

## MINUTES

Regular Meeting  
City Hall Council Chamber

April 1, 2019  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, David Causby, Violet Arth Dukes, Charles Webber, and Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, Assistant City Manager/Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah (Deb) Jolly, Director of Water Resources David W. Hux, Fire Chief William P. Hunt, MPA, EFO, Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Department Walter (Walt) Scharer, AICP

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

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

**B. Public Hearing:**

- 1) Consideration of the closeout of the City of Shelby Westside Crest Sewer Project benefitting Clearwater Paper Corporation through the Community Development Block Grant-Economic Development (CDBG-ED) Program No. 16-E-2909

Mr. Merritt introduced the matter by stating the purpose of the hearing is to review the budget and activities that have been accomplished through the Community Development Block Grant Economic Development Program No. 16-E-2909. The activities being paid for with CDBG-ED funds are complete and the City of Shelby is in the process of closing out the grant. Mr. Merritt stated the hearing also provides the public an opportunity to comment and/or to offer feedback on the City's use of CDBG funds.

Mayor Anthony opened the public hearing at 6:03 p.m. and invited comments from the public. The public offered no comments.

As background information, Mr. Merritt reviewed that public hearings were held on March 3, 2017 and March 20, 2017 to discuss the project determined to be applied for in the 2017 Community Development Block Grant (CDBG) Economic Development Program, specifically the Westside Crest Sewer Improvements benefitting Clearwater Paper Corporation in the Washburn Switch Business Park.

Next, Mr. Merritt noted and discussed the following:

- As a requirement of receiving Community Development Block Grant funds from the North Carolina Department of Commerce, Rural Economic Development Division, the City of Shelby must conduct a public hearing to allow the public to offer comments on the activities carried out by the City under CDBG Grant No. 16-E-2909 prior to closing the grant.
- The project included approximately 20,600 linear feet of 24-inch gravity sewer line, improvements to the existing Westside (Crest High School) sewer pump station including the installation of a third pump and Supervisory Control and Data Acquisition (SCADA) system improvements, and approximately 12,000 linear feet of 16-inch sewer force main.
- Construction is substantially complete and the sewer infrastructure serving Clearwater Paper Corporation is complete. The project provided critical sewer improvements that allowed Clearwater Paper Corporation to expand its operations in Shelby.
- \$3 million in CDBG-ED funds were used to construct these improvements. The total project cost was approximately \$9.05 million.
- The company has created at least 180 jobs, of which and at least 108 are filled by low and moderate income persons.
- Staff recommended proceeding with a closeout public hearing for this grant project.

Mayor Anthony closed the public hearing at 6:08 p.m.

Mr. Howell added Clearwater Paper Corporation, which committed to investing \$330 million and creating 180 jobs, also contributed \$7.1 million to the total infrastructure projects.

**C. Consent Agenda:**

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. White 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 March 18, 2019
- 2) Approval of Special Event Permit Applications:
  - a. June Bug Jam 5K, requested date: June 1, 2019
  - b. 7<sup>th</sup> Inning Stretch Festival, 5K, and Little Miss American Legion World Series, requested date: August 10, 2019
- 3) Approval of a resolution awarding the contract for the City of Shelby Stormwater Infrastructure Assistance Program Project at 203 Montrose Circle in Shelby, North Carolina: Resolution No. 26-2019
- 4) Approval of a resolution authorizing the Mayor and City Clerk to execute a Subordination Agreement: Resolution No. 27-2019

**END CONSENT AGENDA****D. Unfinished Business:**

- 1) Consideration of appointments to City advisory boards and commissions:
  - a. Shelby Housing and Redevelopment Advisory Board

Mrs. Parduski reported the terms of three incumbents, Derrick Haynes, Dr. Kevin Prime, and Talmadge Strickland, concluded March 2019. All of the incumbents are seeking reappointment to this board.

There are two applications on file in the Clerk's Office:

- Juan Cherry
- Peter Potemkin

Mrs. Arth Dukes nominated Derrick Haynes, Dr. Kevin Prime, and Talmadge Strickland for reappointment.

**ACTION TAKEN:** Upon a motion by Mr. Amaya, City Council voted unanimously to close the nominations and accept the nominees by acclamation.

**E. New Business:**

- 1) **Consideration of a resolution naming a certain City of Shelby park facility in honor of Mr. Clarence M. Palmer: Resolution No. 28-2019**

**Mr. Howell introduced Resolution No. 28-2019 for Council's consideration. He stated in accordance with adopted City policy, an application for facility naming was submitted by a group of citizens requesting the current community center at Holly Oak Park be named to honor Clarence M. Palmer. The application was reviewed by staff and presented to the Parks and Recreation Advisory Board. The advisory board, as required by policy, held three community input workshops to receive public comment on the proposal. After hearing the results of those workshops and the recommendation of the advisory board, Council may act as it deems appropriate. If approved, the proposed resolution would officially rename this facility as the "Clarence M. Palmer Center".**

**Next, Mr. Holtzclaw shared the details of the application process beginning in November 2018 with the acceptance of a Facility Naming Application requesting the Parks and Recreation Advisory Board to consider the renaming of the Holly Oak Center (gymnasium, offices and game room) to Clarence M. Palmer Center. Per the Facility Naming Policy, the Parks and Recreation Advisory Board held three consecutive monthly community workshops to discuss and review the application. During these meetings in December 2018, January 2019, and February 2019, 67 citizens attended and 15 speakers endorsed the naming recommendation to the board. In addition, many emails and letters were received supporting the application. At the third and final workshop on February 20, 2019, the advisory board took action and voted unanimously to recommend that the request be approved by City Council. Mr. Holtzclaw recognized the Parks and Recreation Advisory Board members in attendance: Marie Hendrick, David Lynn, Robert Coleman, and Juan Cherry.**

**As indicated on the application, Mr. Holtzclaw stated Mr. Palmer was employed by the City of Shelby from 1954 until 1977 as Holly Oak Park Superintendent and was instrumental in the building of the Holly Oak Center in 1959. He was a Trustee, Church Treasurer, and Sunday School Superintendent at Wardell AME Church. Mr. Palmer was the first African-American elected to public office as a City School Board member in 1971. He was a member of the American Legion, served on the Cleveland County**

United Fund Project, Mental Health Association, March of Dimes, and Red Cross.

Mr. Holtzclaw further stated Mr. Palmer was a veteran and recipient of the Purple Heart and Bronze Star Medal for Valor. He added Mr. Palmer was described in the application as “an absolute pillar of strength and respect within the community. A man of integrity dedicated to building community excellence.”

Having adhered to policy, Mr. Holtzclaw reiterated the Shelby Parks and Recreation Advisory Board wholeheartedly endorsed this naming application on February 20, 2019.

Mayor Anthony expressed his appreciation to Ronald Harrill and those individuals who provided the thorough, comprehensive documentation and history in support of Clarence M. Palmer, which was a pleasure to read. Council members also shared their positive comments about Mr. Palmer.

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Resolution No. 28-2019 entitled, “A RESOLUTION NAMING A CERTAIN CITY OF SHELBY PARK FACILITY IN HONOR OF MR. CLARENCE M. PALMER”.

**F. City Manager’s Report:**

**1) Mr. Howell provided an update with regard to the following projects:**

- The Fallen Heroes Memorial Project is anticipated to be complete by the end of April 2019 with the possibility of scheduling two memorial services to be held in May 2019, respectively.
- The South Washington Streetscaping Project is progressing and moving along.
- The Water Treatment Plant Upgrades Phase I is moving along very well.
- The Wastewater Treatment Plant Bio-solids Improvements Project is scheduled to begin with grading in approximately a month.
- The construction with regard to water and sewer infrastructure serving the expansion of Clearwater Paper Corporation should be completed within the next several weeks.
- With regard to the playground and community center improvements at Holly Oak Park, a joint ribbon cutting ceremony with the Cleveland County Commissioners was scheduled for April 30, 2019 at 4:00 p.m. Cleveland County provided funding toward the new all-inclusive playground at Holly Oak Park.

- The damage to several monuments at Webb Cemetery has been repaired.
- 2) Mr. Howell reminded Council the Cleveland Cup for all employees of Cleveland County, City of Shelby, and City of Kings Mountain is April 5, 2019 at 3:00 p.m., Hanna Park.
  - 3) Mr. Howell also reminded Council the 2019 City of Shelby Employee Benefits Enrollment is scheduled for April 1 through April 4, 2019 and April 10, 2019 at various times. All meetings will be held at City Hall Council Chamber.
  - 4) Mr. Howell and Council discussed and set the scheduling of Fiscal Year 2019-2020 budget sessions as follows:
    - April 24, 2019 at 12:00 Noon, City Hall Council Chamber
    - April 29, 2019 at 12:00 Noon, City Hall Council Chamber

#### G. Council Announcements and Remarks:

- 1) Mayor Anthony apologized to Mr. Howell for not publicly expressing his appreciation to him on Saturday, March 30, 2019, during the Hanna Park dedication and ribbon cutting ceremonies. The Mayor stated Mr. Howell deserves full credit for his work and for orchestrating the Hanna project to fruition. Mayor Anthony also mentioned many others were involved with Hanna Park including the Parks and Recreation Advisory Board, Mr. Holtzclaw and the Parks and Recreation staff, as well as many City staff members.

Mr. Howell then recognized both Mr. Holtzclaw and Mr. Merritt as well as all City staff who were involved in the construction of Hanna Park.

- 2) Mayor Anthony reminded all to participate in a citywide clean-up event on Keep Shelby Beautiful Day scheduled for April 27, 2019 at 9:00 a.m. in Uptown Shelby, 200 South Lafayette Street.
- 3) Mr. Amaya said he spent the day entertaining his grandchildren at Hanna Park and at City Park on March 30, 2019, observing it was a happy day at all City parks.
- 4) After the Hanna Park opening on March 30, 2019, Mr. Causby made a list, which he shared, of all the amenities and the positives the City of Shelby has to offer, including the Shelby Cleveland County Regional Airport, American Legion World Series, being named a top micropolitan

community in the United States, recreational facilities and trails, the Courthouse Square and the Earl Scruggs Center, the Don Gibson Theatre, and many more he mentioned.

**H. Closed Session:**

- 1) To approve the Minutes and General Account of the Closed Session of March 18, 2019
- 2) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the City Council, including agreement on a tentative list of economic development incentives that may be offered pursuant to North Carolina General Statute 143-318.11 (a) (4)

**ACTION TAKEN:** Mr. White made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony consulted with Mr. Yelton who advised the topic met the statutory requirements for a closed session. The Mayor invited all Council members present along with Mr. Howell, Mr. Yelton, and Mrs. Parduski to attend. The motion passed unanimously and Council moved into closed session at 6:40 p.m.

Council returned to the regular session at 7:01 p.m.

**I. Adjournment:**

- 1) Motion to adjourn

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to adjourn the meeting at 7:02 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC  
City Clerk

O. Stanhope Anthony III  
Mayor

**Minutes of April 1, 2019**