

MINUTES

Regular Meeting
City Hall Council Chamber

October 2, 2017
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, 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 Human Resources Deborah C. (Deb) Jolly, Director of Energy Services Julie R. McMurry, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, and Civil Engineer and Stormwater Coordinator Layne Owen, PE

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. Hendrick led the *Pledge of Allegiance*.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

Mr. Bailey requested that Item C-5 be removed from the Consent Agenda and placed under Unfinished Business as Item D-1 and Item E-1 be added as New Business, respectively, as follows:

- Consideration of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 5: Ordinance No. 65-2017
- Consideration of a resolution authorizing the Mayor and City Clerk to execute a Subordination Agreement: Resolution No. 65-2017

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

B. Special Presentations:

1) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Sergeant Jason Scott Benfield

Mayor Anthony presented Sergeant Benfield with his Advanced Law Enforcement Certificate awarded by the North Carolina Criminal Justice Education and Training Standards Commission in absentia.

2) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Patrol Officer Michael Bruce Watson

Mayor Anthony called upon Officer Michael Bruce Watson. He formally read and presented the Advanced Law Enforcement Certificate awarded by the North Carolina Criminal Justice Education and Training Standards Commission to Officer Watson.

Referring to a career milestone, Chief Ledford noted this Advanced Law Enforcement Certificate is the highest recognition awarded to a dedicated law enforcement officer by the State of North Carolina. It is earned based on a combination of education, professional training, and on-the-job experience.

3) Presentation of Certificate of Advanced Meritorious Accreditation, Sixth Award, awarded to the Shelby Police Department by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) – John Gregory, CALEA Regional Program Manager

Chief Ledford introduced John Gregory as the Regional Program Manager for CALEA's Mid-Atlantic Region, who serves as the Shelby Police Department's liaison with the Commission.

Next, Mr. Gregory provided background information about CALEA, stating the Commission was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations:

- **International Association of Chiefs of Police (IACP)**
- **National Organization of Black Law Enforcement Executives (NOBLE)**
- **National Sheriffs' Association (NSA)**
- **Police Executive Research Forum (PERF)**

Mr. Gregory summarized the purpose of CALEA'S accreditation program is to improve the delivery of public safety services, primarily by maintaining a body of standards, developed by public safety practitioners; covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence.

Mr. Gregory then reviewed CALEA's goals as follows:

- **Strengthen crime prevention and control capabilities**
- **Formalize essential management procedures**
- **Establish fair and nondiscriminatory personnel practices**
- **Improve service delivery**
- **Solidify interagency cooperation and coordination**

- Increase community and staff confidence in the agency

Mr. Gregory explained the Shelby Police Department's efforts to achieve accredited status and the symbolic meaning of the accreditation certificates includes the agency's willingness to change to effectively address contemporary public safety concerns; their commitment to doing the right thing and doing it the right way; their adherence to professional code; and their ongoing dedication to ensuring the agency's resources are appropriately developed, effectively deployed, and consistently managed, all in the name of a safer community for workers, visitors, and customers.

Mr. Gregory stated as part of the process in maintaining accredited status with the Commission, a team of assessors conducted an on-site assessment of the Shelby Police Department in March 2017 to verify continued compliance with applicable standards. The assessment report was submitted to the Commission and reviewed during a hearing at the CALEA Conference in Providence, Rhode Island in July 2017. Subsequently, the Shelby Police Department was awarded re-accreditation for both Law Enforcement and Public Safety Communications for a period of four years.

Mr. Gregory called upon Mayor Anthony and City Manager Rick Howell. He formally read and presented the Certificate of Advanced Meritorious Accreditation for law enforcement excellence over fifteen years awarded to the Shelby Police Department by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) to Mayor Anthony and Mr. Howell. Mr. Gregory noted this is the agency's sixth award, receiving their initial accreditation in November 2001 and followed by reaccreditations in 2004, 2007, 2010, 2013, and 2017.

Presentation of Certificate of Accreditation, Second Award, awarded to the Shelby Police Department for Public Safety Communications by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) – John Gregory, CALEA Regional Program Manager

Mr. Gregory formally read and presented the second Certificate of Accreditation for public safety communications excellence awarded to the Shelby Police Department by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) to Mayor Anthony and Mr. Howell.

Mr. Gregory also noted this accreditation denotes the Shelby Police Department as the only dually accredited municipal law enforcement agency in North Carolina.

Lastly Mr. Gregory presented the CALEA Certificate of Appreciation to Mayor

Anthony and to Mr. Howell, respectively, for their support and leadership roles in the accreditation process.

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 Regular Meeting of September 18, 2017
- 2) Acceptance of the Certificate of Sufficiency regarding Petition for Annexation of applicant, County Manager Jeffrey Richardson, for Cleveland County
- 3) Approval of a resolution honoring William Wayne Merritt on the occasion of his retirement from employment with the City of Shelby: Resolution No. 61-2017
- 4) Approval of a resolution authorizing and awarding a contract for the purchase of a 2018 Pierce Enforcer Heavy Rescue type fire apparatus utilizing the “competitive bidding group purchasing method”: Resolution No. 62-2017
- 5) **REMOVED AND PLACED UNDER UNFINISHED BUSINESS AS ITEM D-1:**

Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 5: Ordinance No. 65-2017
- 6) Approval of a resolution of tentative award for the Uptown Water and Sewer Improvements to Buckeye Bridge, LLC: Resolution No. 63-2017
- 7) Approval of a resolution awarding the contract for the City of Shelby Stormwater Infrastructure Assistance Program Project at 2927 Poplar Circle in Shelby, North Carolina: Resolution No. 64-2017

END CONSENT AGENDA

D. Unfinished Business:

- 1) Consideration of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 5: Ordinance No. 65-2017

Mr. Howell introduced Ordinance No. 65-2017 for Council’s consideration. If

approved, the ordinance would establish a capital project budget for the extension of a natural gas line to serve Mafic USA, LLC located at 119 Metrolina Drive near the Foothills Commerce Center. He clarified the ordinance appropriates \$191,611 from the Gas Fund, not the Water Fund, for the design and construction of the natural gas line to serve Mafic.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 65-2017 entitled, "FISCAL YEAR (FY) 2017-2018 BUDGET ORDINANCE AMENDMENT NO. 5", as corrected.

E. New Business:

- 1) Consideration of a resolution authorizing the Mayor and City Clerk to execute a Subordination Agreement: Resolution No. 65-2017

Mr. Howell introduced Resolution No. 65-2017 for Council's consideration. As background information, the Inter-Faith Alliance Corporation, the governing board of the Cleveland County Rescue Mission, was in the process of financing the Cleveland County Rescue Mission in 2015. At that time, the State Employees' Credit Union Deed of Trust was in first lien position, the City of Shelby's 2011 Catalyst Grant in the second position, and BB&T (the Federal Home Loan Bank) was in the third position. It was the desire of BB&T (the Federal Home Loan Bank) to be in the first position with North Carolina Housing Finance Agency (new lender) in the second position with the City of Shelby subordinating their lien to BB&T and North Carolina Housing Finance Agency. The City of Shelby moved into the third position.

Currently, the Cleveland County Rescue Mission has requested a subordination of the City's Catalyst Grant loan in an attempt to secure a consolidation loan from America's Christian Credit Union. The loan will be utilized to make updates through the Cleveland County Rescue Mission's Phase II as well as for consolidation of loans currently held by BB&T. The City of Shelby currently holds the third place on the Cleveland County Rescue Mission's loan repayment. Mr. Howell stated this subordination would allow the Cleveland County Rescue Mission to make America's Christian Credit Union first place and move the City of Shelby to fourth place.

Mr. Howell recommended Council's approval of the subordination agreement allowing for the following: First place – America's Christian Credit Union, second place – Federal Home Loan Bank, third place – North Carolina Housing Finance Agency, and fourth place – City of Shelby's Catalyst Grant.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Resolution No. 65-2017 entitled, “A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A SUBORDINATION AGREEMENT”.

F. City Manager’s Report:

- 1) Mr. Howell reminded Mayor and Council of the following events, encouraging their attendance:
 - Walk It Out For A Cure, in the fight to win against ALS (Amyotrophic Lateral Sclerosis), a fundraiser for former Shelby Parks and Recreation employee, Timmy Thompson, on October 7, 2017 at 9:00 a.m., Shelby City Park
 - Volunteer Recognition Event on October 12, 2017 from 6:00 p.m. to 7:30 p.m., City Pavilion
 - Cleveland Cup 5K on October 13, 2017 with a start time of 3:30 p.m. at Shelby City Park

The City’s team will also honor Timmy Thompson by wearing blue race shirts imprinted with “Team Timmy”.

- 2) Although a scheduling conflict with the City’s Volunteer Recognition Event, Mr. Howell mentioned the invitation from the HealthCare Foundation of Cleveland County on October 12, 2017 from 5:30 p.m. to 7:30 p.m. at the Banker’s House Barn. The event honors local physicians and those new to the community.

G. Council Announcements and Remarks:

- 1) Mayor Anthony mentioned an article entitled, “Destination Cleveland County The Earl Scruggs Center”, is featured in the publication, Bluegrass Unlimited, September 2017, written by Penny Parsons.
- 2) Mr. Bailey complimented Police Chief Jeff Ledford who recently participated in one of the North Carolina League of Municipalities annual conference concurrent sessions with a focus on leadership in times of crisis.

Mr. Bailey announced he was elected to serve a two-year term on the Board of Directors of the North Carolina League of Municipalities. He will assist in overseeing the advocacy and membership service efforts of the

League. His selection was made by League members during the organization's annual conference, CityVision 2017, recently held in Greenville, North Carolina.

H. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:31 p.m.

Respectfully submitted,

**Bernadette A. Parduski, NCCMC, MMC
City Clerk**

**O. Stanhope Anthony III
Mayor**

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