

MINUTES

Regular Meeting
City Hall Council Chamber

February 20, 2016
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, David Causby, Dennis C. Bailey, 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 Energy Services Julie R. McMurry, 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 Logistics and Enforcement Services Todd McMurry, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, Director of Housing Bryan T. Howell, and Director of Planning and Development Services Walter (Walt) Scharer, AICP; Director of Cable Programming Greg Tillman of Cleveland Community College and The Video Factory, and Reporter Casey White of The Shelby Star

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 Vickie M. Jones on the occasion of her retirement from employment with the City of Shelby: Resolution No. 6-2017

Mayor Anthony called upon Vickie Jones. Mrs. Jones recognized her husband in attendance. The Mayor formally read and presented framed Resolution No. 6-2017 to Mrs. Jones. He then presented a shadow box, which displays the key to the City and various keepsakes, and a City lapel pin to her in honor of and with heartfelt appreciation for more than 30 years of

dedicated service to the City of Shelby Housing Department.

Humbled by the recognition, Mrs. Jones expressed her appreciation to all.

- 2) Recognition of Kenneth D. Crews on the occasion of his retirement from employment with the City of Shelby: Resolution No. 7-2017

Mayor Anthony called upon Mr. Crews who recognized his wife, son, daughter, and granddaughter in attendance. The Mayor formally read and presented framed Resolution No. 7-2017 to Mr. Crews. He then presented the key to the City and a City lapel pin to Mr. Crews in honor of and with heartfelt appreciation for 29 years of dedicated service to the City of Shelby in both the Parks and Recreation and Fire and Rescue Departments.

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

- 3) Recognition of Christopher L. Poole on the occasion of his retirement from employment with the City of Shelby: Resolution No. 8-2017

Mayor Anthony called upon Mr. Poole who recognized his wife and son in attendance. The Mayor formally read and presented framed Resolution No. 8-2017 to Mr. Poole. He then presented the key to the City and a City lapel pin to Mr. Poole in honor of and with heartfelt appreciation for 28 years of dedicated service to the City of Shelby in both the Public Works and Fire and Rescue Departments.

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

C. Public Comment: None

D. Public Hearing:

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina: Ordinance No. 9-2017

Mr. Scharer introduced a proposed map amendment to the Unified Development Ordinance (UDO) for 615 North Post Road, which is currently zoned R10 Residential District. Utilizing both location and zoning maps, he stated the property is a vacant commercial site on North Post Road near Elizabeth Avenue in close proximity to Swifty Village Mart and Hurst Jaws of Life. Although this site is zoned R10, it has served as a non-conforming commercial use since becoming part of the City of Shelby zoning jurisdiction. Mr. Scharer said land uses in the area included commercial uses, industrial uses, and single-family dwellings. The applicant has requested a zoning amendment to GB General Business District.

Mr. Scharer further stated the Shelby Comprehensive Land Use Plan designates this property as being in a Medium Density Residential area. The corresponding zoning classification for Medium Density Residential is R10 and R8, which technically makes the proposed zoning map amendment inconsistent with the Land Use Plan. Mr. Scharer explained a non-conforming situation occurs when an existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulations applicable to the district in which the lot or structure is located.

Mr. Scharer concluded by stating the Planning and Zoning Board recommended approval of the proposed zoning map amendment for 615 North Post Road from Residential 10 (R10) to General Business (GB).

Upon questioning, Mr. Scharer responded parking standards are attached to the use of the property, not the zoning of the property.

Mayor Anthony opened the public hearing at 6:15 p.m. and invited comments from the public:

Jerry Roche who resides at 204 Keyhole Court in Cramerton, North Carolina is a commercial real estate broker representing Richard and Shirley Frederick as the owners and sellers of 615 North Post Road. Mr. Roche spoke in support of the requested zoning map amendment. He provided a history of the property, stating the building was constructed in 1987. Mr. Roche said the request was made to legitimize the 30-year commercial use of this site to General Business District.

Mayor Anthony closed the public hearing at 6:20 p.m.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve and adopt Ordinance No. 9-2017 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA".

E. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mr. Bailey 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 February 6, 2017
- 2) Approval of a resolution honoring Coach Lance Ware and the Shelby High School: Resolution No. 13-2017

- 3) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Hanna Park Electric Line Extension Project: Ordinance No. 10-2017
- 4) Adoption of a proposed ordinance to amend the Unified Development Ordinance (UDO) of the City of Shelby: Ordinance No. 11-2017

END CONSENT AGENDA

F. Unfinished Business:

- 1) Consideration of a resolution authorizing the study of alternative uses for City owned property currently in use as Royster Memorial Golf Course at City Park: Resolution No. 14-2017

Mr. Howell introduced Resolution No. 14-2017 for Council's consideration. The resolution was prepared in response to the Mayor and City Council's discussion and feedback about the current operations of Royster Memorial Golf Course at their annual planning retreat held on January 28 and February 11, 2017.

If the resolution is approved, Mr. Howell elaborated as to the actions to be followed in two specific areas:

- To pursue the development of a plan which identifies viable future alternative recreational uses for the golf course property. This process would take into account public input and is proposed to be presented to Council no later than December 31, 2017.
- To instruct management to work with Parks and Recreation staff toward the development of an operations improvement plan intended to increase play and revenue at the golf course.

Mr. Howell will provide periodic progress updates to Council. He said it is also the intent of Council to evaluate the information and results provided in order to make a determination as to the long-term fate of the golf course property.

Mr. Bailey requested that members of the audience have an opportunity, which may have been missed during the course of the meeting under the public comment section, to address Council about the golf course prior to taking a vote on the resolution.

Mr. Amaya reiterated that public input will be sought as part of the study

being put together by the City and is clarified in the resolution as written.

Mayor Anthony noted the resolution simply directs staff to provide more information and to study what is the best use of the property, adding it may continue as a golf course or it might be something else. The Mayor added Council's action will not change the golf course at this time.

Mr. Bailey disagreed since the resolution still leaves uncertainty about what is going to happen with the golf course and there is no specified timeframe to determine improvement. He preferred if the resolution would reflect two years to show progress at the golf course. Each time the golf course comes up on the chopping block, the City loses more participants, which Mr. Bailey referred to as "the death of a thousand cuts".

Upon questioning, Mr. Holtzclaw responded it would take at least one year to analyze the results of any changes or improvements at the golf course.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted 5 to 1 (Bailey) to approve and adopt Resolution No. 14-2017 entitled, "A RESOLUTION AUTHORIZING THE STUDY OF ALTERNATIVE USES FOR CITY OWNED PROPERTY CURRENTLY IN USE AS ROYSTER MEMORIAL GOLF COURSE AT CITY PARK".

G. New Business: None

H. City Manager's Report:

- 1) Mr. Howell reported the East Elevated Water Tank Project should be fully operational by the end of this week.
- 2) Mr. Howell reported the Grover Morgan Waterline Project is 25 percent complete with construction completion sometime in late fall, weather permitting.
- 3) With regard to the East Gateway Improvements Project, the award of the bid will be presented to Council for action on March 6, 2017.
- 4) With regard to the Shelby Police Department's Public Safety Answering Point (PSAP) Communication Addition Project, Mr. Howell will provide an updated construction timeline in March 2017. The bid opening is March 22, 2017 and the award of the bid will be presented to Council for action sometime in May 2017.
- 5) Mr. Howell also reminded Mayor and Council members to join the North Carolina League of Municipalities for Town Hall Day on March 29, 2017 in

Raleigh, North Carolina. There is an option for Shelby officials to schedule one-on-one meetings with legislators separately from Town Hall Day.

I. Council Announcements and Remarks:

- 1) Mayor Anthony announced the City of Shelby was recently recognized by the United Way of North Carolina with the 2016 Spirit of North Carolina Award for Campaign Excellence. The Mayor congratulated City staff for receiving multiple Spirit of North Carolina Awards over the years and for their giving spirit to the community.

J. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to adjourn the meeting at 6:32 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of February 20, 2017