

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) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Detective Seth Michael Treadway 1
- 2) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Detective Sherdala Cinquette Wimbush 4
- 3) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Patrol Officer Phillip Ryan Laughridge 6

C. 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.

- 1) Approval of the Minutes of the Regular Meeting of March 19, 2018 8
- 2) Approval of Special Event Permit Application:
 - a. June Bug Jam 5K Run and Walk, requested date: June 2, 2018 18
- 3) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 17-2018 27

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April 2, 2018
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4) Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 14: Ordinance No. 18-2018	34
D. Unfinished Business: None	38
E. New Business: None	38
F. City Manager's Report	39
G. Council Announcements and Remarks	39
H. 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	39

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: B-1

Special Presentations

- 1) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Detective Seth Michael Treadway

(Comments: Mayor Stan Anthony and Chief Jeff Ledford)

Summary of Available Information:

- Memorandum dated March 13, 2018 from Chief Jeff Ledford to Rick Howell, City Manager
- Letter dated February 16, 2018 from NC Department of Justice to Seth Michael Treadway

City Manager's Recommendation / Comments

Chief Ledford has requested this time on the agenda so that this Officer may be recognized for his professional development achievement. The Advanced Law Enforcement Certificate is recognition of both experience and training undertaken by Detective Treadway. A significant number of training hours covering a variety of law enforcement topics is necessary to receive this award. I would call to your attention the memorandum submitted by Chief Ledford noting that Detective Seth Michael Treadway has completed over 1,200 hours of documented training. I do wish to note that the City as an organization places a great deal of value and emphasis on the importance of training and in service education for all employees. This recognition of Detective Treadway is a testament to the City's willingness to invest in its employees for the specific purpose of providing a high quality / level of service to its citizens



Intradepartmental Communication

To: Rick Howell, City Manager
From: Jeff Ledford, Chief of Police
Date: March 13, 2018
Subject: Special Presentation—CJ Advanced Certificate

Background

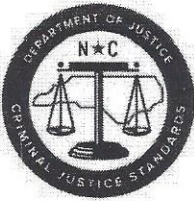
The North Carolina Criminal Justice Education and Training Standards Commission establish minimum employment, training, and retention standards for law enforcement officers in the State of North Carolina. In order to recognize the competence level of law enforcement officers serving in communities across the state and to attract highly qualified individuals into a law enforcement career, the Criminal Justice Education and Training Standards Commission established the Law Enforcement Officers' Program. This program is a method by which dedicated officers may receive recognition for education, professional training, and on-the-job experience. In order to receive this award, officers must acquire a combination of education and training points, along with years of full-time law enforcement experience.

Review

The commission has established three levels of recognition in this program. The Advanced Law Enforcement certificate is the highest award presented by the commission and requires up to 1,200 hours of specialized law enforcement training to qualify for consideration. Ptl. Ryan Laughridge is a fourteen veteran of our department and currently serves as a School Resource Officer. Det. Seth Treadway is a thirteen year veteran of our agency and serves in our Vice/Narcotics Unit. Det. Sherdala Wimbush is an eight year veteran of our agency and currently serves in our Criminal Investigations Unit. These three officers have collectively completed over 6,000 hours of law enforcement training during their law enforcement career. After a review of their experience and training at a recent commission hearing, the commission awarded each of them the Advanced Law Enforcement certificate. This award was subsequently sent to the agency for formal presentation.

Recommendation

It is recommended that council consider presenting Ptl. Ryan Laughridge, Det. Seth Treadway, and Det. Sherdala Wimbush with the Advanced Law Enforcement certificate and recognize them for their service to our community.



NORTH CAROLINA DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE STANDARDS DIVISION

JOSH STEIN
ATTORNEY GENERAL

PO DRAWER 149
RALEIGH
27602-0149
PHONE: (919) 661-5980 • FAX: (919) 779-8210

STEVEN G. COMBS
DIRECTOR

February 16, 2018

Inv Seth Michael Treadway
Shelby Police Department
130 West Warren Street
Shelby, NC 28150

Dear Inv Treadway:

The Criminal Justice Education and Training Standards Commission recently met in regular session. Among other transactions, the Commission accepted nominations of those candidates qualified to receive the Law Enforcement Officers' and the Criminal Justice Officers' Advanced Certificate.

After examination of your credentials, the Commission unanimously approved issuance of the Advanced Certificate to you.

May I be the first to offer you congratulations on the attainment of this most significant award. Your dedication to your chosen profession is evidenced in the fact that you are one of a very select group of officers to receive this honor.

Sincerely,

Steven G. Combs
Director

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: B-2

- 2) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Detective Sherdala Cinquette Wimbush

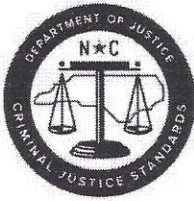
(Comments: Mayor Stan Anthony and Chief Jeff Ledford)

Summary of Available Information:

- Memorandum dated March 13, 2018 from Chief Jeff Ledford to Rick Howell, City Manager
- Letter dated February 16, 2018 from NC Department of Justice to Sherdala Cinquette Wimbush

City Manager's Recommendation / Comments

Chief Ledford has requested this time on the agenda so that this Officer may be recognized for his professional development achievement. The Advanced Law Enforcement Certificate is recognition of both experience and training undertaken by Detective Wimbush. A significant number of training hours covering a variety of law enforcement topics is necessary to receive this award. I would call to your attention the memorandum submitted by Chief Ledford noting that Detective Sherdala Cinquette Wimbush has completed over 1,200 hours of documented training. I do wish to note that the City as an organization places a great deal of value and emphasis on the importance of training and in service education for all employees. This recognition of Detective Wimbush is a testament to the City's willingness to invest in its employees for the specific purpose of providing a high quality / level of service to its citizens



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STEVEN G. COMBS
DIRECTOR

November 17, 2017

Inv. Sherdala Cinquette Wimbush
Shelby Police Department
Post Office Box 207
Shelby, NC 28151-0207

Dear Inv. Wimbush:

The Criminal Justice Education and Training Standards Commission recently met in regular session. Among other transactions, the Commission accepted nominations of those candidates qualified to receive the Law Enforcement Officers' and the Criminal Justice Officers' Advanced Certificate.

After examination of your credentials, the Commission unanimously approved issuance of the Advanced Certificate to you.

May I be the first to offer you congratulations on the attainment of this most significant award. Your dedication to your chosen profession is evidenced in the fact that you are one of a very select group of officers to receive this honor.

Sincerely,

Steven G. Combs
Director

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: B-3

- 3) Presentation of Advanced Law Enforcement Certificate awarded to Shelby Police Patrol Officer Phillip Ryan Laughridge

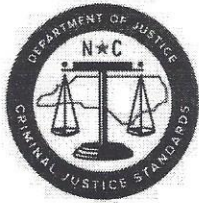
(Comments: Mayor Stan Anthony and Chief Jeff Ledford)

Summary of Available Information:

- Memorandum dated March 13, 2018 from Chief Jeff Ledford to Rick Howell, City Manager
- Letter dated February 16, 2018 from NC Department of Justice to Phillip Ryan Laughridge

City Manager's Recommendation / Comments

Chief Ledford has requested this time on the agenda so that this Officer may be recognized for his professional development achievement. The Advanced Law Enforcement Certificate is recognition of both experience and training undertaken by Patrol Officer Laughridge. A significant number of training hours covering a variety of law enforcement topics is necessary to receive this award. I would call to your attention the memorandum submitted by Chief Ledford noting that Patrol Officer Laughridge has completed over 1,200 hours of documented training. I do wish to note that the City as an organization places a great deal of value and emphasis on the importance of training and in service education for all employees. This recognition of Officer Laughridge is a testament to the City's willingness to invest in its employees for the specific purpose of providing a high quality / level of service to its citizens



**NORTH CAROLINA DEPARTMENT OF JUSTICE
CRIMINAL JUSTICE STANDARDS DIVISION**

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27602-0149
PHONE: (919) 661-5980 • FAX: (919) 779-8210**

**STEVEN G. COMBS
DIRECTOR**

February 16, 2018

PO Phillip Ryan Laughridge
Shelby Police Department
130 West Warren Street
Shelby, NC 28150

Dear PO Laughridge:

The Criminal Justice Education and Training Standards Commission recently met in regular session. Among other transactions, the Commission accepted nominations of those candidates qualified to receive the Law Enforcement Officers' and the Criminal Justice Officers' Advanced Certificate.

After examination of your credentials, the Commission unanimously approved issuance of the Advanced Certificate to you.

May I be the first to offer you congratulations on the attainment of this most significant award. Your dedication to your chosen profession is evidenced in the fact that you are one of a very select group of officers to receive this honor.

Sincerely,

Steven G. Combs
Director

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

C. 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: C-1

- 1) Approval of the Minutes of the Regular Meeting of March 19, 2018

Consent Agenda Item: (Staff Resource, Bernadette Parduski, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of March 19, 2018.

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 19, 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, Ben Kittrell, Jr., and Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Robert W. (Bob) Yelton, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff), Fire Chief William P. Hunt, MPA, EFO, and Planner Darin Hallman, Planning and Development Services Department; and Director of Cable Programming Greg Tillman of Cleveland Community College and The Video Factory

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. The Mayor gave the invocation and Mr. White led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

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

B. Special Presentations:

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

Mayor Anthony called upon Rita Benson. Mrs. Benson recognized her husband and her son in attendance. The Mayor formally read and presented framed Resolution No. 4-2018 to Mrs. Benson. He then presented the key to the City, a City lapel pin, and plaque to her in honor of and with heartfelt appreciation for 29 and a half years of dedicated service to the City of Shelby in the Utilities, Customer Services, and Finance Departments.

Humbled by the recognition, Mrs. Benson expressed her appreciation to all.

- 2) City of Shelby Intersection Analyses Report Update – Ben Yarboro, Director of Engineering Services

Mr. Howell introduced the subject matter of this presentation namely the City of Shelby Intersection Analyses Report, a summary of the recommendations prepared by TGS Engineers, which was originally presented in March 2015. He noted City Council took no action at that time; however, staff worked toward implementing the TGS recommendations as circumstances and funding allowed. Mr. Howell stated Mr. Yarboro will again review the study and update Council on the actions to date and those to be taken in the coming fiscal year.

Next, Mr. Yarboro began his presentation by recapping the information previously provided in 2015 as follows:

The constant goals applied by the City's Engineering Department on every project are as follows:

- Safety for all user groups and in this case vehicular, pedestrian, and bicycle
- Functional infrastructure that serves the purpose
- Most cost-effective alternatives
- Responsible decisions based on engineering facts using sound judgment; non-emotional decisions
- Alternatives that account for future demands and growth

Mr. Yarboro stated the analysis included intersections that were:

- Existing City maintained traffic signals
- Intersections identified by staff
- Intersections staff received inquiries from citizens

Mr. Yarboro added the analysis completed by TGS Engineers was done utilizing Synchro Version 8.0, a traffic modeling software; the Highway Capacity Manual 2010, the standard for all traffic analysis; and engineering experience.

Mr. Yarboro reviewed the evaluation criteria as follows:

- Vehicular, bicycle, and pedestrian traffic volumes on all approaches
- Intersection geometry – number and angle of approaches
- Approach speeds
- Sight distance available on each approach
- Historical crash data
- Level of Service (LOS)

With regard to LOS, Mr. Yarboro stated it is described in the Highway Capacity Manual as a quantitative measure or measures of roadway performance. LOS is based on speed, traffic volumes, delays, and freedom to maneuver. Levels of service range from A to F, with “A” describing smooth free flow conditions, and “F” describing congested, over-saturated and forced flow conditions, where stop and go waves are common.

Mr. Yarboro stated all signal upgrades shall:

- Comply with North Carolina Department of Transportation Traffic Signal Specifications
- Utilize loop detection
- Replace support structures if necessary
- Utilize LED (light-emitting diode) bulbs – brighter, longer bulb life, and lower electricity consumption

Mr. Yarboro noted electricity for an intersection with incandescent traffic signals costs approximately \$120/month and a LED intersection costs approximately \$40/month. He said upgrading to LED saves \$960 annually per intersection and over a 30-year period essentially pays for the upgrade.

Mr. Yarboro explained multi-way stop or all-stop control is often used at the intersection of two roadways that exhibit approximately equal traffic volumes or the minimum traffic and pedestrian volumes entering the intersection from the major street approaches averages at least 300 vehicles per hour for any eight hours of an average day. He added all-stop control is not an effective speed control or traffic calming alternative.

Mr. Yarboro reviewed and summarized the recommendations to improve traffic operations at the following 15 intersections:

SIGNALIZED	INTERSECTION				RECOMMENDATIONS
	1	East Sumter Street	&	North Washington Street	
	2	West Sumter Street	&	North Morgan Street	Replace and Upgrade Signal
	3	East Sumter Street	&	Suttle Street/Carolina Avenue	Replace and Upgrade Signal or Remove Signal and Improve Alignment
	4	Lineberger Street	&	Buffalo Street	Remove Signal install All-Stop Control
	5	South Morgan Street	&	Gardner Street	Replace Signal with All-Stop Control Signal
COMMERCIAL NON-SIGNALIZED	6	Earl Road	&	South Washington Street	Install Roundabout
	7	Earl Road	&	South Dekalb Street	Install Right in Only / Remove Right Out
	8	Sunset Cemetery Road	&	West Sumter Street	Leave as-is (Two-Way Stop Control)
	9	Gidney Street	&	Lowes Entrance	Leave as-is (One-Way Stop Control, Add Stop Bar)

RESIDENTIAL NON- SIGNALIZED	10	Beaumonde Avenue	&	East Graham Street	Install Roundabout
	11	Forest Hill Drive	&	Summit Street	Leave as-is (One-Way Stop Control)
	12	Forest Hill Drive	&	South Poston Street	Leave as-is (One-Way Stop Control)
	13	Forest Hill Drive	&	Peach Street	Leave as-is (One-Way Stop Control)
	14	Rollingwood Drive	&	Cumberland Drive	Leave as-is (Two-Way Stop Control)
	15	Schenck Street	&	Hudson Street	Leave as-is (Two-Way Stop Control)

Mr. Yarboro reviewed and summarized the progress to improve traffic operations at intersections 1 through 5 as follows:

- **1, 2 and 3 – Engineering and construction proposals received; Powell Bill budget amendment request being prepared.**
- **4 – Signal was recently damaged and is in need of repair. Signal to be removed and stops to be installed on Lineberger Street based on geometry and volumes.**
- **5 – Signal to be removed in conjunction with abandonment of railroad. Signal has a train warning light that cannot currently be removed.**

Mr. Yarboro reviewed and summarized the progress to improve traffic operations at intersections 6 through 9 as follows:

- **6 and 7 – Existing issues discussed with NC Department of Transportation. Improvements to be determined during design of US 74 and Dekalb Street intersection improvement.**
- **8 – High visibility crosswalk and signage installed in accordance with Manual on Uniform Traffic Control Devices (MUTCD).**
- **9 – Stop bar was painted and sight triangle was cleared on Gidney Street.**

Mr. Yarboro reviewed and summarized the progress to improve traffic operations at intersections 10 through 15 as follows:

- **10 – Install roundabout or leave this intersection as-is with a two-way control stop.**
- **11 – 15 – Per consultant’s recommendation, the residential non-signalized streets listed were left as-is.**

Next, Mr. Yarboro provided an overview of a traffic calming program. He

defined traffic calming as a combination of self-enforcing measures to improve safety on streets as well as a combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.

Mr. Yarboro stated the elements of a proposed program would establish clear goals and objectives, establish request and implementation process, establish project selection criteria, identify traffic calming options, determine feasibility and funding, and ensure proper operation and maintenance.

Mr. Yarboro further stated the objectives of a traffic calming program seek to reduce speeding and cut-through traffic, improve pedestrian and bike safety and access, increase driver awareness, prevent shifting the program, enhance aesthetics, reduce collision frequency and severity, and minimize increases in noise and pollution.

Mr. Yarboro itemized numerous project selection criteria and considerations for a traffic calming program including but not limited to:

- Street classification
- Speed limit
- Traffic speeds
- Number of travel lanes
- Traffic volumes
- Pedestrian volumes
- Accident history
- Visibility
- Street grades
- Truck traffic
- Emergency vehicles
- Service vehicles
- Schools and playgrounds
- Sidewalk availability
- Cut-through Traffic
- Traffic safety
- Pedestrian safety
- Liability
- Drainage impacts
- Location relative to other calming and control devices
- Aesthetics
- Americans with Disabilities (ADA) accessibility
- Surrounding land uses

Mr. Yarboro discussed common categories of traffic calming measures, which are progressive in nature with increasing costs as the program goes forward, including:

- **Non-physical – Speed enforcement, lane striping, high visibility crosswalks, and signage**
- **Vertical – Speed humps/tables, raised crosswalks, and textured pavements**
- **Horizontal – Roundabouts, curb extensions, chicanes, and median islands**

He provided several illustrations of a chicane, median islands, on-street parking, and traffic circles and roundabouts from the Federal Highway Administration (FHWA) as examples.

Mr. Yarboro concluded by stating several traffic calming elements such as curb extensions, high visibility, and textured crosswalks have been incorporated within Uptown Shelby even without a formal policy.

Mr. Howell reiterated several points presented by Mr. Yarboro, adding a traffic calming policy or program must be well thought out with good reasoning and justifiable due to its fiscal implications. He stated Powell Bill fund balance will be budgeted to allow for the replacement of signals as recommended.

C. Public Comment: None

D. Public Hearing:

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

Mr. Hallman introduced the proposed zoning map amendment and Ordinance No. 16-2018 for Council’s consideration. The subject properties, which all front South Dekalb Street, consist of 1000 through 1018 South Dekalb Street. The site is located directly across from Shelby High School. The total area is approximately 1.65 acres. Mr. Hallman stated the applicant has requested a zoning amendment from Neighborhood Business (NB) District and Residential 8 (R8) District to Residential 6 (R6) District.

Mr. Hallman further stated the zoning amendment is consistent with the Shelby Comprehensive Land Use Plan as the Plan denotes this area as Neighborhood Revitalization and R6 is a compatible zoning classification with such designation. Staff recommended approval of this zoning map amendment. Mr. Hallman concluded by adding the Planning and Zoning Board unanimously recommended approval of the proposed zoning map amendment.

Mayor Anthony opened the public hearing at 6:36 p.m. and invited comments from the public:

Maida Renson who resides at 309 Country Club Drive in Greensboro, North Carolina spoke in support of the zoning map amendment application. She was available to respond to questions regarding the proposed project.

Mayor Anthony closed the public hearing at 6:37 p.m.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 16-2018 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA".

E. 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 March 5, 2018
- 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
- 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

END CONSENT AGENDA

F. Unfinished Business:

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

Mrs. Parduski reported 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: Darrell Gerald.

Mr. Amaya nominated David Schweppe for reappointment.

Mr. Kittrell nominated Darrell Gerald for appointment.

Council cast the following votes:

Darrell Gerald received one (1) affirmative vote (Kittrell).

David Schweppe received five (5) affirmative votes (Hendrick, White, Causby, Arth Dukes, and Amaya).

By consensus, Council reappointed David Schweppe to a new term.

G. New Business: None

H. City Manager's Report:

- 1) Mr. Howell reported the construction of the All Aboard Playground Project at City Park is nearing completion and he anticipated a ribbon cutting ceremony will be scheduled in early April 2018.**
- 2) With regard to the Uptown Water and Sewer Project, Mr. Howell stated construction work has slowed down due to the rainy weather conditions. West Marion Street between North Lafayette Street and North Morgan Street will remain closed for two or three more weeks, weather permitting. Once the contractor has completed the work on West Marion Street, they will be moving east on West Marion Street and will be working between North Lafayette Street and North Washington Street. Mr. Howell will address the concern over the delays with the contractor and the need to move forward, making measurable progress.**
- 3) Mr. Howell mentioned the scheduling of a joint meeting with the Cleveland County Commissioners and requested proposed dates. The topics include the proposed construction of Shell Building No. 3 at the Foothills Commerce Center and a presentation of the Rail-Trail conceptual plan by Alta Planning. Discussion followed and Council proposed April 16, 17, or 20 as potential dates for a joint meeting.**

Mr. Howell also mentioned the scheduling of budget sessions after April 16, 2018, preferably to be held during the last two weeks of that month.

Next, Mayor Anthony requested the cancellation of Council's regularly scheduled meetings of May 7 and May 21, 2018 due to conflicts in his schedule. Mayor suggested the rescheduling of one meeting to May 14, 2018.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to cancel the regularly scheduled Council meetings of May 7 and May 21, 2018 and to reschedule one Council meeting for May 14, 2018.

I. Council Announcements and Remarks:

- 1) Mrs. Arth Dukes expressed her appreciation to City staff for the prompt repair work completed on the Sumter Street culvert.
- 2) Mr. Amaya announced the MPO Board of the Gaston-Cleveland-Lincoln Metropolitan Planning Organization (GCLMPO) will meet on March 22, 2018 at 6:30 p.m., The LeGrand Center, 1800 East Marion Street in Shelby.

J. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 7:02 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of March 19, 2018

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: C-2

2) Approval of Special Event Permit Application:

- a. June Bug Jam 5K Run and Walk, requested date: June 2, 2018

Consent Agenda Item: (Staff Resource, Bernadette A. Parduski, City Clerk)

Summary of Available Information:

- Memorandum dated March 26, 2018 from Bernadette A. Parduski, City Clerk to Rick Howell, City Manager
- Memorandum dated March 15, 2018 from Bernadette A. Parduski, City Clerk to Police Chief Jeff Ledford, Fire Chief William Hunt, Assistant Fire Chief Todd McMurry, Parks and Recreation Director Charlie Holtzclaw, Public Works Director Danny Darst, Assistant Director Public Works Scott Black, Director of Water Resources David Hux, Planning and Development Services Director Walt Scharer, and Director of Engineering Services Ben Yarboro
- Special Event Permit Application

City Manager's Recommendation / Comments

This event is in keeping with special event practices of the City. It is my recommendation that this item be approved by City Council at this time via the Consent Agenda.

Memo

To: Rick Howell, City Manager

From: Bernadette A. Parduski, City Clerk

Date: March 26, 2018

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ June Bug Jam 5K Run and Walk, requested date: June 2, 2018

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of April 2, 2018 for Council's review and approval.

ATTACHMENT:

-
- A. Special Event Permit Application packet received March 13, 2018

Memo

To: Police Chief Jeff Ledford, Fire Chief William Hunt, Assistant Fire Chief Todd McMurry, Parks & Recreation Director Charlie Holtzclaw, Public Works Director Danny Darst, Assistant Director of Public Works Scott Black, Director of Engineering Services Ben Yarboro, Director of Water Resources David Hux, and Planning and Development Services Director Walt Scharer

From: Bernadette A. Parduski, City Clerk

CC: Rick Howell, City Manager

Date: March 15, 2018

Re: Special Event Permit Application

All:

Attached you will find a Special Event Permit Application submitted by Krista Allen of the Dover Foundation YMCA as follows:

- ✓ June Bug Jam 5K Run and Walk, requested date: June 2, 2018

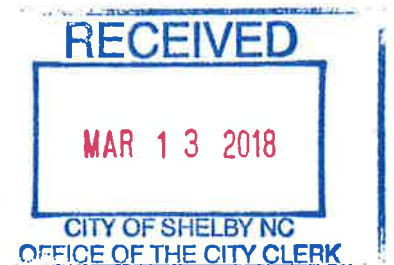
Please carefully review the details of this application as it pertains to your department, and let me know of any anticipated problems/objections that you would like to bring to the attention of the City Council. If there are none, please let me know that as well. The event will be considered by City Council at the April 2, 2018 meeting and recommended for approval unless you advise otherwise. If I do not hear from you by March 23, 2018, it will be assumed that you are in agreement with the application as presented.

As always, thanks for your attention and consideration.

Attachment

- b. This section shall have no application to any ordinance, which may allow criminal sanctions for its violation. All violations of this Code, which are criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.

**CITY OF SHELBY
SPECIAL EVENT PERMIT APPLICATION**



Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. **EVENT NAME:** June Bug Jam 5K run/walk
2. **PURPOSE AND BRIEF DESCRIPTION OF EVENT:**
Community outreach, fundraiser for youth program - a 5K event
3. **LOCATION OF EVENT (ATTACH MAP):** Dover Foundation YMCA, down Wyke rd, enter Brookwood & exit back to YMCA
4. **PLEASE INDICATE:**
Approximately how many people will attend the event: 400
Approximately how many vehicles will be present: 150
Approximately how many animals will be present: 12

If the event is a parade, please indicate the amount of street that will be needed:

Single lane _____

All lanes in travel direction _____

Whole street _____

5. **PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:**

Name: Krista Allen
Address: 411 Cherryville HWY Rd. Shelby, NC 28150
Phones: _____
(Daytime) (Evening)
Kallen@clevecoymca.org
(e-mail address)

Name: Mark Pritchett
Address: 411 Cherryville HWY Rd. Shelby, NC 28150
Phones: _____
(Daytime) (Evening)
mpritchett@clevecoymca.org
(e-mail address)

6. **PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) Saturday June 2, 2018
Alternate day(s) and date(s) _____
Requested hours of operation, from 8⁰⁰ AM/PM to 10³⁰ AM/PM

7. **SANITATION:** Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

8. **AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT;**

If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? NO
If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will ^(water) food and/or no-alcoholic beverages be served? NO
If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

9. **SECURITY AND SAFETY PROCEDURES:**

Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: Shayne Collins (FIRSTAID)
Address: Ruby C. Hunt YMCA
Phones: 704-434-0441

Indicate medical services that will be provided for the event.

AMBULANCE: /
DOCTOR (S): /
PARAMEDICS: /

10. **CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:**

Police for road/traffic control
at Jefferson Elem. and stoplight at corner (intersection)
of Brookwood/Wyke Rd/150

11. **ANY ADDITIONAL COMMENTS:**

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT.

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

Krista A. Allen
(SIGNATURE)

Krista Allen 704-669-3633
(APPLICANT) (PHONE)

411 Cherryville Hwy Shelby NC 28150
(ADDRESS)

2/19/2018
(DATE)

June Bug Jam 5k Run/ Walk

June 2, 2018

We will use a PA system on the campus of Dover Foundation YMCA for the purposes of announcements. This will be used briefly at the start of the race at 8:30am and again during the awards about 9:45a.m.

Our clean up plan will be handled through staff of Cleveland County Family YMCA association and volunteers. Trash dispensers (3) will be located throughout the parking lot and vendor tables on the campus of the Dover Foundation YMCA. A "clean up" car will drive the race route at the completion of the final participant. The purpose will be to collect all signs related to the race route as well as any trash accumulated.

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City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: C-3

- 3) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 17-2018

Consent Agenda Item: (Staff Resource, Walter Scharer, Planning Director)

Summary of Available Information:

- Memorandum dated March 23, 2018 from Walter Scharer, Planning Director to Rick Howell, City Manager
- Photo of property
- Location Map – 327 Hudson Street
- Tax Card for 2018
- Ordinance No. 17-2018

City Manager's Recommendation / Comments

Please note that the Building Inspector has duly conducted enforcement of the minimum housing code in accordance with the NC General Statutes and City Code. I do want to emphasize that it is the common practice of the City to err on the side of the property owner in most all cases giving them the benefit of the doubt when action is initiated. A thorough and fair due process is followed in all cases. Demolition of these homes is always the last resort after efforts to persuade a property owner to make these minimum standards have failed. As you all know once this ordinance is passed the City is empowered to enter onto the property to demolish the building. All associated demolition costs and administrative costs are then filed by the City Attorney as a lien against the property. This lien is normally only satisfied to the City's benefit upon the sale of the property.

Excerpt from Strategic Growth Plan

4. Community Appearance & Image

POLICY 4.4: Vacant and abandoned sites and buildings shall be properly cared for or removed, thereby preventing a blighting impact on the area in which they are located.

Action 4.4.1: Examine and implement standards for maintaining undeveloped or vacant lots and for repairing or removing abandoned structures and sites.

It is my recommendation Ordinance No. 17-2018 be adopted and approved by City Council at this time via the Consent Agenda.



Memorandum

To: Rick Howell - City Manager
From: Walter Scharer – Planning & Development Director
Date: March 23, 2018
Subject: **Demolition of Structure at 327 Hudson Street**

Executive Summary of issue – Background

The dwelling associated with this proposed demolition action is in a dilapidated condition and should be removed for the safety of the citizens of Shelby. Initial complaints came from residents, the Shelby Police Department and City Code Enforcement. The property owner has been given due process and has failed to comply with the City’s Minimum Housing Code.

Review and Comments

Due to dilapidation this dwelling is unfit for human habitation and has the potential of increasing the hazards of fire, accident, and other calamities; it is dangerous and detrimental to the health, safety, and welfare of the citizens of the City of Shelby. The estimated cost of demolition and removal is approximately \$5,000.00. Budgeted minimum housing funds will be used for this demotion.

Removal of this structure is in compliance with the City of Shelby Minimum Housing Code pursuant to N.C.G.S. 160A-441.

Removal of this structure is supported by the following Strategic Growth Plan Policies and Actions:

POLICY 4.4: Vacant and abandoned sites and buildings shall be properly cared for or removed, thereby preventing a blighting impact on the area in which they are located.

Action 4.4.1: Examine and implement standards for maintaining undeveloped or vacant lots and for repairing or removing abandoned structures and sites.

POLICY 9.2: Consistent, reliable enforcement of well written housing and nuisance abatement codes shall be employed to eliminate instances of unlawful activity and urban blight within the planning area of Shelby.

Recommendation

Please place this item on the consent agenda for the next City Council meeting on April 2, 2018. Staff recommends this minimum housing action.

Attachments: Photo of Structure, Location Map, Tax Card and Ordinance

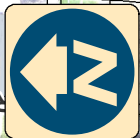
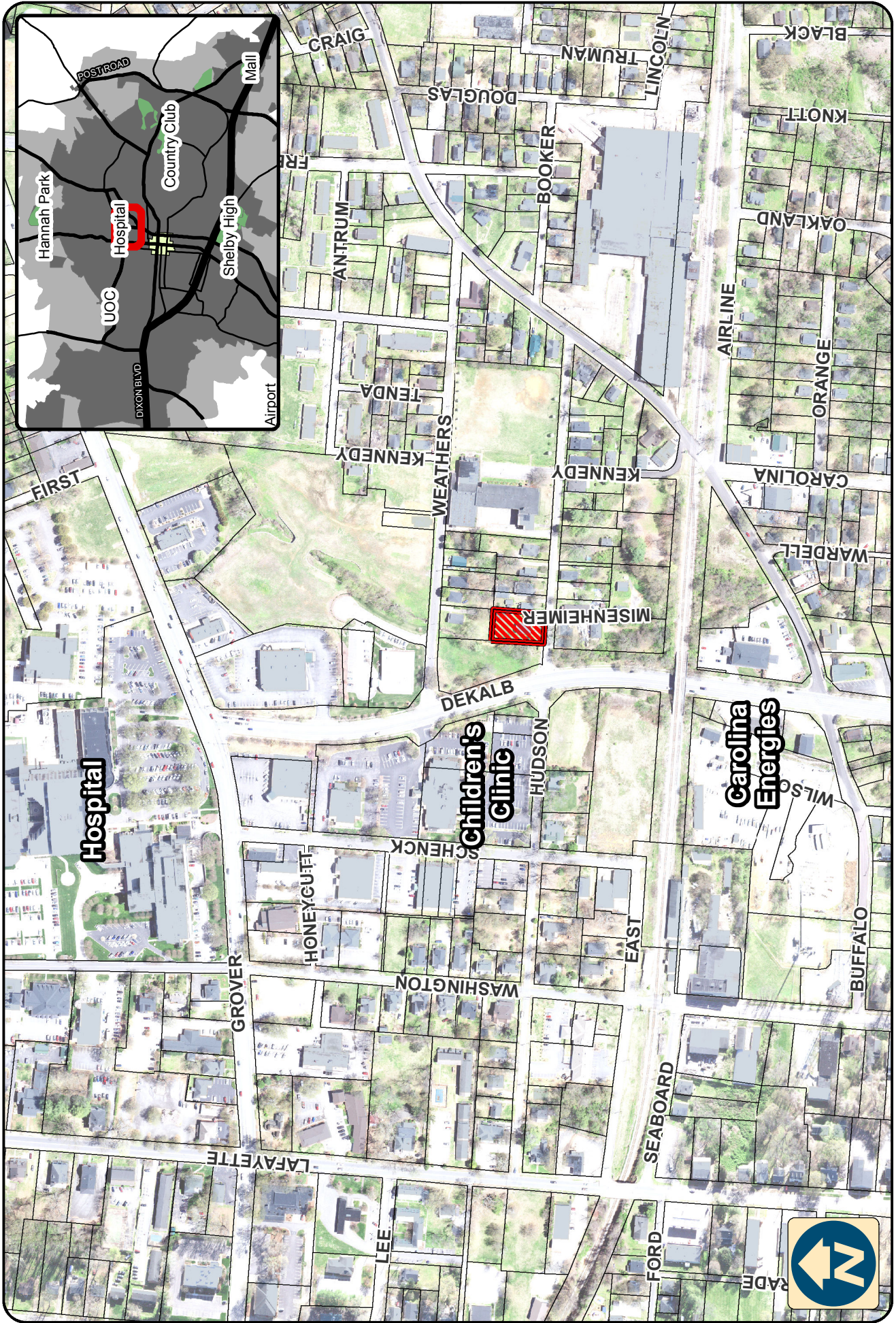


327



Location Map 327 Hudson Street

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



Scale 1:4,500 1 inch = 375 feet 0 187.5 375 750 Feet Date: 3/15/2018

USER ALAN

FOR YEAR 2018

CANADY EDNA BROWN HEIRS
%DORTHY B WIGFALL
339 N GROVE ST

PARCEL ID.. 19022
LOCATION... 327 HUDSON ST
DEED YEAR/BOOK/PAGE.. 1998 99E 30
PLAT BOOK/PAGE..
LEGAL DESC:327 HUDSON

PIN... S18 6 15
SHELBY
ASSESSMENT NONE
OWNER ID.. 1159602
DISTRICT.. 6 CITY OF SHELBY

EAST ORANGE
DESCRIPTION

TOWNSHIP... 6 SHELBY
NJ 07017-

NBRHOOD... 272 S MAPS #6
RESIDENTIAL

MAINTAINED.. 5/17/2017 BY MAYES
VISITED..... 5/01/1998 BY
PARCEL STATUS... ACTIVE

VALUED.. 9/14/2016 BY MAYES

ROUTING#..
CATEGORY.. Real & Personal

SALES HISTORY						
DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
99E 30	11/13/1998	DEED				CANADY EDNA BROWN HEIRS
19M 530	1/01/1986	SALE				

LAND SEGMENTS												
LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOT ADJ	CURRENT FMV
1		02	FF F	88.000	60.00	103.00	.00	100.00	.00	.00	.00	5,438
TOTAL ACRES..				152	.000		OTHER ADJ...	.00	.00	.00	.00	5,438

IMPROVEMENT # 1 MAJOR IMPR-M												
MAIN FIN AREA..	1,008.00	ACT/EFF YR/AGE..	1922 1964 52	VISITED..	BY							
STRAT..... 02		DESCRIPT....	SINGLE FAMILY DWELLING-WF	MAINTAINED..	5/17/2017 BY MAYES							
MAIN PERIM.....	128.00	MAIN GROUND SF....	1,008.000									
LOCATION #.....	HUDSON ST	327										

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMLP
AC 06	COVERED PORCH	100	168.00	13.19			107.00				2,370	
MA 37W	SINGLE FAMILY DWELLI	100	1008.00	62.11	1.00		100.00			100	62,606	
EW 06	WOOD SIDING	100	128.00	.00							0	
- FD 04	PERIMETER FOOTING	100	1008.00	.00							0	
- FP 04	ONE STORY SINGLE	100	1.00	2250.00							2,250	
- HC 01	NONE	100	1008.00	1.89-							1,905-	
- PL R	RES PLUMB-EXTRA FIXT	100	5.00	717.00							0	

RCN...	PCT COMPLETE	100	x	65,321
QUAL... QG D1	D+10	92.00	x	60,095
DEPR... D8	52 YEARS OLF	99.00	-	59,493
LOCA.. LOD	LOCATIONAL OBS DEP	25.00	-	150
--FMV... MA 272	272 MARKET ADJ	75.00	x	338

DATE 10/30/17
 TIME 8:55:17
 USER ALAN

CLEVELAND COUNTY
 PROPERTY CARD
 FOR YEAR 2018

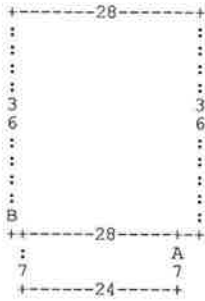
PAGE 2
 PROG# AS2006

CANADY EDNA BROWN HEIRS

PARCEL ID.. 19022

PIN... S18 6 15

----- IMPROVEMENT # 1 MAJOR IMPR-M -----



		AC 06	COVERED PORCH				TRAVERSE			
M R	26.00	D D	7.00	D L	24.00	D U	7.00	D R	24.00	
		MA 37W	SINGLE FAMILY DWELLI		FLOOR:	1.00	TRAVERSE			
D U	36.00	D R	28.00	D D	36.00	D L	28.00			

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE	2017 VALUE
FMV.....	5,438		338		5,776	5,776
APV.....	5,438		338		5,776	5,776

----- COMMENTS - -----

ORDINANCE NO. 17-2018

AN ORDINANCE AUTHORIZING DEMOLITION OF A DWELLING

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6, of the North Carolina General Statutes, the single family dwelling located at **327 Hudson Street**, Shelby, North Carolina, has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within the City; and,

WHEREAS, according to the procedure provided by law, the owner(s) of said property, **Dorothy Wigfall**, has or have been given notice of the aforesaid inspection, determination, and orders to bring said property into compliance with the housing standards of the City of Shelby by appropriate repair or removal of said dwelling; and,

WHEREAS, no action of any kind has been taken or initiated by the owner(s), or any party on behalf of said owner(s), to achieve compliance with said ordinances within the periods allowed by law; and,

WHEREAS, the said dwellings remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of the City of Shelby, and should be removed by demolition in order to prevent and alleviate such continuing danger and dilapidated conditions.

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

Section 1. The dwellings on the property known as **327 Hudson Street**, Shelby, and described in the Cleveland County records as Tax Parcel No. **19022** be demolished forthwith, the remnants thereof disposed, and a lien for the costs of such demolition and removal, less any credits due the owner(s), be filed against the property and collected pursuant to the provisions of North Carolina General Statutes § 160A-443, et seq.; and,

Section 2. Said lien bear interest until paid, as allowed in Article 10 of Chapter 160A of the N.C. General Statutes, at the rate of eight percent (8.0%) per annum.

Adopted and approved this 2nd day of April 2018.

O. Stanhope Anthony, III
Mayor

ATTEST:

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

APPROVED AS TO FORM:

Robert W. Yelton
City Attorney

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: C-4

- 4) Adoption of Fiscal Year (FY) 2017-2018 Budget Ordinance Amendment No. 14:
Ordinance No. 18-2018

Consent Agenda Item: (Staff Resource, Justin Merritt, Finance Director)

Summary of Available Information:

- Memorandum dated March 27, 2018 from Justin Merritt, Finance Director to Rick Howell, City Manager
- Ordinance No. 18-2018

City Manager's Recommendation / Comments

Ordinance No. 18-2018 is presented for City Council consideration at this time via the Consent Agenda. If approved this ordinance would appropriate \$146,534 from the 2016 HUD grant to the Housing Fund for use in building repairs and maintenance. The bulk of this funding would go to the replacement of older HVAC units with a higher 14 SEER rating as well as some painting and kitchen countertop and other improvements. This grant funding is restricted to capital improvements and its use is reviewed and approved by HUD.

It is my recommendation Ordinance No. 18-2018 be adopted and approved by City Council at this time via the Consent Agenda.



To: Rick Howell, City Manager
From: Justin Merritt, Finance Director
Date: March 27, 2018
Subject: HUD FY 2016 Capital Fund (CFP) Grant Funds

Background:

As you know, the City annually receives a Capital Fund Program grant from the Dept. of Housing and Urban Development (HUD). These proceeds are required to be appropriated within the Housing Department's operating budget and expended per the CFP agreement.

The Housing Department has \$146,534 remaining in the HUD 2016 grant that must be appropriated and encumbered by April 14, 2018 or the grant funds will be retracted.

The Housing Department has requested that these funds be appropriated so they can be used to make certain repairs and improvements to the housing units. These projects include interior painting, HVAC replacement and countertop replacement, among other repairs.

The attached budget amendment will appropriate the requested grant funds and make them available for use in the FY 2018 budget.

Recommendation:

The recommendation from staff is to approve the attached resolution and budget amendment.

ORDINANCE NO. 18-2018

CITY OF SHELBY
FISCAL YEAR (FY) 2017-2018 BUDGET ORDINANCE AMENDMENT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its annual budget for FY 2017-2018; and,

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve same for implementation and compliance with the Fiscal Control Act;

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

Section 1. Ordinance No. 41-2017, the City’s FY 2017-2018 Budget Ordinance, is hereby amended as follows to provide for Budget Amendment No. 14 for the year:

(A) The City of Shelby Department of Housing has 2016 HUD CFP grants remaining and must spend them on qualifying expenditures. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

(1) The following Housing Fund line items are amended:

(a) Increase 34006000-34824 2016 HUD Revenues	\$146,537
(b) Increase 340530-65032 2016 HUD Expenditures	\$146,537

Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

	<u>Current Budget</u>	<u>Amendment No. 14</u>
General Fund	\$ 23,091,947	\$ 23,091,947
Emergency Telephone System Fund	107,000	107,000
Powell Bill Fund	654,750	654,750
Economic Dev. Fund	1,251,383	1,251,383
Housing Fund	1,494,872	1,641,409
Cemetery Fund	30,000	30,000
Utilities-Water Fund	5,175,797	5,175,797
Utilities-Sewer Fund	5,461,315	5,461,315
Utilities-Electric Fund	21,894,427	21,894,427
Utilities-Gas Fund	17,151,911	17,151,911
Utilities – Stormwater Fund	962,000	962,000
FY 2017-2018 Budget Total	<u>\$ 77,275,402</u>	<u>\$ 77,421,939</u>

Ordinance No. 18-2018
April 2, 2018
Page 2

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

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

Adopted and approved this the 2nd day of April 2018.

O. Stanhope Anthony, III
Mayor

ATTEST:

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

APPROVED AS TO FORM:

Robert W. Yelton
City Attorney

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: D

Unfinished Business

None

Agenda Item: E

New Business

None

City of Shelby
Agenda Item Summary
April 2, 2018
City Hall Council Chamber

Agenda Item: F

City Manager's Report

- 1) Non Sewered Neighborhoods Report
- 2) All Aboard Playground Ribbon Cutting
- 3) US Hwy 74 Bypass Interchange – Utility Service Plans

Agenda Item: G

Council Announcements and Remarks

H. 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