

MINUTES

Regular Meeting
City Hall Council Chamber

August 4, 2014
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric Hendrick, David W. White, Dennis C. Bailey, Ben Kittrell, Dicky Amaya; City Manager Rick Howell, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Robert W. (Bob) Yelton, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Fire Chief William P. Hunt, MPA, Director of Parks and Recreation Charlie Holtzclaw, Director of Planning and Development Services Walter (Walt) Scharer, AICP; and Reporter Joyce Orlando, The Shelby Star

Absent: Council Member Jeanette D. Patterson

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. Amaya 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) Uptown Shelby Association (USA) update – Audrey Whetten, Executive Director

Miss Whetten's quarterly update included an overview of recent and upcoming events, recent and ongoing projects, and noteworthy announcements.

Miss Whetten stated the USA-sponsored Shelby Alive, scheduled from May through August, and formerly known as Alive After Five, has held three well-attended events this season. Shelby Alive will conclude its 20th anniversary celebration on August 28, 2014.

Miss Whetten reported the Summer Cinema Series, scheduled from June through August, includes six family movies shown at The Don Gibson Theatre. Attendance has increased significantly over last year. The series continues on August 7 and concludes on August 21, 2014 with two showings each day.

Miss Whetten commented that both Shelby Alive and the Cinema Series present good opportunities for the community to enjoy and explore what Uptown Shelby has to offer.

In conjunction with the 7th Inning Stretch Festival set for August 9, 2014, which will kick-off the start of the 2014 American Legion World Series, Miss Whetten promoted Chalk Fest, co-sponsored with the Cleveland County Arts Council; the Uptown Shelby Picnic on the Court Square, featuring a drum circle; and the Foothills Farmers Market, which will hold its regular Saturday hours.

Miss Whetten mentioned the upcoming fall 2014 events including the return of Seeds to Silverware, a local farm-to-table dinner, on September 27, 2014 and the Uptown Art Walk on October 9, 2014, in partnership with the Cleveland County Arts Council and participating businesses.

With regard to recent projects, Miss Whetten announced the former Hudson's Department Store building at 213 South Lafayette Street has been sold to a group of local investors. Plans for the structure, including the façade, have yet to be made public. She also mentioned an update of the Local Treasures map, which helps guide visitors and locals to Uptown shopping, dining, and entertainment options, has recently been completed and is ready for mass distribution.

As an ongoing project, Miss Whetten said USA has been working to establish an increased online presence for its Uptown businesses with a focus on several websites including Yelp, Foursquare, and TripAdvisor as well as Foreflight. Foreflight, an application devoted to giving pilots the best possible mobile flight planning tools, is utilized by Shelby-Cleveland County Regional Airport staff and can help draw airport visitors to Uptown Shelby.

Miss Whetten concluded her presentation by briefly describing several new and soon-to-open businesses in Uptown Shelby as a vintage store, a general store, two apparel boutiques, and an antiques/decor store.

Council received the information and took no action.

C. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of July 7, 2014
- 2) Approval of Special Event Permit Applications:
 - a. Central United Methodist Church Fall Kick-off Church Fair, requested date: September 7, 2014
 - b. Cleveland Regional Medical Center Walk for Hope, requested date: September 13, 2014
 - c. Seeds to Silverware, requested date: September 27, 2014
 - d. 5th Annual Earl Scruggs Center Rhythm & Roots 10K and 5K Run/Walk, requested date: November 1, 2014
- 3) Approval of a resolution honoring Shawn Ledbetter on the occasion of his retirement from employment with the City of Shelby: Resolution No. 43-2014
- 4) Approval of a resolution honoring Lisa C. Green on the occasion of her retirement from employment with the City of Shelby: Resolution No. 44-2014
- 5) Adoption of Fiscal Year (FY) 2014-2015 Budget Ordinance Amendment No. 2: Ordinance No. 34-2014

END CONSENT AGENDA

D. Unfinished Business: None

E. New Business:

- 1) Consideration of Fiscal Year (FY) 2014-2015 Budget Ordinance Amendment No. 3: Ordinance No. 35-2014

Mr. Howell introduced Ordinance No. 35-2014 for Council's consideration. If approved, the proposed budget amendment will authorize the use of excess retained earnings generated during the Fiscal Year ending June 30, 2014.

Mr. Howell stated as previously discussed with Council, due to an excessively cold winter, natural gas sales were substantially higher than average and net revenue was much more than anticipated. The level of net retained earnings exceeds those budgeted and the City finds itself with a surplus of slightly under \$1 million that will either roll into the net retained earnings for the Natural Gas Fund or be used for spending priorities that were not funded in the current fiscal year budget. As such and as expressed by Council, the level of net retained earnings in this fund has grown too large, Mr. Howell provided a summary of proposed projects, justified by several criteria ranging from promoting economic development and growth to improving efficiency, which represent wise uses of these excess funds, as follows:

- Sports Complex Ball field Lighting
- Sports Complex Concession/Bathroom/Storage Facilities
- Installation and repair of Royster Memorial Golf Course irrigation system
- Repair of golf cart paths at Royster Memorial Golf Course
- Replacement of Police Station windows

Mr. Howell further stated this is an opportunity to fund several important capital projects and catch up on a backlog of maintenance issues at Shelby City Park and the Shelby Police Department building.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 35-2014 entitled, "FISCAL YEAR (FY) 2014-2015 BUDGET ORDINANCE AMENDMENT NO. 3".

F. City Manager's Report:

- 1) Mr. Howell updated Council on the First Broad River Wastewater Treatment Plant Improvements Project which mobilized on July 21, 2014. The renovations and construction will take approximately 18 months to complete. He commended Utilities Director Brad Cornwell and Assistant Utilities Director David Hux for their lead roles.

Related to the plant project, Mr. Howell also updated Council on the Outfall Improvements Project which includes the replacement work on key sewer outfalls in the City's collection system. The upgrades of these outfalls are needed to ensure compliance with the City's collections system permit and to ensure wastewater is properly conveyed to the First Broad River Wastewater Treatment Plant for treatment. Construction is set to begin on August 25, 2014 and will take approximately 12 months to complete.

- 2) Mr. Howell mentioned Fire Chief William Hunt and Assistant Fire Chief Jake Whisnant will be attending the International Association of Fire Chiefs (IAFC) Annual Conference in Dallas, Texas from August 13-16, 2014. He anticipates a favorable announcement and recommendation for accreditation of the Shelby Fire & Rescue Department at the Center for Public Safety Excellence Awards Ceremony held during the conference.
- 3) Mr. Howell invited the public to attend the Shelby Police Department's National Night Out's event tomorrow, August 5, 2014, from 6:00 p.m. to 8:00 p.m. on the Court Square in Uptown Shelby.
- 4) Mr. Howell announced the U S Department of Agriculture organized a groundbreaking ceremony at the construction site of the Foothills Farmers Market Pavilion Project located at East Marion and North Morgan Streets, scheduling the event for August 7, 2014 at 11:00 a.m.

G. Council Announcements and Remarks:

- 1) Mayor Anthony congratulated Shelby Post 82 for advancing to the Southeast Regionals and for becoming the 2014 North Carolina American Legion Baseball State Champions.

The Mayor reminded all to attend the 7th Inning Stretch Festival on August 9, 2014 in Uptown Shelby, kicking-off the start of the 2014 American Legion World Series which begins August 14 and runs through August 19, 2014.

- 2) Mr. Bailey made the following comments:

- He will attend the North Carolina League of Municipalities General Government Legislative Action Committee on August 8, 2014 in Raleigh, North Carolina, noting the League's process to establish advocacy goals will be a topic. As proposals are a key part of determining the Municipal Advocacy Goals for next year's legislative session, he sought Council's input.
- He expressed his appreciation and gratitude to all those who offered their condolences on the recent passing of his father, Carl Wiseman Bailey.
- He suggested the Natural Gas Fund retained earnings also be utilized to provide a bonus for City employees.

Mr. Howell responded an employee bonus program is in the planning

stages and will be scheduled for Council's consideration sometime in early 2015.

- He reminded Mr. Howell the City's Code of Ordinances should be updated to reflect the North Carolina General Assembly's act to amend state firearms laws to prescribe a uniform system for the regulation of legally carrying a concealed handgun on local government recreational facilities.

H. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:26 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of August 4, 2014