

MINUTES

Regular Meeting: Organizational
City Hall Council Chamber

December 5, 2011
Monday, 6:00 p.m.

Present: Mayor W. Ted Alexander, presiding; Council Members Christopher H. (Chris) Mabry, O. Stanhope (Stan) Anthony, III, Jeanette D. Patterson, Dennis C. Bailey, Joel R. Shores, Jr., Andrew L. Hopper, Sr.; Mayor Elect O. Stanhope (Stan) Anthony, III, Council Members Elect David W. White and Dicky Amaya; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, MMC, Interim Director of Finance Elizabeth B. (Beth) Beam, CPA, 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, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, Director of Housing Bryan T. Howell, Director of Planning Services Walter (Walt) Scharer, AICP; and media representatives

Mayor Alexander called the meeting to order at 6:00 p.m. and welcomed all to Council's organizational meeting and oath ceremonies. The Mayor recognized distinguished guests in attendance: State Senators Debbie Clary and Warren Daniel, former Mayors Les Roark and Mike Philbeck, and Cleveland County Board of Commissioners Chair Johnny Hutchins. Mayor Alexander gave the invocation and Mr. Hopper led the *Pledge of Allegiance*.

A. Approval of Agenda:

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

B. Approval of the Minutes of the Regular Meeting of November 21, 2011

ACTION TAKEN: Upon a motion by Mrs. Patterson, second by Mr. Bailey, City Council voted unanimously to approve the Minutes of the Regular Meeting of November 21, 2011 as submitted.

Next Mayor Alexander read a prepared statement, highlighting that his service as Shelby's Mayor for the past eight years was a privilege filled with personal joy. The Mayor spoke to each Council Member Dennis Bailey, Andrew Hopper, Chris Mabry, Joel Shores, Jeanette Patterson, and Stan Anthony, and to City Manager Rick Howell, thanking them for their individual contributions and service. He also recognized the citizens of Shelby for their

resourcefulness, generosity, volunteerism, and faithfulness, as they are who make Shelby the City of Pleasant Living. Then Mayor Alexander acknowledged his wife, Patti; son, Will; and daughter, Christina, for being his biggest supporters and for assuming the role as family of the Mayor. Eight years ago he brought a book entitled, Amelia Bedelia 4 Mayor, to Council and again made reference to its message that the decisions we make affect our future. The Mayor concluded by reading a poem about the role people play in either building up or tearing down their community and quoting the second President of the United States, John Adams.

C. Assumption of Office:

- 1) Oath of Office administered to Council Member David W. White, Ward 2

The Honorable Mayor W. Ted Alexander administered the Oath of Office to Mr. White who was assisted by his wife, Lisa White, and his grandson.

- 2) Oath of Office administered to Council Member Jeanette Patterson, Ward 3

Senator Debbie Clary administered the Oath of Office to Mrs. Patterson who was assisted by her daughter, Cheri Evans.

- 3) Oath of Office administered to Council Member Dennis Carl Bailey, Ward 4

Senator Debbie Clary administered the Oath of Office to Mr. Bailey who was assisted by his wife, Sandra (Sandy) Bailey.

- 4) Oath of Office administered to Council Member Dicky Amaya, Ward 6

The Honorable James W. Morgan, Superior Court Judge of District 27-B, administered the Oath of Office to Mr. Amaya who was assisted by his wife, Marywinn Amaya.

- 5) Oath of Office administered to Mayor Oliver Stanhope Anthony, III

The Honorable James W. Morgan, Superior Court Judge of District 27-B, administered the Oath of Office to Mr. Anthony who was assisted by his wife, Ann Anthony.

D. Recognition of Council Member Andrew L. Hopper, Sr. for his service to the City of Shelby

Mayor Anthony called upon Mr. Hopper and presented a plaque to him for his

loyal and dedicated public service to the citizens of Shelby. The Mayor expressed his heartfelt, personal appreciation to Mr. Hopper as an outgoing Council Member and extended best wishes in his retirement from employment with Cleveland County.

E. Recognition of Mayor W. Ted Alexander for his service to the City of Shelby: Resolution No. 83-2011

Mayor Anthony called upon former Mayor Alexander. The Mayor formally read and presented framed Resolution No. 83-2011 along with a shadow box which displayed the key to the City, a gavel, and two brass ornaments, The Banker's House and City Hall, to former Mayor Alexander.

Next Mr. Howell presented a framed print of City Hall with the signatures of City employees to former Mayor Alexander.

F. Remarks from Officials

1) Former Mayor Mike Philbeck congratulated Mayor Anthony and the new and continuing members of City Council. Mr. Philbeck stated it is great to watch the transition of leadership in the City. Every term and every mayor has a focus, according to Mr. Philbeck, with his being growth and Mayor Alexander's being quality of life issues. He expressed his appreciation to Mayor Alexander for his willingness to serve eight years and extended his congratulations and best wishes in future endeavors. Mr. Philbeck also reminisced about serving with Andrew Hopper and expressed his appreciation and best wishes to him as well.

Mr. Philbeck duly noted that Mayor Anthony is the second of the last three mayors to reside on Arbor Way Drive in Shelby.

2) Former Mayor Les Roark reminisced about his 22 years of public service beginning as an Alderman in 1957 and concluding as Mayor in 1979 along with all those who served with him, for him, and after him. Mr. Roark wished the best of luck to the new City Council and pledged his support.

G. Election of Mayor Pro Tempore

Mayor Anthony stated that in accordance with statute and tradition Council elects a member to serve as Mayor Pro Tempore until the organizational meeting following the next election cycle.

Mrs. Patterson nominated Joel Shores.

ACTION TAKEN: Upon a motion by Mr. Mabry, second by Mr. Bailey, City Council voted unanimously to close the nominations for Mayor Pro Tempore.

City Council voted unanimously to elect Mr. Shores as Mayor Pro Tempore for a two year term concluding December 2013.

Mayor Anthony declared a recess at 6:51 p.m. and reconvened the meeting at 6:58 p.m.

H. Special Presentation:

- 1) **Cleveland County Economic Development Partnership Quarterly Update – Ken Mooney, Existing Industry Relations Manager, Economic Development, Cleveland County Chamber**

Mr. Mooney began his presentation by distributing a handout to Council which corresponded to the Cleveland County Economic Development Partnership 2011 Review.

In the area of new industry announcements totaling three for 2011, Mr. Mooney stated 90 jobs were created representing an investment of \$231 million. Currently 59 new industry projects have been identified this year.

Mr. Mooney reviewed the current business development pipeline trends as follows:

- **Diversification by Industry Type**
- **Prospect Lead Sources**
- **Prospect Acreage Requirements**
- **Prospect Facility Size Requirements**

Mr. Mooney highlighted two projects under the 2011 Product Development category:

- **Foothills Commerce Center – Completed and dedicated the first job ready shell building in November 2011**
- **Washburn Switch Business Park – Completed Duke Energy Site Readiness Program including conceptual designs, geotechnical studies, and Phase I**

Next Mr. Mooney provided information on the existing industry 2011 announcements of active projects totaling 335 new jobs and representing an investment of approximately \$46 million.

Mr. Mooney stated his main focus for existing industry is Customer Aftercare

which includes the following:

- Creating Top of Mind Awareness
- Engaging existing industry
- Site visitations of more than 100 visits in 2011
- Providing value-added content

Mr. Mooney explained sustainable manufacturing practices and the E3 Program. E3 (Economy, Energy, and Environment) is a collaboration of resources including local, state, and federal partners that work for the benefit of manufacturers in each of North Carolina's economic development regions. Shelby Elastics, Dicey Fabrics, and Pioneer Motor Bearing were recipients of the E3 assessment grants to help identify opportunities to improve productivity, reduce energy costs, and reduce environmental impact and associated costs. Mr. Mooney stated Cleveland County was recognized as one of the first counties in the nation to make E3 assessments available to local industry to support long-term sustainable and profitable manufacturing.

Mr. Mooney named the council and associations available to existing industry as follows:

- Industrial Roundtable – quarterly meetings
- Lean Council – bimonthly meetings
- Cleveland Industrial Relations Association – monthly meetings
- Blue Ridge Safety Council – quarterly meetings
- Business-Education Alliance – monthly meetings
- Toastmasters/Cleveland County Communicators – weekly meetings

With the use of charts and graphs, Mr. Mooney totaled both the 2011 investment announced to date at \$276,940,000 and the 2011 jobs announced to date at 425.

Mr. Mooney concluded by stating he anticipates a strong closing to a good year for economic development in Cleveland County.

Council received the information and took no action.

I. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the amended consent agenda. Mr. White made a motion to approve the amended consent agenda and each item as presented. After a second from Mr. Shores, the amended consent agenda and following items were unanimously approved:

- 1) Approval of a resolution honoring Bobby S. Tesseneer on the occasion of his retirement from employment: Resolution No. 85-2011
- 2) Approval of a resolution honoring the service of retiring Cleveland County Manager David Dear: Resolution No. 86-2011
- 3) Approval of a resolution accepting and entering into an agreement between the City of Shelby and the Rural Economic Development Center, Inc. for Clearwater Paper Water and Sewer Extension Project No. 2011-213-40401-107: Resolution No. 87-2011
- 4) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from Owl’s Eye Vineyard and Winery, LLC: Resolution No. 88-2011
- 5) Approval of a resolution accepting and entering into an agreement between the City of Shelby and the North Carolina Department of Environment and Natural Resources – Grant Contract No. 4375: Resolution No. 89-2011

END CONSENT AGENDA

J. Unfinished Business:

- 1) Consideration of appointments to City advisory boards:
 - a. Appointment of Council liaisons to City advisory boards

Following Council’s policy, Mrs. Parduski announced the liaison appointments to the City’s advisory boards for the term 2011-2013 as follows:

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|---------------------------------|---|
| Ward 1 – Mr. Mabry: | Community Relations Council and Housing and Redevelopment Board |
| Ward 2 – Mr. White: | Zoning Board of Adjustment and Airport Commission |
| Ward 3 – Mrs. Patterson: | Parks and Recreation Board and C19TV Advisory Board |
| Ward 4 – Mr. Bailey: | Planning and Zoning Board and Keep Shelby Beautiful (KSB) Commission |
| Ward 5 – Mr. Shores: | Uptown Shelby Association (USA) Board |

Ward 6 – Mr. Amaya:

Alcoholic Beverage Control (ABC) Board

Next Mrs. Parduski reported on elected officials' participation in the North Carolina Municipal Power Agency 1 Board of Commissioners with one commissioner appointment to be determined, in the Lake Norman Rural Planning Organization Transportation Advisory Committee with one member and one alternate member appointments to be determined, and in the Isothermal Planning and Development Commission Board of Directors with one member appointment to be determined.

Mr. Shores shared with Council his desire to be replaced on the Lake Norman Rural Planning Organization Transportation Advisory Committee due to scheduling and time constraints.

Council received the information for further consideration at a future meeting.

K. New Business:

1) Discussion re: City Council regular meetings – January 2012

Mr. Howell offered for Council's consideration that since both regularly scheduled Council meetings in January 2012 fall on recognized City holidays, January 2 as the New Year's Day observance and January 16 as the Martin Luther King, Jr. holiday, he suggested canceling and rescheduling both dates as special meetings to conduct a budget planning workshop and Council's annual retreat. Mr. Howell also reminded Council members to consider attending the School of Government's two-day course, Essentials of Municipal Government, scheduled for various dates and locations in January and February 2012.

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mr. White, City Council voted unanimously to cancel their regularly scheduled meetings of January 2 and 16, 2012.

By consensus, Council agreed that Mr. Howell would schedule the budget planning workshop, "Budgetopolis for Municipalities", with the University of North Carolina School of Government facilitator on Friday, January 20, 2012, with the time and location of said meeting to be determined.

L. City Manager's Report: None

M. Council Announcements and Remarks

- 1) Mr. Mabry congratulated and welcomed Mr. White, Mr. Amaya, and Mayor Anthony to City Council, stressing communication and working together. Mr. Shores and Mrs. Patterson joined Mr. Mabry in the welcome.

Mayor Anthony expressed his hopes for promoting openness in dialogue and discussion with and among Council as well.

N. Closed Session:

- 1) To consult with the City Attorney in order to preserve the attorney-client privilege and to discuss industrial recruitment pursuant to North Carolina General Statute 143-318.11(a) (3) and (4)

ACTION TAKEN: Mr. Shores made a motion to enter into a closed session to preserve the attorney-client privilege and to discuss industrial recruitment pursuant to the appropriate North Carolina General Statute as cited. The Mayor consulted with Mr. Yelton who advised that the topics met the statutory requirement for a closed session. Mayor Anthony invited all Council members present, Mr. Yelton, Mr. Howell, Mrs. Parduski, and Mrs. Jolly. The motion was seconded by Mr. Amaya and passed unanimously. Council moved into closed session at 7:28 p.m.

ACTION TAKEN: Upon a motion by Mr. Amaya, second by Mr. White, City Council voted unanimously to return to regular session at 8:01 p.m.

Mayor Anthony announced that the session was held for informational purposes only and no action was taken by City Council.

O. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion by Mr. Amaya, second by Mr. White, City Council voted unanimously to adjourn the meeting at 8:02 p.m.

Respectfully submitted,

Bernadette A. Parduski, MMC
City Clerk

**O. Stanhope Anthony, III
Mayor**

Minutes of December 5, 2011