

MINUTES

Regular Meeting
City Hall Council Chamber

March 6, 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, Dicky Amaya; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, 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, Fire Chief William P. Hunt, MPA, EFO, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Walter (Walt) Scharer, AICP

Absent: Council Member Eric B. Hendrick

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 led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

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

B. Special Presentation:

- 1) Cleveland County Economic Development Partnership (CCEDP) update – Kristin H. Reese, Executive Director

Due to the illness of a family member, it was noted Mrs. Reese requested to reschedule her presentation until June 2017.

C. Consent Agenda:

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

- 1) Approval of the Minutes of the Special Meeting of January 28, 2017
- 2) Approval of the Minutes of the Special Meeting of February 11, 2017
- 3) Approval of the Minutes of the Regular Meeting of February 20, 2017
- 4) Approval of a resolution honoring Raymond T. Mintz on the occasion of his retirement from employment with the City of Shelby: Resolution No. 15-2017
- 5) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 12-2017
- 6) Adoption of Fiscal Year 2016-2017 Budget Ordinance Amendment No. 15: Ordinance No. 13-2017
- 7) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Water Treatment Plant Upgrade Project: Ordinance No. 14-2017
- 8) Adoption of a budget ordinance amendment for the City of Shelby's Farmville Road Waterline Project: Ordinance No. 15-2017
- 9) Adoption of a budget ordinance amendment for the City of Shelby's Westside Sewer Improvements Project: Ordinance No. 16-2017
- 10) Adoption of a budget ordinance amendment for the City of Shelby's Influent and Preliminary Treatment Upgrade Project: Ordinance No. 17-2017
- 11) Adoption of a budget ordinance amendment for the City of Shelby's Farmville Road Loop and Pressure Upgrading Project: Ordinance No. 18-2017
- 12) Approval of a resolution approving a financing agreement authorized by North Carolina General Statute (NCGS) 160A-20: Resolution No. 16-2017
- 13) Approval of a reimbursement resolution with regard to installment financings for Fiscal Year (FY) 2016-2017: Resolution No. 17-2017

END CONSENT AGENDA

D. Unfinished Business:

- 1) **Consideration of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Uptown Streetscape and Pedestrian Improvements Project: Ordinance No. 19-2017**

Mr. Howell introduced Ordinance No. 19-2017 for Council's consideration. If approved, this ordinance would move the proposed project to the bidding phase of these roadway and streetscape improvements around the Court Square.

As background information, Mr. Howell reminded Council that Dodd Studio and Stantec Consulting Services were selected by the City in November 2015 after completing a Request for Qualifications process to provide engineering and design services related to the Uptown Streetscape and Pedestrian Improvements Project. The planning, scoping, public outreach, and preliminary design phase (20 percent plans) of this project were completed in November 2016. The overall streetscape project was prepared and then split into two smaller phases to allow for constructability and funding.

The two phases are:

- **The corners of the Court Square (Washington Street, Warren Street, Marion Street, and Lafayette Street) and along Lafayette Street from Dorton Street to Holland Street**
- **Along Lafayette Street from Holland Street to South Morgan Street**

Mr. Howell recommended Council approve the requested project ordinance and budgets in order to complete the design work and allow the bidding phase to commence.

Next, Mr. Yarboro reviewed and discussed the tasks included in the proposal submitted by Stantec Consulting Services and Dodd Studio as follows:

- **Project Management**
- **Project Coordination**
- **Surveys**
- **Roadway Design**
- **Hydraulic and Erosion Control Design**
- **Transportation Management Plans**
- **Signing Plans**
- **Roadway Marking (Traffic Delineation) Plans**
- **Signals and Communication Plans**
- **Landscape and Hardscape Plans**
- **Construction Bid Documents**

- **Construction Administration**

Mr. Yarboro stated after the requested budget is approved by Council, the design, bidding, awarding, and contract execution phases of this project will commence and is anticipated to take approximately ten (10) months to complete. He further stated if funding for construction is approved after bids are received, it is anticipated construction will begin in March 2018 followed by nine (9) months of construction activity. Mr. Yarboro added the electrical work is scheduled for July through December 2017 and the water and sewer work is scheduled for October 2017 through March 2018, allowing for a smooth project timeline from utility work to streetscape.

Upon questioning, both Mr. Howell and Mr. Yarboro clarified and detailed the scope of the work and project coordination. Discussion included street lighting, traffic signals, contingency plans for Christmas lights and festivals, furthering the project to include South Washington Street, construction detours, North Carolina Department of Transportation project criteria and guidelines, and final design and review.

Mr. Howell commended Mr. Yarboro along with Mrs. McMurry, Mr. Hux, and Mr. Scharer for their efforts on this project, mentioning the tremendous amount of public input as well.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 19-2017 entitled, “AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY’S UPTOWN STREETScape AND PEDESTRIAN IMPROVEMENTS PROJECT”.

2) **Consideration of a resolution awarding the construction contract for the City of Shelby US 74 Gateway Improvements: Resolution No. 18-2017**

Mr. Howell introduced Resolution No. 18-2017 for Council’s consideration. As background information, he reminded Council a project budget ordinance was approved to provide funding for this project in November 2016. Bids were subsequently solicited from qualified contractors in January 2017. No bids were received at that time. The project was re-advertised for bidding and one bid was received in February 2017. If approved, Mr. Howell stated this resolution would award the contract for the US 74 Bypass Gateway Improvements Project to Bryant Electric Repair & Construction, Inc. of Gastonia, North Carolina in the amount of \$323,763.00. The recommended bid award for this project is approximately \$37,000 under budget. Mr. Howell added the project involves signalization and intersection improvements at the intersection of East Marion Street and US 74 Shelby Bypass (East Dixon

Boulevard) and improvements to the overall aesthetic appearance of the US 74 corridor within the City limits.

Mr. Howell noted this project does not include the East gateway sign which is yet to be designed. Discussion followed about the importance of the sign to the project both in terms of the design and cost.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 18-2017 entitled, “A RESOLUTION AWARDED THE CONSTRUCTION CONTRACT FOR THE CITY OF SHELBY US 74 GATEWAY IMPROVEMENTS”.

E. New Business: None

F. City Manager’s Report:

- 1) Mr. Howell reported bids will be opened for the Hanna Property Multi-purpose Recreation Complex Project on March 21, 2017.
- 2) Mr. Howell reminded Council the Rotary Club of Shelby received grant funding from Rotary District 7680 in the amount of \$10,000. The Rotary Club of Shelby will provide matching funds for the specific purpose of developing a public safety memorial at Raper Roark Plaza. Dan Dodd of The Dodd Studio will provide his professional landscape architect services pro bono. Mr. Howell anticipated the Rotary Club’s formal request for approval of the project in the near future.
- 3) Mr. Howell reported the Campbell Street parking lot improvements are nearing completion and the lot will reopen shortly.
- 4) Mr. Howell reported the Metrolina Drive roadway improvements and stormwater infrastructure project, serving Mafic USA, LLC, should be completed by the end of April 2017.
- 5) Mr. Howell reported bids will be opened for the Shelby Police Department Public Safety Answering Point (PSAP) Communication Addition Project on April 13, 2017.
- 6) Mr. Howell provided an update with regard to the Rail-Trail Railbanking Project with Norfolk Southern Corporation, stating staff is seeking proposals for an economic impact analysis and feasibility study. He also mentioned a conference call has been set up with Norfolk Southern’s real estate manager on March 16, 2017 to discuss the appraisal and transaction for the rail corridor through Shelby.

- 7) Mr. Howell reminded the Mayor and Council about their registration and attendance at the NC Main Street Conference which begins on March 14 and runs through March 16, 2017 in Uptown Shelby. He added the City will receive an Award of Merit for Best Outdoor Space Improvement for the City Pavilion at the NC Main Street Center Awards Reception and Ceremony on March 15, 2017.
- 8) With regard to the budget calendar and process for Fiscal Year 2017-2018, Mr. Howell reported he will be meeting with department directors to review departmental budgets and introducing a balanced budget to Council within the next several weeks. He anticipated a “no surprise budget” this year.
- 9) Mr. Howell informed Mayor and Council about a customer service satisfaction survey in the development stages being produced through a partnership between Electricities of North Carolina, Inc. and Great Blue Research. The survey, when finalized, will be made available to Shelby’s customers on the City’s website and through telephone interviews sometime in April 2017.
- 10) Mr. Howell mentioned the City’s Classification and Pay Plan Study to be conducted by Springsted Incorporated will kick-off the process in early April 2017.
- 11) Mr. Howell reported the Grover Morgan Waterline Project is approximately one-third complete with construction still anticipated to be completed by the end of 2017.
- 12) Both Mr. Howell and Mr. Hux stated the long overdue East Elevated Water Tank is in operation with a landscape design plan yet to be determined.

G. Council Announcements and Remarks:

- 1) Mr. White expressed his appreciation for the improvements and complimented the upgrades made to the Campbell Street parking lot.
- 2) As recommended by the North Carolina House Select Committee on Strategic Transportation Planning and Long-term Funding Solutions, Mr. Bailey announced that Representative John Torbett of Stanley, North Carolina sponsored a House Bill that would adjust the weighting attributed under the Transportation Investment Strategy Formula to the Department of Transportation’s division engineers, the metropolitan planning organizations, and the rural transportation planning organizations when

selecting regional impact and division need projects to a two-thirds/one-third break. As it stands, local officials and State transportation engineers have an equal say in transportation projects. If the legislature passes the bill, it would shift in favor of local preference having the greater weight.

Mr. Bailey also announced he was recently re-elected as Vice Chair of the MPO Board of the Gaston-Cleveland-Lincoln Metropolitan Planning Organization.

Mr. Bailey added that Shelby was ranked fourth in a 2016 ranking of top US micropolitan areas in Site Selection magazine's Governor's Cup competition.

Mr. Bailey confirmed and reminded the Mayor and Mr. Howell of their presentation to the Cleveland County Association of Realtors on April 12, 2017.

- 3) Mr. Kittrell requested a report as to the findings of Shelby Police Officer Tim Brackeen's death and if the Shelby Police Department will be able to initiate any procedural improvements or preventive measures in the future.

Mr. Kittrell requested if the bridge near Lafayette Street which crosses over the US 74 Shelby Bypass can be included in the Rail-Trail Railbanking Project.

- 4) Mr. Amaya reported the railroad tracks on Lafayette Street near the US 74 Shelby Bypass present a safety hazard and should be paved. Mr. Howell responded the issue is a matter which falls under the North Carolina Department of Transportation's jurisdiction.
- 5) Mayor Anthony encouraged Council members to attend NC Main Street Conference beginning on March 14, 2017.

On behalf of Council, Mayor Anthony took a moment to publicly recognize and express appreciation to Mrs. Parduski for the performance of her duties as City Clerk, which at times can go unsung.

H. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Kittrell, City Council voted unanimously to adjourn the meeting at 6:40 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of March 6, 2017