

## MINUTES

Regular Meeting: Workshop Session  
George W. Clay, Jr. Utility Operations Center

November 2, 2009  
Monday, 6:00 p.m.

**Present:** Mayor W. Ted Alexander, presiding; Council Members Christopher H. (Chris) Mabry, Oliver Stanhope (Stan) Anthony, III, Jeanette D. Patterson, Joel R. Shores, Jr., Andrew L. Hopper, Sr.; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, CMC, Director of Finance Theodore B. (Ted) Phillips, CPA, Director of Human Resources Deborah C. (Deb) Jolly, 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 Michael R. (Mike) Royster

Mayor Alexander called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. The Mayor gave the invocation and Rev. Charles Webber, former Human Resources Director for the City, led the *Pledge of Allegiance*.

### A. Approval of Agenda:

- 1) Motion to adopt the proposed agenda

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

### B. Special Presentations:

- 1) Warren Square Redevelopment Project Update – Frank Warlick, Integrity Development LLC

Mr. Howell informed Council that Mr. Warlick was not in attendance due to illness and his new partner could not travel the distance from Danville, Virginia on short notice. Mr. Howell has requested that Mr. Warlick provide a written report, which is due next week, to share with Council and the Advance Shelby Board of Directors.

- 2) Cleveland County Economic Development Partnership Quarterly Update – Kristin H. Fletcher, Executive Vice President, Economic Development, Cleveland County Chamber

Prior to her presentation, Mrs. Fletcher provided Council with an information packet which included the following:

- Prospect Lead Sources
- Prospect Square Foot Requests
- Project Inventory Listing

Mrs. Fletcher informed Council that she was able to generate these reports by integrating new economic development prospect management software which allows a detailed analysis of a project's requirements as well as the trends.

Mrs. Fletcher stated Cleveland County continues to experience a substantial amount of project activity throughout the entire region and shared the active new industry and active expansion projects listed in her report. She focused her attention specifically on one listing, "Project Shark". It has been announced that Cleveland County, North Carolina is a finalist for this project; however, the competitors also include the States of South Carolina, Georgia, and Tennessee.

Mrs. Fletcher commended Council and Mr. Howell for pursuing and obtaining Site Certification from the North Carolina Department of Commerce for the Foothills Commerce Center. She added that market interest is on the increase for this product and the site is a substantial economic development tool.

Mrs. Fletcher mentioned the positive feedback from the event, "Experience Cleveland County", hosted by the Chamber in September 2009, which provided outreach and a sightseeing tour of available sites and buildings to representatives from potential industries, consultants, and economic development partners.

To conclude, Mrs. Fletcher said she will continue to work diligently with City staff to market every aspect of the Foothills Commerce Center as a North Carolina Certified Site.

Discussion followed concerning the construction of a speculative building on the Foothills Commerce Center site and the amount of interest being generated for the Copeland facility.

Council members were encouraged to attend the next community forum hosted by the Golden Leaf Foundation on November 12, 2009 at 5:00 p.m. at Cleveland Community College which continues the Foundation's Community Assistance Initiative process for the priority issues identified for Cleveland County including jobs and economic development.

Mayor Alexander recognized members of the Advance Shelby Unlimited (ASU) Board in attendance.

**C. Consent Agenda:**

**ACTION TAKEN:** Mayor Alexander presented the consent agenda. Mr. Shores 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 19, 2009
- 2) Approval of a resolution awarding the contract for the City of Shelby FY 2009-2010 Street Resurfacing Program: Resolution No. 69-2009
- 3) Approval of a resolution authorizing submission of a Municipal Agreement between the City of Shelby and the North Carolina Department of Transportation (NCDOT) for the 2010 Municipal Bridge Inspection Program: Resolution No. 70-2009
- 4) Approval of a resolution adopting the City of Shelby Standard Details: Resolution No. 71-2009
- 5) Approval of a resolution to accept an offer to purchase property at 1139 Buffalo Street: Resolution No. 72-2009
- 6) Adoption of FY 2009-2010 Budget Ordinance Amendment No. 3: Ordinance No. 47-2009

**END CONSENT AGENDA**

**D. Unfinished Business:**

- 1) Consideration of appointments to City Advisory Boards and Commissions:
  - a. Planning and Zoning Board

Mrs. Parduski reminded Council that there is one vacancy for an inside member with an unexpired term concluding June 2010.

Applications on file in the Clerk's Office include the following: Dennis Bailey, Irene Beam Camp, David Forms, Craig Goforth, Peter Potemkin, and Michael Royster.

**Mr. Mabry nominated Craig Goforth.**

**Mrs. Patterson nominated Michael Royster.**

**Mr. Hopper nominated Dennis Bailey.**

**ACTION TAKEN:** Upon a motion by Mr. Shores, second by Mrs. Patterson, City Council voted unanimously to close the nominations.

**Council cast the following votes:**

**Dennis Bailey received one affirmative vote (Hopper).**

**Craig Goforth received one affirmative vote (Mabry).**

**Michael Royster received three affirmative votes (Patterson, Shores, and Anthony).**

**By consensus, Council appointed Michael Royster to the Planning and Zoning Board for the unexpired term concluding June 2010.**

**b. Zoning Board of Adjustment**

**As previously reported, Mrs. Parduski said there is a vacancy for an Extraterritorial Jurisdiction (ETJ) member with an unexpired term concluding July 2012. Mrs. Parduski explained that ETJ members are ultimately approved by the Cleveland County Board of Commissioners.**

**There is one application on file in the Clerk's Office that of Noel MacArthur.**

**Mr. Shores nominated Noel MacArthur.**

**ACTION TAKEN:** Upon a motion by Mr. Hopper, second by Mr. Shores, City Council voted unanimously to close the nominations.

**By unanimous vote, Council recommended Noel MacArthur to the Cleveland County Board of Commissioners for appointment.**

**c. Shelby Appearance Commission**

**Mrs. Parduski reminded Council that there are two vacancies for unexpired terms concluding January 2011 and January 2012.**

**There is one application on file in the Clerk's Office that of Don Costner.**

Mr. Anthony nominated Don Costner.

**ACTION TAKEN:** Upon a motion by Mr. Shores, second by Mr. Mabry, City Council voted unanimously to close the nominations for the term concluding January 2012 and to continue the nominations for the term concluding January 2011.

By unanimous vote, Council appointed Don Costner to the Shelby Appearance Commission for the unexpired term concluding January 2012.

**d. Community Relations Council**

Mrs. Parduski reported that incumbent, Dianne Pasco, has submitted her letter of resignation dated October 10, 2009. The resignation has created a vacancy for an unexpired term concluding August 2011.

Applications on file in the Clerk's Office include the following: Alfred Babineau, Irene Beam Camp, and David Forms.

Mrs. Patterson nominated Irene Beam Camp.

Mr. Mabry nominated David Forms.

**ACTION TAKEN:** Upon a motion by Mr. Shores, second by Mrs. Patterson, City Council voted unanimously to close the nominations.

Council cast the following votes:

Irene Beam Camp received three affirmative votes (Patterson, Shores, and Hopper).

David Forms received two affirmative votes (Anthony and Mabry).

By consensus, Council appointed Irene Beam Camp to the Community Relations Council for the unexpired term concluding August 2011.

- 2) Consideration of a resolution authorizing the trial implementation of reverse angle parking on South Washington Street:  
Resolution No. 73-2009

Mr. Howell introduced Resolution No. 73-2009 for Council's consideration. If approved, the six-month trial period will allow for analysis and review of the pilot plan, which includes South Washington Street from Pinkney to Holland Streets. Staff will install the temporary striping for up to three (3) reverse angle handicap parking space on the west side of South Washington Street

and up to twelve (12) reverse angle parking spaces on the east side of South Washington Street. The trial period will also include signage to educate drivers to get in and out of these spaces. Mr. Howell stated that after six months, he will submit a report to Council including feedback and indicating the advantages and disadvantages observed during this timeframe.

Upon questioning, Mr. Howell added that if there is positive feedback about the trial from residents and businesses, it could become a permanent change that would include a small concrete island to keep motorists from parking improperly.

There was discussion about providing additional parking spaces to the Don Gibson Theatre by utilizing the various parking lots in close proximity to the theatre property.

**ACTION TAKEN:** Upon a motion by Mr. Shores, second by Mr. Hopper, City Council voted unanimously to approve and adopt Resolution No. 73-2009 entitled, "A RESOLUTION AUTHORIZING THE TRIAL IMPLEMENTATION OF REVERSE ANGLE PARKING ON SOUTH WASHINGTON STREET".

E. New Business: None

F. City Manager's Report:

- 1) Mr. Howell informed Council he has received a letter from the North Carolina Department of Environment and Natural Resources (NCDENR) regarding the National Pollution Discharge Elimination System (NPDES) Phase II Stormwater Program State Designation Process for the City of Shelby. Public comment on potential designation will be accepted through November 30, 2009. Mr. Howell will prepare a letter requesting that Shelby not be considered for designation in the NPDES Phase II Stormwater Program at this time.
- 2) Mr. Howell said that the truck volume inquiry regarding Charles Road is still under consideration.
- 3) Mr. Howell reminded Mayor and Council that the next community forum hosted by the Golden Leaf Foundation is November 12, 2009 at 5:00 p.m. at Cleveland Community College.
- 4) Mr. Howell announced that the City is in the process of soliciting Statements of Qualifications from qualified firms interested in Phase I of the Shelby City Park Enhancement Project.
- 5) Mr. Howell mentioned that he will be attending the 2009 Rural Partners

Forum sponsored by the Rural Economic Development Center on November 5 and 6, 2009 in Raleigh, North Carolina.

- 6) Mr. Howell anticipated that the presentation of the auditors' report of the City's financial statements for the year ended June 30, 2009 will be scheduled for the Council's organizational meeting of December 7, 2009.
- 7) Mr. Howell made Council aware of the new "Welcome to Shelby" signs installed by City staff along Highway 74. He also said the Phase I Wayfinding signs will be installed within the next month.

**G. Council Announcements and Remarks:**

- 1) Mr. Hopper announced for the sake of general public that Section 1081 of the National Defense Authorization Act of 2009 authorizes all members of the armed forces and veterans to render the military salute in the same manner as members of the armed forces in uniform during a rendition of the national anthem.
- 2) Upon questioning by Mr. Shores and Mr. Mabry, Mr. Howell provided a brief update on the construction progress of the City's fueling station and the airport terminal.
- 3) On behalf of the Historic Shelby Foundation (HSF), Mayor Alexander invited Council and City staff to attend HSF's annual meeting on Tuesday, November 3, 2009, from 4:00 p.m. to 6:00 p.m. Guests can participate in the West Warren Street National Register of Historic Places District Celebration by taking a TravelLynx trolley tour of the District and a partial tour of the El Nido renovation.

Mayor Alexander reminded all to exercise their constitutional right and vote on Election Day, November 3, 2009. Polling locations will be open tomorrow from 6:30 a.m. to 7:30 p.m.

**H. Adjournment:**

- 1) Motion to adjourn

**ACTION TAKEN:** Upon a motion by Mr. Hopper, second by Mr. Anthony, City Council voted unanimously to adjourn the meeting at 6:50 p.m.

Respectfully submitted,

Bernadette A. Parduski, CMC  
City Clerk

W. Ted Alexander  
Mayor

Minutes of November 2, A. D. 2009