CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, APRIL 8, 2024

COUNCIL CHAMBERS

7:00 PM

CALL TO ORDER

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

Mayor David Moore	Jonathan Blanton, City Manager
Mayor Pro Tem Lauren Shoemaker	Brian DuPont, Assistant City Manager
Councilman Ivory Craig	Brian Reagan, Police Chief
Councilman Jeff Meadows	Ryan Baker, Fire Chief
Councilman Bryan Hough *Absent*	Greg Beal, Planning Director
Councilwoman Phyllis Harris *Absent*	Tony Walker, Streets and Solid Waste Director
Councilman Kenneth Reeves	Robert Stewart, Deputy Utilities Director
Marie M. Anders, City Attorney	Mark Jusko, Recreation Supervisor
Danny Jackson, Consultant	Michelle Wood, Finance Director
Tara Douglas, City Clerk	Alexis Hill, Human Resources Director

INVOCATION

Pastor Charles McCorkle led the Council, staff, and attendees in prayer.

PLEDGE OF ALLEGIANCE

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

SET THE AGENDA

Mayor Moore entertained a motion to approve the agenda. Councilman Meadows stated that he would like to add a Discussion of Appointments to Boards and Committees to New Business. Mayor Moore entertained a motion to approve the agenda to include the amendment made by Councilman Meadows. Councilman Craig made a motion to approve the amended agenda as presented. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present voted in favor. (Motion Carried)

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CONSENT AGENDA

1. Approval of TDA Appointments
2. Approval of SAFER Grant
3. Approval of a Proclamation in Honor of Telecommunicators Week, April 14th -20th
4. Approval of Duke Energy Franchise Agreement-Second Reading
5. Approval of an Appointment of a Parks and Recreations Commission member
6. Consideration and approval of the lowest responsive and responsible bid for the Lower Dutchman's Creek Sewer.
7. Approval of a Capital Project Ordinance for Lower Dutchman's Creek Sewer
8. Approval of a Capital Project Ordinance for Riverbend Water Tank.
9. Approval of the updated Planning Commission Rules of Procedure.
10. Call for a public hearing for a proposed text amendment to amend Section 6.4-Table of Permitted Uses-Business, Professional, and Personal Services to allow Contractors' facilities with open storage to be permitted in the H-I zoning district-while removing this use as an allowed use in the B-3 District. Case # TA 24-3
11. Call for a public hearing on a text amendment to update the Zoning Ordinance to allow pool businesses to operate in the L-I zone.
12. Approval of Minutes from the March 25, 2024 Council Meeting
13. Approval of Minutes from the March 25, 2024 Closed Session

Mayor Moore entertained a motion to approve the consent agenda as presented. Mayor Pro Tem Shoemaker made a motion to approve the consent agenda. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

PRESENTATIONS

1. Miss Mount Holly ***Raven Delk***

Miss Mount Holly Raven Delk spoke to the Mayor, Council, and attendees about the Miss Mount Organization. Miss Delk stated that she was here to speak about the service portion of the organization. Miss Delk stated that all the girls who compete get to choose a community service initiative. Miss Delk stated that her community service initiative is called Build Your Future which is a movement for purposed power esteem education in our schools. Miss Delk stated that through her community service initiative she can go into schools and after school programs to speak about the skills that they learn in school and how they can use those skills to serve their community.

2. Facilities Master Planning — ***Brent Green with Creech and Associates***
3. New Fire Station Location Analysis — ***Brent Green with Creech and Associates***

Mr. Green from Creech and Associates gave an update on the Facilities Master Plan and new Fire Station location analysis. Mr. Green stated that the study incorporates three main components which include a space needs assessment, a location analysis, and a facilities master plan. Mr. Green stated that they looked at four user groups as a part of this study. Mr. Green stated that the four user groups that were focused on as a part of the scope of work were the Municipal Complex and the Administrative area, a replacement for Fire Station 33 at Catawba Heights, Public Works, and a potential location for a future Fire Station 36. Mr. Green stated that they are working on a 20-year horizon for the study. Mr. Green discussed existing areas versus 20-year needs. Mr. Green stated that Fire Station 33 has a deficit. Mr. Green stated that the Municipal Complex has a small deficit. Mr. Green stated that there is a small deficit in the Public Works Department.

Mr. Green discussed the new Fire Station location analysis. Mr. Green stated that the Fire Station location analysis was overlaid onto the Facilities Master Plan to produce potential solutions for discussion. Mr. Green stated that this is a 10-year horizon with a timeline that is tied to escalation. Mr. Green discussed the recommendations that came from overlaying the Facilities Master Plan with the Fire Station location analysis. Mr. Green stated that one of the potential sites that came as a recommendation was the car wash property located at 313 Beatty Drive. Mr. Green stated that this would be an opportunity to put a civic presence that has significance to the City of Mount Holly out on the main street as people are coming into town. Mr. Green stated that this site would have access from the rear and great flow for fire apparatus as well. Mr. Green discussed a second recommended option located at 101 Beatty Drive adjacent to the existing church there.

Mr. Green discussed the Municipal Complex areas of focus which included the Police Department and the Administrative area on the second floor. Mr. Green stated that they can solve the needs within the footprint. Mr. Green stated that the Police Department is more challenging because their footprint is limited by the perimeter of the building. Mr. Green stated that only one option solved the 20-year need and that was to look at a two-story solution. Mr. Green stated that this add on would be on the Hill Street side of the building. Mr. Green stated that there is a small storage component included for furniture storage that will serve the needs of the Grand Hall.

Mr. Green discussed the second-floor administrative area. Mr. Green discussed the rounded area of the lobby as a recommendation for a conference meeting space for staff to have meetings with guests that is outside of the staff perimeter. Mr. Green stated that one of the challenges with the administrative area is the acoustics within the open spaces. Mr. Green discussed the options available to address the acoustics.

Mr. Green discussed the Public Works campus. Mr. Green stated that they looked at if they could do everything without expanding the campus at all. Mr. Green stated that all sides of Adrian are fixed and not expandable. Mr. Green stated that the Legion Road site has some expandability, so they came up with a small expansion. Mr. Green stated that another big piece of this study is parking. Mr. Green stated that he recommends looking at the policy for taking home appropriately sized public works vehicles to potentially address parking needs because parking costs money.

Mr. Green discussed the cost estimates and stated that the estimates are extremely high level and conservative. Mr. Green stated that these estimates are based on a cost per square foot metric based on current market conditions. Mr. Green stated that there were two options listed and the costs for escalation are 4% per quarter.

PUBLIC HEARING

1. Public Hearing to consider the closing of those portions of Ferstl Avenue, Beatty Drive (a/k/a Beaty Road), and Beatty Road, and unopened rights of way that are described in the filed petition.

Paul Lowe

Mr. Lowe stated that a developer is looking to construct a restaurant and a retail development at 310 Ferstl Avenue, Parcel #184805, and the portion of right of way to the north of the property. Mr. Lowe stated the petitioner is seeking to have unopen rights of way just north of this property along Ferstl Avenue closed. Mr. Lowe stated that per the North Carolina Department of Transportation, the rights of way in question are owned by the City of Mount Holly and are outlined in the petitioner's application packet. Mr. Lowe stated that staff have notified the adjoining property owners and the North Carolina Department of Transportation. Mr. Lowe stated that the required legal ads have been published and the site has been posted per state statutes. Mr. Lowe stated that the resolution of intent was approved at the March 11, 2024 council meeting. Mr. Lowe stated that staff recommends the approval of the road/easement closing case, as it is not contrary to the public interest and no properties' access will be impacted by this approval.

Councilman Meadows asked about why the parking is being pushed to the front of the building. Mr. Lowe stated that this is the preliminary site plan that would require further review.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing. Councilman Meadows made a motion to go out of the regular meeting and into the public hearing. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that there was one person signed up to speak at this public hearing:

1. David Murray, who resides at 5950 Fairview Road signed up to speak at this public hearing. Mr. Murray stated that he represents the petitioner and is here to answer any questions. Mr. Murray stated that the other two people that have signed up to speak are with him and are here to provide any additional information or answer any questions.

With no additional questions from the Council, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting. Councilman Meadows made a motion to go out of the public hearing and go back into the regular meeting. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Pro Tem Shoemaker made a motion to approve the closing of those portions of Ferstl Avenue, Beatty Drive (a/k/a Beaty Road), and Beatty Road, and unopened rights of way that are described in the filed petition. Councilman Meadows seconded the motion.

All Council members present voted in favor. (Motion Carried)

2. Public hearing regarding a request by Penler LLC, for a rezoning of a 32.389-acre tract of land at 55 Caldwell Drive, Parcel #'s 226178, 226181, & 226182 from CD-CMF to Amended CD-CMF, comprising 315 apartment units including amenities for those units and a commercial restaurant. Case # R-24-1. ***Brandon Livingston***

Mr. Livingston stated that an applicant was submitted by Penler, for a proposed rezoning of a 32.389-acre tract for Tax Parcel #'s 226178, 226181, and 226182 from CD-CMF to amended CD-CMF. Mr. Livingston stated that this property was rezoned and annexed into the City in September of 2021 for a proposed 315 multifamily units and 3,500 square foot restaurant with zoning conditions. Mr. Livingston stated that the proposed use will remain the same, however, the applicant is seeking to amend the three following conditions that relate to how the property will be developed. Mr. Livingston stated the amended conditional plan requires that a $300,000.00 bond be posted with the City of Mount Holly prior to issuance of the final certificate of occupancy. Mr. Livingston stated that the bond can be called by the City after two years, if the Petitioner has not found a restaurant tenant, and utilized by the City to secure a restaurant tenant and upfit the existing restaurant building. Mr. Livingston stated that the amended conditional plan removes alternative roadway improvements regarding improvements to Highway 273 at Caldwell Drive that North Carolina Department of Transportation would not approve, and as well as alternative improvements along Highway 273 that were required if the South Gateway Connector Road did not occur. Mr. Livingston stated that the amended conditional plan indicates that the funds for the construction of the 10-foot multi-use path will be provided once the construction of the South Gateway Connector Road has commenced, and if the Site is still owned by the Petitioner.

Mr. Livingston stated that a Public Involvement Meeting was held March 19, 2024 from 4:00 pm to 6:00 pm at the Municipal Complex. Mr. Livingston stated that notices of the meeting were mailed to all properties that are within two-hundred and fifty (250) feet of the proposed development, a newspaper advertisement was placed in the Gaston Gazette, and the property was posted along Caldwell Drive. Mr. Livingston stated that no one from the public attended the meeting or provided comments concerning the request to city staff. Mr. Livingston stated that the Planning Commission considered this matter at their April 1, 2024 meeting and voted unanimously to recommend approval. Mr. Livingston stated that the staff recommends the rezoning request.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing. Mayor Pro Tem Shoemaker made a motion to go out of the regular meeting and into the public hearing. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore stated that we have one person signed up for the public hearing.

1. Mr. Keith MacVean with Moore Van Allen who resides at 100 North Tryon Street, Suite 4700, Charlotte, NC 28202 signed up to speak at the public hearing. Mr. MacVean stated that the firm is assisting Penler Development with this request. Mr. MacVean stated that Mr. McGuire with Penler is here to answer any questions.

Councilman Meadows stated that he wanted to commend the developer of this site. Councilman Meadows stated that this developer has done everything that they said that they would do. Councilman Meadows stated that the have done a very nice job and that he is happy to support.

Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting. Mayor Pro Tem Shoemaker made a motion to go out of the public hearing and go back into the regular meeting. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

Councilman Meadows made a motion to approve a request by Penler LLC, for a rezoning of a 32.389-acre tract of land at 55 Caldwell Drive, Parcel #'s 226178, 226181, & 226182 from CD-CMF to Amended CD-CMF, comprising 315 apartment units including amenities for those units and a commercial restaurant. Case # R-24-1. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present voted in favor. (Motion Carried)

1. Public Hearing to discuss the Ransom Hunter naming application **_Mark Jusko_**

Mr. Jusko stated that the original naming application was submitted by the Mount Holly Historical Society and Black History Forum in 2015 and at that time, the application was tabled by the Parks and Recreation Commission. Mr. Jusko stated that from September 2022 through January 2023 the mayoral appointed Glendale Advisory Committee met monthly and made recommendations for the city-owned property. Mr. Jusko stated that the property is 2.4 acres and contains seven parcels. Mr. Jusko stated that

McAdams has been working on design plans for the property based on the recommendations from the committee. Mr. Jusko stated that on March 19, 2024, the Parks and Recreation Commission revisited the naming application that was originally tabled, and unanimously recommended to the City Council that the city-owned property on the corner of Glendale Street and Hawthorne Avenue be named Ransom Hunter Park. Mr. Jusko stated that staff notified the family members of Mr. Hunter.

Mayor Moore entertained a motion to go out of the regular meeting and into the public hearing. Councilman Craig made a motion to go out of the regular meeting and into the public hearing. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

With no one signed up to speak at the public hearing, Mayor Moore entertained a motion to go out of the public hearing and back into the regular meeting. Councilman Meadows made a motion to go out of the public hearing and back into the regular meeting. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Pro Tem Shoemaker made a motion to approve the Ransom Hunter naming application as presented. Councilman Craig seconded the motion.

All Council members present voted in favor. (Motion Carried)

NEW BUSINESS

1. Consideration and approval of the final design for the Pinewood Mural Project

Paul Lowe

Mr. Lowe stated that staff have been working with the Public Art Advisory Committee (PAAC) and Pinewood Elementary School on a mural project at their school. Mr. Lowe stated that the Public Art Advisory Committee (PAAC) reviewed the proposed design at their March 20, 2024 meeting and voted unanimously to recommend approval of the final design. Mr. Lowe stated that the staff is working with Gaston County Schools to obtain approvals. Mr. Lowe stated that the project will be completed by the end of May 2024. Mr. Lowe stated that the staff recommends the approval of the proposed design for the Pinewood Elementary mural project. Mr. Lowe stated that he will be happy to answer any questions.

Councilman Craig made a motion to approve the final design for the Pinewood Mural Project. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present voted in favor. (Motion Carried)

2. City Manager Report ***Jonathan Blanton***

Mr. Blanton stated that the Veterans Park Request for Proposals (RFP) was released on April 1, 2024 and the preproposal meeting will be held on April 15, 2024 at 10:00am. Mr. Blanton stated that he wanted to commend the Utilities Department as they worked very hard last week fixing two water main breaks on Highway 27. Mr. Blanton stated that he would like to commend our Police Department as an arrest was made last week in the Cornerstone Church case for the destruction of a cross that happened last Easter. Mr. Blanton stated the budget is coming along well. Mr. Blanton stated that Michelle Wood and the Finance team are doing a great job making sure that our draft budget is being put together for the Council's consideration next month. Mr. Blanton stated that all our departments are doing a great job at providing stellar services for our citizens.

3. Discussion of Appointments to Boards and Committees ***Councilman Jeff Meadows***

Councilman Meadows stated that when we went through the Council appointment process, our City Attorney had written up a committee appointment process as well. Councilman Meadows stated that at the time, it felt like it would be best to keep that separate, but that he would like to reopen the conversation for Council to consider committee appointments again and what that process looks like. Councilman Meadows stated that he would like for the committees to follow a more uniformed process.

Councilman Meadows stated that it was outstanding to have seven people interested in a seat on the Parks and Recreation Commission and that there seems to be an interest in being involved. Councilman Meadows stated that he would like to see the City Attorney bring suggestions forward.

Councilman Meadows stated that there have been questions around state statutes, our own ordinances, and what rules the boards are creating on their own and whether those are lining up. Councilman Meadows stated that cleaning these guidelines up would be worth pursuing. Councilman Meadows stated that other concerns that have been raised is the level of commitment to the committees. Councilman Meadows stated that if you get involved with a committee, then you should show up and follow the rules of those committees.

Councilman Meadows stated that he would like to see the Council explore looking into a committee within the Parks and Recreation Commission, maybe a Parks Committee and a Recreation Committee. Councilman Meadows stated that this would create more opportunity for citizens to serve. Councilman Meadows stated that the Park and Recreation Commission is the only one that has council members that vote and that does not seem to be in line with what we have done with our other committees.

Mrs. Anders stated that in terms of state law on committees, there is a general statute that states that the City Council has the authority to form and abolish committees and the Council's power is only limited in that it cannot abolish any committee that is required by law which is just a few. Mrs. Anders also stated that under state law, the Mayor also has the power to create, abolish, or appoint members to committees if the Council delegates that power to the Mayor. Mrs. Anders stated that our current ordinances do provide that the Mayor has the power and duty to appoint committees and outline their powers and duties as he deems necessary so that is the status of state and local law. Mrs. Anders stated that there are very few of our committees here in Mount Holly that are laid out by ordinance. Mrs. Anders state that the Parks and Recreation Commission is one that has been established by ordinance and that the current ordinance says that it would have ten members, but that ordinance can be changed at any time by the City Council

Mayor Moore stated that this could go on an upcoming work session meeting so that the Council could get more information. Mayor Moore received consensus from the Council to bring this discussion back at the next work session meeting.

PUBLIC COMMENT

1. Gary Brinkley, who lives at 176 Tom Sawyer Lane signed up to speak at public comment about property taxes and the budget. Mr. Brinkley stated that he met with Mr. Blanton to review the Fiscal Year 2023-2024 city budget. Mr. Brinkley stated that he is impressed with Mr. Blanton as the City Manager. Mr. Brinkley stated that the general fund balance projection for this year is $22,000,000.00. Mr. Brinkley stated that this money is an accumulation of money that has been accumulating over the years. Mr. Brinkley suggested that the public should have access to the budget as it is being created and be allowed to comment during the process. Mr. Brinkley recommended that the property tax rate for the upcoming year be set at zero.
2. Janice McRorie, who lives at 176 Tom Sawyer Lane spoke on behalf of the Mount Holly Community Development Foundation. Ms. McRorie would like to remind the Council that they are willing and able to work with the City.

CITY OF MOUNT HOLLY

CITY COUNCIL MEETING MINUTES

MONDAY, APRIL 8, 2024

COUNCIL CHAMBERS

7:00 PM

CLOSED SESSION

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

Mayor Moore entertained a motion to go out of the regular meeting and into closed session pursuant to N.C.G.S 143-318.11 (a) (3, and 5). Councilman Craig made a motion to go out of the regular meeting and into closed session at 7:58 pm . Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

Mayor Moore entertained a motion to come out of closed session and back into the regular meeting. Councilman Meadows made a motion to go out of the closed session and back into the regular meeting at 8:28 pm. Councilman Reeves seconded the motion.

All Council members present voted in favor. (Motion Carried)

ADJOURN

With no additional items for discussion, Mayor Moore entertained a motion to adjourn the April 8, 2024 Council meeting. Mayor Pro Tem Shoemaker made a motion to adjourn the April 8, 2024 Council Meeting at 8:29 pm. Councilman Craig seconded the motion.

All Council Members present voted in favor. (Motion Carried)

The meeting adjourned at 8:29 pm.