

**Welcome and Call to Order by Mayor O. Stanhope Anthony III**

~ Invocation ~

~ Pledge of Allegiance ~

**A. Approval of agenda:**

*Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda*

- 1) Motion to adopt the agenda as proposed or amended

**B. Special Presentations:**

- 1) Recognition of Rita Benson on the occasion of her retirement from employment with the City of Shelby: Resolution No. 4-2018 1
- 2) City of Shelby Intersection Analysis update – Ben Yarboro, Director of Engineering Services 3

**C. Public Comment: 4**

*In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.*

**D. Public Hearing:**

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina: Ordinance No. 16-2018 5

**E. Consent Agenda:**

*Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion and vote.*

**Shelby City Council Agenda  
March 19, 2018  
Page 2**

1) Approval of the Minutes of the Regular Meeting of March 5, 2018	18
2) Approval of a resolution honoring Lawrence Evans Cox, II on the occasion of his retirement from employment with the City of Shelby: Resolution No. 15-2018	27
3) Approval of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of an unopened right-of-way at the south end of Woodside Drive: Resolution No. 16-2018	30
<b>F. Unfinished Business:</b>	
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<b>J. Adjournment:</b>	
<i>To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.</i>	
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City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

Agenda Item: B-1

*Special Presentations*

- 1) Recognition of Rita Benson on the occasion of her retirement from employment with the City of Shelby: Resolution No. 4-2018

**(Comments: Stan Anthony, Mayor)**

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Summary of Available Information:

- Resolution No. 4-2018

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City Manager's Recommendation / Comments

This time is scheduled on your agenda to recognize Rita Benson on the occasion of her retirement from employment. In keeping with policy City Council previously adopted Resolution No. 4-2017 to recognize her for having served the City faithfully for the past 29 ½ years with the City of Shelby's Utilities, Customer Services, and Finance Departments. She is to be congratulated!

Rita is a dedicated employee who has provided excellent Customer Service over the past several years in the performance of her duties. She has been a vital part of the team in the Customer Service Department. Rita possessed a keen ability to relate to people from all walks of life and could be tough if the situation required it. She excelled in a position that often challenged her patience. She will be missed both personally and professionally.

As is in keeping with current policy Rita Benson will be presented with a framed resolution, a city lapel pin and a key to the City. It is customary and appropriate to recognize Rita for her many years of service to the City.

Please join me in wishing her a healthy and happy retirement.

**RESOLUTION NO. 4-2018**

**A RESOLUTION HONORING RITA BENSON  
ON THE OCCASION OF HER RETIREMENT  
FROM EMPLOYMENT WITH THE CITY OF SHELBY**

**WHEREAS**, on the occasion of her retirement from employment on December 29, 2017 it is fitting and proper for the City Council to express its sincere appreciation to Rita Benson for her loyal, dedicated, and committed service to the City of Shelby from June 20, 1988 to December 29, 2017; and,

**WHEREAS**, Mrs. Benson has been a loyal team member in the continuing development of the City of Shelby's Utilities, Customer Services, and Finance Departments, especially for the assistance and continuity she has provided; and,

**WHEREAS**, during her tenure of service, Mrs. Benson has been a loyal employee for the City of Shelby, beginning as a Collections Clerk in 1988, receiving a promotion to Office Manager in 1991, receiving a promotion Collections Supervisor in 1994, and finishing her career as the Customer Services Payments Supervisor in 2017, and has been an outstanding example of the quality of employee necessary to the development of the good of the City; and,

**WHEREAS**, Mrs. Benson's commitment, leadership, laudatory work effort, and devotion to duty has helped create a winning attitude within the Utilities, Customer Services, and Finance Departments of the City of Shelby; and,

**WHEREAS**, the City of Shelby is most grateful for the devoted, community, and personal contributions Mrs. Benson has given to all the citizens, organizations, and businesses within the greater Shelby community; and

**WHEREAS**, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Mrs. Benson for 29 and a half years of her dedicated and devoted duty in the Utilities, Customer Services, and Finance Departments to its citizens, noting that Mrs. Benson will be missed both professionally and as a fellow co-worker.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council publicly express their sincere appreciation to Rita Benson for her performance of duty to the City of Shelby for 29 and a half years, and extend the very best wishes for a successful retirement.

**BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent Minutes of the City Council.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 5<sup>th</sup> day of February 2018.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Bernadette A. Parduski, NC-CMC, IIMC-MMC  
City Clerk

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

Agenda Item: B-2

- 2) City of Shelby Intersection Analysis update – Ben Yarboro, Director of Engineering Services

**(Comments: Rick Howell, City Manager)**

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Summary of Available Information:

- Previously provided by email

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City Manager's Recommendation / Comments

At the request of City Council I have reviewed a previous presentation made by Mr. Ben Yarboro concerning an engineering analysis of various City street intersections. As noted by Mr. Amaya at the last Council meeting he took the initiative do some legwork and make some individual recommendations on these intersections. Following those recommendations the City contracted with TGS Engineers to conduct the analysis. Mr. Yarboro presented these findings on March 2, 2015. At the conclusion of that meeting Council took no action although I noted at the time the City would work toward implementing the TGS recommendations as circumstances and funding allowed.

Mr. Yarboro will again review the study and update you on the actions already taken and those to be taken in the coming fiscal year. Your questions and comments are certainly important as we move forward with implementation.

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

C. Public Comment:

*In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.*

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

D. Public Hearing

Agenda Item: D-1

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina: Ordinance No. 16-2018

**(Presenting: Walter Scharer, Planning Director)**

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Summary of Available Information:

- Memorandum dated March 12, 2108 from Walter Scharer, Planning Director to Rick Howell, City Manager
- General Application
- Staff Report
- Location Map
- Zoning Map
- Certified Recommendation
- Planning and Zoning Board Minutes
- Notice of Public Hearing
- Ordinance No. 16-2018

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City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. Following the conclusion of the hearing the Council may act on the item under consideration. After a careful review of the proposed rezoning application it appears to be prudent and reasonable for Council to approve the recommendations from staff and the Planning and Zoning Board. I would call attention to Mr. Scharer's memorandum noting that the zoning map amendment is in conformance with the City's current land use plan.

The following excerpt from the NC General Statutes is provided as a reminder as to the statutory guidance provided to Council when considering changes in zoning and development regulations.

§ 160A-383. *Purposes in view.*

***Zoning regulations shall be made in accordance with a comprehensive plan.*** *When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.*

**After the conclusion of the public hearing City Council may act upon Ordinance No. 16-2018**



**Memorandum**

To: Rick Howell - City Manager  
From: Walter Scharer – Planning Director  
Date: March 12, 2018  
Subject: Requested zoning map amendment from R8 and Neighborhood Business (NB) to R6.

**Executive Summary of Issue – Background**

The subject properties all front South Dekalb Street across from Shelby High School. This site consists of 1000 – 1018 South Dekalb Street. The total area is approximately 1.65 Acres.

**Review and Comments**

The Comprehensive Land Use Plan designates this area as Corridor Revitalization.

**Recommendation**

This proposed zoning map amendment is consistent with the Comprehensive Land Use Plan. The Planning and Zoning Board recommends this proposed zoning amendment.

Please schedule a public hearing for this proposed zoning amendment at the next City Council meeting on March 19, 2018.

**Attachments: Application, Staff Report, Zoning Map, Notice of Public Hearing, Planning and Zoning Board February 15, 2018 minutes, Certified P&Z Recommendation, and Ordinance**





**City of Shelby**  
Planning and Development Services Department

**General Application**

Address of Subject Property:

**1000 - 1018 S. DeKalb Street; Shelby**

Applicant(s) Name: Guilford Financial Services, LLC

Address: P. O. Box 4503  
Greensboro, NC 27404

Email: mrenson@triad.rr.com

Phone: (336) 373-0600

Owner(s) Name: See list attached

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

Relationship to Property:  Owner  Developer, Contractor, etc.  Other: \_\_\_\_\_

Request for (Check all that apply):

- Annexation (Contiguous & Satellite)
- Change in Tenant/Building Use
- Site Plan Review & Zoning Permit
- Street Name Change
- Street/ROW Closing
- Conditional Use Permit or Special Use Permit
- UDO Text Amendment
- Zoning Map Amendment
- Conditional Use Map Amendment
- Zoning Permit or Home Occupation Permit

Project Information (Fill in applicable information):

Parcel Number: See list attached

Proposed Zoning: R-6

Proposed Land Use: Multifamily housing

Approx. Building Sq. Ft.: 20,377 heated sq. ft.

Approx. Project Acreage: 1.65 acres

Business Name: Cambridge Commons II

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary. We would like to build approximately 21 townhouse units in three buildings on this land.

**Oath:** By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the City Council to revoke the permit.

Guilford Financial Services, LLC  
By: Maida M. Rasmussen, Manager  
Signature of Applicant

2-1-2018  
Date

[Signature]  
Received by:

2.1.2018  
Date

General Application for Zoning Map Amendment			
Parcel #	Street Address	Owner	Acreage
20787	1000 S DeKalb Street	Kathleen Curtis	0.229
23211	1004 S DeKalb Street	Ray & Vida M Spangler	0.273
23212	1008 S DeKalb Street	RGL Enterprises	0.303
23213	1010 S DeKalb Street	John and Austin Whaley	0.273
23214	1014 S DeKalb Street	John and Austin Whaley	0.292
20788	1018 S DeKalb Street	Richard & Paula Shoffner	0.282
		Total	1.651

# Staff Report



To: Shelby Planning & Zoning Board  
From: Lucas A. Shires, MUD, PLA  
Planner

Date: February 06, 2018  
Meeting: February 16, 2018  
File: #1080

**OWNER:** Various

**APPLICANT:** Guilford Financial Services, LLC

**LOCATION:** 1000, 1004, 1008, 1010, 1014, and 1018 South Dekalb Street

**PARCEL ID #s:** 20787, 20788, 23211, 23212, 23213, 23214

**PRESENT ZONING:** R8 and NB

**REQUESTED ZONING:** R6

**SURROUNDING ZONING:**

**North:** R8    **South:** R6    **East:** R8    **West:** R6

**UTILITIES:**

**Water:** Yes    **Sewer:** Yes    **Floodplain:** No

**ANALYSIS:** The subject properties all front South Dekalb Street across from Shelby High School. Parcels 20788, 23212, and 20787 are currently occupied by single family dwellings. Parcels 20787, 23213, and 23214 are currently vacant.

The R8 Residential District is primarily intended to accommodate moderate density single-family detached dwellings, modular homes, and two-family dwellings. Maximum densities within the R10 District include approximately 5 dwelling units per gross acre. Public water and sewer service is generally available in areas zoned as R8. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R8 District.

The NB Neighborhood Business District is established as a district in which to allow small, limited retail service land uses that provide goods and services primarily to surrounding residential neighborhoods. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Residential uses are permitted at the same density and according to the same dimensional requirements as the R6 Residential District. The major objectives of this district are to encourage the location of convenience retail establishments, professional services, and professional offices so as to be as compatible as possible with surrounding lower density residential uses; discourage intensive land uses which require large amounts of land area; and limit the location of large vehicular traffic-generating uses to major streets.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

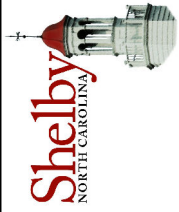
**STAFF COMMENTS:**

The Comprehensive Land Use Plan designates this area as Neighborhood Revitalization. Neighborhood revitalization areas are older, declining neighborhoods that need stabilization and revitalization. Such areas have older housing stocks, which, in some areas need maintenance and in other areas require selective removal of dilapidated houses. These areas will predominantly be residential with a mix of housing types and densities. This could include single family residential, townhomes, and multi-story apartments. The current density of these areas is between four to five dwelling units per acre. Future development densities could remain in the same range.

To support revitalization efforts, some additional complementary uses, such as parks, churches, schools, and other community services could be allowed.

The zoning amendment is consistent with the Comprehensive Land Use Plan as the Comprehensive Land Use Plan denotes this area as Neighborhood Revitalization and R6 is a compatible zoning classification with such designation.

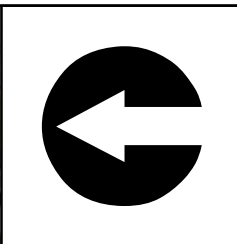
Staff recommends approval of this zoning map amendment.



# LOCATION MAP

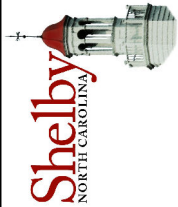
## 1000, 1004, 1008, 1010, 1014, AND 1018 S. DEKALB ST.

Map Information:  
Datum: NAD 1983  
Coordinate: State Plane  
North Carolina (Meter)  
Projection: Lambert Conformal Conic  
**US National Grid**  
Grid Zone Designation (GZD): 17S  
100,000m Square ID: MV/MU



Scale: 1 IN = 159 FT or 1:1,904 (GIS)

Date: 2/2/2018



# ZONING MAP

## 1000, 1004, 1008, 1010, 1014, AND 1018 S. DEKALB ST.

Map Information:  
 Datum: NAD 1983  
 Coordinate: State Plane  
 North Carolina (Meter)  
 Projection: Lambert Conformal Conic  
 US National Grid  
 Grid Zone Designation (GZD): 17S  
 100,000m Square ID: MV/MU



Scale: 1 IN = 159 FT or 1:1,904 (GIS)

0 80 160 320 Feet

Date: 2/2/2018



**CITY OF SHELBY PLANNING AND ZONING BOARD MINUTES**  
**February 15, 2018**  
**City of Shelby Utilities Operations Center**  
**Utilities Operations Assembly Room 824 W. Grover St., Shelby, NC**

**Item 1. Call to Order/Roll Call**

Chairman Peeler called the meeting to order at 12:15 PM and noted that a quorum was present.

**Board Present:** Marlene Peeler, Charles Hamrick, Mark Carter, Bob Cabiness, Mike Royster, Greg Taylor, Jim Martin, Mark Carter, Jeff Aderholt, and Scott Bankhead.

**Staff Present:** Walt Scharer (Planning and Development Services Director), Lucas Shires (Planner), and Darin Hallman (Planner)

**Item 2. Approval of the Minutes for the January 18, 2018 meeting**

Chairman Peeler asked if there were any questions or comments about the January 18, 2018 minutes. The minutes were approved as submitted.

**Item 3. Proposed Zoning Map Amendment 1000 - 1018 South Dekalb Street**

Mr. Shires presented this proposed zoning map amendment.

The R8 Residential District is primarily intended to accommodate moderate density single-family detached dwellings, modular homes, and two-family dwellings. Maximum densities within the R10 District include approximately 5 dwelling units per gross acre. Public water and sewer service is generally available in areas zoned as R8.

The NB Neighborhood Business District is established as a district in which to allow small, limited retail service land uses that provide goods and services primarily to surrounding residential neighborhoods. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Residential uses are permitted at the same density and according to the same dimensional requirements as the R6 Residential District. The major objectives of this district are to encourage the location of convenience retail establishments, professional services, and professional offices so as to be as compatible as possible with surrounding lower density residential uses; discourage intensive land uses which require large amounts of land area; and limit the location of large vehicular traffic-generating uses to major streets.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6.

Mr. Shires asked if there were any questions concerning the proposal. Brief discussion followed.

**Motion:** Mr. Royster made the motion to recommend to City Council approval of this proposed zoning map amendment from NB and R8 to R6.

**Second:** Mr. Martin.

**Action:** This motion passed unanimously.

**Item 4. Motion to adjourn.**

Being no other business, Chairman Peeler adjourned the meeting at 12:30 pm.



## Certified Recommendation

### City of Shelby Planning & Zoning Board

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**Case File:** 1080

**Amendment:** A Zoning Map Amendment for properties located at 1000, 1004, 1008, 1010, 1014, and 1018 with PIN #s: 20787, 20788, 23211, 23212, 23213, and 23214 from Neighborhood Business (NB) and Residential 8 (R8) to Residential 6 (R6).

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**Recommendation:** **The Planning and Zoning Board recommends approval of the proposed zoning map amendment for properties located at 1000, 1004, 1008, 1010, 1014, and 1018 with PIN #s: 20787, 20788, 23211, 23212, 23213, and 23214 from Neighborhood Business (NB) and Residential 8 (R8) to Residential 6 (R6).**

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#### Findings &

**Reasons:** 1. The proposed zoning map amendment is consistent with the Comprehensive Land Use Plan as it encourages development along key corridors.

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**Motion:** Mr. Royster made the motion to recommend to City Council approval of this proposed zoning map amendment from NB and R8 to R6.

**Second:** Mr. Martin.

**Action:** This motion passed unanimously.

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**Signatures:** Walter Scharer  
Planning and Development Director

Date: 02/15/2018

Marlene Peeler  
Planning and Zoning Board Chair

Date: 02/15/18



**NOTICE OF PUBLIC HEARING  
APPLICATION #: 1080-2018  
ZONING MAP AMENDMENT**

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, March 19, 2018 in the City Council Chambers, City Hall located at 300 South Washington Street, Shelby, North Carolina. City Council will consider a proposed zoning map amendment from Neighborhood Business (NB) and Residential 8 (R8) Zoning Districts to Residential 6 (R6) Zoning District for properties located at 1000, 1004, 1008, 1010, 1014, and 1018 South Dekalb Street with the Cleveland County Parcel Numbers 20787, 20788, 23211, 23212, 23213, and 23214.

A more detailed description and map of this property are available for public inspection in the Planning and Development Services Department located at 315 South Lafayette Street, Shelby, North Carolina, during regular business hours, 8:00 AM until 5:00 PM. Also, you can call (704) 484-6829 for more information.

The City Council may change the existing zoning classification of the entire area covered by the petition or any part thereof, without the withdrawal or modification of the petition or further publication of notice.

Persons interested in being heard on this matter are invited to comment on the proposed rezoning at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

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Bernadette A. Parduski, NC-CMC, IMC-MMC  
City Clerk

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**The Shelby Star:**

**Please publish this notice as a legal line ad on MONDAY, March 05, 2018 and repeat the same ad on MONDAY, March 12, 2018.**

**Mail invoices with affidavits to Walter Scharer, City of Shelby, PO Box 207, Shelby, NC 28151. Thank you.**

**ORDINANCE NO. 16-2018**

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF  
THE CITY OF SHELBY, NORTH CAROLINA**

**WHEREAS**, the City of Shelby has received an application requesting the rezoning of property located within the City or its Area of Extraterritorial Jurisdiction; and,

**WHEREAS**, the Shelby Planning and Zoning Board has reviewed said application for a zoning change and has made its findings and recommendations to City Council; and,

**WHEREAS**, the Shelby Planning and Zoning Board found that the zoning change is consistent with the Comprehensive Land Use Plan; and,

**WHEREAS**, in accordance with GS 160A-364, a public hearing on this proposed rezoning was held by City Council on March 19, 2018 after due publication of said hearing as required by law; and,

**WHEREAS**, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning and Zoning Board, City Council now desires to act on this matter.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:**

**Section 1.** This zoning change is consistent with the City of Shelby Comprehensive Land Use Plan as the Residential 6 Zoning District is compatible with the Neighborhood Revitalization Land Use designation.

**Section 2.** In accordance with Chapter 160A, Article 19 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code), 1000, 1004, 1008, 1010, 1014, and 1018 South Dekalb Street are hereby amended from Residential 8 (R8) and Neighborhood Business (NB) to Residential 6 (R6) Zoning District. Said area of zoning is more fully described as the parcels listed by the Cleveland County Tax Office as Parcel Identification Numbers 20787, 20788, 23211, 23212, 23213, and 23214.

**Section 3.** The City Clerk of the City of Shelby is hereby authorized and directed to cause the provisions of Section 2 of this ordinance to be properly codified, and the City Clerk is further authorized and directed to cause her official records and the Official Zoning Map of the City of Shelby to be properly amended to reflect the approved zoning changes.

Ordinance No. 16-2018

March 19, 2018

Page 2

**Section 4.** This ordinance shall become effective upon its adoption and approval.

**ADOPTED AND APPROVED** this the 19th day of March 2018.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Bernadette A. Parduski, NC-CMC, IIMC-MMC  
City Clerk

APPROVED AS TO FORM:

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Robert W. Yelton  
City Attorney

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

**E. Consent Agenda:**

*Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion, second, and vote.*

**Agenda Item: E-1**

- 1) Approval of the Minutes of the Regular Meeting of March 5, 2018

**Consent Agenda Item: (Bernadette Parduski, City Clerk)**

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Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of March 5, 2018

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City Manager's Recommendation / Comments

**Approve the minutes as presented or as amended by the Mayor and City Council via the Consent Agenda.**

## MINUTES

Regular Meeting  
City Hall Council Chamber

March 5, 2018  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, David Causby, Violet Arth Dukes, and Dicky Amaya; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, 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, and Director of Planning and Development Services Department Walter (Walt) Scharer, AICP

**Absent:** Council Member Ben Kittrell, Jr.

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

At the request of Mr. Howell, Mayor Anthony announced the addition of a Closed Session pursuant to North Carolina General Statute 143-318.11 (a) (3) to consult with the City Attorney in order to preserve the attorney-client privilege.

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

### B. Special Presentation:

#### 1) Uptown Shelby Association (USA) update – Audrey Whetten, Executive Director

First, Miss Whetten recognized USA board member and past president, Fred Blackley, in attendance, for his support of the USA organization and for his dedication to the community.

Referring to her handout, Miss Whetten reported her quarterly update included highlights of ongoing projects, recent and upcoming events, business news, and property news.

With regard to ongoing projects, Miss Whetten mentioned the construction activities related to the Uptown Shelby improvements and the replacement of the City's utilities and infrastructure. She commended City staff for conveying timely information and minimizing the disruptions to all Uptown Shelby stakeholders. USA worked closely with City staff to develop a tool kit covering all aspects of the construction phases to be utilized as a resource by many in Uptown Shelby. Miss Whetten said by monitoring project updates and keeping the public informed of progress on the project timeline may be the contributing factors to not receiving any complaints to date. Miss Whetten stated USA selected a videographer to produce a promotional video about Uptown Shelby to be utilized as a universal marketing tool. She anticipates the video will be finished by the start of the American Legion World Series in August 2018. The video will then be posted to the USA website and various social media outlets. The public art project is in progress and proposed to be located on Washington Street near the Cleveland County Arts Council building. Miss Whetten added an opportunity may exist for an art corridor in the area between the Arts Council and the Don Gibson Theatre. She stated USA has placed an emphasis on business retention efforts, working with existing businesses to grow and thrive. She also continues to recruit new businesses for Uptown Shelby, anticipating two new openings in the very near future.

With regard to upcoming events, Miss Whetten mentioned two clean-up projects in Uptown Shelby in partnership with the Keep Shelby Beautiful Commission are scheduled for March 10 and April 7, 2018. She added the Second Saturday events begin on April 14, 2018 and the Shelby Alive concert series runs May through August 2018.

With regard to business and property news, Miss Whetten highlighted the grand openings of two new businesses within the Campbell Building on North Lafayette Street, the Greenbrook Design Center and Uptown Indigo, an event space.

Miss Whetten concluded her presentation by stating since July 1, 2017, there has been \$1.2 million in private acquisitions and more than \$780,000 in privately-funded renovations. She further stated this exceeds last year's total private investment and does not yet include 10 renovation projects underway totaling almost \$4 million in additional investment.

Council received the information. No action was required.

**C. Consent Agenda:**

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. White 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 19, 2018
- 2) Approval of a resolution approving the contract for the performance of the City of Shelby's Annual Audit and preparation of financial statements for the Fiscal Year ended June 30, 2018: Resolution No. 11-2018
- 3) Approval of a resolution supporting the City of Shelby's application for the North Carolina Urban Forest Council Legacy Tree Fund Grant: Resolution No. 12-2018
- 4) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Thread Trail Project: Ordinance No. 11-2018
- 5) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 12-2018
- 6) Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 12: Ordinance No. 13-2018

**END CONSENT AGENDA**

**D. Unfinished Business:**

- 1) Consideration of appointments to City advisory boards and commissions:
  - a. Shelby Housing and Redevelopment Advisory Board

Mrs. Parduski reported the terms of three incumbents, Angenette Homsley, Brenda Marable, and Michael Shawn Collins, are concluding March 2018. Mrs. Homsley does not wish to continue her service. Both Mrs. Marable and Mr. Collins are seeking reappointment.

There is one application on file in the Clerk's Office as follows:

- Darrell Gerald

Mr. Hendrick nominated Darrell Gerald for appointment.

**Mrs. Arth Dukes nominated the incumbents, Brenda Marable and Michael Shawn Collins, for reappointment.**

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to close the nominations and accept the nominees by acclamation.

- 2) Consideration of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Electric System Supervisory Control and Data Acquisition (SCADA) System Upgrade Project: Ordinance No. 14-2018**

**Mr. Howell introduced Ordinance No. 14-2018 for Council's consideration. If approved, this ordinance would appropriate \$96,000 from the Electric Fund Net Retained Earnings to be used for the purchase of new hardware for the Electric System Supervisory Control and Data Acquisition System Upgrade Project.**

**Mr. Howell explained the Energy Services and Water Resources Departments have a Supervisory Control and Data Acquisition System (SCADA) that has been in service since 2004. This SCADA system monitors and controls the entire electric distribution system as well as parts of the natural gas, water, and wastewater systems. The SCADA Master is responsible for collecting the data from each remote terminal unit (RTU) on the system, dispersing that information to SCADA workstations and notifying City personnel of key events or alarms on the system, as well as keeping historical data used for reports and analysis. The recent Electrical Distribution System Planning Study identified that this system's hardware is nearing end of life, with replacement parts becoming difficult to obtain. It was recommended that the current system be upgraded. In addition, the City received notice from its current maintenance provider, QEI LLC, that the hardware currently in use will not be supported effective July 31, 2018. Mr. Howell further stated after receiving this notice, the City needs to move forward at a quicker pace. He added these estimates do not include implementation costs. Once a vendor is selected for the purchase of equipment and it is determined what areas within Water Resources and the Natural Gas System need to be included in the new system, an estimate will be provided for transitioning and the implementation of all areas.**

**ACTION TAKEN:** Upon a motion by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 14-2018 entitled, "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S ELECTRIC SYSTEM SUPERVISORY



**CONTROL AND DATA ACQUISITION (SCADA) SYSTEM UPGRADE PROJECT”.**

**3) Farmville Road Waterline Project:**

- a. Consideration of a resolution of tentative award for the Farmville Road Waterline Project – Waterline and Booster Pump Station to Hall Contracting Corporation: Resolution No. 13-2018**
- b. Consideration of a resolution of tentative award for the Farmville Road Waterline Project – Elevated Storage Tank to Phoenix Fabricators & Erectors, Inc.: Resolution No. 14-2018**

**Mr. Howell introduced both Resolution No. 13-2018 and Resolution No. 14-21018 for Council’s consideration. If approved, these resolutions would award contracts for two portions of the Farmville Road Waterline Improvements Project, both in support of Clearwater Paper Corporation’s expansion.**

**Mr. Howell stated the City received bids for the Farmville Road Loop 24-inch Waterline and Booster Station in February 2018. Kimley-Horn Associates, Inc. assisted with bid advertisement and has completed the canvassing of the six bids received. The lowest bid was submitted by Hall Contracting Corporation of Charlotte, North Carolina in the amount of \$8,444,560.00. Mr. Howell requested Council authorize the tentative award of the construction contract to Hall Contracting Corporation, contingent upon U S Department of Commerce’s Economic Development Administration (EDA) approval.**

**Next, Mr. Howell stated the City received bids for the Farmville Road elevated storage tank in February 2018. Kimley-Horn Associates, Inc. assisted with bid advertisement and has completed the canvassing of the three bids received. The lowest bid was submitted by Phoenix Fabricators & Erectors, LLC of Avon, Indiana in the amount of \$2,055,858.00. Mr. Howell requested Council authorize the tentative award of the construction contract to Phoenix Fabricators & Erectors, contingent upon U S Department of Commerce’s Economic Development Administration (EDA) approval.**

**ACTION TAKEN: Upon a motion by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 13-2018 entitled, “A RESOLUTION OF TENTATIVE AWARD FOR THE FARMVILLE ROAD WATERLINE PROJECT – WATERLINE AND BOOSTER PUMP STATION TO HALL CONTRACTING CORPORATION”.**

**ACTION TAKEN: Upon a motion by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 14-2018 entitled, “A**

**RESOLUTION OF TENTATIVE AWARD FOR THE FARMVILLE ROAD WATERLINE PROJECT – ELEVATED STORAGE TANK TO PHOENIX FABRICATORS & ERECTORS, INC.”.**

**E. New Business:**

- 1) Consideration of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 13: Ordinance No. 15-2018**

Mr. Howell introduced Ordinance No. 15-2018 for Council’s consideration. If approved, this ordinance would appropriate funding from the Stormwater Fund Balance in the amount of \$164,000 to cover the costs of four emergency street culvert repairs, specifically at Crestview Drive, Briar Creek Drive, Pine Street, and Sumter Street. Three projects have been completed and the fourth, which is the culvert replacement on Sumter Street, is scheduled in the very near future. Mr. Howell explained several heavy rains over a short time period exposed problems with these culverts and in some cases partial collapses occurred creating an emergency situation.

**ACTION TAKEN:** Upon a motion by Mrs. Arth Dukes, City Council voted unanimously to approve and adopt Ordinance No. 15-2018 entitled, “FISCAL YEAR (FY) 2017-2018 BUDGET ORDINANCE AMENDMENT NO. 13”.

**F. City Manager’s Report:**

- 1) Mr. Howell is working to provide a report to Council with regard to the City’s un-sewered neighborhoods as requested by Mr. Kittrell. He reminded Council of the current policy for the extension of sanitary sewer collector lines which provides for a special assessment procedure. He also reiterated the sewer system is supported by its sewer customers as an enterprise fund.**
- 2) Mr. Howell announced that Cleveland County has decided to appropriate recreational grant funding in the amount of \$80,000 to the City of Shelby to build an all-accessible playground. Several years ago, this same grant funding was given to the City of Kings Mountain by Cleveland County. Mr. Howell added the \$80,000 will be utilized for enhancements at the City’s Holly Oak Park playground.**

**G. Council Announcements and Remarks:**

- 1) Mayor Anthony announced the City is sponsoring two tables at the sixth annual fundraiser for the Cleveland County Rescue Mission at its Celebrate Hope Banquet, on Friday, March 16, 2018, from 6:00 p.m. to**

8:30 p.m. at the LeGrand Center. The Mayor invited Council members to attend and participate in the banquet, encouraging support of the Cleveland County Rescue Mission.

- 2) Mayor Anthony reported he participated in a webinar introducing a new initiative known as First & Main. The Mayor gave details about the First & Main Blueprint which is designed to protect federal programs that work for local communities, improve programs that must become more effective, and create new programs to provide local communities with additional resources. First & Main aims to build a non-partisan coalition of local elected officials from small and medium-sized towns, counties, and cities across the country. The coalition will work to extend prosperity to members and advocate for the needs of smaller and mid-sized communities across the country. The Mayor urged Council members and City staff to explore the opportunities for Shelby to get involved with and possibly join the First & Main initiative.
- 3) Mr. Amaya stated he brought his own traffic study forward for Council's consideration some time ago; however, his suggestions received no feedback. There were only two minor road projects near Shelby Middle School that received consideration.

Mr. Howell offered to follow-up with Mr. Amaya in order to obtain specific direction about these proposed projects.

#### H. Closed Session:

- 1) To consult with the City Attorney in order to preserve the attorney-client privilege pursuant to North Carolina General Statute 143-318.11 (a) (3)

**ACTION TAKEN:** Mr. Amaya made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony consulted with Mr. Yelton who advised the topics met the statutory requirements for a closed session. The Mayor invited all Council members present along with Mr. Howell, Mr. Merritt, Mr. Yelton, and Mrs. Parduski to attend. The motion passed unanimously and Council moved into closed session at 6:30 p.m.

Council returned to the regular session at 6:50 p.m.

#### I. Adjournment:

- 1) Motion to adjourn

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:59 p.m.

Respectfully submitted,

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

**O. Stanhope Anthony III**  
Mayor

**Minutes of March 5, 2018**

**DRAFT**

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

Agenda Item: E-2

- 2) Approval of a resolution honoring Lawrence Evans Cox, II on the occasion of his retirement from employment with the City of Shelby: Resolution No. 15-2018

**Consent Agenda Item: (Jeffrey H. Ledford, Police Chief)**

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Summary of Available Information:

- Memorandum dated March 12, 2018 from Jeffrey H. Ledford, Chief of Police to Rick Howell, City Manager and Bernadette Parduski, City Clerk
- Resolution No. 15-2018

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City Manager's Recommendation / Comments

This time is scheduled on your agenda to consider a resolution recognizing Lawrence Evans Cox on the occasion of his retirement from employment. In keeping with policy Resolution No. 15-2018 will recognize him for having served the City faithfully for the past 30 years with the Shelby Police Department. He is to be congratulated! Sergeant Cox is an experienced officer and will be greatly missed.

As is in keeping with current policy Sergeant Cox will be presented with a framed resolution, a city lapel pin and a key to the City. It is customary and appropriate to recognize Larry Cox for his many years of service to the City. Sergeant Cox's dedication to our citizens and their safety is to be admired.

Please join me in wishing him a healthy and happy retirement. He is scheduled to attend a future meeting of City Council for a formal presentation.

**It is recommended that Resolution No. 15-2018 be adopted and approved via the Consent Agenda.**

**Retiring or Separating Employee Recognition** - Employees leaving City employment in good standing will receive a plaque from the City Manager after they have attained at least their 20<sup>th</sup> anniversary of service with the City or have attained their 10<sup>th</sup> anniversary and are at least 60 years of age or over. Employees with 25 or more years of service will receive a key to the City, a framed Council resolution and City lapel pin upon retirement from the City. Separating employees who have attained at least five years of service and are leaving in good standing can be recognized on a Department level with a gift or some other form of recognition.

# Shelby Police Department

## Memorandum



**SHELBY POLICE  
DEPARTMENT**

JEFFREY H. LEDFORD  
CHIEF OF POLICE



*CALEA Accredited  
2001*



*CALEA Accredited  
2014*



To: Rick Howell, City Manager  
Bernadette Parduski, City Clerk

From: Jeffrey H. Ledford, Chief of Police

Re: Sergeant Lawrence Evans Cox, II  
The Long Leaf Pine Award and City Council Resolution

Date: March 12, 2018

Sergeant Lawrence Evans Cox, II has served the City of Shelby, the citizens of Shelby and the Shelby Police Department for 30 years. Initially hired as a part-time Reserve Police Officer with the Shelby Police Department (SPD) July 1, 1988, Cox then became a full-time Police Officer August 31, 1988. He was also a member of the NC Air National Guard from April 1, 1985 through January 27, 1992.

Sergeant Cox was promoted to the rank of Sergeant at the Shelby Police Department January 12, 1998, of which he held until his retirement February 1, 2018. Cox worked in various divisions throughout his career here at the SPD (Patrol, Community Oriented Policing, and the Office of Professional Standards). He also served previously as our D.A.R.E. (Drug Abuse Resistance Education) Officer.

Sergeant Cox is being honored for his leadership, his loyalty, his commitment to protect and serve, and his dedication to the civilian community, the law enforcement community, the City of Shelby, and the State of North Carolina, therefore his service has been submitted to the NC Governor's Office for The Order of the Long Leaf Pine Award for these qualities.

Sergeant Cox is well-known, well-liked and very much respected by the community, and has always gone above and beyond to assist them in any way possible. He has had a long, successful career with the Shelby Police Department and has demonstrated his dedication, his commitment to public service through his Military and Law Enforcement careers over the past 36+ years, deserving to be honored with the Governor's Order of the Long Leaf Pine Award and a Shelby City Council Resolution.

Thank you

**RESOLUTION NO. 15-2018**

**A RESOLUTION HONORING LAWRENCE EVANS COX, II  
ON THE OCCASION OF HIS RETIREMENT  
FROM EMPLOYMENT WITH THE CITY OF SHELBY**

**WHEREAS**, on the occasion of his retirement from employment on February 1, 2018, it is fitting and proper for the City Council to express its sincere appreciation to Lawrence Evans Cox, II for his loyal, dedicated, and committed service to the City of Shelby from August 31, 1988 to February 1, 2018; and,

**WHEREAS**, Mr. Cox has been a loyal team member in the continuing development of the Shelby Police Department, especially for his strength, courage, and bravery exhibited in providing protection and service to the City of Shelby and to all of its citizens; and,

**WHEREAS**, during his tenure of service, Mr. Cox has been a loyal employee for the City of Shelby, beginning as a part-time Reserve Police Officer in July 1988, then to a full-time Police Officer in August 1988; receiving a promotion to Police Sergeant in January 1998, and has been an outstanding example of the quality of employee necessary to the development of the good of the City; and,

**WHEREAS**, Mr. Cox completed over 2,000 hours of advanced law enforcement training and is a successful graduate of the North Carolina Law Enforcement Executive Program in March 2006, having received his Law Enforcement Advanced Certificate in January 2000, which is the highest certification that a Law Enforcement Officer can receive from the State of North Carolina; and,

**WHEREAS**, Mr. Cox's commitment, leadership, laudatory work effort, and devotion to duty has helped create a winning attitude within the Shelby Police Department of the City of Shelby; and,

**WHEREAS**, the City of Shelby is most grateful for the devoted, community, and personal contributions Mr. Cox has given to all the citizens, organizations, and businesses within the greater Shelby community; and,

**WHEREAS**, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Mr. Cox for his dedicated and devoted duty to law enforcement service to its citizens, noting that Mr. Cox will be missed both professionally and as a fellow co-worker.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council publicly express their sincere appreciation to Lawrence Evans Cox, II for his performance of duty to the City of Shelby, and extend the very best wishes for a successful retirement.

**BE IT FURTHER RESOLVED** that this Resolution be entered upon the permanent Minutes of the City Council.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 19<sup>th</sup> day of March 2018.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Bernadette A. Parduski, NCCMC, MMC  
City Clerk

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

**Agenda Item: E-3**

- 3) Approval of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of an unopened right-of-way at the south end of Woodside Drive: Resolution No. 16-2018

**Consent Agenda Item: (Walter Scharer, Planning Director)**

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Summary of Available Information:

- Memorandum dated March 12, 2018 from Walter Scharer, Planning Director to Rick Howell, City Manager
- General Application
- Letter from Michael A. Mancinelli regarding Woodside Drive
- Survey of property
- Location Map
- Resolution No. 16-2018

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City Manager's Recommendation / Comments

This public hearing is being conducted in accordance with NCGS 160A-299 and is a required step prior to Council taking formal action on the petition. The purpose is to allow any member of the public to offer comment either for or against the proposed closure. Resolution No. 16-2018 is presented for your consideration and if approved would permanently close this unopened right of way returning ownership to the abutting property owners. In this case it is a single property owner a Mr. Michael A. Mancinelli.

**It is recommended that Resolution No. 16-2018 be adopted and approved via the Consent Agenda.**





**Memorandum**

**To:** Rick Howell - City Manager  
**From:** Walter Scharer – Planning Director  
**Date:** March 12, 2018  
**Subject:** Request to close an unopened right-of-way at the south end of Woodside Drive

**Executive Summary of issue – Background**

A portion of the Woodside Drive right of way was never officially closed when the current US 74 Bypass was built. To get clear title to the entire property, the property owner adjacent to this unopened right of way at the south end of Woodside Drive has requested that the City close the right of way. A location map and surveyor’s plat showing this site is attached.

**Review and Comments**

Pursuant to North Carolina General Statute 160A-299, the City may close a street or alley after passing a resolution of intent that establishes a public hearing for said closing. The public hearing for this street closing, as established by the resolution of intent, is scheduled for April 16, 2018.

**Recommendation**

Please place this item on the consent agenda for the March 19, 2018 City Council meeting.

**Attachments: Right of Way Closure Request Letter, Location Map and Resolution of Intent**



City of Shelby  
Planning and Development Services Department

General Application

Address of Subject Property:

905 W Elm Street

Applicant(s) Name: Michael A Mancinelli

Address: 204 Cedar Street  
Shelby NC 28152

Email:

Phone: 204-482-2454 Terry Paek Attorney

Owner(s) Name: John Mancinelli & Michael Mancinelli

Email:

Phone:

Relationship to Property:  Owner  Developer, Contractor, etc.  Other:

Request for (Check all that apply):

- Annexation (Contiguous & Satellite)
- Change in Tenant/Building Use
- Site Plan Review & Zoning Permit
- Street Name Change
- Street/ROW Closing
- Conditional Use Permit or Special Use Permit
- UDO Text Amendment
- Zoning Map Amendment
- Conditional Use Map Amendment
- Zoning Permit or Home Occupation Permit

Project Information (Fill in applicable information):

Parcel Number: 23083

Proposed Zoning: NA

Proposed Land Use: NA

Approx. Building Sq. Ft.: NA

Approx. Project Acreage: NA

Business Name: NA

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Oath: By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the City Council to revoke the permit.

Michael A. Mancinelli  
Signature of Applicant

02-23-18  
Date

Lucas A. Shires  
Received by:

2/27/18  
Date

To the City of Shelby

I am writing in reference to 905 W. Elm St.

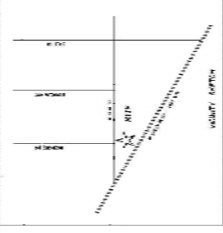
I am selling this house and I am requesting that the Southern portion of Woodside Dr., which runs through the property and had never been opened, please abandoned and close this portion of the road permanently

Thank you very much!

Sincerely,

Micheal A. Mancinelli

A handwritten signature in cursive script that reads "Micheal A. Mancinelli". The signature is written in black ink and is positioned below the typed name.



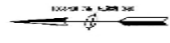
OWNER  
**JOHN A. MANCIBELLI BELL**  
 1200 WOODSON RD. JAY HALL AVE

SHOWER FOR  
**Hai Nguyen**

CLAYTON COUNTY, NORTH CAROLINA  
 TAX MAP REFERENCE: 543-1-1  
 SCALE 1" = 50' DATE 05/02/10

GRAPHIC SCALE - FEET  
 0 10 20 30 40 50

OWNER'S ATTORNEY  
 RANDOLPH B. BRYANT, JR.  
 1000 W. WOODSON RD. JAY HALL AVE  
 JAY, NC 27158  
 PHONE: 336-933-0077



**GENERAL NOTES**

1. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	05/02/10
2	REVISED PER COMMENTS	05/02/10
3	REVISED PER COMMENTS	05/02/10
4	REVISED PER COMMENTS	05/02/10
5	REVISED PER COMMENTS	05/02/10
6	REVISED PER COMMENTS	05/02/10
7	REVISED PER COMMENTS	05/02/10
8	REVISED PER COMMENTS	05/02/10
9	REVISED PER COMMENTS	05/02/10
10	REVISED PER COMMENTS	05/02/10



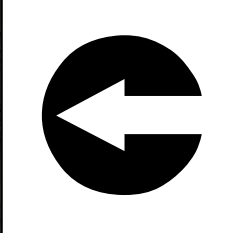
DATE: 05/02/10  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT: [Project Name]



# WOODSIDE DRIVE Location Map

Map Information:  
Datum: NAD 1983  
Coordinate: State Plane  
North Carolina (Meter)  
Projection: Lambert Conformal Conic

**US National Grid**  
Grid Zone Designation (GZD): 17S  
100,000m Square ID: MV/MU



**Legend**  
35  Site Location

**Date: 3/12/2018**

**Scale: 1 IN = 150 FT or 1:1,800 (GIS)**



**RESOLUTION NO. 16-2018**

**A RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF SHELBY TO CONSIDER THE PERMANENT CLOSURE OF AN UNOPENED RIGHT OF WAY AT THE SOUTH END OF WOODSIDE DRIVE**

**WHEREAS**, North Carolina General Statute 160A-299 authorizes the City Council of the City of Shelby to permanently close public streets and alleys within its jurisdiction; and,

**WHEREAS**, the City has received a request and petition from abutting property owners to permanently close an unopened right of way at the south end of Woodside Drive; and,

**WHEREAS**, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to this proposal.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:**

Section 1. That a public hearing on the matter will be held at 6:00 PM, on the 16th day of April, 2018 in the Council Chamber at the City Hall in Shelby, North Carolina to consider and order closing an unopened right of way at the south end of Woodside Drive.

Section 2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four (4) successive weeks prior to the public hearing in *The Shelby Star*.

Section 3. The City Clerk is further directed to transmit by certified mail, return receipt requested, to each owner of property abutting on said street a copy of this Resolution of Intent and shall cause a notice of the Public Hearing to be prominently posted in at least two places along the subject street.

Section 4. This Resolution of Intent shall become effective upon its adoption and approval.

Adopted and approved this the 19<sup>th</sup> day of March, 2018.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Bernadette A. Parduski, NC-CMC, IIMC-MMC  
City Clerk

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

**Agenda Item: F-1**

Unfinished Business

- 1) Consideration of appointments to City advisory boards and commissions:
  - a. Alcoholic Beverage Control (ABC) Board

**Unfinished Business Item: (Bernadette Parduski, City Clerk)**

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- Memorandum dated March 12, 2018 from Bernadette A. Parduski, City Clerk to Rick Howell, City Manager
- Alcoholic Beverage Control Board 2018
- Application from Darrell Gerald

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City Manager's Recommendation / Comments

Volunteers are an essential part of the work the City performs each year. As always this is just a reminder that we all should work to recruit qualified and quality people to serve whenever possible. Solicitation of both qualified and interested citizens to serve on these important advisory boards remains a priority for 2018. I would challenge each of you to recruit viable candidates that possess the knowledge and willingness to serve during the coming months.

I cannot emphasize enough the importance of appointing quality people to these very important citizen boards and commissions. It is incumbent upon Council as the appointing authority to ensure members are responsible members of the community who will make decisions that reflect the established and recognized values of the City. These appointees after all reflect upon Council as the appointing authority as well as the City as they conduct business month to month.



# Memo

To: Rick Howell, City Manager  
From: Bernadette A. Parduski, City Clerk  
Date: March 12, 2018  
Re: Appointments to City Advisory Boards and Commissions

## **BOARD REVIEW:**

### ALCOHOLIC BEVERAGE CONTROL BOARD:

The term of one incumbent, David Schweppe, will conclude April 2018. Mr. Schweppe is seeking reappointment to this board.

There is one application on file in the Clerk's Office:

1. Darrell Gerald

## **POSSIBLE ACTION:**

Council can begin the nominating process or take appointive action for one new term concluding April 2021.

## **Attachments:**

- A. Alcoholic Beverage Control Board Roster 2018
- B. Application of Darrell Gerald



# ALCOHOLIC BEVERAGE CONTROL BOARD 2018

MEMBERS	ADDRESS	TERM EXPIRATION	PHONE NUMBER
David M. Schweppe david@lawshelby.com	104 Lynhurst Lane Shelby, NC 28150	April 2018	H: 704 472-9826 W: 704 487-7204
Gerald L. Weathers weathersgerald@ yahoo.com	326 Woodside Drive Shelby, NC 28150	April 2020	704 487-8008
Sallie M. Craig scraig@nextlevelcpa. com	910 Meadowbrook Lane Shelby, NC 28150	April 2020	H: 704 484-2014 W: 704 487-5111
Carl Dockery, Jr.	1310 Dockery Drive Shelby, NC 28150	April 2019	704 487-4341
Page D. Morgan	1225 Brookwood Drive Shelby, NC 28150	April 2019	H: 704 482-1027 W: 704 864-3482

Meetings are held on the fourth Monday of the month at 9:00 a.m., ABC Store, 824 West Warren Street, Shelby, NC

Three year (3) appointments

City Council Liaison: David Causby – Ward 3  
613 South Washington Street  
Shelby, NC 28150  
C: 704 477-9565  
E-mail: [david.causby@cityofshelby.com](mailto:david.causby@cityofshelby.com)

This Board was appointed by action taken by the City Council at a Special Meeting held on March 29, 1975. General Assembly of NC House Bill 1841 increased members on the Shelby ABC Board from three to five members beginning July 1, 2006.

Staffed by: ABC Police Officer Josh Turner, 704 484-6845 or  
[josh.turner@cityofshelby.com](mailto:josh.turner@cityofshelby.com)



APPLICATION FOR APPOINTMENT TO  
BOARDS AND COMMISSIONS

RECEIVED

NOV 6 2017

The Shelby City Council believes that all citizens should have the opportunity to actively participate in governmental decisions. One way of participating is by serving as a voluntary member of one of the City of Shelby boards, commissions, or committees as outlined below. If you have an interest in being considered for an appointment, please complete the form below and mail it to the City Clerk, City of Shelby, P O Box 207, Shelby, NC 28151-0207 or email it to [bernie.parduski@cityofshelby.com](mailto:bernie.parduski@cityofshelby.com). If you have questions or need assistance, please call 704 669-6588. Thank you!

CITY OF SHELBY NC  
OFFICE OF THE CITY CLERK

- Keep Shelby Beautiful Commission
- Shelby-Cleveland County Regional Airport Advisory Commission
- Shelby Alcoholic Beverage Control Board
- Shelby Zoning Board of Adjustment
- Shelby Firefighters Relief Fund Board of Trustees
- Shelby Housing & Redevelopment Advisory Board
- Shelby Parks & Recreation Advisory Commission
- Shelby Planning & Zoning Advisory Board

DATE 11/6/17

NAME Darrell Gerald

ADDRESS (No P O Boxes please) 124 Brookhill Rd

CITY / STATE / ZIP Shelby, NC 28150

DO YOU RESIDE WITHIN THE CITY OF SHELBY'S CORPORATE LIMITS?  
yes

DO YOU RESIDE WITHIN THE CITY OF SHELBY'S EXTRATERRITORIAL JURISDICTION (ETJ)?  
NO

WARD 1

PHONE NUMBERS: Home 704-406-9650 Work 704-4770482

EMAIL ADDRESS gerald78@Carolina.rr.com

OCCUPATION store operations management - Lidl

EDUCATIONAL BACKGROUND BS, MBA, MISM

BOARD OR COMMISSION INTERESTED IN:

- Shelby Alcoholic Beverage Control Board
- Shelby Parks and Recreation Advisory Commission
- Shelby Housing and Redevelopment Advisory Board

OTHER COMMENTS:

SIGNATURE *Darrell Gerald* DATE 11/6/17

City of Shelby  
Agenda Item Summary  
March 19, 2018  
City Hall Council Chamber

**Agenda Item: G**

New Business

None

**Agenda Item: H**

City Manager's Report

1. City-County Joint Meeting
2. Clearwater Paper – City CDBG
3. All Aboard Playground
4. Uptown Water/Sewer Project

**Agenda Item: I**

Council Announcements and Remarks

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**J. Adjournment:**

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

- 1) Motion to adjourn