and shall be determined based upon the receipts from the previous month. Rental Payments shall be accompanied by a detailed report setting forth the Gross Sublease Payments indicating the amount of each payment and the sub-lessee from whom it was received.
3. Option to Renew. Provided that Lessee is not then in default of any of the terms of this Lease and the lease is not otherwise terminated, Lessee shall have the option to extend

this lease for a maximum of five successive one year periods. In order for such extensions to be exercised, Lessee must give written notice to the City of its intent to extend this lease no later than sixty (60) days prior to the expiration of the then existing term. In the event that Lessee extends the Lease as provided in this section, all terms and conditions of this Lease shall continue in effect. The annual lease amount shall be subject to renegotiation for each period said lease is extended.

4. Construction, Alterations or Improvement. Lessee will be responsible for any construction, alterations or improvements necessary for its use of the Property for a gallery and artists' studios. Lessee shall make no alterations, improvements or structural changes of any kind to the Property without the express written consent of the City. At the termination of the lease, Lessee shall, if requested by City, remove or cause to be removed any alterations or improvements installed by Lessee and return the Property to its prior condition, excepting normal wear and tear.
5. Utilities. City shall be responsible for the payment of electric, water, sewer, and natural gas utilities. Lessee shall be responsible for the payment of all other utilities required by the Lessee.
6. Use. Lessee may use the Property for the purposes of an art gallery, artists' studios, classroom space, a gift shop, and arts-related activities and events, providing that there is a resident tenant on premises. Lessee shall not permit the Property to be used for any purpose that will injure or damage the Property. Lessee will not use or keep in Property anything that would in any way adversely affect the terms and conditions of the City's fire insurance coverage. Lessee shall not use nor permit its sublessees to use the Property as a residence. The City may use the Property for events without charge, provided that the City would ask for Lessee's consent to hold events in the Property, which consent would not be unreasonably withheld.
7. Maintenance. Lessee will be responsible for maintaining the interior of the Property.
8. Sales and Use Taxes. Lessee agrees to pay any and all sales, use or other taxes that may be legally due and owing to any governmental agency.
9. Inspection. The City may cause the Property to be inspected at any time.
10. Subleasing/Assignment. It is contemplated by the parties that the Lessee shall sublease portions of the Property for use as artist studios. Lessee agrees that such sub-lessees shall pay rent for leased space as set forth on the schedule which is attached hereto as Exhibit A and incorporated herein by reference. Lessee shall enter into a written sublease with every sub-lessee which shall contain the applicable rent for the space leased and shall incorporate and require compliance with the rules and regulations which are attached hereto as Exhibit B and incorporated herein by reference.
11. Indemnification and Insurance. Lessee agrees to indemnify, hold harmless and defend the City, its officers, agents and employees from and against any and all claims, loss,

damage, liability or expense whatsoever, including reasonable attorney's fees, arising out of or resulting from Lessee's use, occupancy, conduct or management of the Property. Lessee agrees to further indemnify, hold harmless and defend the City, its officers, agents and employees from and against any and all claims, loss, damage, liability or expense, including reasonable attorney's fees, arising out of or resulting from any breach or default on the part of Lessee in the performance of any responsibility or covenant to be performed pursuant to the terms of this Lease, or arising out of or resulting from any act of negligence of Lessee, its officers, agents or employees.

Lessee at its own expense shall carry General Comprehensive Liability insurance in the amount of not less than One Million (\$1,000,000.00) dollars combined single limit for both personal injury and property damage and Fire Legal Liability insurance with an insurance company with an insurance company acceptable to the City and authorized to do business in the State of North Carolina, which policies shall name the City of Mount Holly as an additional insured. Such policies shall further contain provisions that the City will be given thirty (30) days' written notice of any intent to terminate such insurance by either Lessee or the insuring company. Lessee will furnish certificates of insurance evidencing such coverage prior to the effective date of this Lease and upon each renewal of such coverage.

Lessee agrees to purchase workers' compensation insurance in accordance with North Carolina workers' compensation law (three or more employees). Coverage shall be maintained in accordance with statutory requirements with limits of not less than \$100,000 per each accident.

12. Notice. Any notices required or permitted to be given by either party hereunder shall be in writing sent to the persons and addresses below and shall be made and given by either delivering the notice to the persons indicated or depositing the notice in the United States Post Office postpaid addressed to the other party at its last known place of business.

For City: Danny J. Jackson
 City Manager
 400 E. Central Ave.
 Mount Holly, NC 28120

For Lessee: Carm Tracy
 President
 1118 Heather Loch Dr.
 Gastonia, NC 28054

13. Equal Opportunity. Lessee agrees that during the term of this lease and any extended terms, it shall not exclude anyone from participation in, deny anyone the benefits of, or otherwise subject anyone to discrimination because of the person's race, religion, sex, age, color, national origin, or physical or mental handicap.

14. Termination.

- (a) In the event that either party shall fail to perform, keep and observe any of the terms, covenants, and conditions herein contained on its part to be performed and shall remain in default thereof for a period of thirty (30) days after written notice from the party not in

default calling attention to such default or condition, the party not in default may declare this Lease terminated and canceled and:

- i. In the case of city, City may take possession of the Property without prejudice to any other legal remedy it might have on account of default.
- ii. In the case of Lessee, Lessee may vacate the Property without prejudice to any other legal remedy it may have on account thereof.

(b) City may terminate this lease at any time with or without cause by giving ninety (90) days' written notice of termination to the Lessee.

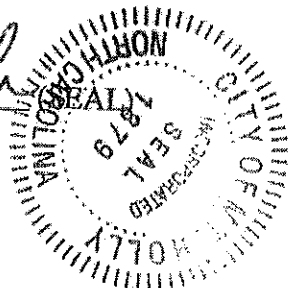
15. Waiver of Liability. Lessee shall maintain its own property insurance against theft or damage to any and all personal property that it stores in or about the Property. Lessee assumes all risk and responsibility in connection with the safekeeping of all its equipment and personal property left on the leased premises and furthermore, agrees to hold the City harmless for any damages of whatever nature occurring to said property while it is located on the demised premises. All subleases executed by Lessee for any part of the Property shall include a provision holding the City harmless for the loss or any damages to personal property belonging to the sublessee.
16. No Rights/Benefits to Third Parties. This Agreement is intended to inure only to the benefit of Lessee and City. This Agreement is not intended to create, nor shall be deemed or construed to create, any rights in any third parties.
17. No Doctrine of Construction Against the Drafter. Both Parties acknowledge and stipulate that this Agreement is the product of mutual negotiation and bargaining and that it has been reviewed by legal counsel for both City and Lessee, or both parties have had an opportunity to seek counsel. As such, the doctrine of construction against the drafter shall have no application to this Agreement.
18. Holding Over. If Lessee shall, with the knowledge or consent of the City, continue to remain upon the Property after the expiration of the term of this Lease, then in such case Lessee shall become a tenant at will.
19. Waivers. It is agreed between the parties that no waiver of any term or condition of this Lease shall be construed to be a waiver of any succeeding breach of the same or any other term or condition.
20. Amendments. Any and all amendments to this Lease must be in writing signed by Lessee and the City.
21. Binding on Successors and Assigns. All covenants and agreements of this Lease shall be binding upon and inure to the benefit of the respective successors and assigns of the City and Lessee.

22. Severability. In the event that any provisions herein shall be deemed invalid or unenforceable, the other provisions, hereof shall remain in the full force and effect, and be binding upon the parties hereto.
23. Applicable Law. This Agreement shall be interpreted and enforced according to the laws of the State of North Carolina. Any legal action regarding the enforcement of this Agreement must be filed in the appropriate Court in Gaston County, State of North Carolina, having jurisdiction in the matter.
24. Integrated Contract. Neither party has made any representation or promise, except as contained herein, or in come further writing signed by the party making such representation or promise.
25. Counterparts. This agreement may be simultaneously executed in several counterparts, each of which when so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.
26. Miscellaneous. The headings, captions and numbers in this Agreement are solely for convenience and shall not be considered in construing or interpreting any provision in this Agreement. Wherever appropriate in this Agreement, personal pronouns shall be deemed to include other genders and the singular to include the plural, if applicable.

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first set out above.

CITY:
CITY OF MOUNT HOLLY

By: Bryan M. Hough
Bryan M. Hough, Mayor



Attest:

Amy Miller
Amy Miller, City Clerk

LESSEE:
GASTON COUNTY ART GUILD

By: Camula May (SEAL)
Name:
Title: President of Gaston Co. Art Guild

STATE OF NORTH CAROLINA

COUNTY OF GASTON

NOTARY ACKNOWLEDGMENT

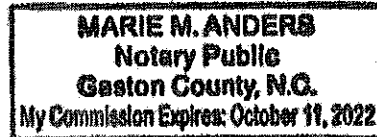
I, Marie M. Anders, a Notary Public in and for said County and State, do hereby certify that Amy Miller personally came before me this day and acknowledged that he/she is City Clerk of the CITY OF MOUNT HOLLY, a North Carolina municipal corporation, and that by authority duly given and as the act of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

Witness my hand and notarial seal, this 13 day of August, 2018.

Marie M. Anders
Notary Public

My commission expires: _____

(seal)



STATE OF NORTH CAROLINA

COUNTY OF GASTON

NOTARY ACKNOWLEDGMENT

I, Daniel Brannon, a Notary Public in and for said County and State, do hereby certify that Carilla Tracy personally came before me this day and acknowledged that he/she is President of GASTON COUNTY ART GUILD, a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him/her on behalf of the said corporation.

Witness my hand and notarial seal, this 20th day of July, 2018.

Daniel Brannon
Notary Public

MY COMMISSION EXPIRES August 26, 2020

My commission expires: _____

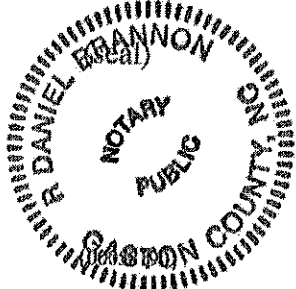


EXHIBIT "A"

SCHEDULE OF RENTS

Rents for artist studio spaces shall be based on a set charge of at least \$1.35 per square foot with a premium charge of \$25 should the studio have a window providing natural light. Each space shall be assigned a monthly rent by the President of the Gaston County Art Guild.

Volunteer time provided by each artist occupying studio space on the Property shall be required. Each artist tenant shall be required to provide a minimum of 8 hours per month devoted to tending the gallery as set forth in Exhibit "B". In addition, each artist tenant is expected to provide additional volunteer time toward maintaining and operating the Gaston County Art Guild and its programs. This includes, but is not limited to, work such as planning, arranging, and hanging sales shows; chairing or serving on committees; managing subtenant matters (when assigned); and other duties necessary for the operation of the Gaston County Art Guild and its programs. Required and expected volunteer work is deemed a part of the consideration provided for occupancy of a studio in the same manner as rent. Failure of any studio occupant to provide said volunteer work or to otherwise adhere to the rules set forth in Exhibit "B" shall be treated in the same manner as failure to pay rent.

The City Manager and the President of the Gaston County Art Guild shall review rents and occupancy rates from time to time, and in consultation with each other may adjust rents of studio spaces up or down based upon supply, demand, operational costs and the continued viability and growth of the Gaston County Art Guild and its programs.

EXHIBIT "B"

Gaston County Art Guild (GCAG) Rules for Tenant Occupancy

1. Space is leased to artists for the purpose of creating works of art. Continued occupancy of each artist's space is contingent on the regular presence of the artist for the purpose of creating art and such other standards as the master tenant, GCAG, may deem appropriate for the continued viability and financial success of GCAG. At the beginning of each artist's sublease from GCAG, a security deposit in the amount of \$50 shall be collected and held in a separate account. Security deposits will be refunded at the termination of the artist's sublease of a studio if vacated in a satisfactory manner. The officers of GCAG will determine the refund.
2. Rent is due in full the first of the month. Rent will be considered late after the 7th day of the month and a late fee of \$15 will be assessed. Failure to pay the rent and late fee will result in a 30 day notice to vacate.
3. All artists shall properly dispose of their waste. No oil paint, solvents, or other non water-soluble materials shall be disposed of through the plumbing waste system. Such solvents, diluents (thinners), turpentine, and any other non water-soluble wastes shall be disposed of off-site in accordance with applicable laws and regulations by carrying away from the premises. Care shall be taken in the handling and storage of any flammable or combustible materials to prevent fire. Oily rags shall be kept in a steel, self-closing oily rag can and disposed of daily. Tenants shall follow standards as set forth in ASTM D7355-10 (Standard Guide for Artists' Paint Waste Disposal in Smaller Commercial and Educational Settings). Tenants shall follow any instructions or directives of the Fire Marshall with respect to handling such materials and all other aspects of occupancy of the space. The use of gasoline, kerosene, or similar petroleum products on the premises is forbidden unless advance permission is granted by the Lessor and Owner. No oil or acrylic paint waste shall be disposed of in a manner that uses the City solid waste system.
4. Occupancy and use of any space in the building shall be in conformity with the Codes of the City of Mount Holly and the laws and regulations of the State of North Carolina.
5. The premises are smoke-free. Any smoking or other use of tobacco products shall be conducted outside the building on the north side at least ten feet from any entrance door.
6. No firearms or other dangerous weapons shall be permitted on the premises in accordance with Mount Holly City Code Sec. 14-23.
7. Artist tenants shall leave parking spaces next to the side entrance of the building available for patrons and visitors. Exceptions are made for loading purposes during actual times of loading/unloading.
8. All art sales on premises shall be run through the gallery sales desk and be subject to a standard minimum gallery commission of fifteen (15%) percent of the sales price whether sold from the gallery, an artist's studio, or any other place on the premises. Any tenant artist found in violation of this rule shall immediately reimburse the gallery the appropriate commission. More than one violation of this policy shall be grounds for eviction without refund of rent or security deposit. Artists are encouraged to sell as much art on premises as possible in order to help maintain the financial viability of GCAG.

9. Food and drink are not permitted in the gallery space except for during special events when food or drink are served as part of such special event. Any food consumed by a tenant should be consumed in a resident studio or other designated area except for special events when food or drink are served as part of such special event.
10. Guests and patrons are not permitted outside the gallery/gift shop/restroom area without a tenant escort, with the exception of special events, open houses, or other designated events when appropriate persons will be monitoring studios, common spaces, and other non-gallery areas.
11. Realizing that guests and patrons will be escorted to artists' studio, artist's space shall be kept in reasonable order and meet all requirements or orders of the Fire Marshall.
12. Artists' studio spaces shall be subject to inspection by the lessor during normal business hours.
13. Each tenant artist shall be required to donate eight (8) hours per month of his or her time to tending the gallery/gift shop or other assigned duties. This obligation of volunteer time is part of the consideration provided by each tenant artist for the use of space and facilities at GCAG in the same manner that monthly studio lease rent payments are made by each tenant artist. Failure to provide said time to the operation of the gallery/gift shop shall be grounds for eviction. Each tenant artist shall sign up for such volunteer time on the calendar provided by the tenant organization group. The artist tenant understands that GCAG is a cooperative business and each tenant is expected to volunteer additional time to chores such as hanging shows, general cleaning of gallery and other common areas, work in support of special events, and other volunteer work as may be reasonably called upon in support of the operation.
14. The tenant artist understands that financial viability of GCAG depends upon utility conservation. Each tenant shall take reasonable care to conserve utilities, such as turning lights off when not in use.
15. During hours when the gallery is not open, each artist tenant shall keep the premises locked from the outside. Sharing a key to the building with anyone shall be grounds for eviction without refund of deposit. If a tenant believes that their key has been lost or stolen, the tenant shall immediately inform Owner (City of Mount Holly) and GCAG.
16. No artist studio or other space on the premises shall be used for domiciliary or similar purpose such as overnight sleeping, cooking, or bathing.
17. Tenant artists shall endeavor to attend and participate in regular tenant meetings.
18. Tenant artists shall use the space with appropriate consideration of other tenants in the building by avoiding: (1) making excessive or disturbing amplified sounds or noise (it is expected that work in some visual arts media by their natures create noise, and permission to work in such media would be granted by the lessor under terms of the lease or other written permission); (2) the generation of noxious fumes (it is expected and accepted that fumes in the appropriate and normal use, handling, and storage of oil paints and solvents customarily used in oil painting and other fumes related to customary artist media may be present on the premises from time to time); and (3) other activities and offensive behaviors that interfere with or inhibit use of the premises by other artists or repulse gallery customers.



City of Mount Holly Action Agenda Item

To: Mayor and City Council Craig Spry, Deputy Fire Chief	Date: August 8, 2023 Meeting Date: August 14, 2023																																				
Agenda Item to be considered: Discussion of land use and training facility concepts for the Fire Department																																					
Will this require a public hearing? ☐ YES ☒ NO																																					
Background/Purpose of Request: Discussion regarding future use of land behind the Headquarter station for a Fire Department Logistics building. Discussion regarding a training facility for the Fire Department and its potential location.																																					
<table border="1"><tr><td colspan="4">Fiscal Impact:</td></tr><tr><td>Will Item affect current budget</td><td>☐ YES</td><td>☒ NO</td><td>☐ N/A</td></tr><tr><td>Reviewed by Finance Director</td><td>☐ YES</td><td>☒ NO</td><td>☐ N/A</td></tr><tr><td>Pre-audit Certification required</td><td>☐ YES</td><td>☒ NO</td><td>☐ N/A</td></tr><tr><td>Capital Project Ordinance required</td><td>☐ YES</td><td>☒ NO</td><td>☐ N/A</td></tr><tr><td>Budget Transfer required</td><td>☐ YES</td><td>☒ NO</td><td>☐ N/A</td></tr><tr><td colspan="4">Total City Dollars:</td></tr><tr><td colspan="4">Budget Code</td></tr><tr><td>Reviewed by City Attorney</td><td>☐ YES</td><td>☐ NO</td><td>☐ N/A</td></tr></table>		Fiscal Impact:				Will Item affect 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:				Budget Code				Reviewed by City Attorney	☐ YES	☐ NO	☐ N/A
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Manager/Staff Recommendation:																																					
Result of City Council Decision:																																					
Attachments: Oath of Office																																					

Mount Holly Fire Department

Logistics and Fire Training Facilities



Craig Spry – Deputy Fire Chief

August 14, 2023

**433 Killian Avenue – Headquarters Station
Logistics Building**

Storage and Inventory Management:

- Station equipment
- Firefighting equipment
- Reserve apparatus
- Off-road apparatus
- Station supplies
- Medical supplies
- Turnout gear
- Uniforms

Equipment maintenance:

- Designated area
- Centrally located
- Vendor access



433 Killian Avenue – Headquarters Station Logistics Building

Location: Behind Headquarter station (same parcel)

Space needs assessment: We recommend a logistics building to be part of this assessment for the fire department.

There is interest by a private group to secure. Staff recommends retaining property.



Fire Department Training Facility

Skill Development:

- Strategies and tactics
- Competence and confidence
- Controlled environment

Realistic Training Scenarios:

- Live fire
- Ventilation
- Structural search
- Pump / Aerial operations
- Vehicle extrication
- Confined space
- Structural collapse
- Rope rescue



Fire Department Training Facility

Resource Utilization:

- MHFD apparatus and equipment
- Mutual aid apparatus and equipment
- Multi-agency training
- Enhances proficiency in emergency operations
- In-city training



Fire Department Training Facility

Insurance Services Office (ISO):

- Mount Holly FD - ISO Class 2
- An ISO Class 1 rating will benefit commercial and industrial
- A training facility at least three stories high on two acres could allow us to obtain an ISO Class 1 Rating.



Fire Department Training Facility

Considerations:

- Property that the City currently owns
 - Greater than two acres
 - Centrally located
 - Large enough for multiple training areas
 - Zoned as Industrial
-
- 112 Mountain Island Road was identified









Fire Department Training Facility

Preliminary cost projection: approximately \$500,000

Space needs assessment: We recommend a Training Facility to be part of this assessment for the fire department.



Questions?

