

CITY OF MOUNT HOLLY
MOUNT HOLLY CITY COUNCIL MEETING
MONDAY, APRIL 11, 2022
COUNCIL CHAMBERS
7:00 PM

Call to Order

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

****Special Note: Councilman Jeff Meadows was not present***

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

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

Pledge of Allegiance- Boy Scout Troop 59

Set the Agenda

Mayor Hough asked for any changes to the agenda. With no changes to the agenda, Councilman Moore made a motion to approve the agenda as presented. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion Carried)

Consent Agenda

1. Budget Amendment
 - Planning Department Art Projects
2. Approval of a Proclamation Recognizing April 10th – 16th, 2022 Telecommunicator Week
3. Call for a public hearing for review and recommendation to City Council, to consider an application, submitted by Belmont Del Associates, LLC, for a proposed rezoning of a 15-acre tract of land, located between YMCA Drive and Caldwell Drive, Parcel ID # 212802, from B-3 South Gateway Overlay District to CD Multifamily (Stowe Property)
4. Approval of Minutes of the March 28, 2022 Council Work Session Meeting

Mayor Pro Tem Harris made a motion to approve the consent agenda. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor.

(Motion Carried)

Presentations

1. Swearing in of Fire Fighter Robert Heussy *Mayor Bryan Hough*
Fire Chief Ryan Baker introduced Fire Fighter Robert Heussy to be sworn in to the City of Mount Holly Fire Department. Mayor Hough administered the oath to Fire Fighter Heussy. Fire Fighter Heussy was pinned with Badge #48 by his mother who was in attendance.

2. Recognition of Eagle Scouts for the Completion of the Canine Course *Deputy Chief Brian Reagan*
Deputy Chief Reagan discussed the completion of a full canine agility course by Eagle Scouts Bobby and Steven Olson. The Olson's were recognized as having dedicated a tremendous amount of time to the completion of this canine agility course all while attending high school. Sergeant Austin Cox showed a short power point presentation of the project from start to finish. The Olson's presented Sergeant Austin Cox with two canine trauma kits as part of their project. Mayor Hough thanked and commended the young men for their dedication and hard work.

3. Presentation from the Mount Holly Community Development Foundation *Janice McRorie*
Janice McRorie named the 13 members of the Community Development Foundation. Ms. McRorie gave a brief overview and history of the Community Development Foundation and its public and private partnership with the City of Mount Holly. Ms. McRorie discussed the continued need for the Foundation and its partnership with the city. Ms. McRorie discussed the Foundation's collaboration with such groups as FROGS (Friends of the Greenway Systems), Chili Brew, Lantern Parade, and Arts Mount Holly. The goal is to make Mount Holly a destination. Mayor Hough thanked Ms. McRorie and the Community Development Foundation for all of their hard work and dedication.

Public Hearing

1. Public hearing to consider rezoning a 3.85-acre tract of land, located at 250 N Main Street, Parcel ID #'s 123583, 123586 & 123587, from O&I to CD Commercial-Multifamily *Greg Beal*
Mr. Beal discussed Economic Development as the tenant of the 2019 Strategic Vision Plan and the 2020 Comprehensive Land Use Plan. The applicant (Pam Friedl) has chosen Muddy River Distillery as the end-user and future owner. Mr. Beal discussed the variety of uses that the applicant has applied for. Mr. Beal stated that the applicant's statement of consistency was unanimously approved by the Planning Board. Mr. Beal discussed goal number 3.12.1 from the 2019 Strategic Vision Plan stating that the city should work with the private sector in coordinating its plan for the redevelopment of the [Mount Holly Cotton Mill] Alsace Manufacturing company with the City of Mount Holly for uses including but not limited to a restaurant, brewery, event space and connection to the future Dutchman's Creek Greenway. Mr. Beal stated that he is happy to answer any questions that the Mayor or Council may have. Mayor

Hough asked if council had any questions. With no questions from Council, Mayor Hough entertained a motion to go out of regular session and into public hearing. Councilwoman Pawlish made the motion to go out of regular session and into public hearing. Councilman Craig seconded the motion. All Council Members present voted in favor. (Motion Carried)

Public Hearing Sign up:

Gina H. Davis- 156 N. Main Street. Ms. Davis owns Gina's on Main Bed and Breakfast. Ms. Davis' concern is the noise ordinance.

Shannon Williams-178 N. Main Street. Mr. Williams can see the Mill from his property and is also concerned about the possible noise.

With no other citizens signed up for the public hearing, Mayor Hough entertained a motion to go out of public hearing and back into the regular session. Mayor Pro Tem Harris made the motion to go out of public hearing and back into the regular session. Councilwoman Lauren Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

Mayor Hough asked Mr. Beal if he had any comments regarding the noise ordinance. Mr. Beal stated that everyone is subject to the City's noise ordinance. Mayor Hough confirmed with Deputy Chief Reagan that the time stated in the City's noise ordinance is 11:00pm. Mr. Beal stated that the applicant, Ms. Friedl, did not want to speak tonight. Mr. Beal stated that at the Planning Commission hearing, Mr. Delany, from Muddy River Distillery, spoke and is available tonight to answer any questions that Council may have. Mayor Hough asked if Council had any questions for Mr. Delany. With no further questions or comments, Mayor Hough entertained a motion to rezone a 3.85-acre tract of land, located at 250 N Main Street, Parcel ID #'s 123583, 123586 & 123587, from O&I to CD Commercial-Multifamily. Councilman Moore made the motion to rezone a 3.85-acre tract of land, located at 250 N Main Street, Parcel ID #'s 123583, 123586 & 123587, from O&I to CD Commercial-Multifamily. Councilman Craig seconded the motion. All Council Members present voted in favor. (Motion Carried)

2. Public hearing to consider a rezoning of Tax Parcel #181234 to create a R-12SF zoning for the existing cemetery and a L-I Light Industrial zoning for the remaining portion of the property
Brandon Livingston

Mr. Livingston stated that the property is owned by the City of Mount Holly, but is not within city limits. Mr. Livingston stated that the Utility Department would be doing some work on the cemetery at the end of Legion Road to create a lay down yard. Mr. Livingston stated that staff feels that it is in the City's best interest to annex the property as well as give it a zoning designation. Mr. Livingston stated that the rezoning of this property is consistent with zoning ordinance and that the Planning Commission unanimously recommended approval of the rezoning request on April 4, 2022.

Mayor Hough entertained a motion to go out of the regular meeting and into public hearing. Mayor Pro Tem Harris made the motion to go out of the regular meeting and into the public hearing. Councilwoman Shoemaker seconded the motion. All Council Members present voted in

favor. (Motion Carried) With no citizens signed up for the public hearing, Mayor Hough entertained a motion to go out of public hearing and back into the regular session. Councilwoman Shoemaker made the motion to go out of public hearing and into the regular session. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion Carried)

Mayor Hough asked the Council if they would like to take action on the rezoning contingent upon the annexation which is our next public hearing. Councilwoman Shoemaker made the motion for rezoning Tax Parcel #181234 contingent upon annexation. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion Carried)

3. Public Hearing for Annexation for the property located at Tax Parcel #181234 (Legion Road). *Marie Anders*

Ms. Anders stated that the City of Mount Holly through the City Manager, Miles Braswell, filed a petition to annex the cemetery property. Ms. Anders stated that the City Clerk found the petition sufficient. Ms. Anders stated that this public hearing was ordered to take place tonight and was advertised. Ms. Anders stated that Council has the annexation ordinance before them and should they choose to move forward, the ordinance may be adopted.

Mayor Hough entertained a motion to go out of the regular meeting and into public hearing. Mayor Pro Tem Harris made the motion to go out of the regular meeting and into public hearing. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

With no citizens signed up for the public hearing, Mayor Hough entertained a motion to go out of public hearing and back into the regular session. Mayor Pro Tem Harris made the motion to go out of the public hearing and back into the regular session. Councilwoman Lauren Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

Mayor Hough entertained a motion to approve ordinance #04112022A Annexation of Tax Parcel #181234. Mayor Pro Tem Harris made the motion to approve ordinance #04112022A Annexation of Tax Parcel #181234. Councilwoman Pawlish seconded the motion. All Council Members present voted in favor. (Motion Carried)

4. Public hearing to consider traffic controlling device on YMCA Drive *Tony Walker*

Mr. Walker stated that staff discussed a parking issue on YMCA drive on February 15, 2022. Mr. Walker stated that staff had noticed trucks parking on the side of the road on YMCA Drive causing a traffic hazard. Mr. Walker stated that staff discussed the current traffic hazards as well as possible future impacts from the plans connecting Caldwell and YMCA Drive. Mr. Walker stated that staff recommends three (3) NO PARKING signs be placed on each side of YMCA Drive before the entrance of Waters Edge up to Beatty Drive.

Mayor Hough entertained a motion to go out of the regular meeting and into public hearing. Councilwoman Pawlish made the motion to go out of the regular meeting and into public hearing. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

With no citizens signed up for the public hearing, Mayor Hough entertained a motion to go out of public hearing and back into the regular session. Councilwoman Shoemaker made a motion to go out of the public hearing and back into the regular session. Councilman Moore seconded the motion. All Council Members present voted in favor. (Motion Carried)

Mayor Hough entertained a motion to approve the NO PARKING signs requested for YMCA Drive. Councilwoman Shoemaker made the motion to approve the NO PARKING signs requested for YMCA Drive. Councilman David Moore seconded the motion. All Council Members present voted in favor. (Motion Carried)

Public Comment- Three (3) minute limit

There was no one signed up to speak at public comment.

Old Business

1. Consideration and Approval of an Ordinance to amend Sections 14-11 and 14-12 of the City Code known as the Noise Ordinance *Marie Anders and Deputy Chief Brian Reagan*

Deputy Chief Reagan and Ms. Anders discussed the proposed revision to the noise ordinance and stated that the change would be to section 14-12d regarding pets. Ms. Anders stated that the revision gives a definition for what is an excessive manner for an animal to bark, howl, or cry. Ms. Anders stated that the Police Department feels that this would be easy to document and then move forward with enforcement. Ms. Anders stated that the definition for excessive, for the purposes of the noise ordinance, is defined as one (1) or more times per minute each minute during any one (1) or more continuous ten (10) minute period. Ms. Anders pointed out that the City of Mount Holly already had criminal as well as civil penalties to be used as a tool in the toolbox of law enforcement to enforce the noise ordinance. Ms. Anders stated that the School of Government is recommending that in addition to having criminal penalties set out in the ordinance that they be set out in the individual section as well. Ms. Anders stated that the City of Mount Holly already had criminal penalties in the noise ordinance. Ms. Anders stated that these are not new criminal penalties, these are the same ones that we already had and to make sure that they are enforceable even after the new state law they have been set out in these individual sections as well. Ms. Anders stated that if Council wishes to move forward with this noise ordinance and if they would like it to retain the same criminal penalties then the new state law also says that any criminal penalties are not able to be enacted at the meeting in which they are first introduced. Ms. Anders stated that if Council wants to move forward with keeping these criminal penalties and making the change to the noise ordinance the way that it is presented right now, the way the Council could take advantage of that is to have a vote to consider the noise ordinance at the next meeting. Ms. Anders explained that taking a vote to consider at the next meeting introduces the law. Ms. Anders stated that this item would be acceptable for the Consent Agenda. Mayor Hough entertained a motion to consider an Ordinance to amend Sections 14-11 and 14-12 of the City Code known as the Noise Ordinance at the next meeting. Councilwoman Pawlish made the motion to consider an Ordinance to amend Sections 14-11 and 14-12 of the City Code known as the Noise Ordinance at the next meeting. Councilwoman Shoemaker seconded the motion. All Council Members present voted in favor. (Motion Carried)

Adjourn

With no additional items for discussion, Mayor Hough entertained a motion to adjourn the April 11, 2022 Council Meeting.

Councilwoman Shoemaker made the motion to adjourn the April 11, 2022 Council Meeting. Councilman Moore seconded the motion. All Council Members present voted in favor.

(Motion Carried)

The meeting adjourned at 7:53 pm.