

MINUTES

Regular Meeting
City Hall Council Chamber

February 3, 2014
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members Eric Hendrick, David W. White, Jeanette D. Patterson, 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, Assistant Director of Finance Elizabeth B. (Beth) Beam, Director of Human Resources Deborah C. (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Planning and Development Services Walter (Walt) Scharer, AICP; and media representatives

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. White 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. Assumption of Office:

- 1) Oath of Office administered to Council Member Eric Byron Hendrick, Ward 1

Mayor Anthony introduced recently appointed Council Member Eric Hendrick.

Next Mrs. Parduski administered the Oath of Office to Mr. Hendrick who was assisted by his wife, Laurie Hendrick, and sons, Blake and Logan.

Mr. Hendrick recognized and introduced members of his immediate family, including his parents, Byron and Sheila Hendrick, in attendance.

He then took his seat on the dais.

C. Special Presentations:

1) Recognition of Coach Lance Ware and the 2013 Shelby High School Golden Lions Football Team: Resolution No. 2-2014

Mayor Anthony called upon Coach Lance Ware of the Shelby High School Golden Lions Football Team. He recently learned, shared, and commended Coach Ware for not only coaching great football players but for also mentoring them to be good citizens in the community.

Next the Mayor formally read and presented framed Resolution No. 2-2014 to Coach Ware and his team (*in absentia*) as a tribute to their 2013 championship season.

2) Cleveland County Economic Development Partnership (CCEDP) update: Kristin H. Fletcher, Executive Vice President, and Stuart Hair, Manager of Existing Industry Relations

Mrs. Fletcher began the presentation with an overview of her focus, which is business development and recruitment of industry, while Mr. Hair's concentration is with existing industries and expansion projects.

With regard to business development, Mrs. Fletcher reported a large pipeline of active projects primarily from the European automotive sector. She stated aggressive marketing strategies with key lead generators will continue in 2014 in order to establish new economic development connections and relationships. Mrs. Fletcher again expressed her appreciation to the City for the additional funding provided in 2013 to the partnership. The partnership is utilizing those funds to completely overhaul its website with many interactive features, anticipating a 2014 second quarter launch.

Mrs. Fletcher reiterated high-impact projects almost always choose certified or shovel-ready sites because site certification works for several reasons. She elaborated on those as follows:

- Most effective site marketing tool for economic development professionals.
- Certified sites reduce risk, save time, and reduce site development cost for the prospective company.
- Site certification creates significant value for all parties involved.

Mrs. Fletcher stated site certification parameters have remained the same and explained the following factors, emphasizing the speed to market objective:

- Property is controlled through ownership and is readily available for ownership transfer to prospect.
- Utilities are present and can be quickly delivered to the site in sustainable quantities.
- Environmental, geotechnical, and archeological studies have identified any areas of risk.
- The shape of the site and if it is conducive to development and expansions.
- Transportation access exists for employees, raw materials, supplies, and product shipments.

Mrs. Fletcher further stated certified sites must continue to differentiate and offered the following goals and objectives for the future:

- Provide highly interactive web-based marketing with the CCEDP's new website
- Network with site consultants and brokers
- Utilize selective print media publications
- Remain competitive in the economic development market – must constantly be in “site acquisition mode”

Mrs. Fletcher anticipated with the second job ready shell building at the Foothills Commerce Center nearing completion, she expected it to attract a new business tenant as early as mid-year 2014.

Mrs. Fletcher concluded her presentation by highlighting the importance of the enhanced marketing brochures featuring the Foothills Commerce Center and the Job Ready Shelby Building No. 2 provided by the City of Shelby, which she circulates among economic development prospects.

Mr. Hair continued the presentation by reiterating Mrs. Fletcher's comments about a very full pipeline of both active and existing projects. His day-to-day duties involve transitioning projects into operational companies locating in Shelby and Cleveland County, currently including Schletter Inc., KSM Castings, and Greenheck Fan Corporation.

Next Mr. Hair provided information on two existing business programs, the Industrial Roundtable and the Safety Council.

He announced the Industrial Roundtable will meet on February 19, 2014 at Pioneer Motor Bearing, providing an opportunity to plant managers and business owners to develop working relationships and to share best practices.

He also announced the Safety Council banquet is set for April 17, 2014. The council connects industry safety leaders with other safety-minded professionals and key members of the North Carolina Industrial Commission.

Council received the information and took no action.

D. Public Hearing:

1) Consideration of a proposed ordinance to amend the Unified Development Ordinance (UDO) of the City of Shelby: Ordinance No. 2-2014

Mr. Scharer introduced a proposed textual amendment to the UDO for the definition of bars, night clubs, and taverns. Currently, bars, night clubs, and taverns are defined as follows: Establishments primarily engaged in the retail sale of alcoholic drinks, such as beer, ale, wine, and liquor, for consumption on the premises.

Based upon a review of the City's UDO by Mr. Yelton, it appeared the City's UDO may be contrary to the North Carolina General Statutes. Therefore, staff is recommending an amendment to the definition of bars, night clubs, and taverns to read: An establishment primarily engaged in serving alcoholic beverages and providing entertainment for patrons.

Mr. Scharer stated this language is consistent with other cities in North Carolina and does not change the City of Shelby's development standards for bars, night clubs, and taverns.

Mr. Howell clarified the City of Shelby's definition cannot be in conflict with the State's definition and the City cannot prohibit those entities by definition. Additionally, the City's zoning regulations do not have to be followed from a location standpoint. The Alcoholic Beverage Control Commission can take exception and can issue a license. The City's ordinances are subservient to State law in these matters.

Mayor Anthony opened the public hearing at 6:30 p.m. and invited comments from the public.

The public offered no comments and Mayor Anthony closed the public hearing at 6:31 p.m.

ACTION TAKEN: Upon a motion made by Mr. Bailey, City Council voted unanimously to approve and adopt Ordinance No. 2-2014 entitled, "A PROPOSED ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT

ORDINANCE OF THE CITY OF SHELBY”.**E. Consent Agenda:**

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mrs. Patterson made a motion to approve the consent agenda and each item as presented. The consent agenda and following items were unanimously approved:

- 1) Approval of the Minutes of the Regular Meeting of January 6, 2014
- 2) Approval of the Minutes of the Special Meeting of January 27, 2014
- 3) Approval of the Certificate of Sufficiency regarding Petition for Satellite Annexation of George H. Malkmus and Rhonda J. Malkmus
- 4) Approval of a resolution honoring Rodney Scott Humphries on the occasion of his retirement from employment with the City of Shelby: Resolution No. 4-2014
- 5) Approval of a resolution directing the City Manager to begin a Small Area Planning Process associated with the new US 74 Bypass: Resolution No. 5-2014
- 6) Adoption of Fiscal Year 2013-2014 Budget Ordinance Amendment No. 8: Ordinance No. 3-2014

END CONSENT AGENDA**F. Unfinished Business: None****G. New Business: None****H. City Manager’s Report:**

- 1) Mr. Howell prepared Mayor Anthony and Council to expect a lengthy agenda packet with several action items at their next meeting of February 17, 2014.
- 2) Mr. Howell informed Mayor and Council he has issued the Budget Calendar for Fiscal Year (FY) 2014-2015 to staff. The calendar will be made available to Council in the very near future, noting the dates for budget workshop sessions are tentative and subject to Council’s review and approval.

- 3) With regard to the Job Ready Shell Building No. 2 Project at the Foothills Commerce Center, Mr. Howell provided an update and stated the building is 99 percent complete. He said only minor items need to be completed on the building and the remaining work is associated with the parking areas, drives, and road extension. Echoing Mrs. Fletcher's comments, Mr. Howell added there has been good interest in the building to date.
- 4) Mr. Howell informed Council that Mr. Yelton has completed the property transaction between the City of Shelby and Greenheck Fan Corporation, transferring the 19-acre site next to the Shell Building No. 2 to Greenheck in accordance with the incentive agreement approved by both the City and the company. The site plan has been submitted by Greenheck's consulting engineer and approved by the City. The building plans are also under review at this time. He expected construction to begin within 30 days.
- 5) With regard to the Police Department Roof Replacement Project, Mr. Howell said the roof replacement is mostly complete with only punch list items remaining.
- 6) Mr. Howell expressed his appreciation to Mayor Anthony and Council for their time and participation in the retreat brainstorming session held on Saturday, February 1, 2014.

I. Council Announcements and Remarks:

- 1) Mr. White recognized Steve and Micki Padgett in attendance and introduced Mrs. Padgett as the Chair of the Cleveland County Chamber Board of Directors for 2014. He noted Mr. Padgett previously served as the Chair of the Chamber Board in 2008.
- 2) Mrs. Patterson reminded Mayor Anthony and Council they still need to complete the performance evaluation of the City Clerk. The Mayor responded the evaluation process will take place in the very near future.
- 3) Mr. Bailey reported on his attendance at the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (MPO) meeting of January 23, 2014, stating under the State's new highway funding system, the North Carolina Department of Transportation (NCDOT) will weigh the merit of road projects based upon certain criteria to assign points for each proposal. The new system aims to remove politics from the equation. Two of three of the MPO's regional projects have ranked high enough to be endorsed by the NCDOT:

- ✓ US 74 Bypass – Endorsed
- ✓ Widening of Interstate 85 from Belmont, North Carolina to the South Carolina line – Endorsed
- Garden Parkway – Recommended

J. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:41 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

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