

**MINUTES**

Regular Meeting  
City Hall Council Chamber

December 17, 2012  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Christopher H. (Chris) Mabry, David W. White, Jeanette D. Patterson, Dennis C. Bailey, Joel R. Shores, Jr., Dicky Amaya; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, NCCMC, MMC, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Fire Chief William P. Hunt, MPA, Director of Planning Services and Interim Director of 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. He memorialized the Sandy Hook Elementary School shooting victims of Newtown, Connecticut who tragically lost their lives on December 14, 2012. After observing a moment of silence to honor their memory, the Mayor gave the invocation. 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. Public Comment: None**

**C. Consent Agenda:**

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. Amaya 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 December 3, 2012
- 2) Approval of a resolution supporting the City of Shelby's application for the National Endowment for the Arts Placemaking Grant: Resolution No. 77-2012

- 3) Approval of a resolution accepting a State Emergency Loan from the North Carolina Department of Environment and Natural Resources for the replacement of the Mall Area Sewer Lift Station: Resolution No. 78-2012
- 4) Approval of Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council

#### **END CONSENT AGENDA**

#### **D. Unfinished Business:**

- 1) Consideration of a resolution making certain findings and determinations, authorizing the filing of an application with the Local Government Commission, requesting the Local Government Commission to sell bonds at a private sale, approving a proposal to purchase such bonds and approving the financing team in connection with the issuance of revenue refunding bonds by the City of Shelby, North Carolina: Resolution No. 79-2012

Mr. Merritt reminded Council of the discussion which took place at their last meeting of December 3, 2012 wherein staff was exploring a public placement, which was approved, as well as a private placement of the refunded bonds. After an analysis of the proposals for the public and private placement of the bonds, along with consideration of the benefits and limitations of each scenario, Mr. Merritt stated it has become clear a private placement with Branch Banking and Trust Company (B B & T) will be the most beneficial path for the City.

Next Mr. Merritt discussed the additional benefits of a private placement transaction with a single financial institution which include the elimination of the interest rate risk while waiting to close, the ability to refund or re-issue the bonds at any time, and not having to acquire bond insurance.

Mr. Merritt introduced Resolution No. 79-2012 for Council's consideration, stating this amendment supersedes and replaces Resolution No. 76-2012 adopted on December 3, 2012. He reviewed the notable changes, anticipating Council's adoption of the bond order at a subsequent meeting.

Mr. Howell commented the private placement will offer the City a net savings in interest of approximately \$1.1 million over the remaining term with the lowest closing costs.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to adopt and approve Resolution No. 79-2012 entitled, "A

**RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A PRIVATE SALE, APPROVING THE FINANCING TEAM IN CONNECTION WITH THE ISSUANCE OF REVENUE REFUNDING BONDS BY THE CITY OF SHELBY, NORTH CAROLINA”.**

**F. New Business: None**

**G. City Manager’s Report: None**

**H. Council Announcements and Remarks:**

- 1) Mayor Anthony announced and invited all to attend a Community Candlelight Prayer Vigil for the Newtown, Connecticut victims hosted by Central United Methodist Church and organized by Pastor Craig Langston to be held tomorrow, December 18, 2012, at 6:00 p.m. on the Court Square.**

The Mayor shared the details of a soldier’s surprise homecoming during the annual Shelby Christmas parade on December 16, 2012. Walter Smith returned home early from Afghanistan to surprise his family along the parade route by jumping out of the backseat of a vintage Shelby Police patrol car driven by Chief Jeff Ledford. A cousin of Specialist Smith’s who works as a Shelby Police Department telecommunicator was instrumental in organizing the surprise.

- 2) Mr. Amaya mentioned that he and Mayor Anthony will be performing instrumental music at the Central United Methodist Church candlelight service on Christmas Eve.**
- 3) Mrs. Patterson reported she received a telephone call from a resident of the Holly Oak community with concerns about the dumping of trash on Lincoln Drive and other neighborhood issues.**

Mr. Howell requested the citizen’s contact information so as to provide follow-up assistance.

**I. Closed Session:**

- 1) To discuss matters relating to the location or expansion of industries or businesses pursuant to North Carolina General Statute 143-318.11(a) (4)**

**ACTION TAKEN: Mr. Shores made a motion to enter into a closed session to**

discuss industrial recruitment pursuant to the appropriate North Carolina General Statute as cited. Mayor Anthony consulted with Mr. Yelton who advised the topic met the statutory requirement for a closed session. The Mayor invited all Council members present, Mr. Yelton, and Mr. Howell to attend. The motion passed unanimously and Council moved into the closed session at 6:16 p.m.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to return to regular session.

**J. Adjournment:**

**1) Motion to adjourn**

**ACTION TAKEN:** Upon a motion made by Mr. Shores, City Council voted unanimously to adjourn the meeting at 6:50 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC  
City Clerk

O. Stanhope Anthony III  
Mayor

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