

## MINUTES

Regular Meeting  
City Hall Council Chamber

January 9, 2017  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members David W. White, David Causby, Dennis C. Bailey, Ben Kittrell; City Manager Rick Howell, City Clerk Bernadette A. Parduski, City Attorney Robert W. (Bob) Yelton, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Energy Services Julie R. McMurry, Director of Water Resources David W. Hux, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Assistant Fire Chief Todd McMurry, Director of Public Works Daniel C. (Danny) Darst, Manager of Customer Service Sam Clark, and Director of Cable Programming Greg Tillman of Cleveland Community College and The Video Factory

**Absent:** Council Members Eric B. Hendrick and Dicky Amaya

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. The Mayor gave the invocation and Mr. Causby led the *Pledge of Allegiance*.

**A. Approval of agenda:**

- 1) Motion to adopt the proposed agenda

**ACTION TAKEN:** Upon a motion made by Mr. Bailey, City Council voted unanimously to approve the agenda as presented.

**B. Consent Agenda:**

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. Kittrell made a motion to approve the consent agenda. The consent agenda and following items were unanimously approved:

- 1) Approval of the Minutes of the Regular Meeting of December 19, 2016
- 2) Approval of Special Event Permit Application:
  - a. Dr. Martin Luther King, Jr. Parade and Program, requested date: January 16, 2017

- 3) Adoption of Fiscal Year (FY) 2016-2017 Budget Ordinance Amendment No. 11: Ordinance No. 1-2017
- 4) Adoption of Fiscal Year (FY) 2016-2017 Budget Ordinance Amendment No. 12: Ordinance No. 4-2017
- 5) Adoption of Fiscal Year (FY) 2016-2017 Budget Ordinance Amendment No. 13: Ordinance No. 5-2017

#### **END CONSENT AGENDA**

**C. Unfinished Business: None**

**D. New Business:**

- 1) Consideration of a resolution authorizing selection of McGill Associates based on qualifications for the Westside Sewer Improvements Project: Resolution No. 1-2017

Mr. Howell concurrently introduced Resolution No. 1-2017, Resolution No. 2-2017, and Resolution No. 3-2017, stating each respective project is directly related to the potential location of an economic development project code-named, Project Grizzly, to the Washburn Switch Business Park. He explained staff solicited statements of qualifications for professional services outlined by specified thresholds pursuant to North Carolina General Statute 143-64.31. Local governments are required to follow this statute, which are the guidelines that prescribe the selection of architectural, engineering, and surveying services. City staff has strived to ensure a well-thought out process in selecting firms providing these professional services.

Mr. Howell further stated the Westside Sewer System Improvements Project would include construction of a parallel Westside Sewer Outfall along Little Beaver Dam Creek to the Crest Sewer Lift Station, pump modifications at the lift station, and installation of another parallel force main from College Avenue through Riverbend Acres to the First Broad River Wastewater Treatment Plant.

His recommendation is to negotiate and enter into an agreement with McGill and Associates for this project. McGill and Associates is, as noted, a qualified firm familiar with the sewer collection system of the City as well as having been the engineer of record for the initial Westside Sewer Project.

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Resolution No. 1-2017 entitled, "A

**RESOLUTION AUTHORIZING SELECTION OF MCGILL ASSOCIATES BASED ON QUALIFICATIONS FOR THE WESTSIDE SEWER IMPROVEMENTS PROJECT”.**

**2) City of Shelby’s Westside Sewer Improvements Project and First Broad Wastewater Treatment Plant Influent and Preliminary Treatment Upgrade Project**

- a. Consideration of an ordinance establishing a capital project ordinance and budgets for the City of Shelby’s Westside Sewer Improvements Project and First Broad Wastewater Treatment Plant Influent and Preliminary Treatment Upgrade Project: Ordinance No. 2-2017**

**Mr. Howell stated, if approved, this ordinance would recognize and appropriate funding from Cleveland County for the engineering and design services described by Resolution No. 1-2017 (Westside Sewer Parallel Outfall) and Resolution No. 2-2017 (Influent Lift Station and preliminary treatment improvements, etc.) in the amount of \$500,000. He noted these agreements and the ordinance authorizing expenditure are being presented to Council in order to give the City a head start toward completing this project and are contingent upon Project Grizzly moving forward.**

**ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Ordinance No. 2-2017 entitled, “AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY’S WESTSIDE SEWER IMPROVEMENTS PROJECT AND FIRST BROAD WASTEWATER TREATMENT PLANT INFLUENT AND PRELIMINARY TREATMENT UPGRADE PROJECT”.**

- b. Consideration of a resolution authorizing selection of HDR of The Carolinas, Inc. based on qualifications for the First Broad Wastewater Plant Influent and Preliminary Treatment Upgrades Project: Resolution No. 2-2017**

**Mr. Howell stated this project is also related to the potential location of Project Grizzly to the Washburn Switch Business Park. It would include the construction and upgrade of the Influent Lift Station and Preliminary Treatment System at the First Broad River Wastewater Treatment Plant.**

**His recommendation is to negotiate and enter into an agreement with HDR of the Carolinas for this project. HDR is, as noted, a qualified firm familiar with the wastewater treatment system of the City as well as having been the engineer of record for the recent renovation of the First Broad River Wastewater Treatment Plant.**

**ACTION TAKEN:** Upon a motion made by Mr. Bailey, City Council voted unanimously to approve and adopt Resolution No. 2-2017 entitled, “A RESOLUTION AUTHORIZING SELECTION OF HDR OF THE CAROLINAS, INC. BASED ON QUALIFICATIONS FOR THE FIRST BROAD WASTEWATER PLANT INFLUENT AND PRELIMINARY TREATMENT UPGRADES PROJECT”.

**3) City of Shelby’s Farmville Road Waterline Improvements Project**

- a. Consideration of a budget ordinance amendment for the City of Shelby’s Farmville Road Waterline Improvements Project: Ordinance No. 3-2017

Mr. Howell stated, if approved, this ordinance would recognize and appropriate funding from Cleveland County and the City’s Water Fund retained earnings for the engineering and design services described by Resolution No. 3-2017 in the amount of \$670,000. Mr. Howell also noted the agreement and the ordinance authorizing expenditure are being presented to Council in order to give the City a head start toward completing this project and are contingent upon Project Grizzly moving forward.

**ACTION TAKEN:** Upon a motion made by Mr. Kittrell, City Council voted unanimously to approve and adopt Ordinance No. 3-2017 entitled, “A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S FARMVILLE ROAD WATERLINE IMPROVEMENTS PROJECT”.

- b. Consideration of a resolution authorizing selection of Kimley-Horn based on qualifications for the Farmville Road Waterline Improvements Project: Resolution No. 3-2017

Lastly, Mr. Howell stated this project is also related to the potential location of Project Grizzly to the Washburn Switch Business Park. The Farmville Road Waterline Project would consist of a 24-inch waterline that would be laid from the City’s Water Treatment Plant located on Grover Street to Washburn Switch Road via Polkville Road, Chatfield Road, and Farmville Road. A booster station and a 750,000 gallon elevated storage tank would be located at or near the Washburn Switch Business Park.

His recommendation is to negotiate and enter into an agreement with Kimley-Horn for this project. Kimley-Horn is, as noted, a qualified firm familiar with the water distribution system of the City as well as having been the engineering firm that developed the hydraulic modeling for the City’s entire distribution system.

**ACTION TAKEN:** Upon a motion made by Mr. Bailey, City Council voted unanimously to approve and adopt Resolution No. 3-2017 entitled, “A RESOLUTION AUTHORIZING SELECTION OF KIMLEY-HORN BASED ON QUALIFICATIONS FOR THE FARMVILLE ROAD WATERLINE IMPROVEMENTS PROJECT”.

**E. City Manager’s Report:**

- 1) Mr. Howell announced the bidding process for the Gateway Improvements Project has been advertised and the opening will take place on January 26, 2017.
- 2) Mr. Howell advised Council to anticipate and to expect ongoing, extensive construction activities and utility work to take place in the Uptown Shelby alleys, including those along Campbell Street and Trade Street, Trade Street and Arey Street, Trade Street and Dale Street.
- 3) Mr. Howell updated Council about the Norfolk Southern Railway Corridor negotiations. An additional extension of time to July 25, 2017 has been granted by the Surface Transportation Board for the parties, Norfolk Southern Railway Company and the City of Shelby, to negotiate an agreement for interim trail use/rail banking.
- 4) Mr. Howell reported the Randolph Road site is in the development phase, which will include a grading plan and design layout. Further details about the project will be provided in the near future.
- 5) The completion of the Eastside Elevated Water Tank Project was briefly discussed. Mr. Howell anticipated the tank will be fully operational by the end of January 2017.

**F. Council Announcements and Remarks:**

- 1) Mayor Anthony reminded Council members to attend the City’s Volunteer Recognition Reception on January 12, 2017 beginning at 6:00 p.m. at the Earl Scruggs Center.
- 2) Council members briefly discussed their upcoming retreat and confirmed it is scheduled for January 28, 2017 at 8:30 a.m. to be held at the Shelby-Cleveland County Regional Airport.

**G. Closed Session:**

- 1) To approve the Minutes and General Account of the Closed Session of August 22, 2016
- 2) To approve the Minutes and General Account of the Closed Session of October 3, 2016
- 3) To approve the Minutes and General Account of the Closed Session of November 21, 2016
- 4) To discuss matters relating to the location or expansion of an industry or other business pursuant to North Carolina General Statute 143-318.11 (a) (4)

**ACTION TAKEN:** Mr. Bailey made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony consulted with Mr. Yelton who advised the topics met the statutory requirements for a closed session. The Mayor invited all Council members present along with Mr. Howell, Mr. Yelton, Mr. Merritt, and Mrs. Parduski to attend. The motion passed unanimously and Council moved into closed session at 6:20 p.m.

Council returned to the regular session at 7:20 p.m.

**H. Adjournment:**

- 1) Motion to adjourn

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 7:21 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC  
City Clerk

O. Stanhope Anthony III  
Mayor

Minutes of January 9, 2017