

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, July 12, 2021
COUNCIL CHAMBERS
7:00 PM

Call to Order

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

Mayor Bryan Hough	Miles Braswell, City Manager
Mayor Pro Tem Lauren Shoemaker	Michelle Wood, Finance Director
Councilman David Moore	Don Roper, Police Chief
Councilman Jeff Meadows	Brian Reagan, Deputy Police Chief
Councilwoman Phyllis Harris	Ryan Baker, Fire Chief
Councilman Charles McCorkle	Tony Walker, Streets and Solid Waste Director
Councilwoman Christina Pawlish-Virtual	David Johnson, City Engineer/Director of Utilities
Marie M. Anders, City Attorney	Mark Jusko, Recreation Supervisor
Kemp Michael, Assistant City Attorney	Greg Beal, Planning Director

Invocation

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

Pledge of Allegiance

Councilman Jeff Meadows led the Council, staff and attendees in the Pledge of Allegiance.

Set the Agenda

Mayor Hough asked for changes to the agenda. Councilman Meadows requested that items 6. *Call for public hearing, regarding a request by Faison-Green Meadows LLC, for a rezoning of 157-acres at 957 Kelly Road, Tax Parcel #210776 from Gaston County R-1 to Conditional District Single Family* and 7. *Call for public hearing on the Question of Annexation for Gaston County Parcel ID: 210776 (Green Meadows)* be moved to New Business. With no additional changes to the agenda, Councilman Meadows made a motion to approve the agenda as amended. Councilman Moore seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

CONSENT AGENDA

1. Approval of Budget Amendment designating ABC funds
2. Approval of Liens for Weeds and Grass
 - 102 Maple Drive
 - 209 Howard Street
 - 211 Howard Street
3. Approval of Capital Project Ordinance for the American Rescue Plan (ARP) funds
4. Approval of River Park, Phase 7 Final Plat contingent upon an acceptable subdivision agreement, financial guarantee, and completion of greenway
5. Call for public hearing, regarding a request by Emberglow Mount Holly LLC, for a rezoning of 33.289-acres at 55 Caldwell Drive (Tax Parcel #226178), parcel #226181 and #226182 from B-3 to Conditional District Multifamily.
6. Call for public hearing, regarding a request by Faison-Green Meadows LLC, for a rezoning of 157-acres at 957 Kelly Road, Tax Parcel #210776 from Gaston County R-1 to Conditional District Single Family (*moved to New Business*)
7. Call for public hearing on the Question of Annexation for Gaston County Parcel ID: 210776 (Green Meadows) (*moved to New Business*)
8. Call for a public hearing on the naming of the greenway

9. Call for public hearing to consider rezoning a 2.06-acre parcel, located at 725 Elm Street, Tax Parcel #123513, from Conditional District Commercial-Multifamily, approved on 1-14-19, to Conditional District Commercial.
10. Approval of Minutes of the June 14, 2021 Council Meeting
11. Approval of Minutes of the June 28, 2021 Council Work Session Meeting

Councilwoman Harris made a motion to approve the consent agenda. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

PRESENTATIONS

1. Special Recognition of Willie Bert Rhyne for celebrating his 100th Birthday *Mayor Bryan Hough*
Mayor Hough and the City Council recognized and presented Willie Bert Rhyne with a resolution to honor him for celebrating his 100th birthday.

PUBLIC HEARING

1. Public Hearing on the question of the possible conveyance of the former Public Works Building located in Mount Holly at 725 Elm Street in Accordance with the provisions of NCGS 158-7.1

Councilman Moore made a motion to open the public hearing on the question of the possible conveyance of the former Public Works Building located in Mount Holly at 725 Elm Street in Accordance with the provisions of NCGS 158-7.1. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried) With no one signed up to speak Councilman Meadows made a motion to come out of the public hearing. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

2. Public Hearing on a Bond Order Authorizing the Issuance of \$13,555,000 General Obligation Parks and Recreation Bonds of the City of Mount Holly

The City Clerk reported to the City Council that the bond order entitled, “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,555,000 OF GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA,**” which was introduced at a meeting of the City Council on June 14, 2021, were published on July 5, 2021, with notice that the City Council would hold a public hearing thereon on July 12, 2021 at 7:00 p.m. The City Clerk also reported that there had been filed in her office a statement of debt complying with provisions of the Local Government Bond Act, and such statement as filed showed the net indebtedness of the City to be 2% of the assessed valuation of property in said City subject to taxation.

At 7:00 o'clock p.m., the Mayor announced that the City Council would hear anyone who wished to be heard on the questions of validity of the General Obligation Parks and Recreation Bond Order and the advisability of issuing the General Obligation Parks and Recreation Bonds.

After the City Council had heard all persons who requested to be heard in connection with the foregoing questions, Mayor Pro Tem Shoemaker moved that the public hearing be closed. The motion was seconded by Council Member Meadows and was unanimously adopted. Council Member Pawlish was attending virtually and voted in the affirmative.

PUBLIC COMMENT – Three (3) Minute Limit

No one was signed up to speak

NEW BUSINESS

1. Consideration and Approval of a Resolution to Approve the Conveyance of 725 Elm Street, Mount Holly, NC in Accordance with the Provisions of NCGS 158-7.1

Mrs. Anders advised that the next step is to pass a resolution this would approve the Purchase Agreement and the Development Agreement. She further advised that the purchase price in \$200000. Councilman Meadows made a motion to approve the proposed resolution for the conveyance of 725 Elm Street, Mount Holly, NC in Accordance with the Provisions of NCGS 158-7.1 (Resolution #07122021A) Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

2. Consideration and Approval of a Bond Order for \$13,555,000 General Obligation Parks and Recreation Bonds of the City of Mount Holly, NC

Council Member Moore moved that the City Council adopt, without change or amendment, and direct the City Clerk to publish a notice of adoption, as prescribed by The Local Government Bond Act, of the bond order entitled, “**BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,555,000 OF GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA**” as introduced at the meeting of the City Council held on June 14, 2021. The motion was seconded by Council Member McCorkle and was unanimously adopted. Council Member Pawlish was attending virtually and voted in the affirmative.

PASSED, ADOPTED AND APPROVED this 12th day of July, 2021.

BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,555,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA

WHEREAS, the City Council of the City of Mount Holly, North Carolina has ascertained and hereby determines that it is necessary to pay capital costs of providing parks and recreation facilities, including without limitation the acquisition, construction and improvement of parks and recreation facilities, acquisition of land for current and future parks and recreation uses and development of greenways and pedestrian crossings; and

WHEREAS, an application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Parks and Recreation Bonds hereinafter described as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Mount Holly, North Carolina, as follows:

Section 1. In order to raise the money required for the purposes described above, in addition to any funds which may be made available for such purpose from any other source, General Obligation Parks and Recreation Bonds of the City are hereby authorized and shall be issued pursuant to the Local Government Finance Act of North Carolina. The maximum aggregate principal amount of such General Obligation Parks and Recreation Bonds authorized by this order shall be \$13,555,000.

Section 2. Taxes will be levied in an amount sufficient to pay the principal and interest on the General Obligation Parks and Recreation Bonds.

Section 3. A sworn statement of the City’s debt has been filed with the City Clerk and is open to public inspection.

Section 4. This bond order will take effect when approved by the voters of the City at a referendum scheduled for November 2, 2021.

3. Consideration and Approval of a Resolution of the City of Mount Holly, North Carolina Setting a Special Referendum

Mayor Pro Tem Shoemaker introduced the following resolution, a summary of which had been provided to each Councilmember, a copy of which was available with the City Clerk and which was read by title:

RESOLUTION SETTING A SPECIAL BOND REFERENDUM AND DIRECTING THE PUBLICATION OF NOTICE OF A SPECIAL BOND REFERENDUM AND NOTIFICATION OF THE BOARDS OF ELECTIONS

WHEREAS, the City Council of the City of Mount Holly, North Carolina has adopted the following bond order and such bond order should be submitted to the voters of the City of Mount Holly, North Carolina for their approval or disapproval in order to comply with the constitution and laws of North Carolina:

“BOND ORDER AUTHORIZING THE ISSUANCE OF \$13,555,000 GENERAL OBLIGATION PARKS AND RECREATION BONDS OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA;”

NOW, THEREFORE, be it resolved by the City Council (the “*City Council*”) of the City of Mount Holly, North Carolina, as follows:

(1) For the purpose of determining the question whether the qualified voters of the City of Mount Holly, North Carolina shall approve or disapprove (a) the indebtedness to be incurred by the issuance of the General Obligation Parks and Recreation Bonds of the City authorized by said bond order, which indebtedness shall be secured by a pledge of the City’s full faith and credit and (b) the levy of a tax for the payment thereof, said bond order shall be submitted to the qualified voters of said City at a special bond referendum to be held in said City on November 2, 2021.

(2) The City Clerk is hereby authorized and directed to publish a notice of said referendum which shall be in substantially the form entitled “**CITY OF MOUNT HOLLY, NORTH CAROLINA NOTICE OF SPECIAL BOND REFERENDUM**,” attached hereto. Said notice of referendum shall be published at least twice. The first publication shall be not less than 14 days and the second publication shall be not less than 7 days before the last day on which voters may register for the special bond referendum.

(3) The Gaston County Board of Elections is hereby requested to print and distribute the necessary ballots and to provide the equipment for the holding of said referendum and to conduct and to supervise said referendum.

(4) The ballots to be used at said referendum will indicate that it is being held on behalf of the City of Mount Holly, North Carolina and will contain the following words:

“*SHALL* the order authorizing \$13,555,000 of bonds plus interest to provide funds to pay capital costs of providing parks and recreation facilities, including without limitation the acquisition, construction and improvement of parks and recreation facilities, acquisition of land for current and future parks and recreation uses and development of greenways and pedestrian crossings and providing that additional taxes may be levied in an amount sufficient to pay the principal of and interest on the bonds be approved?”;

with squares labeled “**YES**” and “**NO**” beneath or beside such words in which squares the voter may record his or her choice on the question presented; and

(5) The City Clerk shall mail or deliver a certified copy of this resolution to the Gaston County Board of Elections within three days after this resolution is adopted.

BE IT FURTHER RESOLVED that this Resolution shall become effective on the date of its adoption by a motion by Mayor Pro Tem shoemaker and seconded by Councilwoman Harris and was unanimously adopted. Council Member Pawlish was attending virtually and voted in the affirmative.

PASSED, ADOPTED AND APPROVED this 12th day of July, 2021.

4. Consideration and Approval of MHPD Memorial Plaza - Bronze Statues Proposal

Chief Roper presented the proposal for the construction of the bronze statutes that will be part of the MHPD Memorial Plaza. He advised that the statute committee recommends Carolina Bronze Statues. Councilwoman Harris made a motion to approve the proposal from Carolina Bronze Statues in the amount of \$270,575.19. Councilman Moore seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

5. Consideration and Approval of the Lowest Responsive and Responsible Bid for MHPD Memorial Plaza Project and Approval of a Budget Amendment to Allocate Fund Balance to the Special Project Fund Councilman McCorkle made a motion to approve JD Goodrum Company, Inc as the Lowest Responsive and Responsible Bid for MHPD Memorial Plaza Project and Approval of a Budget Amendment to Allocate Fund Balance to the Special Project Fund. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)
6. Call for public hearing, regarding a request by Faison-Green Meadows LLC, for a rezoning of 157-acres at 957 Kelly Road, Tax Parcel #210776 from Gaston County R-1 to Conditional District Single Family.
Mr. Beal advised that this project was originally introduced in early 2019. He advised that public involvement meeting is scheduled for August 11th and a public hearing for the Planning Commission and the City Council in September. Councilman Meadows made a motion to approve the Call for public hearing, regarding a request by Faison-Green Meadows LLC, for a rezoning of 157-acres at 957 Kelly Road, Tax Parcel #210776 from Gaston County R-1 to Conditional District Single Family to be held at the September Regular Council Meeting. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)
7. Call for public hearing on the Question of Annexation for Gaston County Parcel ID: 210776 (Green Meadows) JM 1st LS 2nd Cp yes

Councilman Meadows made a motion to call for public hearing on the Question of Annexation for Gaston County Parcel ID: 210776 (Green Meadows) to be held at the September Regular Council Meeting. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

CLOSED SESSION

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

Mayor Pro Tem Shoemaker made the motion to enter into Closed Session Pursuant to N.C.G.S 143-318.11 (a)(3, 5 and 6) at 7:30 pm. Councilman Moore seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

Councilwoman Harris made a motion to come out of closed session and back into regular session at 7:40 pm. Mayor Pro Tem Shoemaker seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

ADJOURN

With no additional items for discussion, Mayor Hough entertained a motion to adjourn. Councilman Meadows made the motion to adjourn the July 12, 2021 Council Meeting. Councilman Moore seconded the motion. All Council Members present voted in favor with Councilwoman Pawlish attending virtually and voting in the affirmative. (Motion Carried)

The meeting adjourned at 7:41 pm.