

MINUTES

Regular Meeting: Organizational
City Hall Council Chamber

December 4, 2017
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, Jr., Dicky Amaya; Council Member Elect Violet Arth Dukes; 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 Energy Services Julie R. McMurry, Director of Water Resources David W. Hux, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, Assistant Fire Chief – Logistics and Enforcement Services Todd McMurry, Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Walter (Walt) Scharer, AICP

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all to Council's organizational meeting and oath ceremonies. The Mayor recognized guests in attendance, including family members as well as former Mayor Ted Alexander.

Mayor Anthony gave the invocation and led the *Pledge of Allegiance*.

A. Approval of Agenda:

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

**B. Recognition of Dennis Carl Bailey for his service to the City of Shelby:
Resolution No. 71-2017**

Mayor Anthony called upon Mr. Bailey and formally read and presented framed Resolution No. 71-2017 to him. With heartfelt appreciation, the Mayor personally acknowledged Mr. Bailey's public service to the City of Shelby and City Council since April 2010.

C. Assumption of Office:

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

City Clerk Bernadette Parduski administered the Oath of Office to Mr. Hendrick who was assisted by his wife, Laurie Hendrick, and their two sons, Blake and Logan.

2) Oath of Office administered to Council Member Violet Arth Dukes, Ward 4

Mayor Anthony administered the Oath of Office to Mrs. Arth Dukes who was assisted by her mother, Carol Gress.

3) Oath of Office administered to Council Member Benjamin Upchurch Kittrell, Jr., Ward 5

City Clerk Bernadette Parduski administered the Oath of Office to Mr. Kittrell who was assisted by his wife, Millie Henry Kittrell.

D. Election of Mayor Pro Tempore:

Mayor Anthony explained State law requires every City Council to elect from among its members a Mayor Pro Tempore at its organizational meeting. The duties of the Mayor Pro Tempore include presiding over Council meetings in the Mayor's absence. The Mayor Pro Tempore also serves at the Council's pleasure. The Mayor opened the floor for nominations.

Mr. Causby nominated Mr. White.

Mr. Hendrick nominated Mr. Amaya.

ACTION TAKEN: Upon a motion by Mr. Kittrell, City Council voted unanimously to close the nominations.

Council cast the following votes:

Mr. White received three (3) affirmative votes (White, Causby, and Arth Dukes).

Mr. Amaya received three (3) affirmative votes (Hendrick, Kittrell, and Amaya).

Mayor Anthony determined there was a tie vote (3 to 3), explaining his decision not to vote to break the tie but rather urging Council to continue voting until a nominee receives a majority of votes.

After consulting with Mr. Yelton and Mr. Howell, Mayor Anthony re-opened the floor for nominations.

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to re-open nominations for Mayor Pro Tempore.

Mr. Hendrick nominated Mr. Kittrell.

ACTION TAKEN: Upon a motion by Mr. Hendrick, City Council voted unanimously to close the nominations.

Council cast the following votes:

Mr. White received three (3) affirmative votes (White, Causby, and Arth Dukes).

Mr. Amaya received one (1) affirmative vote (Amaya).

Mr. Kittrell received two (2) affirmative votes (Hendrick and Kittrell).

Mayor Anthony congratulated Mr. White as the newly elected Mayor Pro Tempore for a two-year term concluding December 2019.

E. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mr. White 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 November 20, 2017
- 2) Approval of Special Event Permit Application:
 - a. Family Holiday Celebration for Carolinas HealthCare System Cleveland and Kings Mountain, requested date: December 12, 2017
- 3) Approval of a resolution of tentative award for the Westside Sewer Improvements – Force Main to Fuller & Company, LLC: Resolution No. 73-2017
- 4) Hanna Park Lift Station Project
 - a. Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 6: Ordinance No. 72-2017

- b. Approval of a resolution of tentative award for the Construction of the Hanna Park Lift Station to Two Brothers Utilities, Inc.: Resolution No. 74-2017
- 5) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Joe's Lake Road Electric Line Relocation Project: Ordinance No. 73-2017
- 6) Adoption of a budget ordinance amendment for the City of Shelby's Highway 74 Bypass Section C Gas Line Relocation Project: Ordinance No. 74-2017
- 7) Fiscal Year 2017 Capital Fund Program (CFP) Grant from U S Department of Housing and Urban Development (HUD)
 - a. Approval of a resolution executing and entering into a Capital Fund Program (CFP) Amendment to the Consolidated Annual Contributions Contract (ACC) with the U S Department of Housing and Urban Development: Resolution No. 75-2017
 - b. Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 7: Ordinance No. 75-2017

F. Unfinished Business:

- 1) Consideration of Council liaison appointments to City advisory boards

Following a review of Council's policy, Mrs. Parduski announced the liaison appointments to the City's advisory boards for the term 2017-2019 as follows:

Ward 1 – Mr. Hendrick:	Planning and Zoning Board and Keep Shelby Beautiful (KSB) Commission
Ward 2 – Mr. White:	Uptown Shelby Association (USA) Board
Ward 3 – Mr. Causby:	Alcohol Beverage Control (ABC) Board
Ward 4 – Mrs. Arth Dukes:	Housing and Redevelopment Board
Ward 5 – Mr. Kittrell:	Zoning Board of Adjustment and Airport Commission
Ward 6 – Mr. Amaya:	Parks and Recreation Board

Mayor Anthony welcomed and encouraged Council members to attend any advisory board meetings they choose.

2) Consideration of appointments to the Gaston-Cleveland-Lincoln Metropolitan Planning Organization Board

Mayor Anthony introduced the appointment process for a member and an alternate member to the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) Board. Currently, the member position is vacant and Mr. Amaya serves as the alternate member.

Mr. Amaya volunteered for the member position.

Mr. Amaya nominated Mr. Hendrick for the alternate position.

ACTION TAKEN: City Council voted unanimously to close the nominations and to accept the nominees by acclamation.

G. New Business: None

H. City Manager's Report:

- 1) Mr. Howell invited Mayor and Council members to attend the Shelby Police Department's Annual Employees Awards Banquet on December 7, 2017 at 6:30 p.m. at Bethel Baptist Church.
- 2) Mr. Howell also invited Mayor and Council members to attend the City of Shelby Christmas Luncheon on December 14, 2017 from 11:00 a.m. to 2:00 p.m. at Shelby City Park.
- 3) Mr. Howell said that he and City staff will be leading an orientation session for the City's newest Council member, Violet Arth Dukes, on December 5, 2017 from 1:00 p.m. to 5:00 p.m. in Council Chamber. He extended an invitation to all Council members to attend as well.
- 4) Mr. Howell informed Mayor and Council the UNC School of Government and the North Carolina League of Municipalities jointly hold a two-day conference, Essentials of Municipal Government, in several locations across the state for newly elected officials as well as veteran elected officials. He offered to register those interested in attending the course scheduled for January 11 and 12, 2018 in Hickory, North Carolina.
- 5) Mr. Howell reported the Rail-Trail Master Plan consultant, Alta Planning and Design, is in the process of preparing their final report due to be

completed by the end of December 2017. A presentation by the consultant will then be scheduled for City Council either by a joint meeting with all governmental agencies involved in the process (City of Shelby, Cleveland County, Town of Earl, and Town of Patterson Springs) or on an individual basis, subject to Council's preference.

- 6) Mr. Howell reminded Mayor and Council of the City's ongoing infrastructure improvement projects relating to the expansion of Clearwater Paper Corporation. City staff continues to navigate slowly and steadily ahead through the various grant, bidding, and awarding processes.

Mr. Howell mentioned as the Grover Morgan Waterline Project nears completion, the Uptown Water and Sewer Improvements Project will commence construction in January 2018, with both projects having been awarded to the same contractor, Buckeye Bridge LLC of Canton, North Carolina.

Mr. Howell also mentioned the Shelby Police Department's 911 Communications Center Addition Project is six to eight weeks from completion.

- 7) With regard to the new accounting standard for public Other Post-Employment Benefit (OPEB) plans, Mr. Merritt responded the information has been submitted to the City's actuarial firm, along with all governmental agencies affected, and anticipated a response by late spring 2018.

I. Council Announcements and Remarks:

- 1) Mayor Anthony reminded Council of several upcoming holiday events:

- Shelby Police Department's Annual Employees Awards Banquet – December 7, 2017 at 6:30 p.m. at Bethel Baptist Church
- Uptown Shelby Christmas Parade – December 17, 2017 at 3:00 p.m.

- 2) Mayor Anthony informed Council the UNC School of Government recently released the fourth edition of Suggested Rules of Procedure for a City Council, which was adopted as the City's rules of procedure for the conduct of official meetings of the Shelby City Council. The Mayor suggested a review and discussion of the handbook take place at the next meeting of December 18, 2017.

Mr. Howell added he is in the process of providing a customized electronic version of the procedural rules to Council.

- 3) Mr. White welcomed and congratulated Shelby's newest Council member, Violet Arth Dukes.**

J. Adjournment:

- 1) Motion to adjourn**

ACTION TAKEN: Upon a motion by Mr. Amaya, City Council voted unanimously to adjourn the meeting at 6:37 p.m.

Respectfully submitted,

**Bernadette A. Parduski, NCCMC, MMC
City Clerk**

**O. Stanhope Anthony, III
Mayor**

Minutes of December 4, 2017