

MINUTES

Regular Meeting
City Hall Council Chamber

November 1, 2010
Monday, 6:00 p.m.

Present: Mayor W. Ted Alexander, presiding; Council Members Christopher H. (Chris) Mabry, Jeanette D. Patterson, Dennis C. Bailey, Joel R. Shores, Jr., Andrew L. Hopper, Sr.; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, MMC, Director of Finance Theodore B. (Ted) Phillips, CPA, Director of Utilities Brad R. Cornwell, PLS, EI, Fire Chief William P. Hunt, Director of Public Works Daniel C. (Danny) Darst, Director of Planning Services Walter (Walt) Scharer, AICP; and media representatives

Absent: Council Member O. Stanhope (Stan) Anthony, III

Mayor Alexander called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. Mr. Hopper gave the invocation and Battalion Chief Chris Poston of the Shelby Fire & Rescue Department – Station 1 led the *Pledge of Allegiance*. Acknowledging Mr. Anthony's excused absence, the Mayor congratulated him for completing the Marine Corps Marathon in Washington, DC on October 31, 2010, which he ran on behalf of Safe Kids Cleveland County.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

Mayor Alexander announced that Item H-2 would be added under the Closed Session as follows: To consult with the City Attorney in order to preserve the attorney-client privilege pursuant to North Carolina General Statute 143-318.11 (a) (3).

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

B. Special Presentation:

1) Shelby's Citizens Academy, "Shelby 101" – Theodore B. (Ted) Phillips, Director of Finance

Mr. Howell introduced Shelby's new Citizens Academy initiated and proposed by Mr. Phillips as "Shelby 101".

Mr. Phillips began his presentation entitled, “Shelby 101 Mapping out a Partnership with Our Citizens”, stating the purpose is to be an interactive program that focuses on educating citizens about the City’s governmental processes. The goal is to have City officials, department directors, and other City staff host unique, informative sessions designed to give citizens hands-on experience in City government operations thus allowing citizens to help keep our community strong by actively participating in City affairs.

Mr. Phillips said Shelby 101 will be a ten week course, meeting once a week at various City facilities, beginning in January 2011 and running through March 2011. Each department will host a meeting. Utilities will host more than one meeting and smaller departments will be combined. Classes will run approximately two hours, beginning at 5:30 p.m. and ending no later than 8:00 p.m. Mr. Phillips recommended limiting the class size to 20 participants.

Next Mr. Phillips described the pilot program and the curriculum, presenting the draft schedule as follows:

- Week 1 – January 6: Introduction to City government, location City Hall
- Week 2 – January 13: Police Department, location Police Department
- Week 3 – January 20: Fire & Rescue Department, location Fire Station 1
- Week 4 – January 27: Public Works Department, location Public Works
- Week 5 – February 3: Parks and Recreation, location City Park
- Week 6 – February 10: Electric and Natural Gas Departments, location Utility Operations Center
- Week 7 – February 17: Water and Sewer Departments, location Utility Operations Center
- Week 8 – February 24: Planning and Developmental Services, and Housing, location City Hall Annex
- Week 9 – March 3: Administration, Finance, and Human Resources, location City Hall
- Week 10 – March 10: Airport and GIS, location Shelby-Cleveland County Regional Airport

Optional tours will include the Water Treatment Plant, the Wastewater Treatment Plant, and a ride along with a police officer assigned to the Patrol Division.

Mr. Phillips detailed the areas of focus which included:

- How City services are provided from tax dollars and utility revenues
- Opportunities for voluntary service on advisory boards

- How the City utilizes technology to save taxpayers and utility customers money
- The classes are intended to be hands on and very interactive

Mr. Phillips concluded by stating Shelby 101 will not require any additional allocation of funds to the Fiscal Year 2010-2011 budget. Any associated costs for materials, etc. will be absorbed within existing budgets.

Council provided positive feedback for Shelby 101 and briefly discussed the recruitment and application processes.

Council received the information and a resolution endorsing and implementing Shelby's Citizens Academy as "Shelby 101" was included within the Consent Agenda section.

C. Consent Agenda:

ACTION TAKEN: Mayor Alexander presented the consent agenda. Mrs. Patterson made a motion to approve the consent agenda and each item as presented. After a second from Mr. Hopper, the consent agenda and following items were unanimously approved:

- 1) Approval of the Minutes of the Regular Meeting of October 18, 2010
- 2) Approval of Special Event Permit Applications:
 - a. Hog Happnin' Car Show requested date: November 5, 2010
 - b. Amendment 2 to Permit for the 2010 Foothills Farmers Market to extend their season to November 27, 2010
 - c. Community Christmas Tree Lighting Ceremony requested date: November 26, 2010
 - d. 2011 North Carolina Main Street Conference requested dates: January 26-28, 2011
- 3) Approval of a resolution endorsing and implementing Shelby's Citizens Academy as "Shelby 101": Resolution No. 78-2010
- 4) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from James R. Soder and Joyce M. Carnevale: Resolution No. 79-2010

Mayor Alexander recognized Mr. Soder as one of the petitioners requesting annexation in attendance.

END CONSENT AGENDA

D. Unfinished Business:

1) Consideration of appointments to City Advisory Boards and Commissions:

a. Community Relations Council

Mrs. Parduski stated as previously reported to Council on October 4 and October 18, 2010, a resignation has created a vacancy for an unexpired term concluding August 2011. No new applications have been received and the following applicants remain on file in the Clerk's Office: Alfred Babineau, Michael Shawn Collins, David Forms, and Randy Skelton.

Mr. Mabry nominated David Forms for appointment to the unexpired term concluding August 2011.

ACTION TAKEN: Upon a motion by Mr. Hopper, second by Mrs. Patterson, City Council voted unanimously to close the nominations and to accept the nominee by acclamation.

b. Keep Shelby Beautiful (KSB) Commission

Mrs. Parduski reported the terms of four incumbents, Marywinn Amaya, Carole Arey, Helen Gilliatt, and Anthony Franklin, will conclude January 2011. Carole Arey wishes to conclude her service while Marywinn Amaya, Helen Gilliatt, and Anthony Franklin are seeking reappointment. Mrs. Parduski also reported that a longstanding vacancy remains for a new term concluding January 2014.

There is one application on file in the Clerk's Office that of Fred F. Harrill, Jr.

Mr. Shores nominated Marywinn Amaya and Helen Gilliatt.

Mr. Hopper nominated Fred F. Harrill, Jr.

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mr. Mabry, City Council voted unanimously to reappoint Marywinn Amaya and Helen Gilliatt and to appoint Fred F. Harrill, Jr. to new terms concluding January 2014.

By consensus, Council continued the nominations for the remaining

vacancies.

E. New Business: None

F. City Manager's Report:

- 1) **Mr. Howell distributed the City's Monthly Financial Summary, Fiscal Year to Date at September 30, 2010 for Council's review.**
- 2) **Mr. Howell reminded Council that Matt Schull and Steve Shelton of ElectriCities of North Carolina, Inc. are scheduled to make a presentation regarding electric rate structures at the November 15, 2010 meeting.**
- 3) **Mr. Howell distributed the North Carolina Municipal Power Agency Number 1 (NCMPA1) Shelby Solar Project fact sheet.**
- 4) **Mr. Howell reminded Council that presentations regarding improvements at the Wastewater Treatment Plant as well as the Water and Sewer Asset Management Plan are forthcoming.**
- 5) **Mr. Howell reminded all about the North Carolina Department of Transportation Proposed Cleveland County Comprehensive Transportation Plan (CTP) which covers highways, bicycle facilities, public transportation, and pedestrian facilities. Mr. Scharer shared the details of the two public open houses for Cleveland County residents and stakeholders to review and discuss the proposed CTP on November 10, 2010 at Shelby City Park (4:00 p.m. – 7:00 p.m.) and the Lawndale Community Center (4:30 p.m. – 6:30 p.m.).**
- 6) **Mr. Howell distributed brochures supplied by Destination Cleveland County Chair Brownie Plaster detailing the New Harmonies Opening Day Festivities on November 13, 2010. This Smithsonian exhibition celebrating American roots music is free and open to the public beginning November 13 through December 29, 2010 at the Don Gibson Theatre Reception Hall.**

G. Council Announcements and Remarks:

- 1) **Mr. Hopper and Mr. Bailey, along with Mr. Anthony, who attended the North Carolina League of Municipalities 2010 Annual Conference in Winston-Salem, North Carolina, shared their very positive comments about their experiences. Mr. Bailey was very impressed with the overall conference and with two sessions in particular, "Balancing the Budget in Tough Times" and "Using Social Media to Engage and Govern". Mr. Hopper enjoyed the networking aspect as well as the informative sessions,**

hearing the Governor, the Honorable Beverly Perdue, speak, and visiting with former City Manager, Dee Freeman, Secretary of the North Carolina Department of Environment and Natural Resources.

2) Mayor Alexander made the following announcements:

- Shelby will host the North Carolina Main Street Conference – January 26-28, 2011 and urged Council's participation
- Reminded all to vote on Election Day, November 2, 2010
- Distributed information about the North Carolina Housing Finance Agency's Home Protection Program and endorsed the Program's counseling agencies that provide foreclosure prevention assistance to homeowners in need
- With regard to the Greatest Treat Festival sponsored by the Greater Cleveland County Baptist Association at Shelby City Park on October 31, 2010, the Mayor received several compliments from organizers paid to City Park staff and the Police Department for their work on this event

H. Closed Session:

- 1) To conduct the annual performance evaluation of the City Clerk pursuant to North Carolina General Statute 143-318.11 (a) (6)
- 2) To consult with the City Attorney in order to preserve the attorney-client privilege pursuant to North Carolina General Statute 143-318.11 (a) (3)

ACTION TAKEN: Mr. Shores made a motion to enter into a closed session to conduct the annual performance evaluation of the City Clerk and to consult with the City Attorney in order to preserve the attorney-client privilege pursuant to the appropriate North Carolina General Statutes 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, Mr. Yelton, and Mr. Howell to attend. The motion was seconded by Mr. Hopper. The motion passed unanimously and Council moved into closed session at approximately 6:45 p.m.

Mr. Anthony arrived and joined the closed session at approximately 7:05 p.m.

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mr. Hopper, City Council voted unanimously to return to regular session at 7:45 p.m.

I. Adjournment:

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

1) Motion to adjourn

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mr. Anthony, City Council voted unanimously to adjourn the meeting at 7:47 p.m.

Respectfully submitted,

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

**W. Ted Alexander
Mayor**

Minutes of November 1, A. D. 2010