

MINUTES

Regular Meeting
City Hall Council Chamber

November 2, 2015
Monday, 6:00 p.m.

Present: Mayor pro tempore Dicky Amaya, presiding; Council Members Eric Hendrick, David W. White, Jeanette D. Patterson, Dennis C. Bailey, Ben Kittrell; City Manager Rick Howell, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Robert W. (Bob) Yelton, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Water Resources David W. Hux, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, Director of Parks and Recreation Charlie Holtzclaw

Absent: Mayor O. Stanhope Anthony III

Mr. Amaya called the meeting to order at 6:02 p.m. and welcomed all who were in attendance. Mr. Amaya gave the invocation and Mr. Bailey led the *Pledge of Allegiance*.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

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

B. Consent Agenda:

ACTION TAKEN: Mr. Amaya presented the consent agenda. Mrs. Patterson 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 October 19, 2015

2) Approval of Special Event Permit Applications:

- a. Uptown Shelby Carriage Rides, requested dates: November 27, December 4, December 11, and December 18, 2015
- b. Living Gift Market, requested date: December 4, 2015
- c. Dr. Martin Luther King Program, requested date: January 18, 2016

END CONSENT AGENDA

C. Unfinished Business:

- 1) **Consideration of a resolution authorizing selection of Woolpert North Carolina, PLLC based on qualifications for the Hanna Property Multi-Purpose Recreation Complex: Resolution No. 67-2015**

Mr. Howell introduced Resolution No. 67-2015 for Council's consideration by referring to one of their current fiscal goals to increase recreational opportunities for citizens which also enhance economic development efforts to attract visitors. If approved, the resolution authorizes the City Manager to negotiate an agreement for planning and design services for the construction of the proposed multi-purpose recreation complex to be located on the donated Hanna property site at McBrayer Springs Road.

Mr. Howell explained the Request for Qualifications (RFQ) process, which was held in accordance with North Carolina General Statutes, utilized to solicit submittals from design firms giving them the opportunity to demonstrate their ability to successfully design, permit, and build the desired features identified in the 2008 Parks and Recreation Master Plan on the Hanna property.

Next Mr. Holtzclaw provided the details of the qualification process and the evaluation of the submittals by a review committee consisting of City department directors, including himself, Justin Merritt, and Walt Scharer. In September 2015 staff prepared and distributed RFQs to 11 firms interested in performing the planning, design, and construction administration for the Hanna Property Multi-Purpose Recreation Complex. Eight firms responded and the review committee narrowed the field to 4 finalists based on the information provided in their respective materials. The key components included: Previous experience with similar projects; Parks and Recreation Trust Fund (PARTF) funded projects; and positive, consistent references from previous clients.

After careful examination and consideration, Mr. Holtzclaw stated the review committee recommended and requested the City of Shelby negotiate an agreement with Woolpert North Carolina PLLC to perform professional services, including planning, design, and construction administration, for the Hanna Property Multi-Purpose Recreation Complex.

Mr. Howell further stated the areas of his negotiation with Woolpert North Carolina will be to establish the overall project scope and to develop a project budget which will ultimately require Council's approval.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Resolution No. 67-2015 entitled, “A RESOLUTION AUTHORIZING SELECTION OF WOOLPERT NORTH CAROLINA, PLLC BASED ON QUALIFICATIONS FOR THE HANNA PROPERTY MULTI-PURPOSE RECREATION COMPLEX”.

D. New Business:

- 1) Consideration of a resolution revising the City of Shelby Customer Services Policy Manual: Resolution No. 68-2015

Mr. Howell introduced Resolution No. 68-2015 for Council’s consideration. If approved, the resolution would make changes to the City’s current policy on deposit requirements for commercial customers. The proposed option would make it financially less restrictive for some commercial customers to avoid a substantial deposit if they qualify. Mr. Howell stated City staff has been tasked with reviewing current policies and to bring forth changes that will limit the City’s risk but at the same time assist customers.

Next Mr. Merritt reiterated staff continually reviews and evaluates the City’s Customer Service policies and procedures in order to ensure that the best interests of the City and its customers are being served. As a result of a recent review and feedback from customers, Mr. Merritt stated staff identified an area where a revision of current policy would be appropriate and beneficial to the City’s customers. Currently, commercial utility customers must make a deposit in one of various methods, including cash deposit, surety bond, or other letter/guarantor referencing good credit. These options, while varied, do present problems for some businesses, due to the size of some deposit requirements. He said the proposed change would allow an additional option, which, based upon customer feedback, would be beneficial in some situations. Essentially, the City would waive the deposit requirement if the customer elected to have their bank account auto-drafted for a 12-month period. If a draft is returned for insufficient funds, account closed, etc., the customer will be contacted and the required deposit will be required immediately. If the customer does not immediately make the required payment on the account, the account will be disconnected for non-payment. These requirements will be detailed in an agreement the customer will sign during the account set-up process. Mr. Merritt added every agreement and deposit waiver will be completed by the Customer Services Manager. This will ensure there are proper controls and tracking associated with this waiver. He explained if a deposit or surety bond was initially required by the City of Shelby to establish services and the customer elected an automatic bank draft in lieu of the required deposit or surety bond, the customer is required to stay on automatic bank draft for a period of 12 months, which includes 12 successfully drafted payments. If an automatic

draft is returned for insufficient funds or any other issue with a checking account or credit card during the first 12 months of service, the customer will be required to provide the deposit or surety bond to continue service. If the deposit or surety bond is not provided to the City of Shelby in the requested time period, services will be disconnected.

After careful review, Mr. Merritt acknowledged there is some risk associated with this change; however, staff felt that the benefits to small business and the ability to closely monitor account status make this a worthwhile change.

ACTION TAKEN: Upon a motion made by Mr. Kittrell, City Council voted unanimously to approve and adopt Resolution No. 68-2015 entitled, "A RESOLUTION REVISING THE CITY OF SHELBY CUSTOMER SERVICES POLICY MANUAL".

E. City Manager's Report:

- 1) Mr. Howell introduced family members, Jason Gundersen and his sister, Lisa, in attendance, as representatives of Shelby's newest corporate citizen. The Gundersen family recently purchased Shell Building No. 2 at the Foothills Commerce Center for their business, which will serve as the company's East Coast operations.
- 2) Mr. Howell mentioned the contractor awarded the Foothills Commerce Center Mass Grading Project has mobilized equipment on site and will begin work shortly.
- 3) Mr. Howell informed Council the City received notification from the US Department of Transportation that its application to the Transportation Investment Generating Economic Recovery (TIGER) Grant Program was not funded in the 2015 round. The City intends to re-apply once the next grant cycle is announced.
- 4) Mr. Howell made Council aware of the need for a capital project involving significant repairs at the Aquatics Center. Within the next year or two, he said budget planning for those renovations will be necessary.

F. Council Announcements and Remarks:

- 1) Mr. Amaya made the following announcements:
 - November 4, 2015 is National Eating Healthy Day sponsored by the American Heart Association
 - November 3, 2015 is Election Day in the City of Shelby

G. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:20 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

Ricardo (Dicky) Amaya
Mayor pro tempore

Minutes of November 2, 2015