



April 24, 2017
Council Work Session Meeting

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

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



April 24, 2017

6:30 P.M.

CALL TO ORDER BY THE MAYOR

INVOCATION

SET THE AGENDA

AGENDA

1. Public Hearing on Amendments to the Subdivision and Land Development Ordinance the establishment of a Capital Recovery Fee Assessment for connections to the municipal water and sewer systems *Kemp Michael*
2. Public Hearing on Amendments to the Subdivision and Land Development Ordinance the establishment of an allocation period for municipal water and sewer capacity for lots in subdivisions with plat approval *Kemp Michael*
3. Consideration and Approval of an Amendment to the Fee Schedule to reflect the Capital Recovery Capacity Fee *Africa Otis*
4. Consideration and Approval of a Resolution Amending the 2007 Installment Financing Contract *Africa Otis*
5. Consideration and Approval of a Resolution for Installment Financing with BB and T *Africa Otis*
6. Consideration and Approval of Establishing a Capital Project Ordinance for Construction Projects *Africa Otis*
7. Consideration and Approval of Rain Insurance for Scheduled Events *Danny Jackson*
8. Closed Session - pursuant to N.C.G.S 143-318.11 (a)(3)
9. Adjourn

MEMORANDUM

To: Mayor and City Council

From: Kemp A. Michael

Dated: April 20, 2017

Re: Proposed Capital Recovery Fee Ordinance, Capital Recovery Fee Schedule, and Allocation Ordinance

Please find attached a proposed Capital Recovery Fee Ordinance, Capital Recovery Fee Schedule, and a separate proposed Allocation Ordinance which are the subject of a public hearing on the agenda Monday night.

The proposed Capital Recovery Fee Ordinance is the latest version of a "buy-in" fee ordinance which was last discussed by the City Council and the Planning Board on February 27, 2017. Since that time, City staff, the Utilities Committee, and I have worked with the consultant, Raftelis, to develop a reasonable "buy-in" fee which would charge new water and sewer customers a proportionate reimbursement fee based upon the past investment the City has made in water and sewer infrastructure. The proposed Capital Recovery Fee attached, if approved, would be incorporated into the City of Mount Holly Fee Schedule and would be scaled according to meter size. The Utilities Committee last met on Wednesday, April 19, 2017, and recommended adoption of the attached proposed fee schedule and the revised ordinance before you.

The proposed Allocation Ordinance is the latest version of the ordinance which was last discussed by the City Council and the Planning Board on February 27, 2017. After considerable discussion by City staff and further review by the Utilities Committee, this revised proposed ordinance now provides that at the time that a subdivision comes before the City for plat approval, the City would determine if it has sufficient available capacity to serve that development with water and sewer and would have the right to disapprove a subdivision for final plat approval if the City lacks capacity to serve. However, if the City determines that it does have sufficient available capacity to serve that development with water and sewer, then a recorded subdivision plat reserves capacity in our water and sewer plants for that development without time limitation. At the Utilities Committee meeting, that committee recommended adoption of the proposed ordinance before you.

CAPITAL RECOVERY FEE ASSESSMENT FOR WATER AND SEWER CONNECTION

Article 1: City has acquired from NCDENR a permit for the treatment of raw water and a permit for the treatment and discharge of wastewater, collectively referred to as "Permits." Such Permits limit City's treatment of raw water and treatment and discharge of waste water, and such Permits have been acquired based upon previous substantial expenditures of funds including, but not limited to, the construction of the existing water and sewer treatment plants, pump stations, water tanks, land and right of way acquisition, water mains, and sewer outfall lines, collectively referred to as the "System." Such Permits allow City to provide, subject to specific limitations, water and sewer service to its customers, including residential, industrial, institutional, and commercial customers.

Pursuant to NCGS 160A-314, City is authorized to charge for the use of or the services furnished by its water and sewer systems. City believes it appropriate that those constructing new development with a present need for water and sewer services and requesting connection to the System be assessed a buy-in fee, herein referred to as the "Capital Recovery Fee," equating to a proportionate reimbursement to City for the past investment City has made in its System.

A Capital Recovery Fee shall be required for all residential, commercial, educational, institutional, or industrial facilities as set forth on the City of Mount Holly Fee Schedule, hereinafter the "Fee Schedule," as the same is amended from time to time. Such fees will be payable at the time the customer requests a connection, prior to the time that a water meter is set and/or sewer lateral connection is established for such customer.

Article 2: The Capital Recovery Fee as set forth herein shall be in addition to the cost to connect the customer to City water and sewer referred to as a "tap fee," the fee to install a meter referred to as the "meter setting fee," and other fees as the City may from time to time charge.

Article 3: City shall review the Capital Recovery Fee listed in the Fee Schedule periodically and revise the same as necessary to ensure that the fee accurately and proportionately reimburses City for prior investment City has made in the System.

Article 4: This ordinance shall be in full force and effect from and after its adoption.

Passed and adopted by the City of Mount Holly, State of North Carolina, this the ____ day of _____, 2017.

Mayor

Attest:

City Clerk

ALLOCATION OF WATER AND SEWER CAPACITY

Article 1: During the process of approval of any proposed subdivisions, an analysis will be made by the City regarding City's ability to provide service as set forth in this paragraph. If the proposed development obtains final subdivision plat approval, then such approval will constitute City's allocation of water and sewer capacity for the benefit of lots within the subdivision effective upon plat recordation.

Article 2: City reserves the right to determine how to best allocate existing available capacity for water and sewer treatment and reserves the right to approve or disapprove any subdivision application based upon such determination, in City's sole discretion.

Article 3: Annexation petitions will be reviewed in the same manner as set forth above relative to the allocation of existing available capacity and City reserves the right to approve or disapprove any annexation petition based upon such determination, in City's sole discretion.

Article 4: This ordinance shall be in full force and effect from and after _____.

Passed and adopted by the City of Mount Holly, State of North Carolina, this the _____ day of _____, 2017.

Mayor

Attest:

City Clerk

RESULTING CAPACITY FEE BY METER SIZE

Meter Size	EXISTING			PROPOSED		
	Water	Sewer	Total Capacity Charge	Water	Sewer	Total Capacity Charge
5/8"	\$ 2,288	\$ 2,309	\$ 4,597	\$ 1,541	\$ 3,061	\$ 4,602
3/4"	\$ 5,720	\$ 5,772	\$ 11,492	\$ 3,853	\$ 7,652	\$ 11,505
1"	\$ 11,440	\$ 11,544	\$ 22,984	\$ 7,707	\$ 15,303	\$ 23,010
1.5"	\$ 18,304	\$ 18,471	\$ 36,775	\$ 12,331	\$ 24,485	\$ 36,816
2"	\$ 36,609	\$ 36,942	\$ 73,551	\$ 24,661	\$ 48,970	\$ 73,632
3"	\$ 57,201	\$ 57,721	\$ 114,922	\$ 38,533	\$ 76,516	\$ 115,049
4"	\$ 114,402	\$ 115,443	\$ 229,845	\$ 77,067	\$ 153,032	\$ 230,099
6"	\$ 183,043	\$ 184,708	\$ 367,751	\$ 123,306	\$ 244,852	\$ 368,158
8"	\$ 263,124	\$ 265,518	\$ 528,642	\$ 184,960	\$ 367,277	\$ 552,237
10"	\$ 354,645	\$ 357,872	\$ 712,517	\$ 260,100	\$ 516,484	\$ 776,583
12"						

- Meter size based on AWWA meter flow ratios



City of Mount Holly Action Agenda Item

To: City Council	Date: 4/20/17
From: Africa Otis	Meeting Date: 4/24/17
Agenda Item to be considered: <u>Amend the City Fee Schedule.</u>	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: <i>To amend the City Fee Schedule to reflect revisions to the Capital Recovery Capacity Fee formerly known as the System Development Fee and to delete the allocation fee. The Fee Schedule amendment coincides with the Capital Recovery Fee Assessment for Water and Sewer Connection and Allocation of Water and Sewer Capacity Ordinance revisions.</i>	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
E-Verify Compliance Statement required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Amendment/Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	
Budget Code	
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: <u>Approve City Fee Schedule as attached</u>	
Result of City Council Decision: _____	
Attachments: 1. City Fee Schedule	



City of Mount Holly
Fee Schedule
Effective July 1, 2016
Revised April 24, 2017

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Chapter 1-0

Administrative

Tax Rate

The Tax rate for the City of Mount Holly is fifty three cents (\$0.53) on each one hundred dollars (\$100.00) valuation of taxable property situated and lying and being within the confines and limits of the City of Mount Holly and as listed for taxes as of January 1 2016.

Tag Fee

\$5.00 per vehicle

Copies

\$0.20 per copy

Late Payments (except Tax and Utility bills)

8% annual interest rate compounded monthly on any debt over 30 days overdue, with the exception of Tax and Utility bills.

Interest on Delinquent Taxes

2% the first month after January 6th.
0.75% each month thereafter.

Penalty for Returned Check

\$25.00 or 10%

Garnishment/Attachment Notice Fee

\$30.00 per notice

Golf Cart Application and Registration Fee

\$35.00 application fee for inspection

\$5.00 registration display sticker

Planning & Development Fees

	Current
Sign Permits	
Residential	\$30.00
Commercial	\$50.00
Zoning Permits	
Residential	
New	\$100.00
Additions	\$50.00
Renovations (no expansions)	\$25.00
Miscellaneous (pools, decks, garages, etc.)	\$50.00
Fences	\$25.00
Home Occupations	\$100.00
Commercial	
New	
Up to 1,000 sq. ft.	\$150.00
1,000 sq. ft. to 5,000 sq. ft.	\$300.00
5,000 sq. ft. to 10,000 sq. ft.	\$400.00
Greater than 10,000 sq. ft.	\$500.00 (plus \$50.00 per additional 10,000 sq. ft.)
Existing	
Renovations	\$25.00
Additions	\$50.00
Other	
Zoning Compliance (business)	\$100.00
Miscellaneous (incidental items to main project)	\$50.00
Applications	
Variance	
Residential	\$250.00
Commercial	\$350.00
Planned Unit Development (PUD)	\$300.00
Appeals	\$300.00
Text Amendment	\$250.00
Subdivisions	\$200.00 or \$5.00 per lot whichever is greater
General Rezoning	
2 acres or less	\$300.00
2-10 acres	\$400.00
10 acres or more	\$600.00
Conditional District Rezoning	
2 acres or less	\$300.00
2-10 acres	\$500.00
10 acres or more	\$800.00

	Current
Special Use	
2 acres or less	\$300.00
2-10 acres	\$500.00
10 acres or more	\$800.00
Reviews	
Construction Plans	
Major subdivision or commercial site plan	\$750.00
Minor subdivision	\$300.00
Re-submittal	\$100.00
Financial guarantees (per written agreement)	\$500.00
Final plat	
Major subdivision or commercial site plan	\$750.00
Minor subdivision	\$300.00
Re-submittal	\$100.00
Engineer Fees	
Residential	
Less than 25 lots	\$500.00
25-50 lots	\$1,000.00
More than 50 lots	\$2,000.00
Commercial*	
0-5 Acres	\$500.00
More than 5 acres	\$1,000.00
Watershed Review	
Less than 10 acres	\$500.00
More than 10 acres	\$40.00/acre
Driveway cut	
Residential	\$25.00
Commercial	\$50.00
Industrial	\$100.00
Construction Inspection	
Water	\$100.00
Sewer	\$100.00
BMP	\$100.00
Road	\$100.00
Failed Inspection Re-Inspection	\$50.00
Other	
PERC Test Application	\$10.00
Zoning Verification Letter	\$10.00
Demolition	\$10.00
Manuals	
Zoning Ordinance	\$15.00
Subdivision Ordinance	\$15.00
Land Development Guidelines	\$35.00
Compact Discs	\$10.00
Maps	Size Dependent
Business Registration Fee	\$10.00
Lost Zoning Permit Replacement	\$5.00

*Engineer Fees for Commercial Projects are to include Civic, Institutional and Industrial

Chapter 1-2

Annexation Fees

< 10 acres	\$2000.00
10-200 acres	\$5000.00
> 200 acres	\$8000.00

This fee may be waived at the City Council's discretion.

Chapter 1-3**Municipal Complex Rental Fees**

	Current
Resident	
Full Hall	\$1,200.00
North Half Hall	\$650.00
Non Resident	
Full Hall	\$1,700.00
North Half Hall	\$650.00
Civic Group	
Inside City	\$500.00
Outside City	\$1500.00
Cleaning	
Full Hall	\$200.00
North Half Hall	\$150.00
Excess Hours – Past 11pm	\$125.00/ Hr
Security	\$200.00

Training Rooms

Resident	First Three Hours (3)	Each Additional Hour
A or B	\$25.00	\$25.00
A and B	\$50.00	\$50.00
Non Resident		
A or B	\$50.00	\$50.00
A and B	\$100.00	\$100.00

*Note – Upstairs space can be rented upon special approval by the City Manager for a fee of \$1500.00 plus \$200.00 cleaning fee.

Chapter 2-1

Recreation Fees

*Old Gym	Current
Resident	\$50.00/hr
Non-Resident	\$150.00/hr
Tournament – No Lights	
Resident	\$100.00/day
Non-Resident	\$200.00/day
Ball field	
Resident	\$5.00/hr
Non-Resident	\$15.00/hr
Ball field – Lights	
Resident	\$10.00/hr
Non-Resident	\$20.00/hr
Picnic Shelter – Small	
Resident	\$25.00/3 hrs
Non-Resident	\$50.00/3 hrs
Picnic Shelter - Large	
Resident	\$50.00/4 hrs
Non-Resident	\$100.00/4hrs
Fitness Center per month	
Resident	\$10/ month
Non-Resident	\$30.00/ month
Group Campsites at Mt. Island Park at Mt. Holly	
Resident	\$25.00/day
Non-Resident	\$50.00/day
Adult Athletics	
Softball & Basketball - Per Team	
Resident	\$500.00
Non-Resident	\$550.00
Softball & Basketball – Individual	
Resident	\$55.00
Non-Resident	\$60.00
Volleyball - Per Team	
Resident	\$175.00
Non-Resident	\$225.00
Volleyball - Individual	
Resident	\$20.00
Non-Resident	\$25.00
Soccer, Dodgeball & Kickball – Per Team	
Resident	\$300.00
Non-Resident	\$350.00
Soccer, Dodgeball & Kickball – Individual	
Resident	\$35.00
Non-Resident	\$40.00
Flag Football – Per Team	
Resident	\$350.00
Non-Resident	\$400.00

* Note – Old Gym cannot be rented for parties

Chapter 2-2

Recreation Fees con't.

Youth Athletics – except indoor soccer and girls volleyball	Current
Resident	\$50.00
Non-Resident	\$75.00
Indoor Soccer & Girls Volleyball	
Resident	\$30.00
Non-Resident	\$55.00

Chapter 2-3

Recreation – Tuckaseege Rec Center Rental for Profit and Private Organizations

Use of Facility (3 hour minimum)	Current	Use of Facility - Tuckseege and Old Gym (use own equipment)	1-10 hrs	11+ hrs
Resident - For parties	\$50.00/hr	Resident - For practices	\$20.00/hr	\$15/hr
Non-Resident-For parties	\$150.00/hr	Non-Resident-For practices	\$60/hr	\$45/hr
Use of Storage	Not Allowed	Use of Storage	Not Allowed	Not Allowed
Use of PA System	Not Allowed	Use of PA System	Not Allowed	Not Allowed
Electrical Hookup	No Charge	Electrical Hookup	Not Allowed	Not Allowed
Kitchen	No Charge	Kitchen	Not Allowed	Not Allowed
Chairs & Tables	No Charge	Chairs & Tables	Not Allowed	Not Allowed

Recreation Department may also require a police officer for certain events.

\$50.00 non refundable clean up fee.

\$100.00 refundable damage fee.

Chapter 2-4

Special Event Vendor Fees

Arts & Crafts, Business selling items	\$25.00
Business not selling anything	\$17.50
Non-Profit food vendor	\$45.00/10 ft.
Commercial food Vendor	\$50.00/10 ft.
Rides & entertainment	\$75.00/space
Civic or Church not selling anything	No Charge

Chapter 3-1

Water & Sewer

Water & Sewer	Current
Water (per 1,000 gallons)	
Residential	
Basic Tier (Under 2,000 gallons per month)	\$3.35
1 st Tier (2,001 – 6,000 gallons per month)	\$3.35
2 nd Tier (6,001 – 10,000 gallons per month)	\$3.59
3 rd Tier (10,000 plus gallons per month)	\$3.83
Non-Residential	
Basic Tier (Under 2,000 gallons per month)	\$4.19
1 st Tier (2,001 – 6,000 gallons per month)	\$4.19
2 nd Tier (6,001 – 10,000 gallons per month)	\$4.64
3 rd Tier (10,000 – 9,999,999 gallons per month)	\$5.09
4 th Tier (10,000,000 plus gallons per month)	\$5.70
Outside customers are double the inside rate	
Tap Fees	
¾" Inside city	\$900.00
¾" Outside city	\$1,800.00
1" Inside city	\$1,100.00
1" Outside city	\$2,200.00
1-1/2" Inside city	\$2,000.00
1-1/2" Outside city	\$4,000.00
2" Inside city	\$3,000.00
2" Outside city	\$6,000.00
Wet Tap on existing customer service line	\$600.00
Sewer (per 1,000 gallon)	
Residential	
Basic Tier (Under 2,000 gallons per month)	\$3.07
1 st Tier (2,001 – 6,000 gallons per month)	\$3.07
2 nd Tier (6,001 – 10,000 gallons per month)	\$3.41
3 rd Tier (10,000 plus gallons per month)	\$3.55
Non-Residential	
Basic Tier (Under 2,000 gallons per month)	\$3.83
1 st Tier (2,001 – 6,000 gallons per month)	\$3.83
2 nd Tier (6,001 – 10,000 gallons per month)	\$4.28
3 rd Tier (10,000 – 9,999,999 gallons per month)	\$4.74
4 th Tier (10,000,000 plus gallons per month)	\$3.00
Outside customers are double the inside rate	
Tap Fees	
4" Inside city	\$850.00
4" Outside city	\$1,700.00
Over 4" Inside city	Negotiable
Over 4" Outside city	Negotiable
Cleanout	\$100.00
Minimum Bill	2,000 gallons
Pretreatment (See worksheet)	Actual Analytical Cost

Radio Read Meter	
¾"	\$300.00
1"	\$375.00
1 ½"	\$520.00
2"	\$700.00
Other Fees	
Service Deposit for owners & renters	
Inside City	\$50.00
Outside City	\$65.00
Late Fee (after 16 th)	\$15.00
Delinquent Penalty (after 26 th)	\$30.00
Lock Fee	\$15.00
Broken Lock Replacement	\$30.00
Returned Check Fee	\$20.00
Meter Tampering Fee	\$100.00
Irrigation cut off	\$75.00
Irrigation reconnection	\$75.00
Stormwater	\$2.50/REU

Chapter 3-1A

Capital Recovery Capacity Fee

Meter Size	Water	Wastewater	Total
3/4"	\$1,541	\$3,061	\$4,602
1"	\$3,853	\$7,652	\$11,505
1 1/2"	\$7,707	\$15,303	\$23,010
2"	\$12,331	\$24,485	\$36,816
3"	\$24,661	\$48,970	\$73,631
4"	\$38,533	\$76,516	\$115,049
6"	\$77,067	\$153,032	\$230,099
8"	\$123,306	\$244,852	\$368,158
10"	\$184,960	\$367,277	\$552,237
12"	\$260,100	\$516,484	\$776,584

Chapter 3-2

Streets & Sanitation

	Current
Residential (up to 2 cans)	\$6.50
Additional Can	
Purchase	No Cost
Service	\$6.50
Recycling	
Residential (up to 2 cans)	\$3.00
Business (up to 5 cans)	\$3.00
Commercial Rollout (up to 5 cans)	\$11.50
Additional Can	
Purchase	No Cost
Service	\$11.50
Bulk Container	Contracted
Bulk Item	
Depend on Weight and or Size	\$15.00
Appliances**	\$25/ item
Tires	
Must be off rim	\$5/ tire
Mattress	\$20.00
Box Spring	\$5.00
Mattress and Box Spring	\$25.00

** City does not pick up computer monitors and televisions.

Fire

	Current
Fire Plan Review	
Construction Cost < \$100,000	\$ 100.00
Construction Cost \$100,000 to \$500,000	\$ 150.00
Construction Cost \$500,001 to \$1,000,000	\$ 175.00
Construction Cost \$1,000,001 to \$5,000,000	\$ 200.00
Construction Cost > \$5,000,001	\$ 225.00
Fire Alarm Shop Drawings Review	\$100.00
Fire Sprinkler Shop Drawings	\$100.00
Performance Test	
Hydrant Test other than requested flow	\$125.00
Fire Pumps	\$130.00
Sprinklers	\$130.00
Fire Alarm (New Construction)	\$150.00
Fire Alarm (up-fit)	\$125.00
Standpipe Systems	\$150.00
Auto Fire Existing System (Hood System)	\$150.00
Miscellaneous Fees	
Construction Permit	\$50.00
Hazardous Material Permit	\$150.00
Hazardous material Permit Renewal	\$100.00
Construction Warming Fire	\$75.00
Spraying or Dipping of Flammable Finishes	\$100.00
Blasting Permit	\$100.00
Fireworks Permit	\$75.00
Hydrant Flow Test	\$75.00
Tank Removal Permit	\$75.00
NC Mandatory Permits (Chapter 1)	\$75.00
Tent Permit (larger than 400 square feet)	\$75.00
ABC Inspection	\$100.00
Fire Code Violations (based on days past 30)	\$100.00 - \$300.00 (based on type)
Foster Home Inspection	\$25.00
Order to Remedy Violations	\$100.00 - \$300.00 (based on type)



City of Mount Holly Action Agenda Item

To: City Council	Date: 4/20/17
From: Africa Otis	Meeting Date: 4/24/17
Agenda Item to be considered: <u>Resolution approving amendment to 2007 Installment Financing Contract</u>	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: <i>Resolution of the City of Mount Holly, North Carolina Approving an amendment to the 2007 Installment Financing Contract to reduce the interest rate to 3.00%.</i>	
Fiscal Impact:	
Will Item affect current budget	☐ YES ☒ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
E-Verify Compliance Statement required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Amendment/Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	
Budget Code	
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: <u>Approve Resolution</u>	
Result of City Council Decision: _____	
Attachments: 1. Resolution	

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA, APPROVING AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT

WHEREAS, the City of Mount Holly, North Carolina (the "*City*") entered into an Installment Financing Contract dated April 30, 2007 (the "*April 2007 Contract*"), with Citizens South Bank, which has been acquired by and is now known as Park Sterling Bank (the "*Lender*"), to finance the cost of constructing, improving and renovating the City's Municipal Complex building formerly known as the Mount Holly Citizens Center;

WHEREAS, the City Council has determined that it would be in the best interest of the City to enter into an amendment to the 2007 Contract (the "*First Contract Amendment*") to lower the interest rate paid by the City;

WHEREAS, the City and the Lender have agreed to amend the April 2007 Installment Financing Contract to be dated on or about March 27, 2017;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA, AS FOLLOWS:

Section 1. The terms of the First Amendment are in the best interests of the City.

Section 2. The First Amendment is hereby approved. The actions of the City Manager, Assistant City Manager and the City Finance Officer, individually and collectively, to execute, acknowledge and deliver the First Amendment together with all associated documents necessary to obtain the lower interest rate are hereby ratified and authorized, such approval to be conclusively evidenced by such execution and delivery of the First Amendment.

Section 3. The City Manager, Assistant City Manager, City Finance Officer and the City Clerk, individually and collectively, are each hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the First Amendment or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution.

Section 4. ***Repealer.*** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 5. ***Effective Date.*** This Resolution is effective on the date of its adoption.

STATE OF NORTH CAROLINA)
)
CITY OF MOUNT HOLLY) ss:

I, AMY MILLER, City Clerk of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution entitled “**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA, APPROVING AN AMENDMENT TO AN INSTALLMENT FINANCING CONTRACT**” adopted by the City Council of the City of Mount Holly, North Carolina at a meeting held on the 24th day of April, 2017.

WITNESS my hand and the corporate seal of the City of Mount Holly, North Carolina, this the ____ day of _____, 2017.

Amy Miller
City Clerk
City of Mount Holly, North Carolina



City of Mount Holly Action Agenda Item

To: City Council	Date: 4/20/17
From: Africa Otis	Meeting Date: 4/24/17
Agenda Item to be considered: Resolution approving Installment Financing Contract	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: Resolution of the City of Mount Holly, North Carolina Approving Installment Financing Contract not to exceed 8.66mm for the construction of a North Fire Station, Public Works and Garage and Maintenance Facility.	
Fiscal Impact:	
Will Item affect current budget	☒ YES ☐ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
E-Verify Compliance Statement required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☒ YES ☐ NO ☐ N/A
Budget Amendment/Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	
Budget Code	
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: <u>Approve Resolution</u>	
Result of City Council Decision: _____	
Attachments: 1. Resolution	

**RESOLUTION OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA APPROVING AN
INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER
RELATED MATTERS THERETO**

WHEREAS, the City of Mount Holly, North Carolina (the "*City*") is a municipal corporation validly existing under the Constitution, statutes and laws of the State (the "*State*");

WHEREAS, the City has the power, pursuant to the General Statutes of North Carolina, to (1) purchase real and personal property, (2) enter into installment purchase contracts to finance the purchase or improvement of real and personal property used, or to be used, for public purposes, and (3) grant a security interest in some or all of the property purchased or improved to secure repayment of the purchase price;

WHEREAS, the City Council of the City (the "*City Council*") has determined that it is in the best interest of the City to (1) enter into an installment financing contract (the "*Contract*") with the Branch Banking and Trust Company (the "*Bank*") in order to construct, equip and furnish a fire station to be located at 13455 Lucia Riverbend Highway in the City and a public works facility, including an office building, garage and storage, to be located at 218 Adrian Street and 218A Adrian Street in the City (collectively, the "*Projects*") and (2) in order to provide security for the City's obligations under the Contract, grant to the Bank a security interest under a deed of trust, security agreement and fixture filing (the "*Deed of Trust*") on the sites of all or a portion of the Projects and all improvements thereon;

WHEREAS, the City Council conducted a public hearing with respect to the Projects on March 27, 2017, to receive public comments on the Projects, the Contract and the Deed of Trust;

WHEREAS, the City has filed an application with the North Carolina Local Government Commission ("LGC") for approval of the LGC with respect to the City entering into the Contract in an aggregate principal amount not to exceed \$8,660,000;

WHEREAS, there has been made available to the City Council the form of the Contract, the Deed of Trust and a Project Fund Agreement between the City and the Bank (the "*Project Fund Agreement*") and collectively with the Contract and the Deed of Trust, the "*Instruments*") which the City proposes to approve, enter into and deliver, as applicable, to effectuate the proposed financing at an interest rate specified in the Contract; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA, AS FOLLOWS:

Section 1. ***Ratification of Prior Actions.*** All actions of the City Manager, the Assistant City Manager, the Finance Officer and the City Clerk (collectively, the "*Authorized Officers*") and their respective designees in effectuating the proposed financing are hereby approved, ratified and authorized pursuant to and in accordance with the transactions contemplated by the Instruments.

Section 2. ***Authorization to Negotiate, Execute and Deliver the Instruments.*** The City hereby approves the financing of the Projects in accordance with the terms of the Instruments, which will be valid, legal and binding obligations of the City in accordance with their terms. The City hereby approves the amount advanced by the Bank to the City pursuant to the Contract in an aggregate principal amount not to exceed \$8,660,000, such amount to be repaid by the City to the Bank as provided in the Instruments, at an interest rate of 2.53% per annum. The Instruments are in all respects authorized and approved, and the Authorized Officers or their respective designees, individually and collectively, are

authorized, empowered and directed to execute and deliver the Instruments for and on behalf of the City, including necessary counterparts, in substantially the form as set forth above. The execution of the Instruments by the Authorized Officers or their respective designees constitutes conclusive evidence of the City's approval of any and all such deviations in such Instruments from the form and content of the Instruments made available to the City Council and that from and after the execution and delivery of the Instruments, the Authorized Officers or their respective designees are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of the Instruments as executed.

Section 3. ***City Representative.*** That the Authorized Officers, individually and collectively, are hereby designated as the City's Representative to act on behalf of the City in connection with the transactions contemplated by the Instruments and are authorized to proceed with the acquisition of the Projects in accordance with the Instruments and to seek opinions as a matter of law from the City Attorney, which the City Attorney is authorized to furnish on behalf of the City, and opinions of law from such other attorneys for all documents contemplated hereby as required by law.

The Authorized Officers or their respective designees, individually or collectively, are each hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate to consummate the transactions contemplated by the Instruments or as they deem necessary or appropriate to implement and carry out the intent and purposes of this Resolution and to take all other actions that they deem necessary to administer the Instruments and the Projects consistent with the intent of this Resolution and the Instruments.

Section 4. ***Repealer.*** All motions, orders, resolutions and parts thereof in conflict herewith are hereby repealed.

Section 5. ***Effective Date.*** This Resolution is effective on the date of its adoption.

Upon motion of Council Member _____, the foregoing order titled: **"RESOLUTION OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO"** was adopted by the following vote:

AYES:

NAYS:

PASSED, ADOPTED AND APPROVED this 24th day of April, 2017.

STATE OF NORTH CAROLINA)
)
CITY OF MOUNT HOLLY) SS:

I, Amy Miller, City Clerk of the City of Mount Holly, North Carolina, ***DO HEREBY CERTIFY*** that the foregoing is a true and exact copy of a resolution titled “**RESOLUTION OF THE CITY OF MOUNT HOLLY, NORTH CAROLINA APPROVING AN INSTALLMENT FINANCING CONTRACT AND PROVIDING FOR CERTAIN OTHER RELATED MATTERS THERETO**” adopted by the City Council of the City of Mount Holly, North Carolina in regular session convened on the 24th day of April, 2017, as recorded in the minutes of the City Council of the City of Mount Holly, North Carolina.

WITNESS my hand and the seal of the City of Mount Holly, North Carolina, this the ____ day of _____, 2017.

(SEAL)

City Clerk
City of Mount Holly, North Carolina



City of Mount Holly Action Agenda Item

To: City Council	Date: 4/20/17
From: Africa Otis	Meeting Date: 4/24/17
Agenda Item to be considered: <u>Approval of Capital Project Ordinance</u>	
Will this require a public hearing? ☐ YES ☒ NO	
Background/Purpose of Request: <i>The City has entered into an installment financing contract with BB&T bank to construct a North Fire Station, Public Works, Garage and Maintenance Facility. This action requires the adoption of a Capital Project ordinance pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina.</i>	
Fiscal Impact:	
Will Item affect current budget	☒ YES ☐ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
E-Verify Compliance Statement required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☒ YES ☐ NO ☐ N/A
Budget Amendment/Transfer required	☐ YES ☒ NO ☐ N/A
Total City Dollars:	\$8,660,000
Budget Code	41-XX-XXXX-XXX 45-XX-XXXX-XXX
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: <u>Approve Capital Project Ordinance</u>	
Result of City Council Decision: _____	
Attachments: 1. Capital Project Ordinance North Fire Station 2. Capital Project Ordinance Public Works, Garage and Maintenance Facilities	

**CAPITAL PROJECT ORDINANCE FOR THE NORTH FIRE STATION
PROJECT**

BE IT ORDAINED by the Governing Board of the City of Mount Holly, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the North Fire Station Project. The project will be funded through installment financing.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grants and or budget contained herein.

Section 3. The following amounts are appropriated for the project:

Construction	\$2,472,117
Architect	91,000
FF&E/PreCon	388,277
<u>Contingency</u>	<u>123,606</u>
TOTAL	\$3,075,000

Section 4. The following revenues are anticipated to be available to complete this project:

<u>Loan Proceeds</u>	<u>\$3,075,000</u>
TOTAL	\$3,075,000

Section 5. The Finance Officer is hereby directed to maintain within the capital project ordinance sufficient specific detailed accounting records to satisfy all financial reporting requirements.

Section 6. Copies of this capital project ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

THIS ORDINANCE ADOPTED THIS THE 24TH DAY OF APRIL 2017.

Bryan Hough, Mayor
City of Mount Holly

ATTEST:

Amy Miller, CMC
City Clerk

**CAPITAL PROJECT ORDINANCE FOR THE PUBLIC WORKS, GARAGE AND
MAINTENANCE FACILITIES PROJECT**

BE IT ORDAINED by the Governing Board of the City of Mount Holly, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The project authorized is for the Public Works, Garage and Maintenance Facilities. The project will be funded through installment financing.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grants and or budget contained herein.

Section 3. The following amounts are appropriated for the project:

Construction	\$4,133,542
Architect	204,000
FF&E/PreCon	579,620
Land	451,161
<u>Contingency</u>	<u>206,677</u>
TOTAL	\$5,575,000

Section 4. The following revenues are anticipated to be available to complete this project:

<u>Loan Proceeds</u>	<u>\$5,575,000</u>
TOTAL	\$5,575,000

Section 5. The Finance Officer is hereby directed to maintain within the capital project ordinance sufficient specific detailed accounting records to satisfy all financial reporting requirements.

Section 6. Copies of this capital project ordinance shall be furnished to the Finance Officer for direction in carrying out this project.

THIS ORDINANCE ADOPTED THIS THE 24TH DAY OF APRIL 2017.

Bryan Hough, Mayor
City of Mount Holly

ATTEST:

Amy Miller, CMC
City Clerk



City of Mount Holly Action Agenda Item

To: City Council	Date: April 20, 2017
From: Danny Jackson, City Manager	Meeting Date: April 24, 2017
<u>Agenda Item to be considered:</u> <i>Agenda Item – Consideration of purchasing Rain Insurance for Special Events</i>	
Will this require a public hearing? ☐ YES ☒ NO	
<u>Background/Purpose of Request :</u> <i>Now that the schedule is set for Special Events in our downtown from April until October, there is another matter to consider. The matter is rain insurance to cover certain costs associated with the events this year. More specifically, rain insurance can cover the cost of bands if they can't play due to rain. Some of you may recall back when Mount HollyDays were in charge of the Alive After Five Band Series, it rained quite a bit during the summer season. The bands were paid anyway, which pretty much bankrupted Mount HollyDays. Given that the City has invested upwards of \$30,000 recently for the ten (10) additional bands that were added to the Special Events Schedule, this may be a time to consider rain insurance to protect the overall investment involved with the events. Phyllis Harris, who has been appointed to coordinate the additional bands (Concert Series) this year, met with Julia Benfield (Insurance Agent) and I recently to discuss a proposal for rain insurance. Ms. Benfield explained what was involved with the proposal and provided documentation as well.</i>	
<u>Fiscal Impact:</u>	
Will Item affect current budget	☒ YES ☐ NO ☐ N/A
Reviewed by Finance Director	☒ YES ☐ NO ☐ N/A
Preaudit Certification required	☐ YES ☒ NO ☐ N/A
Capital Project Ordinance required	☐ YES ☒ NO ☐ N/A
Budget Transfer required	☒ YES ☐ NO ☐ N/A
Total City Dollars:	\$
Budget Code	
Reviewed by City Attorney	☐ YES ☐ NO ☒ N/A
Manager/Staff Recommendation: <i>Reserved for the night of the meeting</i>	
Result of City Council Decision: _____	
Attachments: <i>Rain Insurance Proposal</i>	

Dates	Hours	Limits	1/10% (10)	1/5% (20)		1/4% (25)		1/3% (33)		1/2% (50)	
May 19th	7pm-10pm	\$2,800.00	14.80%	\$414.40	8.10%	\$226.80	7.30%	\$204.40	5.90%	\$165.20	2.80%
May 26th	7pm-10pm	\$3,000.00	17.70%	\$531.00	10.20%	\$306.00	9.40%	\$282.00	7.50%	\$225.00	3.40%
June 16th	7pm-10pm	\$3,000.00	15.50%	\$465.00	9.40%	\$282.00	7.30%	\$219.00	4.80%	\$144.00	2.40%
June 23rd	7pm-10pm	\$2,800.00	12.90%	\$361.20	7%	\$196.00	5.10%	\$142.80	3.80%	\$106.40	2.20%
June 30th	7pm-10pm	\$3,500.00	13.20%	\$462.00	7.80%	\$214.40	6.50%	\$182.00	4.60%	\$128.80	2.20%
July 28th	7pm-10pm	\$3,250.00	17.10%	\$555.75	10%	\$325.00	9.40%	\$305.50	7.50%	\$243.75	4.30%
August 4th	7pm-10pm	\$2,600.00	17.70%	\$460.20	9.70%	\$252.20	9.40%	\$244.40	7.80%	\$202.40	4.50%
August 11th	7pm-10pm	\$4,000.00	14.80%	\$592.00	7.80%	\$312.00	7.30%	\$292.00	5.90%	\$236.00	3%
August 18th	7pm-10pm	\$2,500.00	15.50%	\$387.50	7.80%	\$195.00	7%	\$175.00	6.50%	\$162.50	3.20%
August 25th	7pm-10pm	\$3,000.00	14.50%	\$435.00	7.50%	\$225.00	7%	\$210.00	5.70%	\$171.00	2.80%