



July 27, 2015  
Council Work Session Meeting

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

**CITY OF MOUNT HOLLY  
MOUNT HOLLY CITY COUNCIL WORK SESSION  
Location: Council Chambers**



**July 27, 2015  
6:30 P.M.**

**CALL TO ORDER BY THE MAYOR**

**INVOCATION**

**SET THE AGENDA**

1. Award of Bid for the 2015 Paving Project *Miles Braswell*
2. Update on the 2015 Drought Situation *Brian Wilson*
3. Consideration and Approval of a Main Street Solutions Grant Application *Greg Beal*  
for the Summey Building and Old Gaston Theatre Building as requested by Billy Rick
4. Review of Updates to the City Code *Marie Anders*
5. Adjourn



## City of Mount Holly Action Agenda Item

| <b>To:</b> Mayor and City Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Date:</b> July 20, 2015          |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
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| <b>From:</b> Miles Braswell, Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Meeting Date:</b> July 27, 2015  |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| <b>Agenda Item to be considered:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                     |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 2015-2016 Street Paving Project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                     |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| <b>Will this require a public hearing?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                     |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| <b>Background/Purpose of Request:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                     |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| <p>During the April 27, 2015 City Council Work Session, the Fiscal Year 2015-2016 Powell Bill Paving Project locations were presented as an Information Item that included repairs and resurfacing A&amp;E Drive, Fire Department Drive and portions of Deefield and Runnymede subdivisions. The project budget was estimated at \$300,000, including contingency.</p> <p>Plans/specifications were prepared by City staff and the project was advertised June 13, 2015 with three (3) contractors submitting bids on July 14, 2015 at 2:30 PM. The below table lists the bid results:</p> <table border="1"><thead><tr><th><u>Contractor</u></th><th><u>Bid (including contingency)</u></th></tr></thead><tbody><tr><td>Red Clay Industries, Inc.</td><td>\$211,370.00</td></tr><tr><td>Tarpon Construction, Inc.</td><td>\$249,320.00</td></tr><tr><td>Trull Contracting</td><td>\$264,500.00</td></tr></tbody></table> <p>A fifteen (15%) percent contingency was added to the base bid above to cover unforeseen conditions during construction. The contingency may only be used by the contractor upon written instructions from the City's Project Manager. Any contingency amount remaining at contract completion will revert to the City.</p> <p>The below table lists the alternates that were included to improve additional areas:</p> <table border="1"><thead><tr><th><u>Alternate</u></th><th><u>Description</u></th><th><u>Red Clay</u></th><th><u>Tarpon</u></th><th><u>Trull</u></th></tr></thead><tbody><tr><td>1</td><td>River Street Park Drive Paving</td><td>\$8,400</td><td>\$11,500</td><td>\$9,200</td></tr><tr><td>2</td><td>North Willow Court 2" Mill &amp; Pave</td><td>\$14,000</td><td>\$14,500</td><td>\$15,400</td></tr><tr><td>3</td><td>South Willow Court 2" Mill &amp; Pave</td><td>\$12,500</td><td>\$16,300</td><td>\$15,300</td></tr><tr><td>4</td><td>North Mulberry Court 2" Mill &amp; Pave</td><td>\$13,600</td><td>\$15,000</td><td>\$15,500</td></tr><tr><td>5</td><td>Sweetbriar Court 2" Mill &amp; Pave</td><td>\$14,900</td><td>\$17,200</td><td>\$16,400</td></tr><tr><td>6</td><td>Goldenrain Court 2" Mill &amp; Pave</td><td>\$12,000</td><td>\$14,000</td><td>\$14,300</td></tr></tbody></table> <p>It is my recommendation to award the 2015-2016 Street Paving Project to Red Clay Industries, Inc. at \$278,370.00, which includes the base bid, contingency and alternates 2 - 6, funded from the Powell Bill.</p> <p>Construction is anticipated during the late summer/fall of 2015 and will extend fifty (50) calendar days.</p> |                                     | <u>Contractor</u> | <u>Bid (including contingency)</u> | Red Clay Industries, Inc. | \$211,370.00 | Tarpon Construction, Inc. | \$249,320.00 | Trull Contracting | \$264,500.00 | <u>Alternate</u> | <u>Description</u> | <u>Red Clay</u> | <u>Tarpon</u> | <u>Trull</u> | 1 | River Street Park Drive Paving | \$8,400 | \$11,500 | \$9,200 | 2 | North Willow Court 2" Mill & Pave | \$14,000 | \$14,500 | \$15,400 | 3 | South Willow Court 2" Mill & Pave | \$12,500 | \$16,300 | \$15,300 | 4 | North Mulberry Court 2" Mill & Pave | \$13,600 | \$15,000 | \$15,500 | 5 | Sweetbriar Court 2" Mill & Pave | \$14,900 | \$17,200 | \$16,400 | 6 | Goldenrain Court 2" Mill & Pave | \$12,000 | \$14,000 | \$14,300 |
| <u>Contractor</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <u>Bid (including contingency)</u>  |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| Red Clay Industries, Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$211,370.00                        |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| Tarpon Construction, Inc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | \$249,320.00                        |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| Trull Contracting                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | \$264,500.00                        |                   |                                    |                           |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| <u>Alternate</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <u>Description</u>                  | <u>Red Clay</u>   | <u>Tarpon</u>                      | <u>Trull</u>              |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | River Street Park Drive Paving      | \$8,400           | \$11,500                           | \$9,200                   |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | North Willow Court 2" Mill & Pave   | \$14,000          | \$14,500                           | \$15,400                  |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | South Willow Court 2" Mill & Pave   | \$12,500          | \$16,300                           | \$15,300                  |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | North Mulberry Court 2" Mill & Pave | \$13,600          | \$15,000                           | \$15,500                  |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 5                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sweetbriar Court 2" Mill & Pave     | \$14,900          | \$17,200                           | \$16,400                  |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |
| 6                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Goldenrain Court 2" Mill & Pave     | \$12,000          | \$14,000                           | \$14,300                  |              |                           |              |                   |              |                  |                    |                 |               |              |   |                                |         |          |         |   |                                   |          |          |          |   |                                   |          |          |          |   |                                     |          |          |          |   |                                 |          |          |          |   |                                 |          |          |          |



## City of Mount Holly Action Agenda Item

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| <b>To:</b> Mayor and City Council<br><b>From:</b> David Johnson, Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Date:</b> July 20, 2015<br><b>Meeting Date:</b> July 27, 2015                                 |
| <b>Agenda Item to be considered:</b><br>Catawba –Wateree Basin Stage 1 water use restrictions update by Brian Wilson, ORC WTP<br><br><br><br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                  |
| <b>Will this require a public hearing?</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                  |
| <b>Background/Purpose of Request :</b><br>The Catawba-Wateree Drought Management Group was formed after the 2007-2008 drought and consists of the major water users from Lenoir, NC to Camden, SC. Mount Holly's Water Shortage Management Plan is attached for reference.<br><br>Stage 0 Advisory Group monitors the conditions – Press Release on 7/2/15<br>Stage 1 Voluntary Water Use Restrictions – <b>Current Stage</b> Press Release Issued 7/20/15<br>Stage 2 Mandatory Water Use Restrictions<br>Stage 3 More Restrictive Mandatory Restrictions<br>Stage 4 Severe conditions where public water supply is threatened and adequate water supply reserved for essential public needs<br><br>Voluntary water restrictions may lower usage which in return may impact revenue.<br><br><br> |                                                                                                  |
| <b>Fiscal Impact:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                  |
| Will Item affect current budget                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A |
| Reviewed by Finance Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A |
| Preaudit Certification required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A |
| Capital Project Ordinance required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A |
| Budget Transfer required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A |
| <b>Total City Dollars:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | \$                                                                                               |
| <b>Budget Code</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                  |
| Reviewed by City Attorney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A |
| <b>Manager/Staff Recommendation:</b><br><br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                  |
| <b>Result of City Council Decision:</b><br><br>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                  |
| <b>Attachments: Mount Holly's Water Shortage Management Implementation Plan</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                  |



CITY OF MOUNT HOLLY UTILITIES

# WATER SHORTAGE MANAGEMENT

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Implementation Plan

Revised June 22, 2009

# WATER SHORTAGE MANAGEMENT

## IMPLEMENTATION PLAN

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### PURPOSE

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A water shortage management plan is a useful tool in managing water supply problems and emergencies. This plan can be utilized in any number of situations, such as drought, water supply disruption, distribution or quality problems. It can also aid in response to man-made and natural disasters (acts of terrorism, contamination, flood, hurricanes, etc.). By the authority given in the Drought Response Ordinance the City Manager may implement any part of the Water Shortage Response Plan as needed.

As the stages of the Water Shortage Response Plan are declared, the City of Mount Holly will notify employees through their Department Heads. Water users will be notified by any combination of and/or all of the following methods; Direct Mail, News Paper, TV, Radio, and City Web site.

**This plan shall be revised to reflect the needs of the most current situation and to best serve our customers.**

### WATER SHORTAGE CONDITIONS

A water shortage may be declared by the City Manager upon recommendation of the Utility Director, based on some or all of the following factors:

- Ability to re-fill water storage tanks of the water system
- Ability to maintain an amount of water in the ground level storage tanks at Mount Holly's water treatment plants that is adequate for fire protection.
- Ability to maintain adequate water pressure in every portion of the Mount Holly water system;
- Adequacy of the water supply in terms of quantity and/or quality for the foreseeable future to satisfy the anticipated demand for water;
- Conditions downstream of the City of Mount Holly water intakes;
- Regulatory requirements affecting operation, repair or maintenance of any portion of the water system;
- Such factors as may affect our ability to supply, treat and/or distribute water through its water system;

- Such factors as identified by Duke Power, in accordance with the drought stage triggers incorporated in to the Low Inflow Protocol;
- Drought declarations by the State of North Carolina.

## PRIORITY USES

Water use prioritization is the key to the success of a water management plan. By grouping water uses by category, Utilities can maintain service consistent with community values and priorities. All users/customer groups will be affected by the implementation of a water shortage management plan, but in a logical and progressive manner. This strategy allows for decisions to be made when conditions change.

### 1) Essential Water Use

Essential use means water necessary to maintain public health and safety. All entities charged with ensuring those services are deemed essential functions. In emergencies, water delivery may be limited to specific locations.

Sample uses:     Sustaining human health and safety

----- Fighting fires

Testing for public safety standards

Continued operation of water system

Operation of medical care facilities

### 2) Community/Business Water Use

Community/Business use defines any use of water that is critical to the function of a business or institution or has significant value to the community.

Sample uses:     Watering plant stock at nurseries, tree farms

Commercial car washing

Maintaining community pools

Agricultural applications

Drip irrigation/hand applied water to trees, plant beds

Water used in production of a product

### 3.) Discretionary Water Use

Discretionary water includes water for activities that are deemed elective or non-essential. These activities are the first to be regulated when restrictive measures are enacted.

Sample uses: Turf irrigation

Ornamental water use – fountains, decorative use

Water to fill or re-fill pools

Non commercial car/vehicle washing

Irrigation during a rain event

Water applied to impervious surfaces – driveways, streets, sidewalks, parking lots

## STAGES OF RESPONSE

Trigger points that demonstrate worsening hydrologic conditions will define various stages of drought response. A summary of trigger points for various stages is provided in the table below. The specific triggers required to enter successive stages are defined in the procedure for each stage.

### Summary of Trigger Points

| Stage | Storage Index          |     | Drought Monitor<br>(3 mo Average) |    | USGS Streamflow Gages |
|-------|------------------------|-----|-----------------------------------|----|-----------------------|
| 0     | $90\% < SI < TSI$      |     | 0 = DM                            |    | AVG = 85%             |
| 1     | $75\% < SI = 90\% TSI$ | And | 1 = DM                            | Or | AVG. = 78%            |
| 2     | $57\% < SI = 75\% TSI$ | And | 2 = DM                            | Or | AVG = 65%             |
| 3     | $42\% , SI = 57\% TSI$ | And | 3 = DM                            | Or | AVG = 55%             |
| 4     | $SI = 42\% TSI$        | And | 4 = DM                            | Or | AVG = 40%             |

### Stage 0

The preliminary stage of the water shortage plan. The Catawba Wateree Drought Management Advisory Group (DMAG) will initiate monthly meetings to focus on:

Reporting information

Reviewing history and forecast

Reviewing plans for responding to conditions.

### **Stage 1**

At this level of alert, citizens are reminded of conservation techniques and encouraged to adopt some water saving measures intended to reduce overall water use. **This level of action is encouraged year round for efficient water use.**

Actions: Notify customers of current conditions through public outreach and communications.

Provide a status update to the DMAG on actual water withdrawal trends.

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#### **Request customers implement voluntary water use restrictions, to include;**

Reduction in lawn and landscape irrigation to no more than two days a week by the following method:

Odd addresses water on Tuesdays and Saturdays

Even addresses water on Thursdays and Sundays

Unnumbered addresses follow the even address schedule

Water no more than one inch of water per week

Encourage reduction in residential vehicle washing

Urge customers to avoid watering during daytime hours (sunrise to sunset)

Goal: 5 - 10% reduction in demand

### **Stage 2**

This phase reflects a move in intensity from voluntary actions to **mandatory** restrictions. Restrictions at this time are designed to capture a significant savings with a minimum of regulation. Although this phase does require enforcement, it does not signal emergency or crisis. A move to mandatory restriction is necessary when voluntary measures are not effective in reducing the demand significantly when the supply continues to be threatened by long-range projections or localized interruptions. The following levels may be implemented sequentially or in any order that meets the immediate need to ensure adequate water for necessary uses.

**Actions:** Communicate current conditions and required actions to employees, customers and community users.

Provide a status update to the DMAG on actual water withdrawal trends.

Enforce mandatory restrictions through assessment of penalties

**Request customers implement voluntary water use restrictions, to include;**

No un-repaired leaks

Lawn and landscape water use is limited to the following schedule:

Odd addresses may water on Tuesdays and Saturdays.

Even addresses may water on Thursdays and Sundays.

Unnumbered addresses follow the even address schedule

No filling of Swimming Pools.

Topping off swimming pools are only allowed Mondays and Wednesdays

Eliminate residential vehicle washing

Limit public building, sidewalk and street washing activities except as required for safety and health regulations

Bubble, drip or hand irrigation applied to trees and plant beds is not restricted in Stage 2.

Athletic fields and golf course fairways may submit an alternative watering plan to achieve conservation goals. All customers are asked to reduce consumption and to defer discretionary uses to early morning or late evening hours.

**Goal:** Overall reduction in water use by 10 - 15%.

### **Stage 3:**

Mandatory requirements become more restrictive in an effort to lessen the impacts of worsening conditions.

**Actions:** Communicate current conditions and required actions to employees, customers and community visitors

Enforce mandatory restrictions through assessment of penalties

Provide a status update to the DMAG on actual water withdrawals

Odd addresses may water one day a week on Tuesday.

Even addresses may water one day a week on Thursday.

Unnumbered addresses follow the even address schedule

No filling, re-filling or topping off swimming pools

Bubble, drip or hand irrigation applied to trees and plant beds is not restricted

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These restrictions apply to turf irrigation, athletic fields and golf course fairway irrigation.

No residential vehicle car washing

No outdoor ornamental water use (fountains, ponds without fish),

Limited construction uses, or hydrant flushing except to maintain water quality and regulatory compliance

Encourage industrial process changes that reduce consumption

Applying water to buildings, pavement, decks, hard surfaces unless preparing for imminent painting.

Overall reduction in water use by 10 - 20%.

### **Stage 4**

This is a severe measure and is reserved for situations where the public water supply is threatened and the Director must act to ensure an adequate supply for essential public needs. The restrictions remain in place until conditions improve to Stage 3 level or better

Actions: Notify customers of the movement to emergency water use restrictions.

Issue a boil water advisory notice

Close valves or remove meters throughout the system to direct water to meet essential priority needs

Limit total customer water consumption.

All employers are asked to educate their employees about water conservation

Make water available from fire hydrants equipped to dispense water

Place medical facilities at the highest priority standing for available water.

Make water available for fire protection where possible, through whatever means.

Mandatory restrictions prohibit all outdoor water use

Community/Business water users must reduce their consumption by 25%.

Irrigation of athletic fields and fairways with the Mount Holly water system is prohibited.

Essential water use customers (hospitals, nursing homes, emergency care providers, etc.) are asked to monitor their use and look for opportunities to conserve.

\*\*\*\*\*

## ENFORCEMENT

Any customer or user who violates the mandatory restrictions, willfully or accidentally is subject to penalties, to include surcharges and possible loss of service. Knowledge of the prevailing restrictions and proper functioning of automatic sprinkler systems are the responsibility of the property owner and resident. This provision also applies to a customer who violates a variance. Customers who violate conditions of a variance, or alternate watering plan are subject to the enforcement penalties as well as additional surcharges.

### Enforcement Plan for Stage 2

Enforcement efforts will be focused on the time when no customer should be watering. Customers who water on the wrong day, Tuesday instead of Thursday, will not measurably affect our water supply condition. They are, in effect, swapping days. The customer who waters on prohibited days, when no one can water, is the problem and that's where our energies will be directed. Likewise, the customer who waters on the wrong day, but who does so at night (after 9pm) is not placing a hardship on the system, so we will patrol most vigorously on the prohibited days during daytime hours when our system becomes most stressed.

---

## VIOLATION FEE SCHEDULE

| Fines           |                |                |
|-----------------|----------------|----------------|
| Violation       | 1 1/2' meter   | 2" + meter     |
| 1 <sup>st</sup> | Warning Letter | Warning Letter |
| 2 <sup>nd</sup> | \$200          | \$400          |
| 3 <sup>rd</sup> | \$300          | \$600          |

Any customer who violates the Stage 2 restrictions more than 5 times is subject to loss of irrigation water service.

### Enforcement Plan for Stage 3

Stage 3 is designed to manage a worsening situation. Limited discretionary outdoor water use can be permitted one day a week and business use must be reduced as well. To make the most efficient use of limited resources to patrol for violators, the emphasis must be placed on allocating resources during the times that most severely stress our system. Conscious effort also should be directed to eliminating watering in highly visible, high traffic areas. Depending on the length of time Stage 2 was in place, the customers will have an awareness of the days a week they were allowed to water. The transition down to one day a week will allow watering on one of the previously designated watering days..

## COMMERCIAL/INDUSTRIAL COMPLIANCE

These customers must reduce their consumption by 20%  
Meters should be read weekly

### VIOLATION FEE SCHEDULE

| Fines           |              |            |
|-----------------|--------------|------------|
| Violation       | 1 1/2" meter | 2" + meter |
| 1 <sup>st</sup> | \$300        | \$400      |
| 2 <sup>nd</sup> | \$400        | \$800      |
| 3 <sup>rd</sup> | \$600        | \$1200     |

Any customer who accumulates more than 2 violations is subject to loss of irrigation water service.

### Enforcement Plan for Stage 4 Emergency

If the Water Shortage situation progresses to Stage 4 – Emergency, the situation will be managed by the City of Mount Holly, in coordination with the County Emergency Management Team, FEMA and other agencies.

Water Rationing would be utilized to ensure public health and safety.

Utilities Emergency Management Plan outlines hydrant use in emergencies.

Valves and meters will be adjusted to direct water to meet essential needs

A Boil Water Advisory may be issued

All customers will be limited in their total consumption capability.

Business hours may be curtailed.

Patrols will be dispatched according to need and to protect and regulate hydrant use.

### PROHIBITED WATER USE DURING STAGE 4 EMERGENCY

No outdoor water use except for emergency purposes, such as fire protection , water main repair, etc.

Fines same as Stage 3

## **Enforcement Policies and Procedures**

1. A customer is in violation of the prevailing water restrictions when he/she is using water outdoors in conflict with existing regulations as declared by the City Manager.
2. A citation for a violation is warranted when a Utilities employee observes the watering or sees evidence of the watering during prohibited days or times.  
Evidence of watering may include:
  - Sprinkler spray pattern on driveway, sidewalk, street or parking lot.
  - Runoff from sprinkler or hose use
  - Wet turf in absence of recent rain
3. Prior to issuing a citation, employee must check data sheet containing list of variances granted, previous citations issued and identified well water users.
  - Well water users are not subject to the water restrictions
  - Customers with previous citations are subject to increased surcharges
  - Customers given a variance must comply with the stated conditions on the variance form and must post the variance on site.
4. When a violation is determined to have occurred, the Utilities employees should :
  - Confirm all appropriate meter and street address information
  - Leave a door hanger/citation at the site of the violation which contains information about the water restrictions and the violation.
  - Maintain the copy of the door hanger and turn it in to the team leader at the end of the patrol shift.
  - If customer refuses to stop his water use after being informed of the violation, Utilities employees should alert the dispatcher for further directions.
5. Utilities employees should not attempt to operate a customer's automatic sprinkler timer.
6. If questioned about the restrictions or the surcharges, employees can refer to the pocket guide issued to all patrol members.
7. In the event that a customer becomes hostile or threatening, the employee should leave the property and contact the Enforcement Team immediately for support and directions.
8. Enforcement employee must turn in all violation notices and variance lists to team leaders at end of patrol shift.

## **APPEALS**

City of Mount Holly Utilities Policy on Violations will be as follows:

All citations for unauthorized water use during any phase of water restrictions will not be changed unless shown to be in error. Knowledge of the prevailing restrictions and proper functioning of automatic sprinkler systems are the responsibility of the property owner and resident. Customers who are not in residence at the time restrictions take effect are still responsible for the operation of any irrigation system on their property using City of Mount Holly water. These conditions will not be considered a basis for an appeal of a citation. All water that passes through the user's meter is the responsibility of the customer and is subject to the restrictions in effect.

Appeals are limited to loss of service actions. Customers do not have a right to appeal a citation or a surcharge. They may however ask for information regarding their violation. If a customer feels the

citation was issued in error, he may submit additional information disputing the violation. That information should be directed to the Utility Director.

Customers whose service is terminated or who receive notice of termination shall have 5 calendar days after termination of service or notice of termination to appeal the action in writing to the Utility Director of, or his designee. A decision will be held within 3 business days of receipt of appeal. Termination orders will be suspended until an appeal decision is made.

## VARIANCE

A variance from the prevailing mandatory water restrictions may be granted to a customer satisfying the requirements to use water for a purpose that would be otherwise prohibited. Variances may be granted for new landscape installations to help the new planting become established.

In order to qualify for a variance, a customer/user must apply in writing, supplying all necessary information. Once the variance is approved for a specific time period, the variance is sent back to the customer to be kept on site. All variances are recorded and maintained in a database for use by enforcement officials. All variances expire on the noted expiration date or at the onset of Phase III mandatory emergency restrictions

|                |                                                                                                                                          |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------|
| How to apply:  | FAX or mail to the City of Mount Holly                                                                                                   |
| Who may apply: | Property owners or resident at the location where the water will be used and where water bill is sent.                                   |
| Notification:  | Applicant will be notified of the status of the request within 5 business days.                                                          |
| Obligation:    | Property owner must be able to produce a copy of the variance on site when watering and must comply with all provisions of the variance. |

**Variance Stage 2** New landscape installation is granted permission to water on the day of installation, and for 30 days more, during the approved hours and under special conditions for outdoor water use. An additional 30 days may be granted to extend a variance if warranted and requested.

**Variance Stage 3** Landscape installations installed during the previous 30 days may be granted permission to water for 30 days. No new landscape installations will be granted a variance.

**Variance Stage 4:** No variances allowed. All previous variances will be voided.

Variances are not needed for water use not restricted by this ordinance, such as garden centers, tree farms, well users, etc.

Violation of the terms of the variance will be treated as a violation of mandatory restrictions and all prescribed surcharges will apply. In addition, the variance will be voided at the time of the violation

## RETURN TO NORMAL CONDITIONS

When the factors measuring the water shortage conditions warrant, the Director of Utilities shall recommend that the City Manager issue a public notice declaring the water shortage resolved and the termination of water restrictions. This action means the emergency has eased but that conservation and wise water use should continue. Such actions will help to ensure the continuing availability of a safe and reliable water supply for our community.

The Water Shortage Management Plan is effective upon adoption by the City Manager.

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Approved as to form:

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Eric Davis  
City Manager  
City of Mount Holly

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Date

City of Mount Holly, Utilities



## City of Mount Holly Action Agenda Item

**To:** City Council

**Date:** July 22, 2015

**From:** Greg Beal, Planning Director

Meeting Date: July 27, 2015

**Agenda Item to be considered:** Discussion and Approval of a Main Street Solutions Grant Application for the Summey Building and Old Gaston Theatre Building as requested by Billy Rick

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

**Background/Purpose of Request:** Last year, Billy Rick and I attended a Main Street Solutions (MSS) workshop in Morganton. Since its inception in 2009, the purpose of the Main Street Solutions fund is to provide maximum support to small businesses in designated micropolitans located in Tier 2 (Gaston County) and Tier 3 counties and/or in designated North Carolina Main Street communities. The grants will be used to assist planning agencies and small businesses with efforts to revitalize downtowns by creating jobs, funding infrastructure improvements and rehabilitating buildings. Twenty-four (24) communities have been awarded Main Street Solutions Funds, totaling \$3,524,377. For every \$1 invested by the state, an additional \$5.97 will be invested by the local community. Fifty-six businesses will directly benefit from the Main Street Solutions grant program. Those businesses will create or retain a minimum of 573 permanent full-time and part-time jobs. The total projected investment is \$21,344,911. Currently, the Department of Commerce has \$150,000 remaining in the Main Street Solutions fund for 2014-15.

The Main Street Solutions Fund is a reimbursable, matching grant program. The Department of Commerce and the North Carolina Main Street Center are authorized to award grants from the Main Street Solutions Fund totaling no more than a maximum of two-hundred thousand dollars, (\$200,000), to each eligible local government. The minimum grant that may be requested is twenty-five thousand dollars, (\$25,000). Funds from eligible local governments, main street organizations, downtown organizations or downtown economic development organizations and sources other than state or federal government must be committed to match the amount of any grant from the Main Street Solutions Fund on a basis of a minimum of two non-state/federal dollars (\$2.00) for every one dollar (\$1.00) provided by the State from the Main Street Solutions Fund. Eligible grants are calculated based on the following formula: Applicants may apply for a maximum of \$25,000 per fulltime permanent job retained or created per business. Part-time jobs may not be added together to equal a full-time job. The maximum grant award per community is \$200,000, therefore, in order for a community to receive \$200,000 in grants funds, they must: 1) Retain or create 8 full-time permanent jobs in the businesses that will directly benefit from the funding AND 2) Commit \$400,000 in non-state or federal funding to match the grant award AND 3) Spur private investment If, in the performance of a particular Program, the requisite number of jobs are not created, the Department may choose to reduce the amount of the Grant available to the Grantee in an amount proportional to the level of non-performance (e.g., for a \$200,000 grant, if only 6 positions are created or retained, then the total grant may be reduced to \$150,000). The grant match may constitute a combination of any of the following; local public or private funding which may include: Cash, AND/OR • Local community grant, AND/OR • Investments, AND/OR • The donation of property (an appraisal completed by a licensed appraiser, must be submitted to document value), AND/OR • Administrative costs to administer

the Main Street Solutions Grant, up to 10% (ten percent) of the total amount of the Grant, or \$20,000, whichever is less.

**Purpose:** Why apply for the Main Street Solutions grant? A private individual is prohibited from applying for the grant, and therefore the City has to be the lead agency on the project. As you may recall, Billy Rick owns the Summey Building, in particular the space where the Vintage Nest currently resides. Mr. Rick also owns the Old Gaston Theatre Building or former C&M Interiors Building, located at 119 S. Main St. Based on a successful grant application, Billy is proposing to do a two-phase project. Phase 1 would involve upfitting the Old Gaston Theatre to house an ever-growing Vintage Nest retail store. Jeff Lee, owner of the Vintage Nest, has tripled his business since moving to Main Street. Mr. Lee sales 500 candles a month, in addition to gallons and gallons of chalk paint, and a host of other items. He needs more space to accommodate his business and additional staff. Once Phase 1 is complete, and the Vintage Nest has vacated their current space, Phase 2 would involve upfitting this space at 127 S. Main Street for a restaurant. Also, the proposed restaurant, which would more than likely be owned by Mr. Rick and operated by a management staff or partner, would like to lease the courtyard space in front of the Old City Hall Annex for outdoor dining. Its upfit would be included in the grant application, pending approval of a lease agreement by City Council. It is important to note that the City is awaiting a determination from the ABC Commission on what perimeters would need to be in place before that agency would issue a permit for the sale of alcohol in the courtyard space (i.e. fence, common border, catwalk connection over alleyway). The proposal would meet the Main Street Solutions Grant Requirement of Downtown economic development initiatives that do any of the following: Encourage the development or redevelopment of traditional downtown areas by increasing the capacity for mixed-use centers of activity within the downtown core area. Funds may be used to support the rehabilitation of properties, utility infrastructure improvements, new construction, and the development or redevelopment of parking lots or facilities. ♣ Projects must spur private investment. ♣ Projects must provide direct benefit to small business retention, expansion or recruitment. ♣ Projects must retain or create jobs in association with small business.

***Fiscal Impact:***

|                                    |                              |                             |                                         |
|------------------------------------|------------------------------|-----------------------------|-----------------------------------------|
| Will Item affect current budget    | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |
| Reviewed by Finance Director       | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |
| Preaudit Certification required    | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |
| Capital Project Ordinance required | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |
| Budget Transfer required           | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |
| <b>Total City Dollars:</b>         | \$                           |                             |                                         |
| <b>Budget Code</b>                 |                              |                             |                                         |
| Reviewed by City Attorney          | <input type="checkbox"/> YES | <input type="checkbox"/> NO | <input checked="" type="checkbox"/> N/A |

The first step in the process is to gain approval from City Council. Billy Rick and I will also be working through the approved grant application procedures with the Finance Department, if Council chooses to move forward with this grant application process.

**Manager/Staff Recommendation:** Staff asks permission to apply for the Main Street Solutions Grant. The amount requested would more than likely be for the \$150,000.

**but the proposal would have to create or retain 6 fulltime jobs, and have \$300,000 worth of investment for both phases (the Vintage Nest relocation and the proposed restaurant), which can be in the form of private investment and public investment (i.e. Business Incentive Grant). There will be no cost to the City, other than if a Business Incentive Grant is applied for separately by Mr. Rick and approved by City Council. It is important to note that Shelby, Warrenton, Clinton, Elkin & Brevard were awarded grants in 2014-15. Other past winners in this region are Salisbury, Morganton, Lenoir, Newton & Valdese. Morganton and Salisbury are two-time grant winners.**

***Result of City Council Decision:***

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***Attachments: Lease Request for Courtyard Area***

Billy Rick  
125 S. Main St.  
Mt. Holly, NC 28120  
April 30, 2015

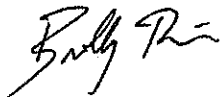
Danny Jackson  
City Manager  
The City of Mt. Holly  
400 E. Central Ave.  
Mt. Holly, NC 28120

Dear Danny Jackson:

This letter is to express interest in leasing the property located at 129 S. Main St. Mt. Holly, NC 28120. We are interested in leasing the outdoor "courtyard" area. (see attached) We would like to lease the mentioned property because it is adjacent to the property that we own at 127 S. Main St. Mt. Holly, NC 28120. The planned use of the requested property would be to use as an outdoor seating area for a restaurant that would be located at 127 S. Main St. I feel that the opportunity to offer outdoor dining and entertainment would be a huge asset to the planned restaurant, and as an asset to the city.

I am excited at the prospect of leasing the above-mention space. If you have any questions, please contact me at 704-506-4846, or by email at: [billy.rick@rtrenovations.com](mailto:billy.rick@rtrenovations.com). Thank you for your time to consider this request. I look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Billy Rick", with a stylized flourish at the end.

Billy Rick

GASTON COUNTY, NC YR 2015 REQUESTED BY DTURBYFI RUN 3/05/15 TIME 9:47:02 PAGE 1  
 CITY HALL MT HOLLY CITY OF MT HOLLY CITY OF NBHD: CENBD MH001 123810  
 03 011 091 00 000 FO BOX 406 FO BOX 406 3596-88-5993  
 Plat Bk/Pg MT HOLLY NC 28120-0406 MT HOLLY NC 28120-0406 129 S MAIN ST ROUTE#:  
 Bldg No. 1 Appraiser: 00552084 00552084 3596 88 5993 00 00  
 Imp Desc: OFF01 OFFICE - GENERAL Appr Date: 11/10/2004 APPR: RM APPR DT: 1/06/2015 LAND VALUE 77,270  
 Grade : CC COMM/IND/EX GRADE C Act Yr Bt: 1930 USE CODE: 6200 GENERAL OFFICE MISC VALUE 5,063  
 1.00 Stories/ 1 Rms/ Bed/ Bth/ HBth DISTRICT: 230 MOUNT HOLLY CIT BLDG VALUE 82,805  
 Finished Area: 1,563.00 ASV SqFt 105.65 Sales SqFt 2014 PRIOR YEAR TOTAL VALUE 165,138  
 169,920 169,920

| COMPONENT  | TYPE/CODE/DESC                 | PCT     | UNITS   | RATE  | STR# | STR% | SIZE%  | HGT%   | PER%   | CDS% | COST    | %CMPL |
|------------|--------------------------------|---------|---------|-------|------|------|--------|--------|--------|------|---------|-------|
| MA OFF01   | OFFICE GENERAL                 | 100     | 1563.00 | 51.15 | 1.00 |      | 107.00 | 100.00 |        |      | 85,542  |       |
| - BA CFB03 | BASEMENT OFFICE                | 100     | 1563.00 | 46.00 |      |      | 107.00 |        |        |      | 76,930  |       |
| - BW C1    | BRICK/MASONRY OR EQU100        | 1563.00 | 2.50    |       |      |      | 107.00 |        |        |      | 4,181   |       |
| - HC 58    | HEAT PUMP                      | 100     | 1563.00 | 3.50  |      |      | 107.00 |        |        |      | 5,853   |       |
| RCN...     |                                |         |         |       |      |      |        |        |        |      |         |       |
| QUAL..     | QG CC                          |         |         |       |      |      |        |        |        |      | 172,508 |       |
| DEPR..     | CEM                            |         |         |       |      |      |        |        | 69,002 |      | 172,508 |       |
| FUNC..     | FUN                            |         |         |       |      |      |        |        | 20,701 |      | 89,703  | T     |
| -FMV...    | MKT MH001 DOWNTOWN MOUNT HOLLY |         |         |       |      |      | 100.00 | x      |        |      | 82,805  | EXCD: |

PROPERTY NOTES:

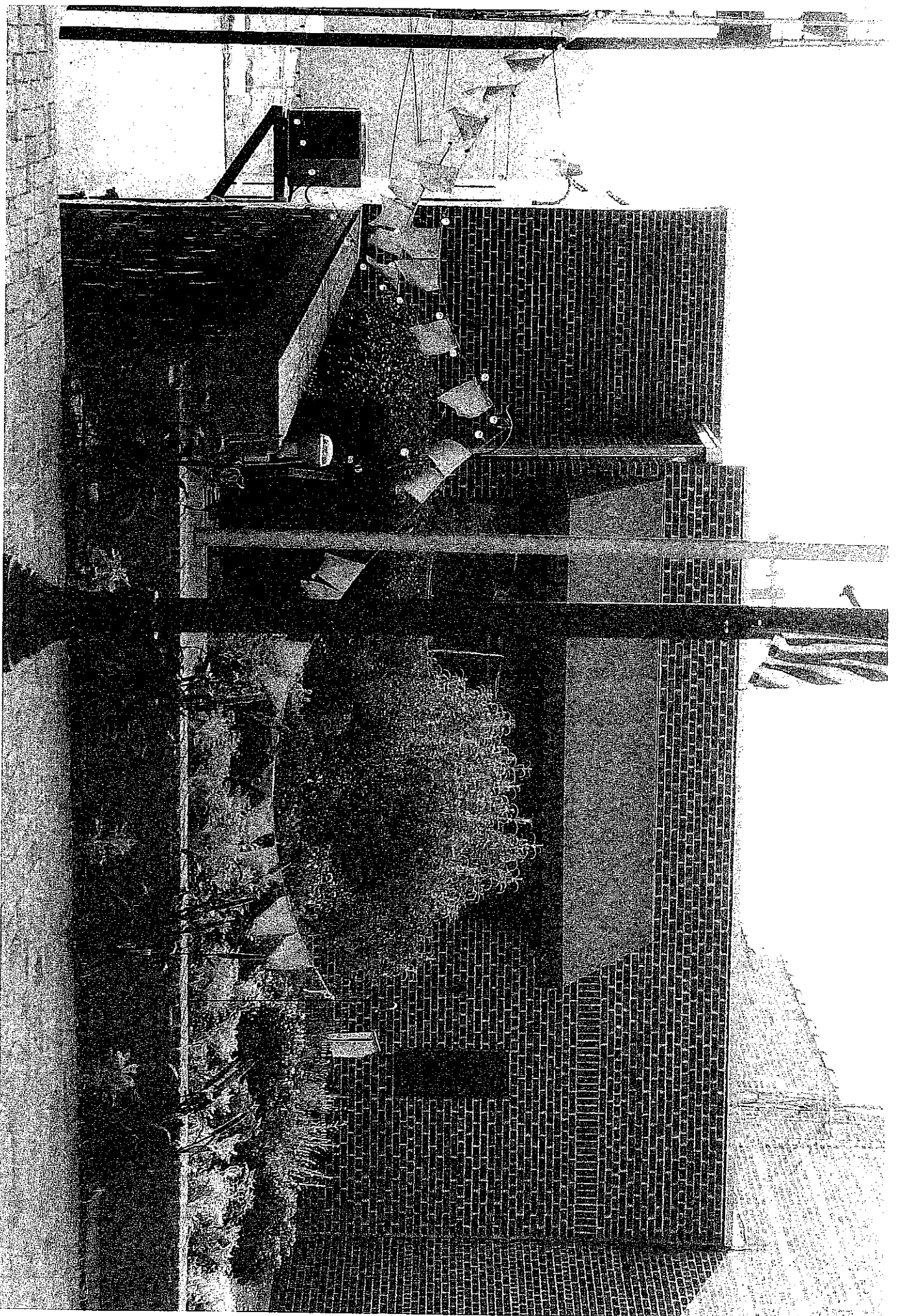
BOOK PAGE DT DATE QS SALES PRICE  
 0152 0476 WD 10/24/1921 C  
 PERMIT NO TYPE DATE AMOUNT

| BLDG CODE | DESC        | UNITS    | EYE DT  | PCT   | ADD.DEPR PCT | QOCD | VALUE | EXCD | %COMP |
|-----------|-------------|----------|---------|-------|--------------|------|-------|------|-------|
| 101 013   | Paving Asph | 5,000.00 | 1965 50 | 50.00 |              | C    | 5,063 |      | 100   |
|           |             |          |         | .00   |              |      |       |      |       |
|           |             |          |         | .00   |              |      |       |      |       |
|           |             |          |         | .00   |              |      |       |      |       |

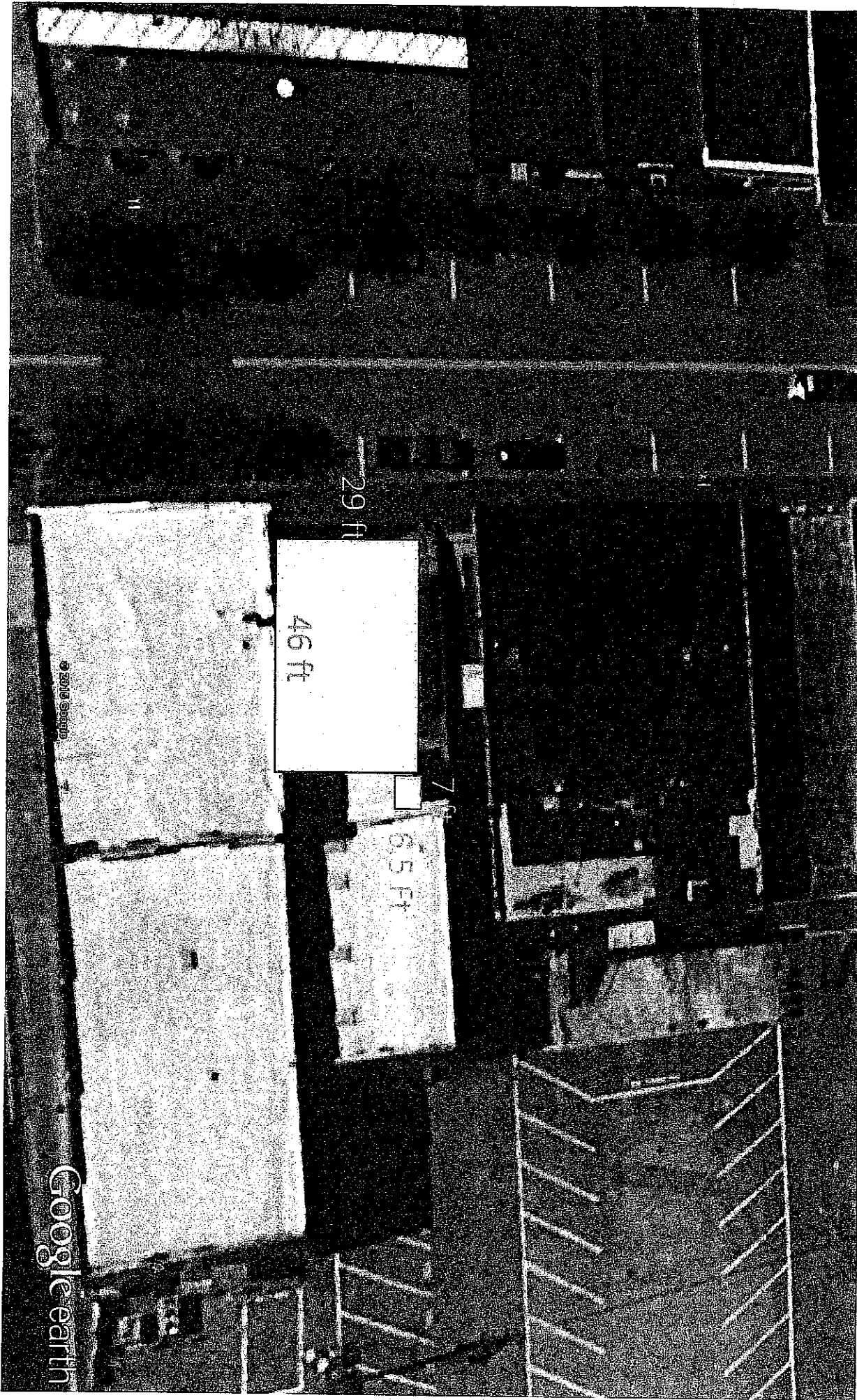
| LND # | ZONE | LAND TYPE/CODE | TOTAL ACRES | LAND QTY | LAND ACRES | VALUE PER ACRE | LAND RATE ADJ | LAND RATE | TOP% | LOC% | SIZE% | SHP% | OTH% | TOT ADJ | CURRENT FMV | EXMPT |
|-------|------|----------------|-------------|----------|------------|----------------|---------------|-----------|------|------|-------|------|------|---------|-------------|-------|
| 1     |      | SF CB          | 10,454.000  | .240     |            | 321,958        | 7.39          |           | .00  | .00  | .00   | .00  | .00  | .00     | 77,270      |       |

123810

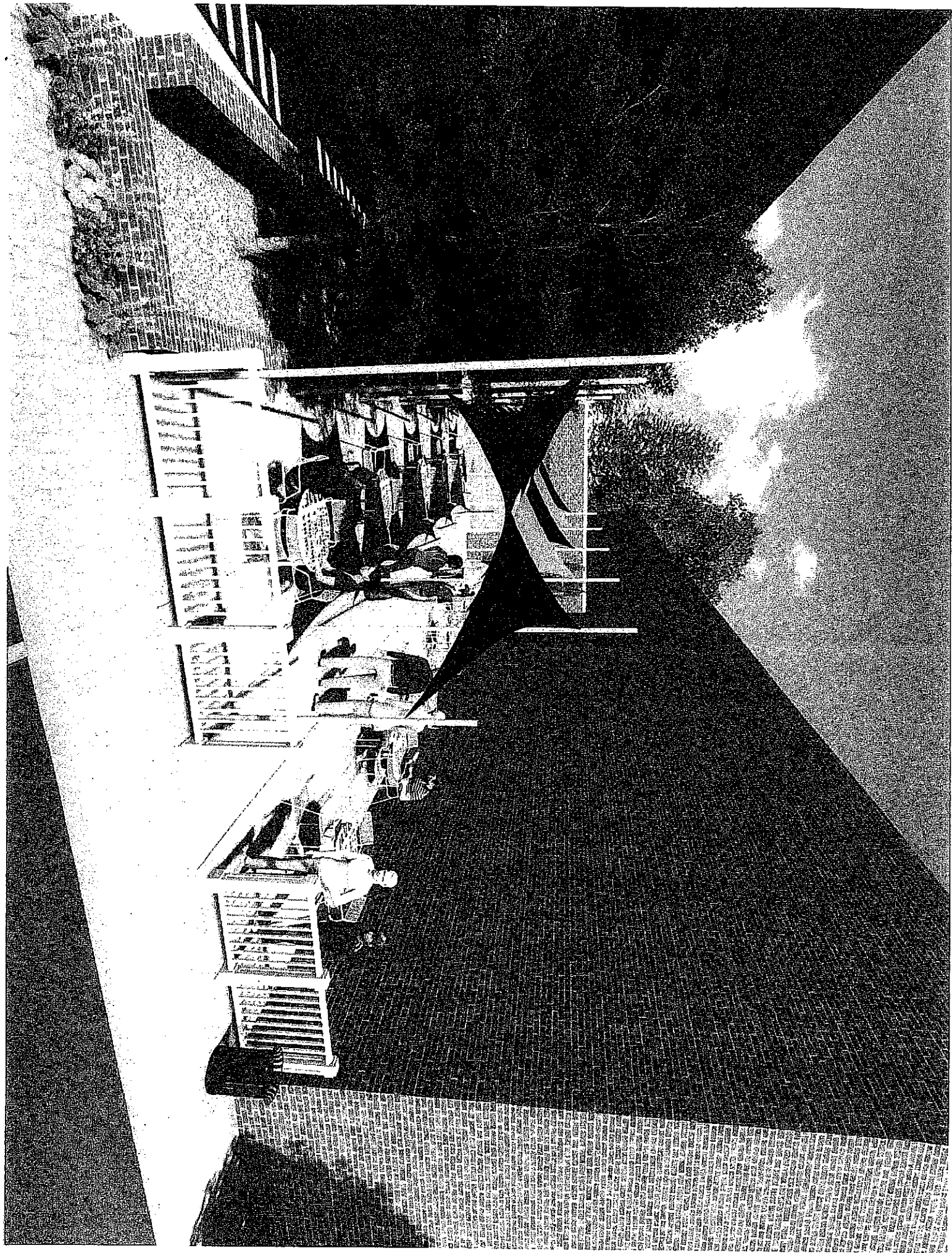
129 S MAIN ST

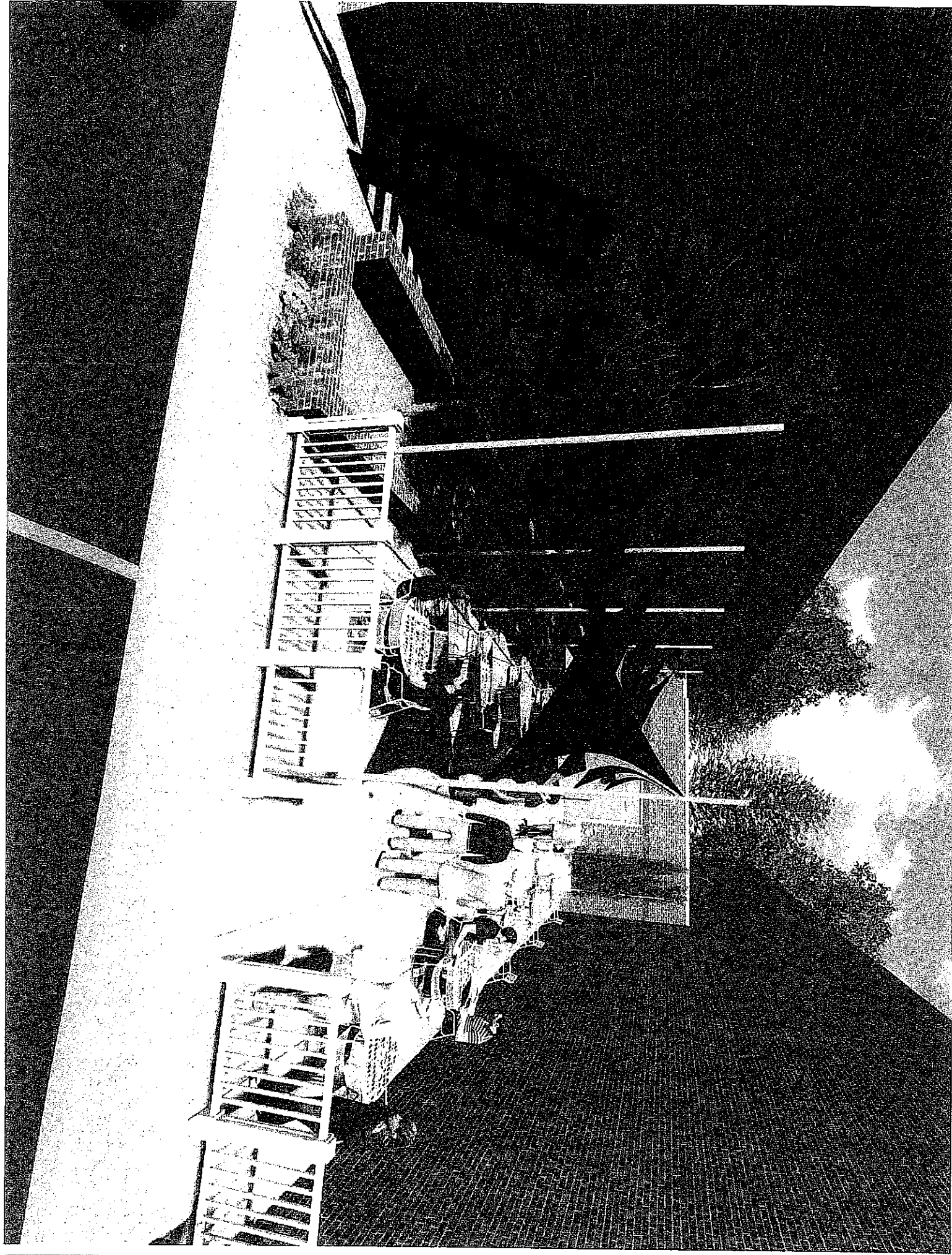


123810 05/28/2014



lot 59. footage of courtyard 1,379





## MEMORANDUM

TO: Mayor and City Council, City of Mount Holly

FROM: Marie M. Anders, Assistant City Attorney

RE: Further revision to Chapter 10 of the Mount Holly City Code

DATE: July 9, 2015

Chapter 10 of the City Code, entitled "Licenses", was revised by Council at the last work session to repeal the business privilege license tax effective July 1, 2015, that was no longer authorized by the NC legislature. Under the ordinance as revised, the City still has the power to regulate businesses, which will continue to register and be licensed by the City.

Upon further discussion after the passage of the revision, staff has decided that it would be more efficient for businesses to submit one consolidated application for a zoning permit and a business license. Further, it would be more efficient if businesses are not required to renew their license annually. Therefore, this additional revision to Chapter 10 of the City Code removes the concept of renewing the business license each fiscal year. A business will have to submit a new consolidated application if it moves its location, so that a zoning review may be accomplished at that time. Lastly, upon further reading, Section 10-17 still contained a reference to the tax collector, which was replaced with a reference to the City Manager or his designee.

RESOLUTION TO AMEND SECTIONS OF  
CHAPTER 10 ENTITLED, "LICENSES",  
OF THE MOUNT HOLLY CITY CODE

BE IT RESOLVED that the City Council hereby amends Chapter 10 entitled, "Licenses", of the Mount Holly City Code as follows:

Sec. 10-5 reads as re-written:

"Sec. 10-5. Required; application; display; transfer.

All persons before doing, entering or engaging in any business, trade, profession, calling, or occupation shall, except as hereinafter provided, apply to the city manager or his designee for license. All persons holding a license issued by an occupational licensing board of this State shall be exempt from this licensing requirement as to the profession or trade that he or she has been licensed to practice or pursue by the State. Also exempt from this licensing requirement are digital dispatching services for prearranged transportation services for hire. Except as set forth in Section 10-7, and upon payment of the application fee, a license shall be issued to such applicant. Such license must be conspicuously posted in the place of business licensed, and if the licensee has no regular place of business, the license must be kept where it may be inspected at any and all times by the proper city officials. No license shall be transferable or assignable, except as provided in section 10-9. ~~All licenses issued hereunder shall terminate on the last day of the fiscal year for which issued. Renewal of such licenses shall be pursuant to the same procedures and requirements set forth for initial issuance.~~ (Code 1961, § 9-5; amended June 22, 2015.)"

Sec. 10-9 reads as re-written:

"Sec. 10-9. Separate license required for each place of business; sale or transfer of business.

If the business to be licensed under this chapter is carried on at two or more places, a separate license for each place or location of such business shall be required. License issued for a fiscal year for the conduct of a business at a specified location shall, upon a sale or transfer of the business, be surrendered and application made by the succeeding purchaser for a new business license subject to the same procedures and requirements set forth for initial issuance, including payment of application fee. ~~deemed a sufficient license for the succeeding purchaser for the conduct of the business specified at such location for the balance of the fiscal year;~~ provided, that ~~if~~ the holder of a license under this chapter moves the business for which license has been ~~issued~~ paid to another location, he shall, before moving to such new location, deliver his license to the city manager or his designee, together with a new application for a business license and an application fee. The city manager or his designee shall thereupon cancel the old license and a new license may be issued to the licensee at a new location subject to the same procedures and requirements set forth for initial issuance. ~~for the balance of the license year, upon surrender of the original license for cancellation and the payment of a fee of five dollars for each license certificate re-issued.~~ (Code 1961, § 9-9; amended June 22, 2015.)"

Sec. 10-17 reads as re-written:

"Sec. 10-17. Replacement of lost or destroyed license.

Upon satisfactory evidence that any licensee has lost any license issued to him or that the license has been destroyed, the city manager or his designee ~~tax collector~~ shall issue to such licensee a duplicate license upon the payment of a fee of five dollars. (Code 1961, § 9-19; amended June 22, 2015.)"