

## MINUTES

Regular Meeting  
City Hall Council Chamber

August 22, 2016  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David Causby, Ben Kittrell, Dicky Amaya; 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, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, Assistant Fire Chief Jacob E. (Jake) Whisnant, and Director of Planning and Development Services Walter (Walt) Scharer, AICP; Reporter Casey White of The Shelby Star and Director of Cable Programming Greg Tillman of Cleveland Community College

**Absent:** Council Members David W. White and Dennis C. Bailey

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. Special Presentations:**

- 1) Recognition of Michael Carr on the occasion of his retirement from employment with the City of Shelby: Resolution No. 34-2016

Mayor Anthony called upon Mr. Carr, who recognized and introduced his wife and son as well as his Fire & Rescue Department “family” in attendance. The Mayor formally read and presented framed Resolution No. 34-2016 to Mr. Carr. He then presented a shadow box, which displays the key to the City and various Fire Service keepsakes, and a City lapel pin to Mr. Carr in honor of and with heartfelt appreciation for his 31 years of dedicated service to the City of Shelby Fire & Rescue Department.

Humbled by the recognition, Mr. Carr expressed his appreciation to all.

- 2) Recognition of Quentin A. Cash on his designation as a Fire Officer (FO) by the Commission on Professional Credentialing with the Center for Public Safety Excellence

Mayor Anthony called upon Battalion Chief Quentin Cash and Fire Chief William Hunt. He formally read and presented the Fire Officer (FO) certificate awarded by the Center for Public Safety Excellence's Commission on Professional Credentialing to Battalion Chief Cash. Chief Hunt noted achieving the professional designation requires a strong educational background; diverse participation in emergency services at the local, state, and national level; and demonstrated involvement in the broader community, all validated by emergency services peers.

- 3) Uptown Shelby Association (USA) update – Audrey Whetten, Executive Director

Miss Whetten began her presentation by stating she will provide an annual overview to review the last fiscal year, including USA's work plan, events, projects, business growth, property investment, and growth statistics.

Miss Whetten stated USA developed a 2016-2017 work plan to structure their efforts, including design, promotion, economic vitality, and organization objectives. She provided examples under each objective, highlighting the streetscape and infrastructure improvement plan with City staff, the building inventory project, the marketing plan, property owner outreach, and volunteer recruitment.

Next, Miss Whetten continued her presentation by reviewing the schedule of USA's upcoming events:

- Second Saturdays – monthly event designed to draw people to Uptown Shelby on Saturdays; dates include September 10 and October 8, 2016
- Shelby Alive – summer concert series; last date is August 25, 2016
- Seeds to Silverware – USA's farm-to-table fundraiser on September 24, 2016 to be held at the City Pavilion
- Uptown Art Walk – to be held on October 6, 2016 in partnership with the Arts Council and participating businesses
- Uptown Shelby Litter Sweep – to be held on October 8, 2016 in partnership with the Keep Shelby Beautiful Commission

With regard to other projects, Miss Whetten mentioned USA's new e-newsletter, the targeted online advertising program to promote Uptown

Shelby, working with the City staff on the Community Development Block Grant applications for two building reuse projects, and planning for the 2017 NC Main Street Conference.

Miss Whetten spoke about Shelby hosting the 2017 NC Main Street Conference in March 2017, which is the largest downtown revitalization event in the state and will give Shelby the opportunity to showcase the progress of the community. She expects more than 600 attendees in Uptown Shelby and anticipates a significant economic impact based on the previous two conferences held in Morganton and Goldsboro.

With regard to Uptown business growth and Uptown property investment, Miss Whetten provided the following statistics:

- 15 façades redesigned
- 9 buildings renovated
- 17 net new businesses

Miss Whetten added more than \$1.8 million was invested in Uptown property by the private sector during the past fiscal year. The total only accounts for acquisitions and building renovation projects that were completed before the close of the fiscal year. Additional investment was made in projects currently underway.

Lastly, she said volunteers invested more than 900 voluntary hours for USA during the past fiscal year. That time represents approximately \$20,000 of value to the organization.

Council received the information and took no action.

- 4) Shelby Center City Master Plan update – Walter Scharer, Director of Shelby Planning and Development Services, and Audrey Whetten, Executive Director, Uptown Shelby Association (USA)

Mr. Scharer introduced the subject matter of the presentation and provided a brief background of the project. The City of Shelby completed its first City Center Master Plan in May 2007. As a consequence, the City of Shelby endeavored to create an update to the 2007 plan, establishing a steering committee in September 2015. The project team for the Shelby Center City Master Plan Update was vetted and the team that completed the original plan was selected, Arnett Muldrow & Associates of Greenville, South Carolina. Mr. Scharer said the project would not have been successful without the thoughtful and engaged input of the Steering Committee members for their insight and guidance throughout the planning process.

Next, Miss Whetten stated the Shelby Center City Master Plan is rooted in community participation. The planning process demonstrates a wide range of participation from a variety of community stakeholders:

- Twenty-seven small group, individual, and roundtable meetings with over 100 stakeholders engaged through this process
- Four steering committee meetings that occurred throughout the process
- Two public input meetings
- Over twenty-seven zip code surveys distributed to local businesses
- An on-line consumer survey that yielded input from over 350 respondents
- A wrap-up open house meeting open to the public

Miss Whetten summarized the community input and identified themes. In addition to the raw input, the project team combined input from roundtable meetings, individual interviews, and public input sessions to organize thoughts. Stakeholder responses are organized into the following categories: Leadership, Center City as a destination, connections, development opportunities, and changing perceptions. On a positive note, Miss Whetten shared several, significant quotes from the stakeholder interviews.

Miss Whetten discussed the retail market conclusions, which when examined more specifically in the Master Plan update, concluded the following store types represent key opportunities for Uptown Shelby in the context of the overall market:

- Dining
- Food-related retail
- Furniture and home furnishings
- Clothing/fashion/accessories as a cluster
- Highly-specialized retail

Both Mr. Scharer and Miss Whetten discussed the emerging strategies which revolve around five key themes. Within each theme are broad recommendations that are defined as the issue, the description, and the first, next, and long-term steps. The themes reviewed were:

- Changing the Mindset – How to use Uptown Shelby
  - Implement ongoing parking improvements
  - Improve walkability and bike-ability
- Building the network – Enhancing physical connections

- Leverage a connected alley network
- Implement techniques for traffic calming and complete streets
- Pursue Rail Trail and ongoing connections
- Implement tactical improvements to the Court Square
- Securing opportunities – Adaptive reuse and infill development
  - Pursue re-use and infill development
- Uptown Shelby Music and More – Art, Culture, and Foodways
  - Develop creative spaces for people to work in Center City
  - Create living options for musicians in Shelby
  - Create ways to connect locally sourced food to Shelby
- Telling the Story – Marketing and branding
  - Establish a popular brand system for Shelby
  - Deploy a marketing plan for Uptown Shelby

Council received the information and will consider a resolution adopting the Center City Master Plan for the City of Shelby under the Consent Agenda.

**5) First Broad River Wastewater Treatment Plant Compost Upgrades Project  
– David Hux, Director of Shelby Water Resources**

Mr. Hux introduced the subject matter of his presentation by prefacing the City's overall strategic planning approach has allowed City staff to develop action plans to address the immediate and long-term impact of utility projects while expanding and improving services.

First, Mr. Hux provided background information on the First Broad River Wastewater Treatment Plant currently permitted for 6 million gallons per day (MGD) with current average flows of 3.2 MGD. The plant was originally constructed in the 1960s as a trickling filter plant. It was upgraded in 1993 to add polishing activated sludge aeration basins but not sized for nitrification. The plant was again upgraded in 2016 with new aeration and other upgrades and to meet the ammonia limits changes of the North Carolina Department of Environmental Quality (NCDEQ).

Mr. Hux briefly explained the scope of the upgrade recently completed and the functions of the wastewater treatment plant, which are to discharge water in order to flow back to the First Broad River (the City's primary water supply) and to remove the solids for composting and treatment. The composting operations ultimately produce a mulch product available to the public as a fertilizer.

With regard to the composting facility, Mr. Hux stated the building was installed in 1993. Previously, the City operated an incinerator in the 1960s. Currently, the process allows for composting residuals generated by the wastewater treatment plant in 10 bays for 21 days and is designed to handle those solids generated by the plant operations at 6 MGD. This process allows the City to dispose of wastewater sludge, as well as the leaf and yard collection, producing a Class A mulch product for public distribution.

Mr. Hux produced various photographs illustrating the compost facility's very corrosive environment along with several examples of structural and electrical degradation over a 10-year period. The facility requires high capital and operations costs for equipment and upkeep. He stated the facility's equipment age is 23 years with an average life expectancy of 20 years.

Mr. Hux reviewed the compost facility project timeline, which began in 2012 incorporating the design of the First Broad River Wastewater Treatment Plant (WWTP) Upgrades Project, and included all of the project components recently completed, plus the compost building improvements. After the 50 percent cost opinion revealed the overall project would most likely be over budget, the decision was made in 2014 to bid two project packages: WWTP Upgrades Project and Compost Building Project. The compost project came in well over budget with costs higher than \$5 million. City staff elected to hold off on the compost project portion and move forward with the process improvements in order to be compliant by the August 2016 deadline.

Due to the lack of success in the bid environment and in consideration of additional needs for the compost facility in coming years, City staff elected to have its consultant, HDR Engineering Inc., conduct an evaluation of potential options for the existing compost building in October 2015. The evaluation also considered an update of current and future flow and loadings, future industrial loadings in addition to domestic growth, a review of processing alternatives, capital and operations and maintenance cost opinions, and a recommended, preferred long-term biosolids management alternative. The evaluation alternatives included the rehabilitation of the existing compost facility, a new compost facility, an off-site option handled by a third party contractor, or anaerobic digestion with dryer in a phased project. The final report provided a recommendation of a new dewatering building, anaerobic digestion, and heat drying as a long-term biosolids management alternative. This recommended alternative would be implemented in a phased approach with the first phase consisting of constructing a new dewatering building and anaerobic digestion and dryer installation in the second phase.

In summary, Mr. Hux concluded the current state of operations in degradation, the coordination concerns with contractors, and the odor

generation from composting operations at the compost facility have led City staff to recommend proceeding with the construction of Anaerobic Digestion and dewatering option based on economics and capital costs to include a \$10.5 million investment for the new process sized to handle an updated wastewater treatment plant expansion of 9 MGD. Other advantages include a reduction in current operations and maintenance costs and multiple disposal options including utilizing local farm land.

Mr. Hux recognized his wastewater treatment plant staff, Brad Greene and Sybil Brotherton, in attendance.

Discussion followed and there was consensus about the increasing awareness that wastewater is a powerful tool in shaping the future economic growth of Shelby. Industry and business recruitment is a major priority and the availability of wastewater is a key component of that successful effort.

Council received the information and will consider a resolution and a budget ordinance amendment under Unfinished Business.

#### 6) City of Shelby Water Distribution System – David Hux, Director of Shelby Water Resources

First, Mr. Hux provided background information on Shelby's Water Treatment Plant which was originally constructed in the 1950s, upgraded in the 1970s to 10 MGD, and upgraded in the 1990s to 12 MGD. He stated the current plant capacity is 12 MGD and the current flows averaged over a three-year period are 5.7 MGD. The City is permitted to withdraw 16 MGD.

Next, Mr. Hux also provided background information on how treated water from the plant is delivered to the City's water customers through the existing water distribution system. The distribution system consists of miles of waterline pipe ranging in various diameters from 2 inches to 16 inches. He said the oldest documented lines are dated back to 1907 and several are still in service. The City has three existing tanks, the north and south tanks store .500 MG and the Washburn Switch tank stores .750 MG. The City is currently constructing a new .500 MG tank on the east side located at Kemper Road and Marion Street. Mr. Hux described two primary pressure zones within the Shelby limits and the Washburn Switch area. He explained the City's distribution system needs pressure from tanks and flow from distribution lines and tank storage volume to operate.

Mr. Hux discussed several issues concerning the City's water distribution system including the average age of the system is over 60 years old, again noting the oldest documented line was installed in 1907. With regard to system growth and demand, small distribution lines are located toward East

Shelby and here is a larger water demand in the Washburn Switch area. Additional system issues include the breaking and leaking of old lines, averaging 35 major repairs per year. Currently through August 2016, Mr. Hux noted 35 major repairs have been made to date. He added the corrosion build-up in pipes creates flow issues. For illustrative purposes, Mr. Hux utilized maps of the City's aged Water Distribution System circa 1900 as well as the existing Water Distribution System.

Mr. Hux presented videos of a water simulation model to depict the following scenarios:

- Normal conditions without West Shelby demand
- Normal conditions with West Shelby demand
- Normal conditions with West Shelby demand and line restriction
- Max conditions without fire flow
- Max conditions with fire flow
- Max conditions with future East Shelby connector

Mr. Hux reviewed the efforts of the Water Resources staff at replacement and improvement projects, including the replacement of old and small lines, through the City's Capital Improvement Program; the development of the Water and Sewer Asset Management Plan; the use of Water System Modeling, a computer program utilized as a planning tool; system improvements such as the east tank under construction; and improved planning through the Uptown Shelby waterline improvements and larger waterline upgrades to tanks.

Utilizing a map of the future Water Distribution System Upgrades, Mr. Hux summarized the Grover and Morgan Street waterline replacement project, stating this project is the first leg to replace aging infrastructure and improve flow distribution to Shelby. The larger 24-inch waterline would be constructed following Grover Street to Morgan Street and then to Marion Street. Considering the infrastructure age, the breaks and leaks, and small diameter size of the existing main transmission, there is a need to run large lines directly to water tanks. As it relates to long term goals, it is the first of multiple phases of improvements to eventually allow for a main carrier line through the heart of the Shelby Service Area, to allow for future growth consequently eliminating the East side's current limitations, boost fire flow, and improve water quality.

Council received the information and will consider a budget ordinance amendment under Unfinished Business.

C. Public Comment: None

D. Public Hearing:



- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina and granting a Special Use Permit for residential, beauty salon, and real estate office at 1290 Fallston Road: Ordinance No. 34-2016

Mayor Anthony opened the public hearing at 7:15 p.m. and sworn testimony was given as follows:

Mr. Scharer introduced the proposed zoning map amendment for 1290 Fallston Road from Residential 20 (R20) Zoning District to Corridor Protection District – Conditional Use (CPD-CU) Zoning District with a Special Use Permit application to allow a real estate office, beauty salon, and residential use. Utilizing both location and zoning maps, he pointed to the subject property at the corner of Fallston Road and Allendale Drive. This half-acre parcel is the site of a single-family dwelling. Land uses in the area include single-family dwellings and commercial uses.

Mr. Scharer stated the Comprehensive Land Use Plan designates this property as a Low Density Residential Area. Mr. Scharer further stated this property is scheduled to be included in the Fallston Road Interchange Small Area Plan study area within two years. Staff envisions this interchange area developing as a Mixed Use Area with an emphasis on commercial uses and mid to high density residential uses due to the construction of the US 74 Bypass. The interchange will be located approximately three-quarters of a mile north of the property. Mr. Scharer added the Corridor Protection District is an appropriate zoning district for Mixed Use Commercial areas.

Upon questioning, Mr. Scharer stated the proposed change of use is inconsistent with the Shelby Comprehensive Land Use Plan.

Next, Mr. Scharer discussed the applicant's site plan, noting the access to the property at Allendale Drive to provide parking spaces behind the principle structure as required by the CPD zoning. He also mentioned the buffering requirements.

Mr. Scharer reminded Council the burden of persuasion on the issue of whether the development, if completed as proposed, complies with all of the applicable standards of Unified Development Ordinance (UDO) remains at all times on the applicant. Even if Council finds that the application complies with all other provisions of the UDO, it may still deny the permit if it concludes, based upon the information submitted at the hearing, the development, more probably than not:

- Will materially endanger the public health or safety; or

- Will substantially injure the value of adjoining or abutting property; or
- Will not be in harmony with the area in which it is to be located; or
- Will not be in general conformity with the Comprehensive Land Use Plan or other plans officially adopted by Council

Donna Sutton who resides at 2146 New Prospect Church Road in Shelby, North Carolina spoke as the applicant in support of her application for 1290 Fallston Road. Mrs. Sutton wishes to locate her real estate office and a beauty salon for her disabled daughter at the Fallston location. Although these services could be home-based, she stated the two businesses require a higher percentage use of the property and rezoning. Mrs. Sutton further stated these services will be good for the area and in compliance with the zoning requirements.

Gay Melton who resides at 1039 Allendale Drive in Shelby, North Carolina spoke against the proposed zoning map amendment and Special Use Permit application. Mrs. Melton recognized her neighbors in attendance and presented a petition signed by the neighborhood residents against the proposed rezoning. She stated there are no parking spaces currently available at 1290 Fallston Road and expressed concerns that customer parking will overflow onto Allendale Drive. Mrs. Melton further stated both the increased traffic and parking issues will impede the view of Fallston Road, making it unsafe to enter the highway at this intersection.

Steve Melton who resides at 1039 Allendale Drive in Shelby, North Carolina spoke against the proposed zoning map amendment and Special Use Permit application. Mr. Melton stated the proposed rezoning is not compatible with the neighborhood and the City's Comprehensive Land Use Plan. He produced photographs of the subject property and further stated there are no parking spaces currently available. The parking situation could become hazardous if the parking continues on the side of the house or on Allendale Drive. Mr. Melton further stated Allendale residents do not park their vehicles on the street.

Betty Greer who resides at 1032 Allendale Drive in Shelby, North Carolina spoke against the proposed zoning map amendment and Special Use Permit application. Mrs. Greer stated both the increased traffic and parking issues will create safety concerns for the children of the neighborhood and for the school buses due to Allendale Drive being a dead end road.

Cheryl Sisk who resides at 1306 Spurlin Street in Shelby, North Carolina spoke against the proposed zoning map amendment and Special Use Permit application. Mrs. Sisk stated a questionable business located in this residential area will not be in harmony with the neighborhood. She also stated the new US 74 Bypass will add to the current traffic congestion in the

area. Mrs. Sisk expressed her concern for the safety of senior citizens in the area due to the possibility of increased traffic.

Mayor Anthony closed the public hearing at 7:31 p.m.

Discussion followed. Council concluded the application failed and will not be in general conformity with the Shelby Comprehensive Land Use Plan.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to deny Ordinance No. 34-2016 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA AND GRANTING A SPECIAL USE PERMIT FOR RESIDENTIAL, BEAUTY SALON, AND REAL ESTATE OFFICE AT 1290 FALLSTON ROAD".

**E. Consent Agenda:**

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. Kittrell 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 August 1, 2016
- 2) Approval of Special Event Permit Applications:
  - a. Maple Spring Baptist Church Community Outreach Block Party, requested date: August 27, 2016
  - b. Run for Hope 5K, requested date: September 10, 2016
  - c. Central United Methodist Church Youth Event, requested date: September 11, 2016
  - d. Art of Sound, requested dates: September 16 and 17, 2016
  - e. Harvest Moon 5K, requested date: September 30, 2016
- 3) Approval of a resolution honoring Jacob (Jake) Whisnant on the occasion of his retirement from employment with the City of Shelby: Resolution No. 38-2016
- 4) Approval of a resolution adopting the Center City Master Plan for the City of Shelby, North Carolina: Resolution No. 39-2016

- 5) Adoption of an ordinance amending the Code of Ordinances, City of Shelby, North Carolina, by changing the wording of Chapter 32. Parks and Recreation, Article II. Parks and Recreation Commission, Section 32-32. Members: Ordinance No. 35-2016
- 6) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 36-2016
- 7) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from Circle Holdings, LLC: Resolution No. 40-2016
- 8) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Thread Trail Project: Ordinance No. 37-2016
- 9) Approval of a resolution authorizing disbursement of travel and tourism funding for Fiscal Year (FY) 2016-2017: Resolution No. 41-2016
- 10) Approval of a resolution awarding the bid for a Distribution Line Upgrade at the Wastewater Treatment Plant: Resolution No. 42-2016

#### **END CONSENT AGENDA**

#### **F. Unfinished Business:**

##### **1) City of Shelby Compost Facility Upgrade Project**

- a. Consideration of a resolution accepting a State revolving loan for the construction of the City of Shelby Compost Facility Upgrade Project: Resolution No. 43-2016

Mr. Howell introduced Resolution No. 43-2016 and Ordinance No. 38-2016 for Council's consideration. He stated Mr. Hux presented an overview of this project, noting the existing compost facility is nearing the end of its useful life. Mr. Howell recommended acceptance of the Clean Water State Revolving Fund loan offer of \$10.5 million for a term of 20 years at a 0 percent interest rate. This recommendation is predicated on the fact that City staff can meet most of the new debt service requirement with two factors involving the current system:

- Operational efficiency – a reduction in electricity costs of \$200,000 annually
- Retiring debt of \$200,000 annually

A total of \$400,000 should be available toward the anticipated new debt service payment of \$500,000 for the First Broad River Wastewater Treatment Plan Composting Facility Upgrade. The remainder of the debt service payment of \$100,000 may be covered by revenue growth or a sewer rate increase, if necessary.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 43-2016 entitled, “A RESOLUTION ACCEPTING A STATE REVOLVING LOAN FOR THE CONSTRUCTION OF THE CITY OF SHELBY COMPOST FACILITY UPGRADE PROJECT”.

- b. Consideration of a budget ordinance amendment for the City of Shelby’s Compost Facility Upgrade Project: Ordinance No. 38-2016

Mr. Howell stated the budget ordinance amendment formally appropriates the funding for the construction activities of the project which will occur approximately in one year’s time followed by 18 months of actual construction time.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 38-2016 entitled, “A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S COMPOST FACILITY UPGRADE PROJECT”.

## 2) City of Shelby Grover Morgan Waterline Project

- a. Consideration of a budget ordinance amendment for the City of Shelby’s Grover Morgan Waterline Project: Ordinance No. 39-2016

Mr. Howell introduced Ordinance No. 39-2016 for Council’s consideration. He stated Mr. Hux presented an overview of this project as the first leg to replace aging infrastructure and improve flow distribution to Shelby. If approved, the ordinance appropriates funding for this project construction. Mr. Howell stated this project was already funded for engineering and design and is ready to go to bid. It is proposed to fund this project through a 15-year private placement financing that still must be approved by the North Carolina Local Government Commission (LGC). The City will, as part of this process, proceed to bidding the project for construction, obtain LGC approval, and receive bids for financing. Council will then be presented with those bids for award as well as the financing proposals.

**ACTION TAKEN:** Upon a motion made by Mr. Hendrick, City Council voted unanimously to approve and adopt Ordinance No. 39-2016 entitled, “A

**BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S GROVER MORGAN WATERLINE PROJECT”.**

**G. New Business:**

**1) Consideration of appointments to City advisory boards and commissions:**

**a. Shelby Parks and Recreation Advisory Board**

Mayor Anthony stated Council took action to adopt Ordinance No. 35-2016, increasing the membership of this board and allowing for nominations to fill a new position.

Mr. Hendrick nominated Robert Coleman.

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

**H. City Manager’s Report:**

- 1) Mr. Howell provided an update on the Certified Entrepreneurial Community (CEC) Program. He explained the program is an aggressive economic development program aimed at advancing entrepreneurial ecosystems on the local level. After a year of planning and strategy development, the process is moving forward and is now in the action steps stage. Mr. Howell said two Certified Entrepreneurial Community projects being developed are: Service Provider Network and Business Resource Guide. He acknowledged Steve Padgett, Director of the Small Business Center at Cleveland Community College, as the leader of the team members, who is guiding the process. Mr. Howell anticipated the CEC designation will be awarded to Cleveland County in late 2016 or early 2017.**
- 2) With regard to the new Police Department location at 130 West Warren Street, Mr. Howell reported the building is approximately 99 percent complete with only minor details to finish. City staff is in the process of planning a dedication of the building and an open house for a date in September 2016. A space assessment of the former Police Department building will also begin sometime in September 2016. The 911 Communications Center will remain in the former building until such time as the expansion is completed for occupancy at the new building.**
- 3) Mr. Howell announced City staff is finalizing the details to implement an Energy Efficiency Grant Program. The pilot program will promote energy**

efficiency in buildings 50 years and older. Participants will receive funding for projects such as HVAC, energy management systems, and lighting to improve the energy efficiency of those buildings. Mr. Howell said some funding has been put aside to start up the program. Further information will be presented to Council in the very near future.

- 4) Mr. Howell reported the Golden Leaf Foundation and the Rural Infrastructure Authority have collaborated to provide funding to large industrial sites across North Carolina. The Golden Leaf Board is supporting public infrastructure needs for the Major Site Development Initiative in rural and economically distressed areas. The City of Shelby has applied for this grant in the amount of \$6 million to fund the Brushy Creek Sewer Project estimated at \$7.6 million. Mr. Howell anticipated the notice of grant award sometime in October 2016.
- 5) Mr. Howell commended Walt Scharer for his hard work on the Center City Master Plan as well as the Streetscape and Pedestrian Improvements Project and David Hux for his diligent efforts on various water and sewer projects.

**I. Council Announcements and Remarks:**

- 1) Mayor Anthony shared the accolades he received about Shelby after hosting the 2016 American Legion World Series from a wide range of travelers from around the country who attended and participated in the baseball games and activities. The Mayor noted Shelby is being recognized for its progress.

**J. Closed Session:**

- 1) To approve the Minutes and General Account of the Closed Session of June 20, 2016
- 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. Amaya 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 topics 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 8:00

p.m.

Council returned to the regular session at 8:15 p.m.

**K. Adjournment:**

**1) Motion to adjourn**

**ACTION TAKEN:** Upon a motion made by Mr. Hendrick, City Council voted unanimously to adjourn the meeting at 8:16 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC  
City Clerk

O. Stanhope Anthony III  
Mayor

Minutes of August 22, 2016