

MINUTES

Regular Meeting
City Hall Council Chamber

November 3, 2014
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric Hendrick, David W. White, Jeanette D. Patterson, Ben Kittrell, Dicky Amaya; City Manager Rick Howell, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Andrea Leslie-Fite, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, Director of Planning and Development Services Walter (Walt) Scharer, AICP; and Reporter Casey White, The Shelby Star

Absent: Council Member Dennis C. Bailey

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. White led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

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

B. Special Presentation:

- 1) Uptown Shelby Association (USA) update – Audrey Whetten, Executive Director

Referring to her handout, Miss Whetten reported her quarterly update included an overview of recent and upcoming events, recent and ongoing projects, and business news. She also shared she recently celebrated her first anniversary as USA's Executive Director.

In conjunction with the 7th Inning Stretch Festival held on August 9, 2014, Miss Whetten highlighted the Chalk Fest, co-sponsored with the Cleveland

County Arts Council. She stated the event was a huge success and had a great turnout including artists and spectators.

Miss Whetten also highlighted the return of Seeds to Silverware, a local farm-to-table dinner, on September 27, 2014. This sold-out event was a great success, celebrating community and featuring locally grown food.

Miss Whetten mentioned several upcoming holiday events set for winter 2014 including the annual Christmas tree lighting, carriage rides, and the Christmas parade. She emphasized the importance of Small Business Saturday on November 29, 2014, promoting the nation-wide campaign of shopping at small businesses in Uptown Shelby.

Regarding recent projects, Miss Whetten provided illustrations of USA's new brand and logo. For purposes of distinction, she explained there is one version which represents the USA organization and a second version for marketing the Uptown Shelby District.

Under ongoing projects, Miss Whetten stated USA is in the process of updating its website to feature the new branding. She also continues to meet with new and prospective business owners.

Next Miss Whetten reported Miss Molly's Boutique will open this month at 111 West Graham Street. She said the North Carolina License Plate Agency expanded its offices and moved to North Morgan Street last month. Miss Whetten informed Council of one business closing this month, which is the Antique Market located on North Lafayette Street.

Miss Whetten concluded her presentation by stating the Shelby Police Department has confirmed, through their observations, an increase in foot traffic in the evenings around Uptown Shelby.

Mr. Scharer added the City of Shelby has access to pedestrian counters through its membership in the Gaston-Lincoln-Cleveland Metropolitan Planning Organization. These counters can be strategically placed in Uptown Shelby in order to validate the numbers for pedestrian traffic.

Lastly Miss Whetten mentioned the Fright Night Costume Crawl, an event USA hosted this year, was held on October 24, 2014. Fright Night was intended to bring residents Uptown to shop and dine in the businesses and restaurants. She said a wide variety of ages attended but the largest turnout was young families with many participants visiting Uptown Shelby for the first time.

Miss Whetten recognized several USA board members in attendance.

Council received the information and took no action.

C. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mr. White 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 October 20, 2014
- 2) Adoption of Fiscal Year (FY) 2014-2015 Budget Ordinance Amendment No. 5: Ordinance No. 43-2014

END CONSENT AGENDA

D. Unfinished Business: None

E. New Business:

- 1) Consideration of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Grover-Morgan Streets Waterline Project: Ordinance No. 42-2014

Mr. Howell introduced Ordinance No. 42-2014 for Council's consideration. If approved, this ordinance would appropriate funding from the Water Fund unrestricted net assets (fund balance) in the amount of \$225,000 in order to design and permit the replacement of the existing, problematic 16-inch waterline that runs cross-country through a portion of the Sunset Cemetery property.

Next Mr. Cornwell provided background information about the City of Shelby's Water System which is comprised of multiple distribution lines and several larger distribution lines ranging in sizes from 10 inches to 16 inches in diameter leaving the Water Plant located on Grover Street. He stated one of the existing lines is an older cast iron 16-inch diameter pipe located parallel with Grover Street near the Water Plant heading east and veering cross-country through Sunset Cemetery parallel with the CSX Railroad up to the intersection of Cora Street and Sumter Street near the old Shelby Middle School.

Mr. Cornwell further stated the 16-inch line previously mentioned has experienced several breaks lately which have caused significant interruption

within the City's overall water distribution supply system. This particular line serves as the main distribution feeder to the Uptown area as well as the main distribution line to the City's South water tank between North Lafayette Street and South Washington Street. Staff does not know the exact age of this line, however, it is believed it may have been a part of the older abandoned water plant which was constructed around 1921.

The type of construction material of this line discontinued being used as construction material in the mid to late 1950s. With the current water plant being built in 1953, staff is reasonably comfortable in assuming that this line was built prior to this. This line construction is what is commonly referred to as lead joint piping, which basically consists of cast iron piping with joints that are packed and hammered full of lead. Over time, the lead begins to deteriorate and allows water to blow out the joints. Since 1996 staff has repaired 14 leaks on this line; however, most notably is that six of these leaks have occurred since November 2013. Each of the past six leaks within the last 10 months has been near complete blowouts of the lead joints.

When staff began to notice an abnormal amount of repairs dating back to the winter of 2013-2014, Willis Engineers was engaged to provide a Preliminary Engineering Report (PER) including the repair and/or replacement of this significant line. Mr. Cornwell stated both the Water and Wastewater Planning Report completed in 2004 by Willis Engineers and the Water and Sewer Asset Management Plan adopted in May 2011 noted the City's needs for increased main size and distribution feeders originating at the Shelby Water Plant and providing better system pressure and distribution of potable water. As the City's distribution size has grown since the City's plant was constructed in 1953, the age and diameter size of the existing transmission sections are not adequate at times. Both of the plans previously mentioned would provide for additional lines heading up Grover Street to better serve the main distribution system and ultimately provide better feeds to both the North and South tanks and eventually the East tank as mentioned in previous communications. The PER prepared by Willis Engineers reveals that the City could install a 24-inch diameter line along Grover Street from the Water Plant up to Morgan Street and then head south along Morgan Street to the intersection of Sumter Street, then back east along Sumter Street to the intersection of Cora Street. By installing a slightly larger diameter line from the Water Plant along Grover Street, staff could eliminate the need to replace the existing line through the cemetery and still be constructing facilities that are adequate and consistent with the City's future growth needs. The City would be saving money by not replacing the existing 16-inch line and still have the need for the additional lines up Grover Street to feed the North and South tanks. The preliminary estimate resulting from the engineering report is in the amount of \$3.2 million for the overall project to include engineering,

construction, inspection, technical services, etc. The Water Fund will not be able to pay for the overall cost of the project so funding will be sought and most likely in the form of a low interest loan. Staff suggested the City begin the design engineering phase associated with this project.

Mr. Cornwell recommended creating a capital project budget ordinance entitled Grover-Morgan Streets Waterline Project to account for project costs and to establish the necessary funding from the Water Fund balance to begin the design work. The amount required for design and permitting is estimated in the range of \$225,000.00. Once this is established, staff would begin the process of selecting a qualified engineering firm through the Request for Qualifications process that is typical with a project of this size and scope.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Ordinance No. 42-2014 entitled, "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S GROVER-MORGAN STREETS WATERLINE PROJECT".

F. City Manager's Report:

- 1) With regard to the Foothills Farmers Market City (Shade) Pavilion Project, Mr. Howell updated Council on the Phase I construction, stating the steel structure is complete with roofing, electrical, concrete, and painting work to follow. Phase I is on target for completion by January 2015. With regard to Phase 2, the City is still awaiting the US Department of Agriculture's approval of those construction plans in order to proceed with the public bidding procedures.
- 2) Mr. Howell reported on the progress of the North Carolina Department of Transportation (NCDOT) Enhancement Project. He anticipated entering into a maintenance agreement with the expectation that the City will maintain the landscaping once NCDOT completes the design and planting phase in the spring of 2015. The goal remains to continue the project in order to make the US 74 Bypass aesthetically pleasing to travelers along the route.

In conjunction with the above project, Mr. Howell also mentioned preliminary design work on the gateways into the City is moving forward and will be brought to Council for their endorsement.

- 3) Mr. Howell expressed his appreciation to Mr. Scharer for his efforts in getting the Carolina Thread Trail Project underway. Phase I construction

includes a trail segment along the western side of the First Broad River with a footbridge crossing the river to the south side edge of the Blanton Farm. The trail will eventually continue and lead to the Broad River. The timeline of the project is currently unknown.

- 4) With regard to the Wastewater Treatment Plant Renovation and Outfall Rehabilitation Projects, Mr. Howell reported both are moving along with concrete work at the plant and the location of sewer lines.
- 5) Mr. Howell mentioned a monthly calendar of events has been prepared for Council's use and will note significant City-related dates.

G. Council Announcements and Remarks:

- 1) Mrs. Patterson reported a dilapidated property located on South Morgan Street.
- 2) Mr. White complimented the City's Water Department for their prompt repair of a water leak in front the Shelby Deli and Ice Cream building.
- 3) Mayor Anthony congratulated Justin Merritt for his second place finish in his age group in the Rhythm and Roots 10K Run and Jordan Tubbs on his first place finish in his age group in the Rhythm and Roots 5K Run held on November 1, 2014.
- 4) Mr. Amaya reported an abandoned building located on North Washington Street needed to be inspected and investigated for several issues.

Mr. Amaya announced he is hoping to obtain his pilot's license tomorrow.

H. Closed Session:

- 1) To approve the Minutes and General Account of the Closed Session of October 6, 2014
- 2) To consult with the City Attorney in order to preserve the attorney-client privilege in the matter of Ayershire Holdings, LLC vs. City of Shelby, North Carolina pursuant to North Carolina General Statute 143-318.11 (a) (3)

ACTION TAKEN: Mr. Amaya made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statute as cited. Council consulted with Mr. Yelton who advised that the topic met the statutory requirements for a closed session. The Mayor invited all Council members present and Mr. Howell, Mrs. Fite, Mrs. Parduski, and Planning and

Development Services Director Walt Scharer to attend. The motion passed unanimously and Council moved into closed session at 6:40 p.m.

Council returned to the regular session at 7:14 p.m.

I. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to adjourn the meeting at 7:15 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of November 3, 2014