

MINUTES

Regular Meeting
City Hall Council Chamber

October 15, 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, MMC, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Police Chief Jeffrey H. (Jeff) Ledford, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, Director of Development Services Brian L. Pruet; and media representatives

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. He acknowledged Mrs. Patterson's role in promoting October as Breast Cancer Awareness Month and wearing the symbolic pink ribbons in support of the cause.

The Mayor gave the invocation and members of Boy Scout Troop 101 chartered through First Baptist Church led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

Mayor Anthony duly noted for the record that Ordinance No. 67-2012 was revised and replaced due to a typographical error.

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

B. Special Presentation:

- 1) Presentation of the 2012 North Carolina Public Power Awards of Excellence for Competitive Business Environment, Energy Efficiency, Financial Stability, and Service Excellence to the City of Shelby – Matt Schull, ElectriCities of North Carolina, Inc.

Matt Schull, Division Director of the North Carolina Municipal Power Agency 1 with ElectriCities of North Carolina, officially presented the 2012 North

Carolina Public Power Awards of Excellence to the City of Shelby. Mr. Schull stated 81 awards have been presented to 19 communities in North Carolina this year. Shelby received four awards in the following key areas: Competitive Business Environment, Energy Efficiency, Financial Stability, and Service Excellence.

Mr. Schull congratulated the City for its achievements and applauded the staff for their outstanding efforts in continuing to be a model of public power excellence. Mayor Anthony received the plaques on behalf of the City and expressed his appreciation to City employees for making these recognitions possible, which serve as a testament to their good work.

C. Public Comment: None

D. 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 October 1, 2012
- 2) Approval of Special Event Permit Applications:
 - a. Arts on the Square, requested date: April 27, 2013
 - b. Broad River European Classic Car Show, requested date: April 27, 2013
- 3) Approval of a resolution approving the Municipal Records Retention and Disposition Schedule recommended by the North Carolina Department of Cultural Resources: Resolution No. 62-2012
- 4) Adoption of an ordinance authorizing the demolition of a dwelling located at 407 Oakland Drive: Ordinance No. 60-2012
- 5) Adoption of an ordinance authorizing the demolition of a dwelling located at 204 Palmer Street: Ordinance No. 61-2012
- 6) Adoption of an ordinance authorizing the demolition of a dwelling located at 911 Walnut Street: Ordinance No. 62-2012

- 7) Adoption of an ordinance authorizing the demolition of a dwelling located at 924 South Washington Street: Ordinance No. 63-2012
- 8) Adoption of an ordinance authorizing the demolition of a dwelling located at 415 Oakland Drive: Ordinance No. 64-2012
- 9) City of Shelby's North Carolina Rural Economic Development Center Building Reuse Grant – Schletter Project:
 - a. Approval of a resolution authorizing an application for a building reuse grant to the North Carolina Rural Economic Development Center – Schletter Project: Resolution No. 63-2012
 - b. Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's North Carolina Rural Economic Development Center Building Reuse Grant – Schletter Project: Ordinance No. 65-2012
- 10) City of Shelby's R-2707A Plato Lee Road Water Line Replacement Project:
 - a. Approval of a resolution accepting and approving a utility relocation agreement between the City of Shelby and the North Carolina Department of Transportation for relocation of water utilities on Plato Lee Road in conflict with the proposed US 74 Bypass: Resolution No. 64-2012
 - b. Adoption of a budget ordinance amendment for the City of Shelby's R-2707A Plato Lee Road Water Line Replacement Project: Ordinance No. 66-2012
- 11) Approval of a resolution supporting the City of Shelby's application to the North Carolina Recreational Trail Grant Program 2013: Resolution No. 65-2012

END CONSENT AGENDA

E. Unfinished Business: None

F. New Business:

- 1) Consideration of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Shelby Cleveland County Regional Airport Land Acquisition and Easements Project: Ordinance No. 67-2012

Mr. Howell introduced Ordinance No. 67-2012 for Council's consideration. If approved, this ordinance would authorize acceptance of the \$727,650 in State funds which have been allocated under the State Aid to Airports Program for the Shelby-Cleveland County Regional Airport and appropriate \$80,850 from the City's General Fund reserve as the local match. These funds are proposed to be used to purchase property easements and fee simple ownership of property around the airport.

Mr. Cornwell stated the grant offering and award notification from the North Carolina Department of Transportation-Division of Aviation for a project entitled Land Acquisition and Easements represents a substantial amount of funding which is quite uncommon. He added the City of Shelby has been viewed very favorably by the Division of Aviation recently, noting the continuing efforts made for the betterment of the airport. Often times, Mr. Cornwell said land acquisition is expected to be balanced within the normal and annual \$150,000 appropriations. Acceptance of this grant amount would give the City a tremendous boost in the effort to maintain, control, and keep clear, safe and adequate approaches into the airport.

Discussion followed and included the protection of the airport approaches as imperative for the safety component as well as to encourage and accommodate corporate air traffic. Other items discussed were the airport budget, the City's profit on fuel sales, and the City's request of Cleveland County to share equally in the required local match in keeping with previous practice, which is yet to be determined.

ACTION TAKEN: Upon a motion made by Mr. Shores, City Council voted unanimously to approve and adopt Ordinance No. 67-2012 entitled, "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S SHELBY CLEVELAND COUNTY REGIONAL AIRPORT LAND ACQUISITION AND EASEMENTS PROJECT", as corrected.

G. City Manager's Report:

- 1) As part of the City's ongoing efforts to promote recycling, Mr. Howell extended an invitation to the Mayor and Council to attend a tour of the Charlotte Materials Recovery Facility arranged by staff on either October 19 or October 26, 2012.
- 2) Mr. Howell announced the contract for the purchase and sale of 1001 Commerce Center Drive, Phase 1 of the Foothills Commerce Center, between the City of Shelby and Schletter, Inc. (NCCT, LLC) closed late this afternoon. He considered the sale final, pending the wire transfer of

funds to the City from Chicago Title Company expected in the morning.

There was brief discussion regarding the development and future plans of the Foothills Commerce Center site, along with Cleveland County's anticipated approval of the interlocal agreement for the joint construction project of the Job Ready Shell Building No. 2.

- 3) Mr. Howell reminded all to attend the Shelby-Cleveland County Regional Airport Fly-in and Open House on October 20, 2012 from 10:00 a.m. to 2:00 p.m. at Woodson Field.

H. Council Announcements and Remarks:

- 1) Mayor Anthony mentioned he met with Michael Holder, Division Engineer with the North Carolina Department of Transportation (NCDOT), today to gain a better understanding about the US 74 Shelby Bypass Project. The Mayor suggested inviting DOT staff to a future Council meeting to make a presentation regarding the project.

The Mayor reported that Uptown Shelby played host to another very successful Liver Mush Expo, Art of Sound Music Festival, and other related events held on October 13, 2012.

In celebration of Public Power Week, Mayor Anthony, along with the Electric Department staff, participated in a program and spoke to elementary school students on October 11, 2012 about Shelby being a NC Public Power community and celebrating the 100th anniversary of the City's electric system.

- 2) Mr. Amaya requested staff to investigate the electronic sign at the LeGrand Center on Marion Street for its constant, flashing bright blue light which has the potential to cause safety issues.
- 3) Mr. Shores requested information regarding future budget planning sessions for Fiscal Year 2013-2014, specifically scheduling the "Budgetopolis" workshop.
- 4) Mrs. Patterson welcomed and complimented Boy Scout Troop 101 in attendance.
- 5) As a token of their appreciation, Mayor Anthony presented a plaque to Mrs. Parduski from Council in recognition of obtaining her designation as a North Carolina Certified Municipal Clerk (NCCMC).

I. Closed Session:

- 1) To conduct the annual performance evaluation of the City Clerk pursuant to North Carolina General Statute 143-318.11 (a)(6)

ACTION TAKEN: Mr. Shores made a motion to enter into a closed session to complete the performance evaluation of the City Clerk pursuant to the appropriate North Carolina General Statutes as cited. Council consulted with Mr. Yelton who advised the topic met the statutory requirements for a closed session. The Mayor invited all Council members present and Mr. Yelton to attend. The motion passed unanimously and Council moved into closed session at approximately 6:37 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 6:57 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

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