

## MINUTES

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

August 4, 2008  
Monday, 6:00 p.m.

**Present:** Mayor W. Ted Alexander, presiding; Council Members Christopher H. (Chris) Mabry, Larry G. Ware, Jeanette D. Patterson, Michael R. (Mike) Royster, 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 Human Resources Deborah C. (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Interim Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, Director of Public Works Daniel C. (Danny) Darst, Director of Parks and Recreation Charlie Holtzclaw, Director of Development Services Brian L. Pruet, 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 who were in attendance. The Mayor recognized the City's newly hired Director of Human Resources, Mrs. Jolly, and former Council Member Dicky Amaya. Mr. Mabry gave the invocation and Mr. Ware led the *Pledge of Allegiance*.

### A. Approval of Agenda:

- 1) Motion to adopt the proposed agenda

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

### B. Special Presentations:

- 1) Cleveland 20/20 Economic Development Partnership Quarterly Update – Kristin H. Fletcher, Assistant Vice President, Economic Development, Cleveland County Chamber and Steve Padgett, Chairman, Board of Directors, Cleveland County Chamber

Mrs. Fletcher began her presentation by reviewing the data compiled from the Chamber's building and site website hits from January 1 to July 31, 2008. The facilities included in this compilation are: Copeland, Universal Manufacturing, Shelby Industrial Park, Alpha Mailing, Randolph Road Warehouse, and PPG (J.A.M.) Warehouse.

Since Dave Hart, Vice President of Economic Development for the Chamber, was not in attendance due to illness, Mrs. Fletcher presented Mr. Hart's active project list and stated that one project has visited the Universal Manufacturing facility and two others have expressed interest in the Copeland facility.

Mrs. Fletcher stated that one of her key objectives is to continue active work on expansion projects as well as to continue existing industry visits.

Mrs. Fletcher detailed four active expansion projects as follows:

- **Project M** – A manufacturer is looking to expand its current facility in Shelby and projecting to create at least 175 new jobs and to invest over \$30 million.
- **Project Chuck** – With an acquisition, this manufacturing company will remain in the same building and with minimal investment will create 75 new jobs.
- **Project J** – A manufacturer is looking to locate from another part of Cleveland County to the City. They are projecting a \$10 million investment and the creation of 25 to 30 new jobs.
- **Project Big Mouth** – A manufacturer is looking to expand its current facility in Shelby by creating 100 new jobs with a projected investment of over \$10 million.

Mrs. Fletcher's existing industry visits for July and August 2008 included Metals America, Ultra Machine & Fabrication, Bernhardt Furniture with Mayor Alexander, Webb Chemical with Mayor Alexander, PPG Industries, and Hurst Jaws of Life.

In conclusion, Mrs. Fletcher stated she has had discussions with the City's Safety and Risk Coordinator, Lisa Wassen, to include the City in the Annual Industrial Safety Banquet hosted by the Chamber.

Next Mr. Padgett gave a brief update from the Chamber President Search Committee which has narrowed the field to four potential candidates for the President's job. Mr. Padgett anticipated that three of the four candidates will be invited to Cleveland County to continue the interview process.

- 2) **North Carolina Utilities Commission Inspection of Pipeline Safety Regulations for the United States Department of Transportation Update – Brad R. Cornwell, Public Utilities Director, and Ronnie Davis, Utilities Compliance Officer**

**Mr. Cornwell introduced the subject matter of the presentation as it pertains to the natural gas distribution facilities operated by the City of Shelby Gas Department. Each year the North Carolina Utilities Commission in conjunction with the United States Department of Transportation of Pipeline Safety Regulations inspects the City's gas system for safety, operability, documentation and reporting, public awareness, and public education. The State inspector reviews training records and leak detection reports, physically operates valves to ensure good integrity, reviews the operator qualifications manual to ensure compliance, checks for past documented leaks and checks Cathodic Protection sections, etc. Mr. Cornwell reported that the Utilities Commission has notified him by letter that the City had another successful completion of its natural gas pipeline safety inspection this year.**

**Next Mr. Cornwell reviewed the handouts previously distributed including the Pipeline and Hazardous Materials Safety Administration Pipeline Safety Regulations and the City of Shelby Natural Gas Public Awareness Plan.**

**Mr. Cornwell introduced Ronnie Davis, Utilities Compliance Officer, who revises and updates the Gas Department's Operations and Maintenance Manual based on new safety regulations. In his capacity, Mr. Davis is also tasked with maintaining a Public Awareness and Public Education Program. As part of public awareness, this presentation will be made to every governing body where the City of Shelby natural gas pipeline exists, which is a requirement to be met for informational purposes.**

**Mr. Davis began his presentation by stating that as a natural gas operator, the City of Shelby, has to meet the requirements of the Code of Federal Regulations (CFR) for Pipeline Safety. The Pipeline and Hazardous Materials Safety Administration issued a final rule in May 2005 for pipeline operators to develop and implement public awareness programs.**

**Mr. Davis said public awareness plans are intended to promote pipeline safety by enhancing the communications of pipeline operators with the public to increase public awareness of pipeline operations and safety issues. The objectives of Shelby's Public Awareness Program are:**

- To educate both the City's customers and non-customers who live or work near the City's pipelines how to recognize the odor of natural gas and how to respond if they detect possible gas odors. Mr. Davis added that early recognition of a gas odor and proper response can save lives.**
- To raise the awareness of the affected public and the target audience**

of the presence of buried natural gas pipelines in the communities the City serves. Mr. Davis added a more informed public will also understand that they have a significant role in helping to prevent third party damage accidents.

- To help excavators understand the steps that they can take to prevent third party damage and respond properly if they cause damage to the City's pipelines.
- To help emergency response agencies that may assist the City's Gas Department in an emergency understand the proper actions to take in response to a gas release or emergency.

Mr. Davis reiterated that the City's goal is to provide safe, reliable gas service to its customers and ensure the safety of people living and/or working near the City's gas pipelines. Public awareness is a critical component of the City's overall safety program.

Mr. Davis stated that one of the first goals of the City's plan was to concentrate on getting excavators to call "North Carolina One-Call Before You Dig", 1-800-632-4949 or 811. Mr. Davis explained the new 811 number is a national "Call Before You Dig" phone number designated by the Federal Communications Commission (FCC) to eliminate the confusion of multiple numbers and help save lives by minimizing damages to underground utilities. He added that City employees help promote this message by spreading the word to "Call 811 Before You Dig". As a reminder, Mr. Davis said all four City utilities have underground lines, not just the Gas Department.

Mr. Davis shared the next steps in the City's Public Awareness Plan as follows:

- The City is currently involved in mass mailings to educate customers and non-customers of the importance of pipeline safety and pipeline awareness.
- The City is working on plans to increase communications with Fire and Police Departments who are involved in the City's coverage area.
- City employees are attending events to increase public awareness and pipeline safety.
- The American Public Gas Association is conducting a telephone survey, which is free of charge, on behalf of the City of Shelby beginning this date and over several weeks to contact the target audience along the City's pipelines to evaluate their knowledge of

pipeline awareness and pipeline safety.

Mr. Davis and Mr. Cornwell concluded with the following instructional messages:

- If you, as the informed public, receive any questions regarding the survey calls, please respond that the City of Shelby Gas Department is conducting a telephone survey for its Public Awareness Plan.
- If a customer asks what to do if he/she smells gas, inform him/her to call 911 from a safe location to report the odor.
- Any questions about the Public Awareness Plan can be directed to the City of Shelby Customer Services Department at 704 484-6866 for referral.
- With regard to the One-Call Center at 811, North Carolina law requires a two working days (48 hours) notice be given to the utility owners before digging begins. Once all underground facilities have been marked, excavation activities can begin.

**C. Consent Agenda:**

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

- 1) Approval of the Minutes of the Regular Meeting of July 21, 2008
- 2) Approval of a resolution accepting and entering into an Amendment to Service Agreement under Rate Schedule FT Contract Number 1002266: Resolution No. 54-2008
- 3) Approval of a resolution affirming the City of Shelby's water and sewer rate structure for the North Carolina Rural Economic Development Center Supplemental Grants Program: Resolution No. 55-2008
- 4) Adoption of an ordinance authorizing demolition of a dwelling located at 413 Orange Street: Ordinance No. 38-2008
- 5) Adoption of an ordinance authorizing demolition of a dwelling located at 504 Suttle Street: Ordinance No. 39-2008

- 6) Adoption of an ordinance authorizing demolition of a dwelling located at 509 Oakland Drive: Ordinance No. 40-2008
- 7) Adoption of FY 2008-2009 Budget Ordinance Amendment No. 2: Ordinance No. 41-2008

#### **END CONSENT AGENDA**

#### **D. Unfinished Business:**

- 1) Consideration of a resolution adopting the 2008 Parks and Recreation 10-Year Comprehensive Master Plan: Resolution No. 56-2008

By way of introduction, Mayor Alexander recognized the members of the 2008 Parks and Recreation Master Plan Oversight Committee for their work and attendance at this meeting. Mr. Howell said this presentation by Mr. Holtzclaw and Mr. Scharer is intended as a follow-up to the consultant's presentation, which took place in March 2008, and will allow for in depth discussion of the Master Plan itself and direction from Council as to its desire to move forward with the development of strategies and options for implementation of the plan.

Mr. Holtzclaw began his presentation by recognizing the members of the 2008 Parks and Recreation Master Plan Oversight Committee as well as the members of the Parks and Recreation Advisory Board for their attendance and representation. Next, Mr. Holtzclaw announced that the Shelby City Park Junior Tar Heel All Stars won the Junior Tar Heel State Tournament on August 3, 2008 in Hickory, North Carolina and are, again, State champions. Mr. Holtzclaw then distributed invitations to the Little Tar Heel State Tournament to be hosted by the Shelby City Park Little Tar Heel All Stars beginning August 7 and running through August 10, 2008. Opening ceremonies are set for August 7, 2008 at 5:00 p.m. at the Shelby City Park's Arky Arekelian Baseball Field.

Mr. Scharer presented the City of Shelby Parks and Recreation Master Plan 2008-2018 Executive Summary and briefly explained its contents including the conceptual site plans and survey results, stressing the importance of the citizen participation process through the public workshops.

Mr. Holtzclaw read the Parks and Recreation Department's mission statement, "To provide a variety of quality leisure services in a clean, safe environment for citizens of all ages", and said it is the daily focus and purpose of this department.

Mr. Holtzclaw traced the historical beginnings of Shelby's Parks and Recreation facilities as follows:

- 1944 – A foundation was created to develop parks and recreation facilities
- 1948 – Shelby Parks and Recreation was founded
- 1948 – Land was donated and Royster Memorial Golf Course was opened
- 1949 – City Park swimming pool was opened
- 1950 – Shelby Community Center was dedicated
- 1959 – Holly Oak Park Center was dedicated

Mr. Holtzclaw said there were a series of tough years and a vision to protect the City's parks through restorative efforts as follows:

- 1996 – The new Shelby Aquatics Center was built
- 2000 – The new carrousel and pavilion were built
- 2002 – The new train depot and refurbished rotary train were completed
- 2002 – The new City Park and Holly Oak playgrounds were completed
- 2004 – Renovations of City Park and Holly oak Community Centers were completed
- 2007 – Palmer Park reopened

Restoration efforts continued with the following improvements:

- Extensive renovations and improvements at Royster Memorial Golf Course and ball fields
- A redesigned Thompson Gardens
- Restoration of fishing ponds
- New nature trail at Holly Oak Park
- Relocation of Green Thumb nature garden
- Acquisition of a total of more than 130 acres of land from the Royster and Hanna families

Citing two examples, Mr. Holtzclaw stated that statically there is increased participation at the Aquatics Center from a year ago and in total rounds of golf at Royster Memorial Golf Course over the last six years.

Mr. Holtzclaw played a video entitled, *Playing at the Park*, which was produced by staff, as an interlude during his presentation.

Mr. Holtzclaw mentioned that this is the year of anniversaries for Shelby Parks and Recreation facilities specifically celebrating the 60<sup>th</sup> anniversary of

Shelby City Park, the 50<sup>th</sup> anniversary of Holly Oak Park, and the 10<sup>th</sup> anniversary of the carousel.

Mr. Holtzclaw elaborated on the key reasons for the need of the Parks and Recreation Master Plan including:

- 2004 donation of more than 50 acres at City Park
- 2007 donation of more than 85 acres at the Hanna property
- To address current needs at City Park and Holly Oak Park
- To rebuild or improve certain neighborhood parks
- To tie in with other recently adopted City plans

Next, Mr. Scharer spoke briefly regarding the City's adopted planning documents, which include the Strategic Growth Plan, the Center City Master Plan, the Neighborhood Action Plan, and the Pedestrian Plan, as they relate to the Parks and Recreation Master Plan.

Mr. Scharer listed the general recommendations contained in the Parks and Recreation Master Plan as follows:

- Facility and program accessibility
- Design and daily maintenance
- Greenways
- Bike lanes
- Connections
- Signage
- Coordination
- Developers
- Funding
- Education
- Stewardship
- Historic/natural landmarks
- Walkability
- Easements
- Green building
- Contiguous property acquisition
- Acceptance of fee simple land donation
- Partnership agreements

Mr. Scharer provided an overview of the priority projects contained throughout the Parks and Recreation Master Plan as follows:

- Construct a new baseball/softball complex at City Park
- Develop a soccer/football complex at the Hanna property



- Add picnic facilities, playground equipment, and walking trails to City Park, Holly Oak Park, and the Hanna property
- Continue working with neighborhood groups to reestablish some neighborhood parks
- Tie in greenways with parks
- Construct a splash and play pool at City Park
- Construct a splash pad at Holly Oak Park
- Build a new maintenance facility at City Park and convert the existing structure into a corporate pavilion

Mr. Holtzclaw shared the statistics and the correlation between the existing facilities and identifying immediate facility needs as follows:

- The Parks and Recreation Department has approximately 700 participants in its youth baseball program ranging from ages 5 to 17. Mr. Holtzclaw added the City currently owns four baseball fields and uses Shelby Middle School facilities for Senior League.
- The Parks and Recreation Department has approximately 70 participants in the girls' softball program and must use Optimist Park and Shelby Middle School facilities.
- The Parks and Recreation Department has 330 youth football players in its league that use Shelby Middle School and Shelby High School facilities for games.
- There are 667 participants in the Greater Cleveland County Soccer Association league of which 227 are City residents.
- All activities, special events, and facility rentals continue to increase in number.

Mr. Holtzclaw reviewed the information utilized to prepare the Rocky Mount Sports Complex Economic Impact Report 2007-2008, which is included in the Executive Summary.

There are eight separate, existing recreational facilities owned and operated by the City of Shelby. The complete Comprehensive Master Plan serves as a map for the future development of recreation facilities for the City of Shelby Parks and Recreation Department and the specific conceptual site recommendations/proposals are as follows:

- Optimist Park
  - Playground equipment
  - Landscaping
  - Improved parking
- Kings Road Park
  - Playground equipment

- Picnic tables
- Paved parking lot
- Signage
  
- **Moose Park**
  - Paved walking path
  - Playground equipment
  - Picnic tables
  - Benches
  - Signage
  
- **Clarence Palmer Park**
  - Large picnic shelter with rest rooms
  - Playground
  - Paved walking path
  - Picnic tables
  - Benches
  - Signage
  
- **Plaster Park**
  - Baseball/softball field
  - Multi-purpose field
  - Playground
  - Large picnic shelter
  - Picnic tables
  - Basketball court
  - New paved parking lot
  - Restrooms
  - Signage
  
- **Hanna Property**
  - Six regulation soccer/football fields
  - Play area with playground, walking track, and horseshoes
  - Corporate and large picnic shelters
  - Concession and restrooms
  - Extensive nature trails with overlooks
  - Large parking area
  - Tent area for spectators
  - Disc golf course
  - Maintenance facility
  
- **Holly Oak Park**
  - Renovate “Old Center”
  - New restrooms and concession
  - Extensive landscaping and beautification

- Expand current nature trail
  - Renovate softball/baseball field
  - Renovate playground
  - Add splash play
  - New gazebo in Green Thumb
  - Two picnic pavilions
  - Benches and picnic tables
  - New outdoor basketball courts
  - New outdoor tennis courts
  - Four new paved parking areas
  - Statue in front of building
- **Shelby City Park**
    - Five field baseball/softball sports complex
    - Center concession, restroom, and press box
    - Paved walking path
    - Play area at complex
    - Two large paved parking areas
    - Golf course improvements
    - Renovate four existing ball fields
    - Extensive nature trail
    - Splash and play pool
    - Paved parking lot at swimming pool
    - Additional and renovated picnic shelters
    - Convert existing maintenance building into a corporate pavilion
    - New maintenance facility
    - Outdoor plaza area at carrousel
    - Extend parking at carrousel and train
    - Gazebo at Thompson Garden
    - Electronic sign in front of park
    - Enclose Aquatics Center with retractable roof and side walls and heat pool water
    - Four championship clay tennis courts with stadium seating, locker rooms, and small maintenance shelter

**Mr. Holtzclaw concluded the presentation with the twofold objectives of the Parks and Recreation Master Plan:**

- **Quality of Life – To provide the community with the recreational facilities and programs they have expressed the desire to have; and**
- **Economic Development – To offer the finest facilities available to draw visitors to the area from throughout the region and the State.**

There was discussion between Council and staff which centered on the adoption of the Master Plan and how much it will cost, where will the money come from, will citizens support it and be willing to pay for it, what are the estimated operational costs, etc. considering the current economic conditions. Mr. Howell reiterated that Resolution No. 56-2008 allows Council to adopt the proposed 2008-2018 Parks and Recreation Master Plan which states intent and directs staff to develop the strategy for funding and implementation of said Plan for Council's further review and consideration.

Mayor Alexander and Mr. Mabry commended staff and the various participants for their overall effort and ambition in preparing the Master Plan and the presentation with such far-reaching vision for the City of Shelby. Upon questioning by Mr. Mabry, Mr. Howell responded affirmatively to seeking additional public input when any priority decision related to the Master Plan arises in the future.

**ACTION TAKEN:** Upon a motion by Mr. Ware, second by Mr. Hopper, City Council voted unanimously to approve and adopt Resolution No. 56-2008 entitled, "A RESOLUTION ADOPTING THE 2008 PARKS AND RECREATION 10-YEAR COMPREHENSIVE MASTER PLAN".

E. New Business: None

F. City Manager's Report:

- 1) Mr. Howell invited the Mayor and Council to view the most recent addition to the Police Department's cruiser fleet, a 2008 Dodge Charger, which displays the Department's newly designed logo.

G. Council Announcements and Remarks

- 1) Mayor Alexander reminded all present that National Night Out is set for Tuesday, August 5, 2008, from 5:00 p.m. to 9:00 p.m. at Holly Oak Park.
- 2) Mayor Alexander announced that a Weed and Seed restoration project event and lunch will take place on August 13, 2008 at 12:00 Noon at Holly Oak Park.

H. Closed Session:

- 1) To complete the annual performance evaluation of the City Clerk pursuant to North Carolina General Statute 143-318.11 (a) (6)

**ACTION TAKEN:** Mr. Shores made a motion to enter into a closed session to complete the performance evaluation of the City Clerk 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 to attend. The motion was seconded by Mr. Hopper. The motion passed unanimously and Council moved into closed session at approximately 7:37 p.m.

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

**I. Adjournment:**

**1) Motion to adjourn**

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

Respectfully submitted,

Bernadette A. Parduski, CMC  
City Clerk

W. Ted Alexander  
Mayor

Minutes of August 4, A. D. 2008