

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) Uptown Shelby Association (USA) update – Audrey Whetten,  
Executive Director 1
- 2) Tar Heel Leagues State Youth Softball Tournaments – Charlie  
Holtzclaw, Director of Parks and Recreation 2

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.  
34-2018 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**  
**June 18, 2018**  
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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 94

City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

Agenda Item: B-1

*Special Presentations*

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

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

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Summary of Available Information:

- No documentation provided at this time

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City Manager's Recommendation / Comments

This time is scheduled on your agenda to allow Audrey Whetten, Executive Director of Uptown Shelby Association, to update the City Council. I've asked Ms. Whetten to update City Council on at least a quarterly basis.

City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

Agenda Item: B-2

- 2) Tar Heel Leagues State Youth Softball Tournaments – Charlie Holtzclaw, Director of Parks and Recreation

**(Comments: Rick Howell, City Manager, Staff Resource; Charlie Holtzclaw, Director of Parks and Recreation)**

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Summary of Available Information:

- Memorandum dated June 7, 2018 from Charlie Holtzclaw, Director Parks and Recreation to Rick Howell, City Manager

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City Manager's Recommendation / Comments

Mr. Holtzclaw has requested this time on the agenda to provide Council with information on a rather large baseball tournament to be held in Shelby this summer. I wish to commend our Parks and Recreation staff for their hard work in securing this tournament. These are important events as they bring hundreds of young players, parents, grandparents and others to town for four days (July 19-22). I think all of you know that they stay in local hotels, eat at local restaurants and shop in local stores. These types of events are a piece of the puzzle for the improved economic health of our community. The impression we make on them while they are here is important to securing future tournaments and on the image of Shelby they take back to their own communities. Your support is vitally important to the success of this event as well. Thanks for your willingness to allow us to host this event and for providing the leadership necessary to have the great facilities here in Shelby.



Memorandum

To: Rick Howell, City Manager  
Cc: Bernadette Parduski, City Clerk  
From: Charlie Holtzclaw, Director Parks and Recreation  
Date: June 7, 2018  
Subject: Tar Heel Leagues State Youth Softball Tournaments

Executive Summary of issue – Background

Shelby City Park will host Tar Heel Leagues State Tournaments July 19<sup>th</sup> through 22<sup>nd</sup>. These tournaments will feature 4 Shelby host teams and combine to have a total of 48 girls' softball teams with 800 players and coaches participating in the 4-day events. The tournaments will consist of 8 teams in the Tar Heel 15 & Under, 8 teams in the Tar Heel 12 & Under, 8 teams in Tar Heel 10 & Under, 12 teams in the Tar Heel 8 & Under Coach Pitch, and 12 teams in the Tar Heel 8 & Under Machine Pitch division.

Several hundred spectators are expected to be on hand daily until the Sunday championship games. There will be a total of nearly 90 games played at both the Ballfield Complex and the Recreation and Sports Complex.

**Opening ceremonies for all teams will be held on Thursday, July 19<sup>th</sup> at 2:00pm at the City Park Recreation and Sports Complex.**

The vast majority of these teams and families will be staying in our local motels. The teams will come from all across the state from the coast to the mountains and also will patronize our restaurants and businesses.

This would not be possible without our 7 City Park fields at the Recreation and Sports Complex and Ballfield Complex that has delivered us 5 State Tournaments in the last 6 years.

I am requesting this time to briefly talk about the upcoming State Tournaments and invite Mayor and Council members to attend opening ceremonies.

City of Shelby  
Agenda Item Summary  
June 18, 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  
June 18, 2018  
City Hall Council Chamber

D. Public Hearing (Legislative)

**Agenda Item: D-1**

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina: Ordinance No. 34-2018

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

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Summary of Available Information:

- Memorandum dated May 25, 2018 from Walter Scharer, Planning Director to Rick Howell, City Manager
- General Application
- Staff Report
- Location Map
- Zoning Map
- Planning and Zoning Board Minutes
- Certified Recommendation
- Notice of Public Hearing
- Ordinance No. 34-2018

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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 not 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. 34-2018**





**Memorandum**

To: Rick Howell - City Manager  
From: Walter Scharer – Planning Director  
Date: May 25, 2018  
Subject: Requested zoning map amendment from LI to R6 at 502 Booker Street

**Executive Summary of Issue – Background**

This small parcel has a nonconforming single family structure that can no longer be used. This zoning change is necessary to permit the applicant to rehabilitate the structure as a single family dwelling.

**Review and Comments**

The Comprehensive Land Use Plan (2009) designates this area as Mixed Use.

**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 June 18, 2018.

**Attachments: Application, Staff Report, Zoning Map, Notice of Public Hearing, Planning and Zoning Board May 17, 2018 minutes, Certified P&Z Recommendation, and Ordinance**



City of Shelby  
Planning and Development Services Department

General Application

Address of Subject Property:

502 Booker St Shelby NC

Applicant(s) Name: DONALD KRAMER

Address: 88 PARKWAY VIEW DR  
WAYNESVILLE NC 28786

Email: donkramer1974@yahoo.com

Phone: 828-316-7424

Owner(s) Name: Same

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:

Proposed Zoning: R-6

Proposed Land Use:

Previous Use:

Approx. Building Sq. Ft.: 800

Approx. Project Acreage:

Business Name:

Construction Sq. Ft.:

Valuation:

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

rehab property roof, kitchen, bath, floors, windows, etc

change zoning to residential use

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.

Signature of Applicant

Date 4-26-18

Received by:

Date

# Staff Report



To: Shelby Planning & Zoning Board  
From: Walter Scharer  
Planning Director

Date: May 3, 2018  
Meeting: May 17, 2018  
File: #1087

**OWNER:** Don Kramer

**APPLICANT:** Don Kramer

**LOCATION:** 502 Booker Street

**PARCEL ID #:** 18817

**PRESENT ZONING:** Light Industrial (LI)

**REQUESTED ZONING:** R6

**SURROUNDING ZONING:** North: R6 South: LI East: LI West: LI

**UTILITIES:** Water: Yes Sewer: Yes Floodplain: No Watershed: No

**ANALYSIS:** This 4,000 Square Foot property is located at 502 Booker Street adjacent to a former textile mill. The Former mill is used for variety of warehousing currently. Other land uses in the area include single family dwelling, neighborhood commercial uses and institutional uses.

The LI Light Industrial District is primarily intended to accommodate limited manufacturing, warehousing, wholesaling, and related commercial and service activities which have little or no adverse impact upon adjoining residential, business, and industrial properties. The preservation of land for light industrial use is a major objective of the LI District. The LI District is intended to provide appropriate locations for light industrial uses in areas that are not adversely impacted by general or heavy industrial uses. Other land uses allowed within the LI District should be limited to those uses that support light industrial uses. Generally, retail and heavy commercial uses should be avoided in the LI District.

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.

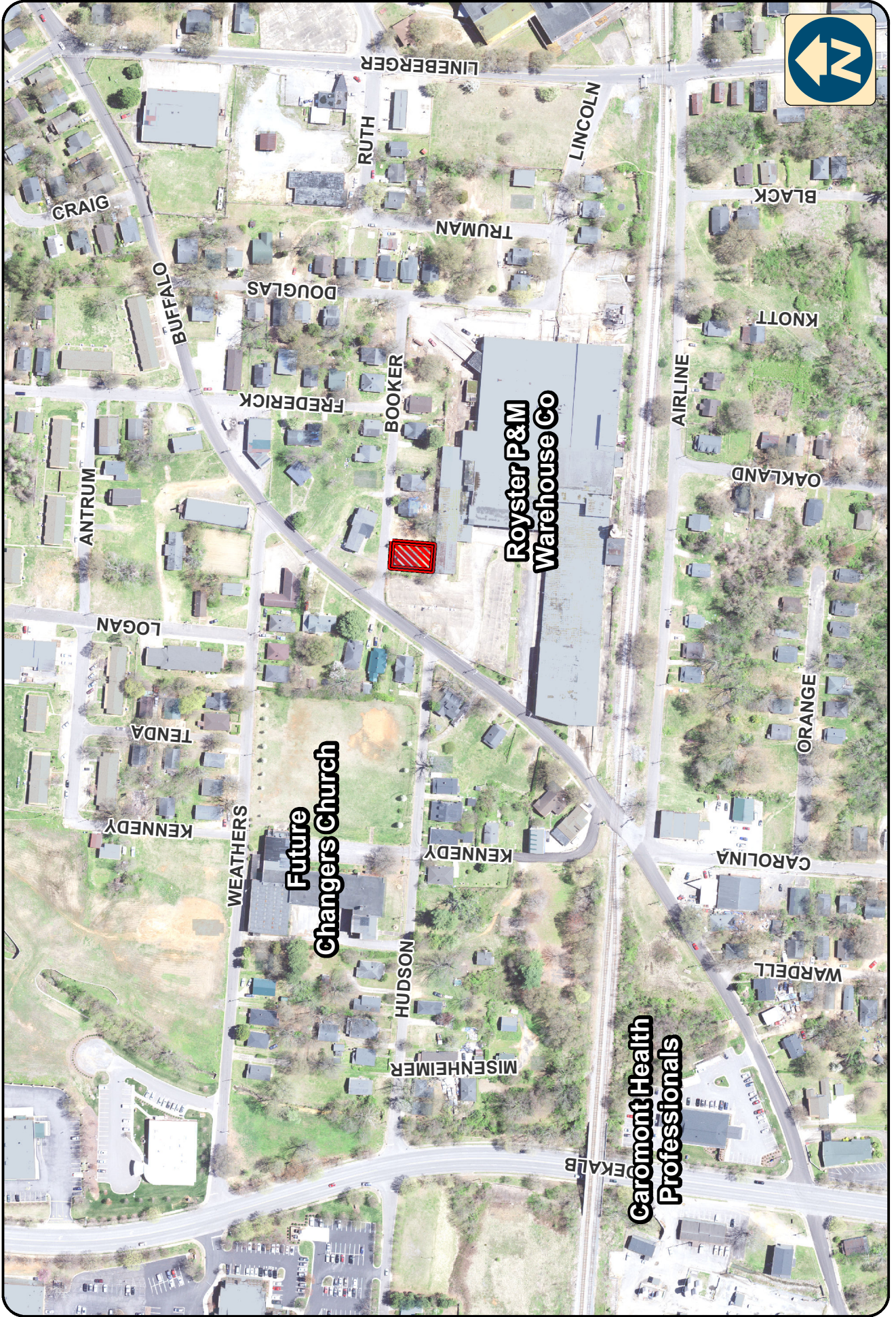
This house has been vacant since the previous owner passed away approximately 6 years ago. The current owner has possessed the property since December of 2014. Single family dwellings are not a permitted use in the LI Zoning District. The dwelling has previously been a nonconforming use, however, when a nonconforming use is vacant for more than 365 days the nonconforming use cannot be used again. Therefore, the owner has petitioned the City to rezone the property to R6 in order to renovate the structure and possibly lease it.

**STAFF COMMENTS:** The Comprehensive Land Use Plan for this area designates the site as Mixed Use. A mixed use area is intended to concentrate a mix if commercial uses and higher density residential uses. The proposed zoning map amendment is consistent with the Comprehensive Land Use Plan. However, the proposed zoning will create a substandard lot of record. A substandard lot of record is a lot created prior to the adoption of the current UDO that does not meet the dimensional requirements for the zoning district for which it is located. A substandard lot of record may be used for a Single Family Dwelling provided setback dimensions are met.



# Location Map 502 Booker 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



500 Feet

0 125 250

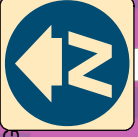
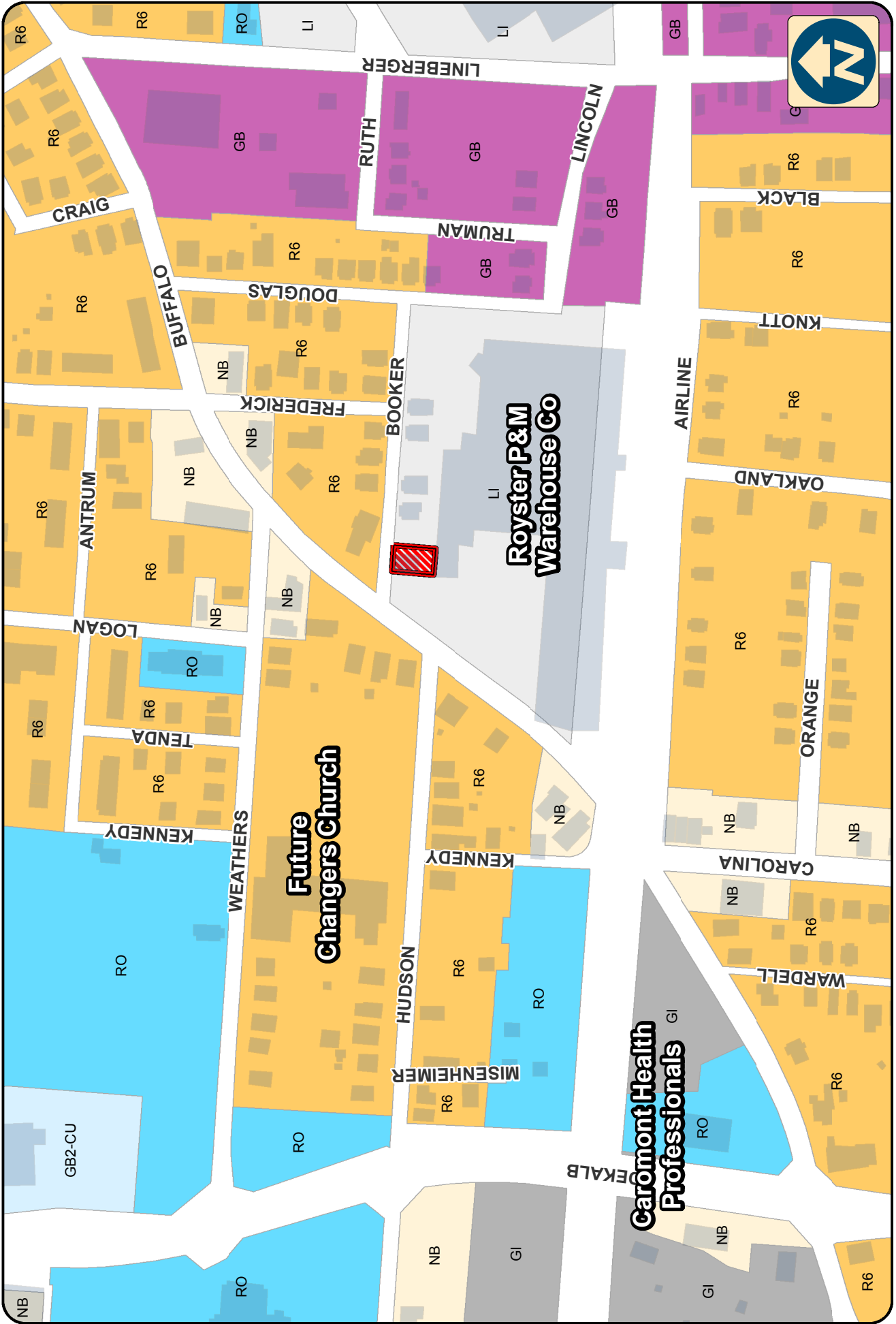
Scale 1:3,000 1 inch = 250 feet 0

Date: 5/2/2018



# Zoning Map 502 Booker 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



500 Feet

250

125

0

1 inch = 250 feet

Scale 1:3,000

Date: 5/2/2018



**CITY OF SHELBY PLANNING AND ZONING BOARD MINUTES**  
**May 17, 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:** Rick Washburn, Charles Hamrick, Marlene Peeler, Mike Royster, Emanuel Hunt, Jim Martin, Jeff Aderholt, Mark Carter, and Scott Bankhead.

**Staff Present:** Walt Scharer (Planning Director) and Darin Hallman (Planner)

**Item 2. Approval of the Minutes for the April 19, 2018 meeting**

Chairman Peeler asked if there were any questions or comments about the April 19, 2018 minutes. The minutes were approved as submitted.

**Item 3. Proposed Major Subdivision – Edgewater**

Mr. Scharer presented this proposed Major Subdivision. This subdivision preliminary plat has an area of approximately 36.57 acres with fifteen (15) lots. The average lot size is more than 2 acres.

The applicant intends to build a Very Low Volume Local Road which is a street with a primary function to provide access to no more than 20 abutting properties with a Minimum Lot Size of One Acre. Average Daily Traffic count is no more than 400 vehicle trips per day. According to standard traffic generation tables, this subdivision will generate approximately 150 vehicle trips per day.

This proposed subdivision is consistent with the Comprehensive Land Use Plan (2009).

Motion: Mr. Carter made the motion to approve the preliminary plat for Edgewater Subdivision.

Second: Mr. Hamrick.

Action: This motion passed unanimously.

**Item 4. Proposed Zoning Map Amendment 502 Booker Street**

Mr. Scharer presented this proposed zoning map amendment. Land uses in this area include industrial, single family residential, and institutional uses. Single family dwellings are not permitted uses in the LI zoning district. This single family dwelling has been vacant for more than 5 years, therefore, may not be used as a nonconforming use.

The LI Light Industrial District is primarily intended to accommodate limited manufacturing, warehousing, wholesaling, and related commercial and service activities which have little or no adverse impact upon adjoining residential, business, and industrial properties. The preservation of land for light industrial use is a major objective of the LI District. The LI District is intended to provide appropriate locations for light industrial uses in areas that are not adversely impacted by general or heavy industrial uses. Other land uses allowed within the LI District should be limited to those uses that support light industrial uses. Generally, retail and heavy commercial uses should be avoided in the LI District.

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. Scharer noted the Comprehensive Land Use Plan designates this mixed use. Mr. Scharer asked if there were any questions concerning the proposal. Discussion followed. Mr. Hamrick asked if a timeline could be place on rehabilitation of the structure. Mr. Scharer stated zoning cannot be used for such a timeline. However, the minimum housing ordinance does impose a timeline.

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

**Second:** Mr. Washburn.

**Action:** This motion passed unanimously.

**Item 4.** **Motion to adjourn.**

Being no other business, Chairman Peeler adjourned the meeting at 12:43 pm.



## Certified Recommendation

### City of Shelby Planning & Zoning Board

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**Case File:** 1088

**Amendment:** A Zoning Map Amendment for property located at 502 Booker Street with PIN #: 18817 from Light Industrial (LI) to R6.

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**Recommendation:** **The Planning and Zoning Board recommends approval of the proposed zoning map amendment for property located at 502 Booker Street with PIN #: 18817 from Light Industrial (LI) to R6.**

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**Findings &**

**Reasons:** 1. The proposed zoning map amendment is consistent with the Comprehensive Land Use Plan.

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**Motion:** Mr. Hamrick made the motion to recommend to City Council approval of this proposed zoning map amendment from LI to R6.

**Second:** Mr. Royster.

**Action:** This motion passed unanimously.

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

Marlene Peeler  
Planning and Zoning Board Chair

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Date: 5/18/2018

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Date: 5/18/2018



**NOTICE OF PUBLIC HEARING  
APPLICATION #: 1088-2018  
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, June 18, 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 Light Industrial (LI) Zoning District to R6 Zoning District for property located at 502 Booker Street with the Cleveland County Parcel Number 18817.

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 TUESDAY, June 5, 2018 and repeat the same ad on TUESDAY, June 12, 2018.**

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

**ORDINANCE NO. 34-2018**

**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 inconsistent 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 June 18, 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.

**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), 502 Booker Street is hereby amended from Light Industrial (LI) to 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 18817.

**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. 34-2018

June 18, 2018

Page 2

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

**ADOPTED AND APPROVED** this the 18<sup>th</sup> day of June 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  
June 18, 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 June 4, 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 June 4, 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

June 4, 2018  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, Violet Arth Dukes, Ben Kittrell, Jr., Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, Director of Finance Justin S. Merritt, MPA, Assistant Director of Finance Elizabeth B. (Beth) Beam, CPA, 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, Assistant Fire Chief – Logistics and Enforcement Services Todd McMurry, Assistant Fire Chief – Operations and Personnel David Vanhoy, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Department Walter (Walt) Scharer, AICP

**Absent:** Council Member David Causby

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

Mr. Hendrick requested that Item C-1 (a) and (b) be moved to E-1 (a) and (b) Public Hearing and E-1 be moved to C-1 Unfinished Business. He also requested the addition of Item C-2 under Unfinished Business, as follows:

- Discussion regarding Royster Memorial Golf Course

**ACTION TAKEN:** Upon a motion made by Mr. Hendrick, City Council voted 4 to 1 (Arth Dukes) to approve the agenda as amended.

### B. Special Presentation:

- 1) Recognition of Justin S. Merritt, Finance Director, and the City of Shelby's Finance Department as recipients of the Certificate of Achievement for

**Excellence in Financial Reporting awarded by the Government Finance Officers Association (GFOA) for the Fiscal Year ended June 30, 2017**

Acknowledging a long legacy, Mayor Anthony was pleased to announce that the Government Finance Officers Association awarded the Certificate of Achievement for Excellence in Financial Reporting to the City of Shelby for its Comprehensive Annual Financial Report (CAFR) for the 21<sup>st</sup> year. It is a testament to the commitment of past and present management and finance directors, whose work is often taken for granted, as to full public disclosure and communication of the financial condition of the City of Shelby.

Mr. Merritt acknowledged Mrs. Beam as primarily responsible for preparing the award-winning CAFR. He also explained it is a beneficial document which demonstrates a constructive spirit of full disclosure to clearly communicate the City's financial story and to motivate potential users and user groups to read the CAFR.

Mayor Anthony recognized and congratulated Mr. Merritt and Assistant Finance Director Beth Beam as they accepted the Certificate of Achievement on behalf of the City.

**C. Unfinished Business:**

- 1) Consideration of a resolution of tentative award for the Runway Overlay Project at Shelby-Cleveland County Regional Airport to Harrison Construction Company, Division of APAC-Atlantic, Inc.: Resolution No. 28-2018

Mr. Howell introduced Resolution No. 28-2018 for Council's consideration. If approved, this resolution would award a contract in the amount of \$2,468,006.75 to Harrison Construction Company, Division of APAC-Atlantic, Inc. for the construction of the Runway Overlay Project at the Shelby Cleveland County Regional Airport. This project has been approved by the North Carolina Department of Transportation (NCDOT) Division of Aviation for funding and has also received an award recommendation from the consulting engineering firm, W. K. Dickson & Co., Inc. A 10 percent local match is required and the County has again agreed to share this match with the City. This amounts to \$126,036.00 for each entity.

Next, Mr. Yarboro summarized the Runway Overlay Project by stating the current 5,002 foot runway exhibits significant cracking along joints within the asphalt and has extremely faded pavement markings. Based on these field observations and recent asphalt evaluations by the NC Division of Aviation, it was determined by the NC Division of Aviation and the City's engineering

consultant, W. K. Dickson, that an asphalt overlay project on the existing asphalt runway was the best solution to address the existing issues with the runway. In February 2016, the City was notified of a grant award for the design and construction of the Runway Overlay Project. After completing the grant acceptance process, the construction plans were designed and a public bid opening was conducted in March 2018. Following this bid opening, a negotiation process occurred with the low bidder, Harrison Construction Company, Division of APAC-Atlantic, Inc., to reach a final construction cost of \$2,428,713.75. Funding for this final construction cost is available in the State grant that was previously awarded. The total grant amount including the related professional services is \$2,520,715.75 with a 10 percent local match of \$252,071.75.

Mr. Yarboro provided the scope of the Runway Overlay Project as follows:

- Repairing existing cracks in asphalt via routing, filling, etc.
- Completing a 2-inch asphalt overlay on the runway and connectors between the runway and parallel taxiway.
- Reflective pavement markings will be installed in accordance with current Federal Aviation Administration (FAA) standards. This increased visibility directly improves the safety of all approaching aircraft.
- Increasing the weight rating of the runway in an effort to prevent asphalt damage from heavier aircraft.
- The new asphalt surface will greatly reduce the occurrence of aggregate breaking loose from the cracks in the existing asphalt. This reduces the major concern of foreign object debris (FOD) striking aircraft.
- It is anticipated that this project will add approximately 15 years to the life expectancy of the pavement.

Mr. Yarboro concluded with the construction on this project is anticipated to begin in early August 2018, which will result in a 21-day runway closure. He stated work should be substantially completed and the runway re-opened by September 1, 2018.

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 28-2018 entitled, "A RESOLUTION OF TENTATIVE AWARD FOR THE RUNWAY OVERLAY

**PROJECT AT SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT TO HARRISON CONSTRUCTION COMPANY, DIVISION OF APAC-ATLANTIC, INC.”.**

**2) Discussion regarding Royster Memorial Golf Course**

**Mr. Hendrick re-introduced the discussion as to how to effectively close the Royster Memorial Golf Course following the Alternative Use Study and Plan, previously presented by the City’s consultants, Woolpert North Carolina, LLC.**

**Next, Mr. Howell explained the intent of the study was to identify future uses of the golf course property should closure eventually occur. The property would continue to be maintained so that it would not detract from the aesthetics of the City Park and neighboring properties. In the coming years, the City would hope to implement some of the ideas brought forth by the public for future use.**

**Council further discussed the significant decline in play on the golf course over time, the reduction of paid memberships over the years, and the increasing operational costs, all having been sufficiently evaluated. If the course does close in the near future, there will be a net savings to the City’s taxpayers of approximately \$166,000.00 annually.**

**Mr. Howell clarified if Council wishes to implement some of the elements included in the Conceptual Master Plan, a planning process to seek additional input from the public as to the priorities and the long-term operational costs is necessary. The discussion always was if the golf course would close, what would be the options and which options were going to draw and benefit the most number of people. He reiterated it is important the alternatives put forth were still resonating with the public and were affordable, cost effective, and met the needs of the citizens.**

**ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted 4 to 1 (Arth Dukes) to close the Royster Memorial Golf Course no later than November 1, 2018 and directing staff to bring forth recommendations of the best uses for the golf course property.**

**D. 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 May 14, 2018
- 2) Approval of Special Event Permit Applications:
  - a. 7<sup>th</sup> Inning Stretch Festival, 5K, and Little Miss American Legion World Series, requested date: August 11, 2018
  - b. Host City Welcome, requested date: August 15, 2018
- 3) Approval of a resolution authorizing the upset bid process: Resolution No. 25-2018
- 4) Approval of a reimbursement resolution with regard to installment financings for Fiscal Year 2018-2019: Resolution No. 26-2018
- 5) Approval of a resolution awarding the bid for the fabrication of the meter set for Clearwater 2S facility: Resolution No. 27-2018
- 6) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 33-2018

**END CONSENT AGENDA**

**E. Public Hearing:**

- 1) Proposed Fiscal Year (FY) 2018-2019 Annual Operating Budget for the City of Shelby

Mr. Howell reminded Council the proposed budget for Fiscal Year (FY) 2018-2019 has been presented, distributed, and made available for public inspection. As required by the North Carolina General Statutes, the public hearing notice has been advertised to allow public comment directly to Council for consideration prior to a formal vote.

Discussion followed and included how the closure of the golf course would affect the proposed budget. Mr. Howell responded with an approximate calculation of the annualized savings which would reduce the overall tax rate by  $\frac{3}{4}$  cent or .0075 cent. Adding any new elements as proposed in the Conceptual Master Plan must go through the planning process of prioritization and costing in the future and will not impact this current proposed budget. However, the interim plan for closure of the golf course can be covered within the proposed budget.

Mayor Anthony opened the public hearing at 6:26 p.m. and invited comments from the public:

Jeff Yates who resides at 405 Edgewood Road in Shelby, North Carolina spoke in support of the proposed budget. Mr. Yates is a retired law enforcement officer who relocated from Iowa to Shelby due to its safe environment. Through volunteer opportunities, he and his wife have met and know several Shelby police officers. Mr. Yates stated Shelby has a dedicated and professional staff in both the Police and Fire & Rescue Departments. He would like to continue feeling safe in Shelby and if the tax increase is needed to fund competitive wages to attract new hires and keep the current seasoned, knowledgeable, and professional officers on staff, then he and his wife are prepared to absorb and would support the tax increase. A fair and competitive wage would go a long way to keep Shelby a safe and desirable city and encourage economic growth as well.

Randy McSwain who resides at 110 Victoria Park Drive in Shelby, North Carolina stated he has extensive career experience in continuous improvement in the fields of engineering and management. Mr. McSwain suggested the City of Shelby consider utilizing the Lean Six Sigma principles in preparing its budget. He offered his expertise and services on a volunteer basis.

Mayor Anthony suggested Mr. McSwain schedule a meeting with the City Manager.

Mayor Anthony closed the public hearing at 6:35 p.m.

- a. Consideration of Fiscal Year (FY) 2018-2019 Budget Ordinance: Ordinance No. 31-2018

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted 4 to 1 (Kittrell) to approve and adopt Ordinance No. 31-2018 entitled, "FISCAL YEAR (FY) 2018-2019 BUDGET ORDINANCE", to include an adjustment of the tax rate from .53 cents to .5225 cents per \$100 valuation, as amended.

- b. Consideration of Fiscal Year (FY) 2018-2019 Supplemental Budget Ordinance: Ordinance No. 32-2018

**ACTION TAKEN:** Upon a motion made by Mr. Amaya, City Council voted 4 to 1 (Kittrell) to approve and adopt Ordinance No. 32-2018 entitled, "FISCAL YEAR (FY) 2018-2019 SUPPLEMENTAL BUDGET ORDINANCE".

E. New Business: None

**F. City Manager's Report:**

- 1) Mr. Howell mentioned he is working with the Cleveland County Manager to draft an agreement relating to the construction of the Job Ready Shell Building No. 3 at the Foothills Commerce Center for Council's consideration.**
- 2) Mr. Howell reported the Uptown Water and Sewer Project is proceeding and the work on Washington Street is nearing completion. Beginning June 11, 2018, Warren Street will be closed between Washington Street and Lafayette Street.**
- 3) With regard to the City's various water infrastructure projects in support of the Clearwater Paper Corporation's expansion, Mr. Howell reported progress is being made and on track for completion on February 13, 2019.**

**G. Council Announcements and Remarks:**

- 1) Mr. Amaya expressed his appreciation to all for their work on this budget while celebrating its completion.**
- 2) Mr. White was pleased this budget allows the City of Shelby to be competitive with surrounding cities and counties. He also expressed his appreciation to all for the work being done and hoping for a great year.**
- 3) Mr. Hendrick expressed his appreciation to all City staff and congratulated Mr. Merritt and Mrs. Beam as recipients of the Award of Financial Reporting Achievement.**
- 4) Mayor Anthony recognized the generosity of the City's employees as he proudly announced the City of Shelby received a United Way Golden Eagle Award for the largest total campaign increase as well as a Chairman's Choice Eagle Award. Mr. Howell added the City of Shelby received its fourth United Way Spirit of North Carolina Award. Mrs. Jolly acknowledged Captain Brad Fraser of the Police Department and Battalion Chief Quentin Cash of the Fire and Rescue Department as recipients of the R. T. LeGrand, Jr. Outstanding Campaign Volunteers of the Year Award.**

**H. Adjournment:**

- 1) Motion to adjourn**

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:44 p.m.

Respectfully submitted,

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

**O. Stanhope Anthony III**  
Mayor

**Minutes of June 4, 2018**

**DRAFT**

City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: E-2**

2) Approval of Special Event Permit Applications:

- a. Mt. Calvary Baptist Church Community Explosion, requested date: July 21, 2018
- b. Veterans Awareness Walk, requested date: August 15, 2018

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

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Summary of Available Information:

- Memorandum dated June 11, 2018 from Bernadette A. Parduski, City Clerk to Rick Howell, City Manager
- Memorandums 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 Applications

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City Manager's Recommendation / Comments

**These events are 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:** June 11, 2018

**Re:** Special Event Permit Applications

---

## BACKGROUND:

Special Event Permit Applications have been submitted for the following:

- ✓ Mt. Calvary Baptist Church Community Explosion, requested date: July 21, 2018
- ✓ Veterans Awareness Walk, requested date: August 15, 2018

## REVIEW:

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

## RECOMMENDATION:

Please place the attached Special Event Permit Applications on the Consent Agenda of June 18, 2018 for Council's review and approval.

## ATTACHMENTS:

- A. Special Event Permit Application packet received May 30, 2018
- B. Special Event Permit Application packet received June 11, 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:** June 1, 2018

**Re:** Special Event Permit Application

All:

Attached you will find a Special Event Permit Application submitted by Nicole Ross and Lamont Littlejohn of Mt. Calvary Baptist Church as follows:

- ✓ Mt. Calvary Baptist Church Community Explosion, requested date: July 21, 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 June 18, 2018 meeting and recommended for approval unless you advise otherwise. If I do not hear from you by June 11, 2018, it will be assumed that you are in agreement with the application as presented.

As always, thanks for your attention and consideration.

Attachment

**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:** Mt Calvary Baptist Church  
Community Explosion

**2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:**  
Outreach to our community.

**3. LOCATION OF EVENT (ATTACH MAP):**  
422 Carolina Avenue

**4. PLEASE INDICATE:**

Approximately how many people will attend the event? 1000

Approximately how many vehicles will be present? 300

Approximately how many animals will be present? 0

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: Nicole Ross

Address: 422 Carolina Ave., Shelby NC

Phones: 704-482-7713  
(Daytime) (Evening)

mt\_calvary@bellsouth.net  
E-mail address

Name: Lamont Littlejohn

Address: 422 Caroline Avenue, Shelby NC

Phones: 704-674-3621  
(Daytime) (Evening)

servant123@att.net  
E-mail address

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) July 21, 2018

Alternate day(s) and date(s) July 28, 2018

Requested hours of operation, from 8 AM/PM to 5 AM/PM

**7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES:** As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

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

**9. 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 food and/or no-alcoholic beverages be served? Yes

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

**10. 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: Mildred Abrams  
Address: 422 Caroline Ave, Shelby NC  
Phones: 704-482-773

Indicate medical services that will be provided for the event.

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

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

*Public works - put up our banners by July 13th.*

**12. 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.

  
SIGNATURE

*Mt. Calvary Baptist Church*      *704-674-3621*  
APPLICANT      PHONE

*422 Carolina Avenue, Shelby NC 28151*  
PHYSICAL ADDRESS

*servant123@CCH.net*  
E-MAIL ADDRESS

*5-30-18*  
DATE

# Diagram of Street Closure

Mt. Calvary Baptist Church  
Community Explosion

Key:



Designated Area for Street Closure



Suttle Street

# 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:** June 12, 2018

**Re:** Special Event Permit Application

All:

Attached you will find a Special Event Permit Application submitted by Kevin Allen of the Veterans Awareness Walk committee as follows:

- ✓ Veterans Awareness Walk, requested date: August 15, 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 July 16, 2018 meeting and recommended for approval unless you advise otherwise. If I do not hear from you by July 6, 2018, it will be assumed that you are in agreement with the application as presented.

As always, thanks for your attention and consideration.

Attachment

CITY OF SHELBY  
SPECIAL EVENT PERMIT APPLICATION

RECEIVED

JUN 11 2018

CITY OF SHELBY NC  
OFFICE OF THE CITY CLERK

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:

Veterans Awareness Walk

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

Bring awareness to the difficulties many veterans face in receiving healthcare and benefits.

3. LOCATION OF EVENT (ATTACH MAP):

Warren St. (at Lafayette St.) and Washington St. to Don Gibson Theater and back to Warren St. (at Lafayette St.).

4. PLEASE INDICATE:

Approximately how many people will attend the event? 100 - 150

Approximately how many vehicles will be present? 1 - 4 possible golf carts for disabled veterans.

Approximately how many animals will be present? 0

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

Single lane Single lane each way.

All lanes in travel direction \_\_\_\_\_

Whole street \_\_\_\_\_



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

Name: Kevin Allen

Address: 705 Mayo St. , Shelby , NC 28152

Phones: 704-477-5155 (Daytime) 704-482-8524 (Evening)

E-mail address kkallen99@yahoo.com

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phones: \_\_\_\_\_ (Daytime) \_\_\_\_\_ (Evening)

E-mail address \_\_\_\_\_

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) 15 Aug. 18

Alternate day(s) and date(s) \_\_\_\_\_

Requested hours of operation, from 9:00 AM/PM to 10:00 AM/PM

**7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES:** As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

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



**9. 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 food and/or no-alcoholic beverages be served? \_\_\_\_\_

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

**10. 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: \_\_\_\_\_

Address: \_\_\_\_\_

Phones: \_\_\_\_\_

Indicate medical services that will be provided for the event.

AMBULANCE: \_\_\_\_\_

DOCTOR (S): \_\_\_\_\_

PARAMEDICS: \_\_\_\_\_

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

- City police to block intersections
  - SPD lead car and trail car
- Chief Ludford has already been contacted.

12. ANY ADDITIONAL COMMENTS:

Sheriff Norman has been contacted.  
 Business will be contacted in person and will be given an event flyer.

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.



SIGNATURE

Kevin Allen

APPLICANT

704-482-8524

PHONE

705 Mayo St. Shelby, NC 28152

PHYSICAL ADDRESS

kkallen99@yahoo.com

E-MAIL ADDRESS

11 June 18

DATE

City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: E-3**

- 3) Approval of a resolution approving for acceptance, maintenance, and ownership of the sewer extension improvements for James Love School Road (Owner: Jack Kennedy) sewer extension: Resolution No. 30-2018

**Consent Agenda Item: (David Hux, Water Resources Director)**

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Summary of Available Information:

Please read and offer changes as you deem necessary.

- Memorandum dated June 7, 2018 from David Hux, Water Resources Director to Rick Howell, City Manager
- Survey of property
- Letter dated March 27, 2018 from Odom Engineering, PLLC to David Hux, City of Shelby
- Letter dated June 4, 2018 from NC Department of Water Resources to Rick Howell, City Manager
- Fast Track Sewer Engineering Certification
- Resolution No. 30-2018

---

City Manager's Recommendation / Comments

Resolution No. 30-2018 is presented for City Council consideration via the Consent Agenda. If approved this resolution would authorize acceptance of a sewer extension improvement in the vicinity of James Love School. This extension was constructed by a private property owner (Mr. Jack Kennedy) in accordance with City standards. These two existing single family residences are now served by City sewer extended at the expense of the property owner.

**It is my recommendation Resolution No. 30-2018 be adopted and approved by City Council at this time via the Consent Agenda.**



## ***Memorandum***

**To:** Rick Howell; City Manager

**From:** David Hux; Director of Water Resources *DHUX*

**RE:** Acceptance, Maintenance and Ownership of Sewer Infrastructure  
James Love School Road – Jack Kennedy Sewer Extension

**Date:** June 7, 2018

### **Background:**

Jack Kennedy (Kennedy Concrete) recently completed the construction of a gravity sewer extension to serve two of his properties located at 107 and 113 James Love School Road. This extension of 260+- feet of 8 inch sewer was permitted through NCDENR for extension of public sewer from City owned infrastructure located between James Love School Road and Joseph Court.

### **Review:**

City staff was involved during the design, permitting and construction process. The sewer infrastructure installed to serve these properties was constructed in accordance with the approved plans and specifications and State/local standards. Attached are copies of the as-built sewer drawing, along with the sewer certification from David Odom, PE with Odom Engineering. The sewer extension is located on private property; however the necessary easements from property owners have been obtained, signed and registered with Cleveland County Register of Deeds.

Mr. Jack Kennedy has requested that the City formally accept the infrastructure for perpetual operation and maintenance by Water Resources.

### **Recommendation:**

City staff recommends that City Council formally accept this new sewer infrastructure (260+- feet) associated with this sewer extension to serve these residential properties.

Please let me know if additional information is required.

JOB NUMBER:  
17079

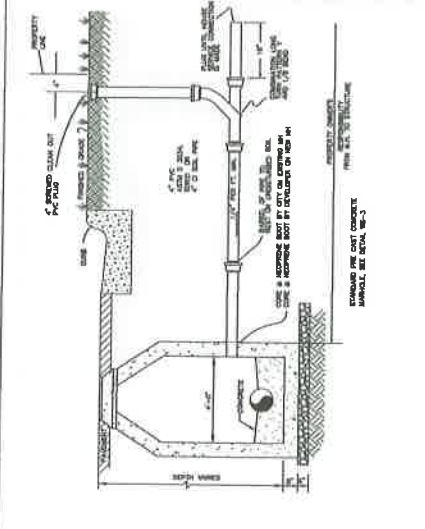
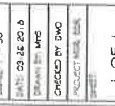
REV	DATE	DESCRIPTION
1		
2		
3		
4		

THESE DETAILS ARE TO BE USED IN CONJUNCTION WITH THE SPECIFICATIONS AND CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

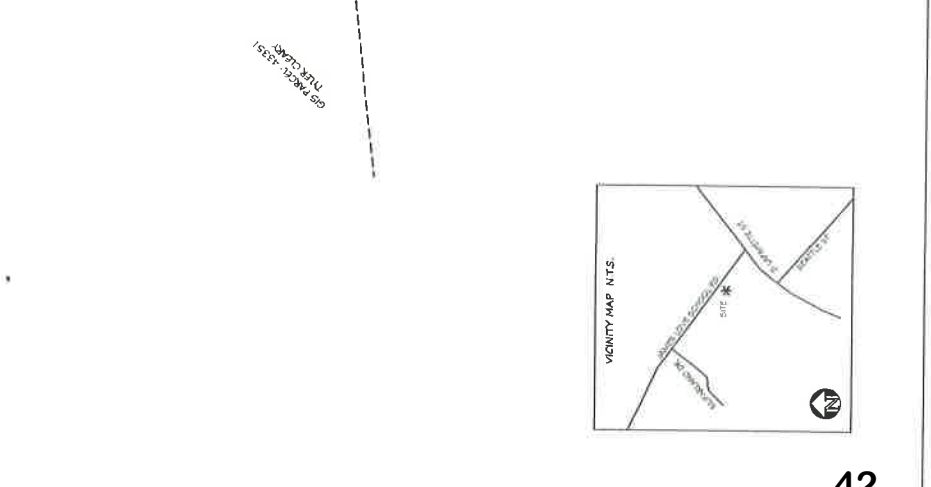
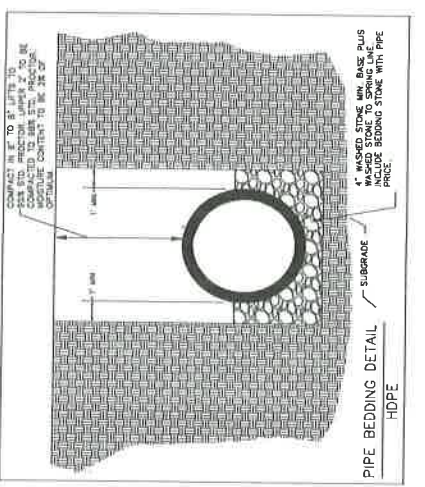
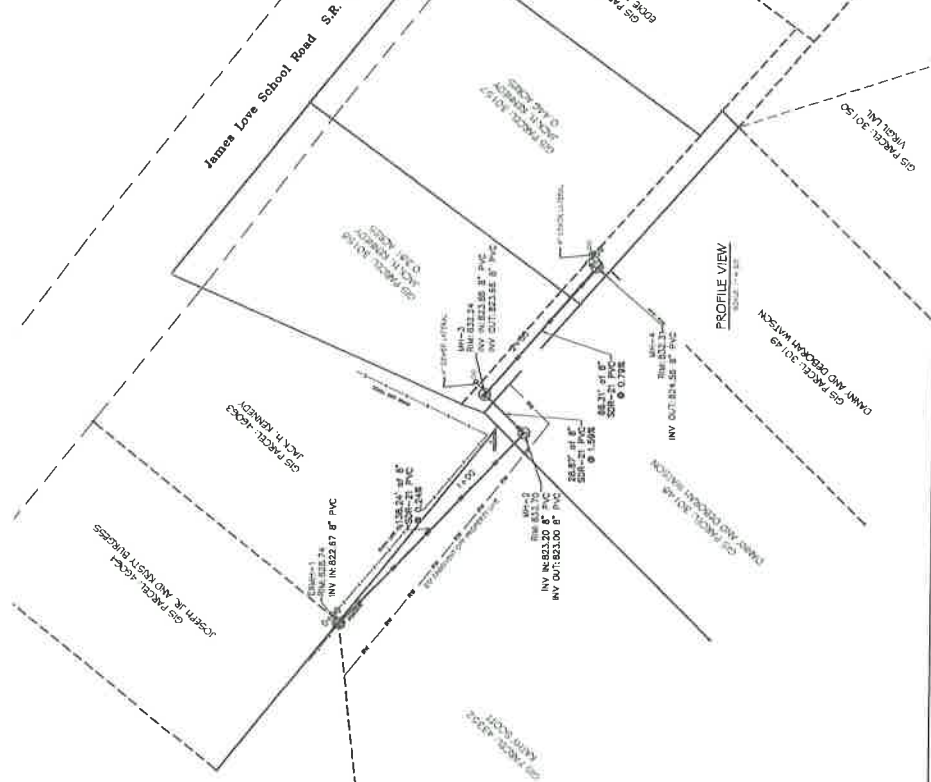
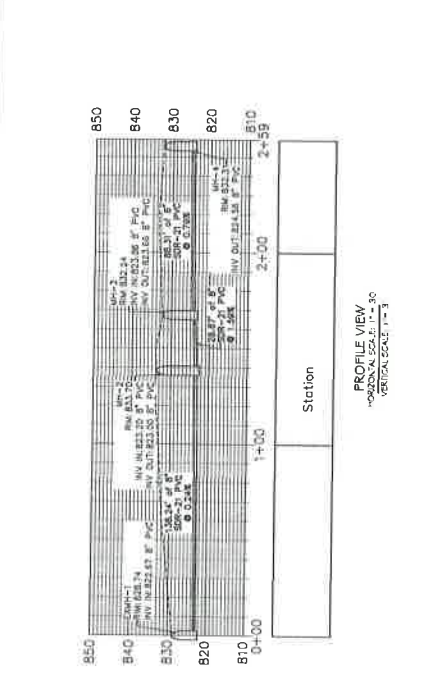


JACK KENNEDY SEWER  
LINE EXTENSION  
SHELBY, NORTH CAROLINA  
PLAN AND PROFILE W/ DETAILS

Scale: 1" = 30'  
Date: 03-26-2016  
Drawn By: DMS  
Checked By: DMS  
Project Name: JACK KENNEDY SEWER LINE EXTENSION  
Sheet: 1 OF 1



STANDARD DETAIL  
SANITARY SEWER  
LATERAL CONNECTION  
TO EXISTING MANHOLE  
OFFICE OF THE  
CITY ENGINEER  
SHELBY, N.C.  
WS-16





169 Oak Street • Forest City, NC 28043  
office 828.247.4495 • fax 828.247.4498

---

March 27, 2018

David Hux  
City of Shelby  
PO Box 207  
Shelby, NC 28151-0207  
RE: Letter of Intent – Jack Kennedy Sewer line Project

Dear David:

Odom Engineering, PLLC has observed the installation and testing of the aforementioned sewer main. This letter shall serve as the letter of intent for the City of Shelby to retain Ownership (operation and maintenance) of the completed sewer main.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Odom', with a long horizontal flourish extending to the right.

David Odom, P.E.



Water Resources  
ENVIRONMENTAL QUALITY

ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

LINDA CULPEPPER  
*Interim Director*

June 4, 2018

Rick Howell, City Manager  
City of Shelby  
824 West Grover Street  
Shelby, NC 28150

SUBJECT: Final Engineering Certification Acknowledgement  
Kennedy Gravity Sewer Extension  
Permit No. WQ0039666  
Permittee: City of Shelby  
County: Cleveland

Dear Mr. Howell:

The Division of Water Resource's Mooresville Regional Office received the Final engineering certification with record drawings for the subject sewer extension project on 6/4/2018. Enclosed is a certification page for your records. A full review of the certification materials may or may not be conducted. It is assumed that receipt of this certification indicates compliance with all regulations, design criteria and the permit. However, if a full technical review is conducted, you will be notified of any items of non-compliance.

Please be reminded that the Permittee is responsible for keeping a copy of the final record drawings for the life of the project. If you have not received such copy from your consultant, please contact them immediately to obtain a copy.

Lastly, you are receiving this letter because the Division has you listed as the responsible party. If this permitted system is no longer owned by you or your company, please complete Form PNOCF since the permit is not automatically transferable. Form PNOCF can be downloaded from <http://portal.ncdenr.org/web/wq/swp/ps/cs/pnoc> from the Collection Systems Applications page.

Should you have any questions, please do not hesitate to contact Ori Tuvia at (704) 235-2190, or at [ori.tuvia@ncdenr.gov](mailto:ori.tuvia@ncdenr.gov).

Sincerely,

A handwritten signature in blue ink, appearing to be 'JT' or similar initials, with a long horizontal stroke extending to the left.

Ori Tuvia, Environmental Engineer  
Mooresville Regional Office  
Division of Water Resources, DEQ

cc: David Odom, PE (E-Copy)  
Central Files, MRO (Laserfiche)

**FAST TRACK SEWER ENGINEERING CERTIFICATION**

RECEIVED/NC DENR/DWR

MAY 08 2018

WQROS  
MOORESVILLE REGIONAL OFFICE

**PERMITTEE: CITY OF SHELBY**  
**PERMIT #: WQ0039666**  
**PROJECT: KENNEDY GRAVITY SEWER EXTENSION**  
**ISSUE DATE: DECEMBER 6, 2017**

This project shall not be considered complete nor allowed to operate in accordance with standard Condition 7 of this permit until the Division has received this Certification and all required supporting documentation. It should be submitted in a manner that documents the Division's receipt. Send the required documentation to the Regional Supervisor, Water Quality Regional Operations Section at the address noted in the page footer.

Any wastewater flow made tributary to the wastewater collection system extension prior to completion of this Certification shall be considered a violation of the permit and shall subject the Permittee to appropriate enforcement actions. The Permittee is responsible for tracking all partial certifications up until a final certification is received by the Division. A Final Certification shall be a complete set of record drawings and design calculations regardless of whether partials have been submitted.

**PERMITTEE'S CERTIFICATION**

I, the undersigned agent for the Permittee, hereby state that this project has been constructed pursuant to the applicable standards & requirements, the Professional Engineer below has provided applicable design/construction information to the Permittee, and the Permittee is prepared to operate & maintain the wastewater collection system permitted herein or portions thereof.

Rick Howell, City Manager  
Printed Name, Title

Rick Howell  
Signature

5/7/18  
Date

**ENGINEER'S CERTIFICATION**

I, DAVID W. ODOM, PE, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe ( periodically,  weekly,  full time) the construction of the project name and location as referenced above for the above Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance of this permit; 15A NCAC 02T; the Division of Water Resources' (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996, as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000, as applicable; and other supporting materials.

North Carolina Professional Engineer's Seal w/signature & date:

Final       Partial (include description)



Certification Comments/Qualifiers (attach if necessary):



RESOLUTION NO. 30-2018

A RESOLUTION APPROVING FOR ACCEPTANCE, MAINTENANCE, AND OWNERSHIP OF THE SEWER EXTENSION IMPROVEMENTS FOR JAMES LOVE SCHOOL ROAD (OWNER: JACK KENNEDY) SEWER EXTENSION

WHEREAS, the owner (Jack Kennedy) of the properties located at 107 and 113 James Love School Road, Shelby, North Carolina has completed certain improvements for the infrastructure of sanitary sewer service to serve these parcels; and,

WHEREAS, City staff have completed final inspections and can certify that all infrastructure was constructed to City standards and has been completed, thus releasing all requirements from the owner for the construction and completion of said infrastructure; and,

WHEREAS, the design engineer has certified that all infrastructure for the applicable improvements has been completed in accordance with City policy and standards.

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

Section 1. The sanitary system improvements as denoted above are hereby accepted by the City Council of the City of Shelby for maintenance and operation.

Section 2. The City Manager of the City of Shelby or his designee are hereby authorized and instructed to cause the provision of section 1 of this resolution to be implemented and the applicable infrastructure shall be assumed for ownership and maintenance by the City of Shelby.

Section 3. This resolution shall become effective upon adoption and approval.

Adopted and approved this the 18<sup>th</sup> day of June 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  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: E-4**

- 4) Adoption of a budget ordinance amendment for the City of Shelby's Farmville Road Waterline Project and Westside Sewer Improvements Project and Influent Preliminary Treatment Upgrade Project and Farmville Road Gas Loop Upgrade Project: Ordinance No. 35-2018

**Consent Agenda Item: (Rick Howell, City Manager and Justin Merritt, Finance Director)**

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Summary of Available Information:

- Memorandum dated May 7, 2018 from Justin Merritt, Finance Director to Rick Howell, City Manager
- Ordinance No. 35-2018

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City Manager's Recommendation / Comments

Ordinance No. 36-2018 is presented for City Council consideration at this time via the Consent Agenda. If approved this ordinance would authorize redistribution of funds within the current project budget ordinance to reflect the actual bid awards for the Farmville Road 24" water main, the west side sewer improvement gravity main, the influent and preliminary treatment system at the wastewater treatment plant and the Farmville Road natural gas loop project. There is no overall increase or decrease in the total project cost only a redistribution from one project to another where funds are needed to balance.

**It is my recommendation Resolution No. 35-2018 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: June 11, 2018  
Subject: Clearwater Paper Utility Extension Projects Budget Adjustments

Background:

As you are aware, the City has several utility projects under construction that are needed to properly serve the Clearwater Paper facility expansion. The projects included are as follows:

- Farmville Road Waterline Project
- Westside Sewer Improvements Project
- Influent and Preliminary Treatment Upgrade Project
- Farmville Road Natural Gas Loop Upgrade Project

These project budgets have been previously set based upon our engineer's best estimates available at the time. At this point, all of these projects have been bid, which provides the actual cost to complete the project. Therefore, some budgetary adjustments are necessary in order to bring to projects to completion. The attached ordinance, if approved, will simply re-distribute Cleveland County funding streams across the aforementioned projects. There is no increase in total revenues or expenditures, only a re-distribution from one project to the other. This is necessary as some project bids were under the anticipated budgets and some exceeded the anticipated budget.

Recommendation:

The recommendation from staff is to approve the attached ordinance.

ORDINANCE NO. 35-2018

A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S FARMVILLE ROAD WATERLINE PROJECT AND WESTSIDE SEWER IMPROVEMENTS PROJECT AND INFLUENT PRELIMINARY TREATMENT UPGRADE PROJECT AND FARMVILLE ROAD GAS LOOP UPGRADE PROJECT

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 capital project ordinance and budgets for the City of Shelby's Farmville Road Waterline Project and Westside Sewer Improvements Project and influent Preliminary Treatment Upgrade Project and Farmville Road Gas Loop Upgrade Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 03-2016, the City's Farmville Road Waterline Project, Ordinance No. 2-2017, the City's Westside Sewer Improvements Project, Ordinance No. 2-2017, the City's Influent and Preliminary Treatment Upgrade Project, Ordinance 18-2017, the City's Farmville Road Gas Loop Project are hereby amended as follows for said projects:

**Farmville Road Waterline Project**

(1) The following Water Fund Cap. Project Revenues are increased by the City:

Cleveland County Grant	61106000-33500-61834	\$2,430,000
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(2) The following Water Fund Cap. Project Expenditures are increased by the City:

Professional Services	611716-42000-61834	\$ 30,000
Engineering	611716-42004-61834	\$ 650,000
Construction	611716-53000-61834	\$ 1,750,000

**Westside Sewer Improvements Project**

(3) The following Sewer Fund Cap. Project Expenditures are decreased by the City:

Construction	621726-42000-62871	\$ 550,000
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(4) The following Sewer Fund Cap. Project Expenditures are increased by the City:

Professional Services	621726-42000-62871	\$ 50,000
Engineering	621726-42004-62871	\$ 500,000

**Influent and Preliminary Treatment Upgrade Project**

(5) The following Sewer Fund Cap. Project Revenues are increased by the City:

Cleveland County Grant	62106000-33500-62872	\$1,700,000
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(6) The following Sewer Fund Cap. Project Expenditures are increased by the City:

Engineering	621726-42004-62872	\$ 400,000
Construction	621726-53000-62872	\$ 1,300,000

**Farmville Road Natural Gas Loop Project**

(7) The following Gas Fund Cap. Project Revenues are decreased by the City:

Cleveland County Grant	64106000-33500-64883	\$4,130,000
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(8) The following Gas Fund Cap. Project Expenditures are increased by the City:

Engineering	641746-42004-64883	\$ 70,000
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(9) The following Gas Fund Cap. Project Expenditures are decreased by the City:

Construction	641746-53000-64883	\$ 4,200,000
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Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

**Farmville Road Waterline Project**

	<u>Current Budget</u>	<u>Amendment No. 3</u>
<b>Revenues</b>		
Transferred from Water Fund	\$ 50,000	\$ 50,000
Cleveland County Funding	\$ 1,750,000	\$4,180,000
Golden Leaf Grant	\$ 3,000,000	\$3,000,000
USEDA Grant	\$ 2,250,000	\$2,250,000
Clearwater Funding	\$ 3,000,000	\$3,000,000
<b>Expenditures</b>		
Professional Services	\$ -0-	\$ 30,000
Engineering	\$ 720,000	\$ 1,370,000
Construction	\$ 9,330,000	\$11,080,000

**Westside Sewer Improvements Project**

	<u>Current Budget</u>	<u>Amendment No. 3</u>
<b>Revenues</b>		
Cleveland County Funding	\$ 3,500,000	\$3,500,000
Golden Leaf Grant	\$ 1,500,000	\$1,500,000
CDBG Grant	\$ 3,000,000	\$3,000,000
IDF Grant	\$ 1,000,000	\$1,000,000
<b>Expenditures</b>		
Professional Services	\$ -0-	\$ 50,000
Engineering	\$ 550,000	\$1,050,000
Construction	\$ 8,450,000	\$7,900,000

**Influent and Preliminary Treatment Upgrade Project**

	<u>Current Budget</u>	<u>Amendment No. 3</u>
<b>Revenues</b>		
Cleveland County Funding	\$ 500,000	\$2,200,000
Clearwater Funding	\$4,500,000	\$4,500,000
<b>Expenditures</b>		
Engineering	\$ 500,000	\$ 900,000
Construction	\$4,500,000	\$5,800,000

**Farmville Road Loop and Pressure Uprating Project**

	<u>Current Budget</u>	<u>Amendment No. 2</u>
<b>Revenues</b>		
Transferred from Gas Fund	\$ 188,500	\$ 188,500
Cleveland County Funding	\$5,250,000	\$ 1,120,000
Clearwater Funding	\$ 500,000	\$ 500,000
<b>Expenditures</b>		
Engineering	\$ 188,500	\$ 258,500
Construction	\$5,750,000	\$1,550,000

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.

Ordinance No. 35-2018  
June 18, 2018  
Page 4

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

Adopted and approved this the 18<sup>th</sup> day of June 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  
June 18, 2018  
City Hall Council Chamber

Agenda Item: E-5

- 5) Adoption of a budget ordinance amendment for the City of Shelby's Uptown Streetscape and Pedestrian Improvements Project: Ordinance No. 36-2018

**Consent Agenda Item: (Ben Yarboro, Director of Engineering Services and Justin Merritt, Finance Director)**

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Summary of Available Information:

- Professional Services Agreement Change Order
- Ordinance No. 36-2018

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City Manager's Recommendation / Comments

Ordinance No. 36-2018 is presented for City Council consideration at this time via the Consent Agenda. If approved this ordinance would authorize additional appropriation of funds in the amount of \$83,641.50 from fund balance to study and design the conversion of Marion Street between Dekalb Street and Morgan Street to a three lane roadway section with two travel lanes and a dedicated center turn lane. This is similar to the design previously approved for Lafayette Street through uptown.

Initial discussions in early 2017 with NCDOT did not give us the indication they would be willing to entertain conversion of this section of Marion Street to three lanes. However, after more detailed conversations local NCDOT staff has indicated that they now are willing to move in that direction. There is a possibility we can secure some cost sharing on the project as well.

**It is my recommendation Ordinance No. 36-2018 be adopted and approved by City Council at this time via the Consent Agenda.**





*Memorandum*

**To:** Rick Howell, City Manager  
Justin Merritt, Finance Director

**From:** Ben Yarboro, Engineering Services Director 

**RE:** Shelby Streetscape Project – Marion Street Improvements

**Date:** June 12, 2018

**Background**

During the planning and design phase of the Shelby Streetscape Project, NCDOT representatives requested a meeting with the City of Shelby Engineering Department to address safety issues with the Marion St. & Lafayette St. intersection. It was determined that NCDOT was interested in redesigning Marion St. to create a 3-lane section (2 through lanes with a dedicated center turn lane) to reduce the frequency of left turn accidents from vehicles turning from Marion St. to Lafayette St.

**Review**

At the request of NCDOT, the City requested a proposal from Stantec (consultant designing the Shelby Streetscape Project) to revise the design to include changing Marion St. from Dekalb St. to Morgan St. to a 3-lane section (2 through lanes with a dedicated center turn lane). In addition, bulb-outs along this corridor and parking width dimension will be modified to accommodate the new lane configuration. These changes will require signal modifications at three intersections (Marion/Dekalb, Marion/Washington, and Marion/Lafayette). Stantec has provided a proposal for completing the necessary traffic analysis, survey, roadway design, signal design and construction document preparation work for a fee of \$83,641.50.

**Recommendation**

City Staff recommends a budget amendment in the amount of \$83,641.50 to allow Stantec to complete the design for the Marion Street Improvements as part of the Shelby Streetscape Project.

Please advise if you have any questions or need additional information.



PROFESSIONAL SERVICES AGREEMENT CHANGE ORDER

Change Order # Change Order No. 3 Date 25 April 2018

"STANTEC" STANTEC CONSULTING SERVICES INC. STANTEC Project # Stantec Proj. No. 171001832 801 Jones Franklin Road, Suite 300 Ph: (919) 851-6866 Fx: (919) 851-7024 email: mike.lindgren@stantec.com

CLIENT CITY OF SHELBY, NC Client Project # N/A P.O. Box 207, Shelby, NC 28151-0207 Ph: (704) 669-2060 Fx: (704) 484-6808 email: ben.yarboro@cityofshelby.com

Project Name and Location: Uptown Shelby Streetscape Project

In accordance with the original Professional Services Agreement dated March 14, 2017 and Change Orders thereto, the Agreement changes as detailed below are hereby authorized. [Click here and enter detail changes or note attachment of details]

Table with 2 columns: Description and Amount. Rows include Total fees this Change Order (\$83,641.50), Original agreement amount (\$290,220.90), and four Change Order Number entries (one with '1' and three with dashes). Total Agreement is \$392,538.40.

Effect on Schedule: Revised Draft Schedule Attached to be coordinated with the City

Payments shall be made in accordance with the original agreement terms. All other items and conditions of the original Agreement shall remain in full force and effect.

STANTEC CONSULTING SERVICES INC.

CITY OF SHELBY, NC

Mike Lindgren, PE SR. Associate Print Name and Title

Ben Yarboro, Engin. Serv. Director Print Name and Title

Signature [Handwritten signature of Mike Lindgren]

Signature [Handwritten signature of Ben Yarboro]


Date Signed: 4/25/2018

Date Signed: 6/6/2018

## Shelby Streetscape Project - Marion Street Improvements

DISCIPLINE	DESIGN FEE	CITY	NCDOT
PROJECT MANAGEMENT	\$ 2,676.00	\$ 1,338.00	\$ 1,338.00
PROJECT COORDINATION	\$ 2,656.00	\$ 1,328.00	\$ 1,328.00
SURVEYS	\$ 11,916.50	\$ 5,958.25	\$ 5,958.25
ROADWAY DESIGN	\$ 11,154.00	\$ 11,154.00	\$ -
HYDRAULIC AND EROSION CONTROL DESIGN	\$ 9,740.00	\$ 9,740.00	\$ -
TRANSPORTATION MANAGEMENT PLANS	\$ 5,896.00	\$ 2,948.00	\$ 2,948.00
SIGNING PLANS	\$ 2,938.00	\$ -	\$ 2,938.00
PAVEMENT MARKING PLANS	\$ 7,824.00	\$ -	\$ 7,824.00
SIGNALS & COMMUNICATION PLANS	\$ 16,473.00	\$ -	\$ 16,473.00
LANDSCAPE / HARDSCAPE PLANS	\$ 4,400.00	\$ 4,400.00	\$ -
CONSTRUCTION BID DOCUMENTS	\$ 7,968.00	\$ 3,984.00	\$ 3,984.00
<b>TOTALS</b>		<b>\$ 40,850.25</b>	<b>\$ 42,791.25</b>

**Total Design: \$ 83,641.50**

Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)	 801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394
Prepared by:	Mike Lindgren, PE	
Date	6/6/2018	
<b>Shelby Streetscape Project - Marion Street Improvements (Task Order 3)</b>		
<b>NOTES - TASK ORDER No. 3 SCOPE</b>		
<b>NOTE: ALL SCOPE DATA INCLUDED IN THE ORIGINAL CONTRACT SCOPE (TASK ORDER NO. 1) APPLIES TO TASK ORDER NO. 3</b>		
<b>PROJECT MANAGEMENT</b>		
Additional Project Management Time for efforts to evaluate design revisions, report findings and implement changes.		
<b>PROJECT COORDINATION</b>		
Additional Coordination with The City of Shelby, Stantec Project Team, and Dan Dodd.		
<b>SURVEY</b>		
Survey along Marion Street, from Morgan Street to Justice Place. Survey to include signal / power poles, curb cuts, curb ramps, signal cabinet, and drop inlets within 70' of the Marion / Decalb intersection for all approaches. <b>City has chosen to not show ROW / Property owner info on the plans as all work along Marion Street should take place within the curb lines.</b>		
<b>ROADWAY PLAN</b>		
See Tasks Under Roadway Tab		
<b>DRAINAGE &amp; HYDRAULICS</b>		
Drainage Design will need to be redesigned for the Lafayette/Marion & Washington/Marion intersections due to the change to the typical along Marion.		
<b>TRANSPORTATION MANAGEMENT</b>		
Additional sheets will be needed to properly show additional work along Marion Street		
<b>SIGNING PLAN</b>		
Additional sheets will be needed to properly show additional work along Marion Street		
<b>PAVMENT MARKING PLAN</b>		
Additional sheets will be needed to properly show additional work along Marion Street		
<b>SIGNALS AND COMMUNICATION PLAN</b>		
All 5 signal designs will be 2-phase operations as previously designed for the 90% submittal. After some coordination with the city and NCDOT Division 12, it has been decided that the Marion/ Decalb signal upgrade will go from a 4-phase to a 6-phase signal, adding a left-turn phase on Marion. There are no existing signal plans for this location so a field visit will be required. Original poles will be retained and no pedestrian signals are planned for this location.		
<b>LANDSCAPE / HARDSCAPE PLAN</b>		
Landscape / Hardscape limits will change with the redesign of the curb extensions		
<b>CONSTRUCTION BID DOCUMENTS</b>		
Bid documents will be updated to include the Marion Street improvements		
<b>CONSTRUCTION ADMINISTRATION</b>		
N/A		



801 Jones Franklin Road, Suite 300  
Raleigh, North Carolina 27606-3394

Shelby Streetscape Project - Marion Street Improvements (Task Order 3)

Project: Mike Lindgren, PE  
Date: 6/6/2018

Shelby Streetscape Project - Marion Street Improvements (Task Order 3)

DISCIPLINE	Design Phase Mandays	Design Phase Labor	Design Phase Direct Costs	Design Phase Labor + Direct Cost
PROJECT MANAGEMENT	2	\$ 2,676.00	\$ -	\$ 2,676.00
PROJECT COORDINATION	2	\$ 2,656.00	\$ -	\$ 2,656.00
SURVEYS (CITY MODIFIED)	15.125	\$ 11,672.50	\$ 244.00	\$ 11,916.50
ROADWAY DESIGN	8.25	\$ 10,654.00	\$ 500.00	\$ 11,154.00
HYDRAULIC AND EROSION CONTROL DESIGN	7.5	\$ 9,740.00	\$ -	\$ 9,740.00
TRANSPORTATION MANAGEMENT PLANS	4.5	\$ 5,896.00	\$ -	\$ 5,896.00
SIGNING PLANS	2.25	\$ 2,938.00	\$ -	\$ 2,938.00
PAVEMENT MARKING PLANS	6	\$ 7,824.00	\$ -	\$ 7,824.00
SIGNALS & COMMUNICATION PLANS (CONSULTANT MODIFIED)	13.375	\$ 16,473.00	\$ -	\$ 16,473.00
LANDSCAPE / HARDSCAPE PLANS (CITY MODIFIED)	4	\$ 4,400.00	\$ -	\$ 4,400.00
CONSTRUCTION BID DOCUMENTS	6	\$ 7,968.00	\$ -	\$ 7,968.00
CONSTRUCTION ADMINISTRATION REVIEWS	0	\$ -	\$ -	\$ -
CONSTRUCTION INSPECTION (TBD AFTER DESIGN)				

<b>TOTALS</b>	<b>25</b>	<b>\$82,897.50</b>	<b>\$744.00</b>	<b>\$83,641.50</b>
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Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)		 <b>Stantec</b>	
Prepared by:	Mike Lindgren, PE		801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394	
Date	6/6/2018			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**PROJECT MANAGEMENT - TASK & SCOPE**

	Discipline Lead Hours	Senior Engineer Hours	Staff Engineer Hours	Engineer Hours	Admin
CORRESPONDENCE & AND DOCUMENTATION DURING DESIGN PROGRESS	4	4	0	0	0
COMPILING OVERALL STANTEC INVOICES AND PROGRESS REPORTS EACH MONTH	2	0	0	0	0
MONITORING PROJECT FINANCIALS	2	0	0	0	
SCOPE AND FEE FOR ADDITIONAL SERVICES	2	2	0	0	0

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Discipline Lead Hours	\$171.00	10	\$1,710.00
Senior Engineer Hours	\$161.00	6	\$966.00
Staff Engineer Hours	\$0.00	0	\$0.00
Engineer Hours	\$0.00	0	\$0.00
Admin. Hours	\$0.00	0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<u>16</u>	<b>\$2,676.00</b>
<b>DIRECT COSTS / EXPENSES</b>	<b>MANDAYS</b>	<b>TOTAL LABOR COSTS</b>
	<b>2</b>	<b>\$2,676.00</b>

Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)					
Prepared by:	Mike Lindgren, PE		801 Jones Franklin Road, Suite 300			
Date	6/6/2018		Raleigh, North Carolina 27606-3394			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**PROJECT COORDINATION - TASK & SCOPE**


	Discipline Lead Hours	Senior Engineer Hours	Staff Engineer Hours	Engineer Hours	Admin
COORDINATION WITH STAKEHOLDERS	0	0	0	0	0
COORDINATION WITH DESIGN TEAM	4	4	0	0	0
COORDINATION WITH CITY	4	4	0	0	0

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Discipline Lead Hours	\$171.00	8	\$1,368.00
Senior Engineer Hours	\$161.00	8	\$1,288.00
Staff Engineer Hours	\$0.00	0	\$0.00
Engineer Hours	\$0.00	0	\$0.00
Admin. Hours	\$0.00	0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<b>16</b>	<b>\$2,656.00</b>
<b>DIRECT COSTS / EXPENSES</b>		<b>\$0.00</b>

<b>MANDAYS</b>	<b>2</b>	<b>TOTAL LABOR COSTS</b>	<b>\$2,656.00</b>
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Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)	 801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394
Prepared by:	Stantec Survey Group	
Date	6/6/2018	

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**SURVEY - TASK & SCOPE (HOURS)**

TASK DESCRIPTION	PEM	PSS	ASC	SCL	SCT	SCM
1. Courthouse Research (14 Property Owners)					3	
2. Vertical Control Tie to NAVD 1988 (1500 ft)			1	3		3
3. Baseline Traverse (1500 ft)			1	4		4
4. Compute Best-Fit Alignment (Graphically)			1			
5. Pavement DTMs (1500 ft)				10		10
6. Suppl. Info for DTM's (Obscured Areas) (2 AC)				8		8
7. Field Property Ties & Recon (14)				0		0
8. Property Analysis and Computations (14)					0	
9. Field Loc. of Topo & Plan. Features (LIGHT)				2		2
10. Loc. of Gravity Utilities & Pipe Inverts (MEDIUM)				4		4
11. Pole Data Sheets (LIGHT)				1		1
12. Production of Base Mapping (2 sheets)					24	
13. Travel				7.5		7.5
14. Project Mgmt. & Supervision		6				
15. Traffic Control & Safety				3		3

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
PROJECT ENGINEER MANAGER	\$145.00	0	\$0.00
PROJECT SURVEY SUPERVISOR	\$145.00	6	\$870.00
ADVANCED SURVEY COORDINATOR	\$125.00	3	\$375.00
SURVEY CREW LEADER	\$100.00	42.5	\$4,250.00
SURVEY CREW TECHNICIAN	\$95.00	27	\$2,565.00
SURVEY CREW MEMBER	\$85.00	42.5	\$3,612.50

**DESIGN FEE SUBTOTALS**

121

\$11,672.50

**DIRECT COSTS / EXPENSES**


\$244.00

MILEAGE	\$ COST/MILE	SUPPLIES	MANDAYS	TOTAL LABOR COSTS
400	0.56	\$20.00	15.125	<u>\$11,916.50</u>

The City does not think that property owners and ROW are necessary for this survey because all work will be between the curb lines.

The Consultant has removed property owner / ROW info from scope



Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)			
Prepared by:	Mike Lindgren, PE		801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394	
Date	6/6/2018			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**ROADWAY - TASK & SCOPE (HOURS)**

TASK DESCRIPTION	Principal	Project Manager	Project Engineer	Engineer	Junior Engineer	Technician
Redesign 2 curb extensions along Marion / station offsets for bulbs / ROW	0	1	16	0	0	0
QAQC	2	4	0	0	0	0
Modify title sheet to include new sheets	0	0	2	0	0	0
Layout new plansheets in logical order	0	0	12	0	0	0
Modify cost estimates to reflect new changes	0	1	4	0	0	0
Plansheet cleanup / New matchlines	0	0	4	0	0	0
Curb line grading	0	0	2	0	0	0
Pull all the plans together for package submittal	0	2	8	8	0	0

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Principal	\$179.00	2	\$358.00
Project Manager	\$171.00	8	\$1,368.00
Project Engineer	\$161.00	48	\$7,728.00
Engineer	\$150.00	8	\$1,200.00
Junior Engineer	\$140.00	0	\$0.00
Technician	\$131.00	0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<b>66</b>	<b>\$10,654.00</b>
<b>DIRECT COSTS / EXPENSES</b>		<b>\$500.00</b>
0 Direct Expenses	<b>MANDAYS</b>	<b>TOTAL LABOR COSTS</b>
	8.25	<b>\$11,154.00</b>

Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)			
Prepared by:	Linda Pass, PE	801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394		
Date	6/6/2018			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**DRAINAGE & HYDRAULICS - TASK & SCOPE (HOURS)**

TASK DESCRIPTION	Principal	Senior Engineer	Project Engineer	Engineer	Junior Engineer	Technician
<b>FIELD RECONNAISSANCE</b>	0	0				
<b>DRAINAGE DESIGN</b>						
Hydraulic Calculations	4	24				
Final Drainage Plans	2	24				
Review and Rework to value engineer options	2	4				

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Principal	\$171.00	8	\$1,368.00
Senior Engineer	\$161.00	52	\$8,372.00
Project Engineer	\$150.00	0	\$0.00
Junior Engineer	\$108.00	0	\$0.00
Technician	\$108.00	0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<b>60</b>	<b>\$9,740.00</b>
<b>DIRECT COSTS / EXPENSES</b>		<b>\$0.00</b>
	<b>MANDAYS</b>	<b>TOTAL LABOR COSTS</b>
	<b>7.5</b>	<b>\$9,740.00</b>

**What calculations are required? It seems that some catch basins will need to be shifted a few feet based on the new bulb layout, but no calculations would need to be made.**

This estimate includes additional design efforts (beyond original contract) at: Warren/Lafayette, Marion/Lafayette, Washington/Marion Original Scope included only minor hydraulic work to adjust for bulbouts only; Eventual Designs included several stormwater systems.

Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)			
Prepared by:	Jay Woolard, PE	801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394		
Date	6/6/2018			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**TRANSPORTATION MANAGEMENT - TASK & SCOPE (HOURS)**

TASK DESCRIPTION	Principal	Project Manager	Project Engineer	Engineer	Junior Engineer	Technician
Study of roadway plans and cross sections		2	2			
Traffic Management Plan Preliminary Design		2	8			
Title Sheet, Notes Sheet, Plan Sheet Preparation		0	4			
Written Phasing		0	2			
Traffic Management Plan Design - very few details anticipated		0	2			
Quality Control / Quality Assurance		4				
Preparation of 2 submittal packages		0	8			
Coordination with City of Shelby / NCDOT Division / NCDOT WZTCU		2	0			

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Principal	\$179.00	0	\$0.00
Project Manager	\$171.00	10	\$1,710.00
Project Engineer	\$161.00	26	\$4,186.00
Engineer	\$150.00	0	\$0.00
Junior Engineer	\$113.00	0	\$0.00
Technician		0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<b>36</b>	<b>\$5,896.00</b>
<b>DIRECT COSTS / EXPENSES</b>	<b>MANDAYS</b>	<b>\$0.00</b>
	<b>4.5</b>	<b>TOTAL LABOR COSTS</b>
		<b>\$5,896.00</b>



801 Jones Franklin Road, Suite 300  
Raleigh, North Carolina 27606-3394

Shelby Streetscape Project - Marion Street Improvements (Task Order 3)

Prepared by: Jay Woolard, PE  
Date: 6/6/2018

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**SIGNING - TASK & SCOPE (HOURS)**

TASK DESCRIPTION	Principal	Project Manager	Project Engineer	Engineer	Junior Engineer	Technician
Signing Plansheets - Existing Signing		0	4			
Signing Plansheets - Proposed Signing		1	4			
Streetview to inventory existing signing and markings		0	2			
Quality Control and Peer review of all designs and submittals		2	0			
Coordination with City of Shelby / NCDOT Division / NCDOT S&D		1	0			
Submittal preparation for 1 to 2 submittals		0	4			

**STAFF RATES**


	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Principal	\$179.00	0	\$0.00
Project Manager	\$171.00	4	\$684.00
Project Engineer	\$161.00	14	\$2,254.00
Engineer	\$131.00	0	\$0.00
Junior Engineer	\$115.00	0	\$0.00
Technician	\$100.00	0	\$0.00

**DESIGN FEE SUBTOTALS**  
**DIRECT COSTS / EXPENSES**

**\$2,938.00**  
**\$0.00**  
**TOTAL LABOR COSTS**  
**\$2,938.00**

**MANDAYS**  
**2.25**



Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)			
Prepared by:	Dean Harris		801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394	
Date	6/6/2018			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

TASK DESCRIPTION	SIGNAL DESIGN - TASK & SCOPE					HOOURS
	Principal	Project Manager	Project Engineer	Engineer	Junior Engineer	
<b>LAFAYETTE STREET @ GRAHAM STREET</b>						
Signal Design Upgrade and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, basemap)	0	0	0			
Electrical Detail	0	0	0			
Pedestrian signals	0	0	0			
Clearance calculations and diagrams	0	0	0			
<b>LAFAYETTE STREET @ WARREN STREET</b>						
Signal Design Upgrade and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, basemap)	0	0	0			
Electrical Detail	0	0	0			
Pedestrian signals	0	0	0			
Clearance calculations and diagrams	0	0	0			
<b>LAFAYETTE STREET @ MARION STREET</b>						
Signal Design Upgrade and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, basemap)	0	0	0			
Electrical Detail	0	0	0			
Pedestrian signals	0	0	0			
Clearance calculations and diagrams	0	0	0			

TASK DESCRIPTION	Principal	Project Manager	Project Engineer	Engineer	Junior Engineer	Technician
<b>WASHINGTON STREET @ WARREN STREET</b>						
Signal Design Upgrade and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, base map)	0	0	0	0		
Electrical Detail	0	0	0			
Pedestrian signals	0	0	0			
Clearance calculations and diagrams	0	0	0			
<b>WASHINGTON STREET @ MARION STREET</b>						
Signal Design Upgrade and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, base map)	0	0	0			
Electrical Detail	0	0	0			
Pedestrian signals	0	0	0			
Clearance calculations and diagrams	0	0	0			
<b>MARION STREET @ DEKALB STREET</b>						
NEW Signal Design and plan prep (phasing determination, phasing diagram, signal face ID, table of operation, loop chart, notes, title block, base map)	1	4	32			
Electrical Detail	0.5	2	12			
Pedestrian signals	0	0	0			
Metal pole loading design and diagram (for mast arms with strain poles)	0	0	0			
Clearance calculations and diagrams	0.5	1	4			
<b>GENERAL TASKS</b>						
Communications Plan to upgrade / maintain wireless system along Court Square	1	1	4			
Site visit for field inventory and verification	0	0	8			
Quantities	1	1	4			
Special provisions	1	1	2			
Obtaining traffic agreement	0	0	0			
Coordination & reviews with all agencies	2	12	12			

<b>STAFF RATES</b>			
	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Principal	\$179.00	7	\$1,253.00
Project Manager	\$160.00	22	\$3,520.00
Project Engineer	\$150.00	78	\$11,700.00
Engineer	\$131.00	0	\$0.00
Junior Engineer	\$115.00	0	\$0.00
Technician	\$100.00	0	\$0.00
<b>DESIGN FEE SUBTOTALS</b>		<u>107</u>	<b>\$16,473.00</b>
<b>DIRECT COSTS / EXPENSES</b>			<b>\$0.00</b>
		<b>MANDAYS</b>	<b>TOTAL LABOR COSTS</b>
		<b>13.375</b>	<b><u>\$16,473.00</u></b>

See comments under the Scope tab for additional information



Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)			
Prepared by:	Dan Dodd, PLA		801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394	
Date	Tuesday, July 25, 2017			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**LANDSCAPE / HARDSCAPE - TASK & SCOPE**

TASK DESCRIPTION	Sr. Landscape Architect	Designer	Junior Designer	Admin
100% Design and Final Specs - 20 scale drawings	4	20		
100% Design and Final Specs - 20 scale drawings - 2 Additional Sheets	4	4		
Bidding assistance / Construction Administration	0	0		


**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Sr. Landscape Architect	\$175.00	8	\$1,400.00
Designer	\$125.00	24	\$3,000.00

<b>DESIGN FEE SUBTOTALS</b>	<u>32</u>	\$4,400.00
<b>DIRECT COSTS / EXPENSES</b>		\$0.00
		<b>TOTAL LABOR COSTS</b>
		<u>\$4,400.00</u>

	<b>MANDAYS</b>
	4

**The area is not increasing very much by widening the parking 2 feet. There should not be very much re-design required. Subconsultant agreed to reduced fee.**

Project	Shelby Streetscape Project - Marion Street Improvements (Task Order 3)		 <b>Stantec</b>			
Prepared by:	Mike Lindgren, PE		801 Jones Franklin Road, Suite 300			
Date	6/6/2018		Raleigh, North Carolina 27606-3394			

**Shelby Streetscape Project - Marion Street Improvements (Task Order 3)**

**CONSTRUCTION BID DOCUMENTS - TASK & SCOPE**


	Discipline Lead Hours	Senior Engineer Hours	Staff Engineer Hours	Engineer Hours	Admin
Amend, assemble, and submit Project Bid Documents	24	24			

**STAFF RATES**

	HOURLY RATE	HOURS	TOTAL LOADED COSTS
Discipline Lead Hours	\$171.00	24	\$4,104.00
Senior Engineer Hours	\$161.00	24	\$3,864.00
Staff Engineer Hours	\$131.00	0	\$0.00
Engineer Hours	\$115.00	0	\$0.00
Admin. Hours	\$90.00	0	\$0.00

<b>DESIGN FEE SUBTOTALS</b>	<u>48</u>	<b>\$7,968.00</b>
<b>DIRECT COSTS / EXPENSES</b>		<b>\$0.00</b>

<b>MANDAYS</b>	<b>6</b>	<b>TOTAL LABOR COSTS</b>	<b><u>\$7,968.00</u></b>
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Project	Lafayette Street Streetscape - Phase 1		 <b>Stantec</b>			
Prepared by:	Mike Lindgren, PE		801 Jones Franklin Road, Suite 300 Raleigh, North Carolina 27606-3394			
Date	6/6/2018					

**LAFAYETTE STREET STREETSCAPE PHASE I  
CONSTRUCTION ADMINISTRATION - TASK & SCOPE**

	Discipline Lead Hours	Senior Engineer Hours	Staff Engineer Hours	Engineer Hours	Admin
Review Shop Drawings and respond to contractor					
Review RFI's and Respond					
Review As-Builds and coordinate with the City					

STAFF RATES					
	HOURLY RATE	HOURS	TOTAL LOADED COSTS		
Discipline Lead Hours	\$171.00	0	\$0.00		
Senior Engineer Hours	\$161.00	0	\$0.00		
Staff Engineer Hours	\$131.00	0	\$0.00		
Engineer Hours	\$115.00	0	\$0.00		
Admin. Hours	\$90.00	0	\$0.00		

<b>DESIGN FEE SUBTOTALS</b>	<b>0</b>	<b>\$0.00</b>
<b>DIRECT COSTS / EXPENSES</b>		

<b>MANDAYS</b>	<b>0</b>	<b>TOTAL LABOR COSTS</b>
	<b>0</b>	<b>\$0.00</b>

ORDINANCE NO. 36-2018

A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S  
UPTOWN STREETScape AND PEDESTRIAN IMPROVEMENTS PROJECT

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 capital project ordinance and budgets for the City of Shelby's Uptown Streetscape and Pedestrian Improvements Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 19-2017, the City's Uptown Streetscape and Pedestrian Improvements Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

**Uptown Streetscape and Pedestrian Improvements Project**

(1) Appropriating Fund Balance:

Fund Balance Appropriated	11001000-39900	\$51,300
Transfer to General Capital Projects	110495-49111	\$51,300
Fund Balance Appropriated	61006000-39900	\$ 8,557
Transfer to General Capital Projects	610711-49111	\$ 8,557
Fund Balance Appropriated	62006000-39900	\$ 8,557
Transfer to General Capital Projects	620721-49111	\$ 8,557
Fund Balance Appropriated	63006000-39900	\$ 17,093
Transfer to General Capital Projects	630731-49111	\$ 17,093
Fund Balance Appropriated	64006000-39900	\$ 17,093
Transfer to General Capital Projects	640741-49111	\$ 17,093

(2) The following General Fund Cap. Project Revenues are amended by the City:

Transferred from General Fund	11101000-39110-USPIP	\$ 51,300
Transferred from Water Fund	11101000-39610-USPIP	\$ 8,557
Transferred from Sewer Fund	11101000-39620-USPIP	\$ 8,557
Transferred from Electric Fund	11101000-39630-USPIP	\$ 17,093
Transferred from Gas Fund	11101000-39640-USPIP	\$ 17,093

(3) The following General Fund Cap. Project Expenditures are amended by the City:

Engineering	111451-42004-USPIP	\$ 102,600
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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. 2</u>
<b><u>East Gateway Enhancement Project</u></b>		
<b>Revenues</b>		
Transferred from General Fund	\$ 145,150	\$ 196,450
Transferred from Water Fund	\$ 24,190	\$ 32,747
Transferred from Sewer Fund	\$ 24,190	\$ 32,747
Transferred from Electric Fund	\$ 48,385	\$ 65,478
Transferred from Gas Fund	\$ 48,385	\$ 65,478
<b>Expenditures</b>		
Engineering	\$ 290,300	\$ 392,900

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 18<sup>th</sup> day of June 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  
June 18, 2018  
City Hall Council Chamber

Agenda Item: E-6

- 6) Adoption of a budget ordinance amendment for the City of Shelby's Shelby-Cleveland County Regional Airport Land Acquisition and Easements Project: Ordinance No. 37-2018

**Consent Agenda Item: (Ben Yarboro, Director of Engineering Services and Justin Merritt, Finance Director)**

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Summary of Available Information:

- Memorandum dated June 12, 2018 from Ben Yarboro, Engineering Services Director to Rick Howell, City Manager
- Aerial photo showing Phase 3 Land Acquisition
- Ordinance No. 37-2018

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City Manager's Recommendation / Comments


Ordinance No. 37-2018 is presented at this time to City Council for consideration via the Consent Agenda. If approved this ordinance would recognize an additional \$297,000 in grant funding from the NC Division of Aviation, \$16,500 from Cleveland County and appropriate \$16,500 from City reserves. The purpose of these grant funds is for the acquisition of properties located on NC Hwy 150 as shown on the enclosed aerial map. If approved the City could close on these properties by the end of June. These properties are currently not located within the city limits.

**It is my recommendation Ordinance No. 37-2018 be adopted and approved by City Council at this time via the Consent Agenda.**



## *Memorandum*

**To:** Rick Howell, City Manager  
Justin Merritt, Finance Director

**From:** Ben Yarboro, Engineering Services Director 

**RE:** Shelby-Cleveland County Regional Airport  
Land Acquisition Project Budget Amendment

**Date:** June 12, 2018

### Background

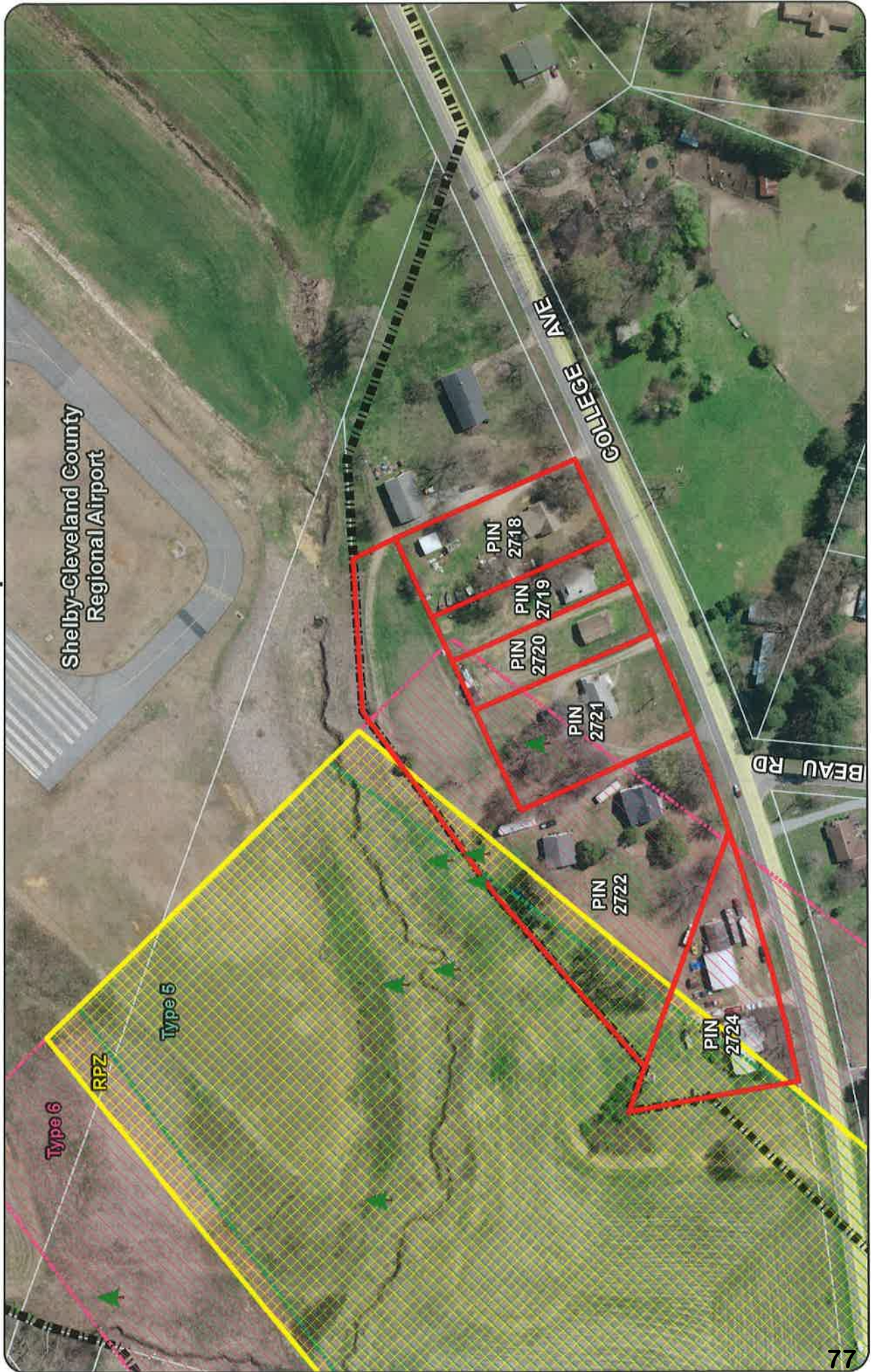
In 2012, the City of Shelby received a grant from the North Carolina Division of Aviation for “Land Acquisition & Easements (Runway 5 & 23 RPZ)” and these state funds were allocated under the State Aid to Airports Program. Following the award of this \$808,500 grant (10% local match), the City worked closely with our airport consultant, W.K. Dickson, on acquisitions and easements that were identified on our Airport Layout Plan. During this project, the City has acquired 9 properties through fee simple transactions and has also acquired aviation easements on 3 additional properties. We are currently in the last phase of this project and have three additional properties that offers have been accepted on and are awaiting closings. An estimate showing a funding shortfall of \$328,000 and map showing the remaining acquisitions (attached for reference) was provided the NCDOA summarizing the expenses exceeding the grant amount for this project. The NCDOA has recommended \$330,000 of additional funding for this project to the NC Board of Transportation. If this budget amendment is approved, the City will close on the 3 remaining properties in June 2018.

### Recommendation

Staff requests a budget ordinance amendment in the amount of \$330,000 to allow for the final phase of land acquisition to be completed. It is important to note that a \$330,000 grant of state funds (10% local match) from the NCDOA is anticipated following the upcoming NC Board of Transportation meeting.

Please let me know if more information is required.  
[www.cityofshelby.com](http://www.cityofshelby.com)

# Shelby-Cleveland County Regional Airport Phase 3 Land Acquisition



**Legend**

- Phase 3 Properties
- Obstructions
- RPZ
- Parcels
- Streets
- Type 5
- Type 6



1 inch = 150 feet



6/5/2018

The City of Shelby makes no representations, warranties or guarantees as to the accuracy and completeness of the enclosed information and data, and the City is not responsible for any errors or omissions concerning the content and positional accuracy of such information and data.



ORDINANCE NO. 37-2018

A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S  
SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT  
LAND ACQUISITION AND EASEMENTS PROJECT

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 capital project ordinance and budgets for the City of Shelby's Shelby-Cleveland County Regional Airport Land Acquisition & Easements Project; 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 the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 67-2017, the City of Shelby's Shelby-Cleveland County Regional Airport Land Acquisition & Easements Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

**Airport Runway Overlay Project**

(1) Appropriating General Fund Revenues:

Fund Balance Appropriated	11001000-39900	\$ 16,500
Transfer to General Cap. Projects	110495-49111	\$ 16,500

(2) The following General Fund Cap. Project Revenues are amended by the City:

11105000-34501-APLEA	State Grants	\$297,000
11105000-33500-APLEA	Transferred from County	\$ 16,500
11105000-39110-APLEA	Transferred from General Fund	\$ 16,500

(3) The following General Fund Cap. Project Expenditures are amended by the City:

111453-52000-APLEA	Land	\$330,000
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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. 1</u>
<b><u>Airport Runway Overlay Project</u></b>		
<b>Revenues</b>		
Transferred from County	\$ 40,425	\$ 56,925
State Grant	\$ 727,650	\$1,024,650
Transferred from General Fund	\$ 40,425	\$ 56,925
<b>Expenditures</b>		
Land	\$ 808,500	\$1,138,500

Ordinance No. 37-2018  
June 18, 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 18<sup>th</sup> day of June 2018.

---

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  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: E-7**

- 7) Approval of a Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council

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

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Summary of Available Information:

- Notice of Cancellation

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City Manager's Recommendation / Comments

After reviewing with staff the upcoming agenda schedule and any upcoming items requiring action by City Council it is my recommendation that the regular meeting slated for Monday, July 2, 2018 be cancelled via the Consent Agenda. As a matter of practice agenda items are scheduled and planned weeks in advance for most items to allow the appropriate review process to occur. I would note that in the event an issue arises that would require immediate action by City Council a special meeting could be called in accordance with the NC General Statutes. If approved by City Council your next regularly scheduled meeting would be held on Monday, July 16, 2018.

**Notice of Cancellation  
in the  
Regular Meeting Schedule  
of  
Shelby City Council**

This notice is to inform the general public and the media, and is conducted in accordance with the mandates of North Carolina General Statutes 160A-71 and 143-318.12 (a), that the regularly scheduled Shelby City Council meeting of July 2, 2018 has been cancelled in observance of the City's Independence Day holiday.

The regular meeting schedule, as adopted by the Council, remains in place for all other regular meetings of the Council and will resume:

**Monday, July 16, 2018, at 6:00 p.m.  
City Hall Council Chamber  
300 South Washington Street  
Shelby, North Carolina**

**Dated: June 18, 2018**

**O. Stanhope Anthony III  
Mayor**

City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: F-1**

Unfinished Business

- 1) Consideration of appointments to City advisory boards and commissions:
  - a. Planning and Zoning Board

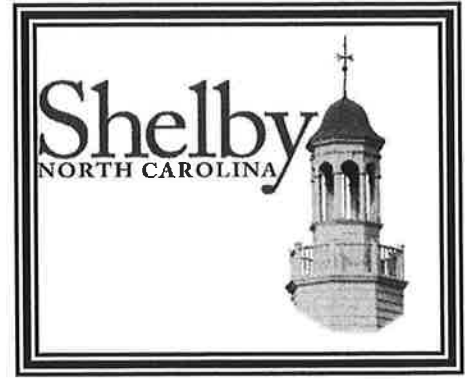
**Unfinished Business Item: (Staff Resource, Bernadette Parduski, City Clerk)**

Summary of Available Information:

- Memorandum dated June 11, 2018 from Bernadette A. Parduski, City Clerk to Rick Howell, City Manager
- Planning and Zoning Board Roster 2018
- Application for Planning and Zoning Board (Juan Cherry)

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: June 11, 2018  
Re: Appointments to City Advisory Boards and Commissions

## **BOARD REVIEW:**

### PLANNING AND ZONING BOARD:

The terms of five incumbents, Marlene Peeler, Rick Washburn, Mark Carter, Bob Cabaniss (ETJ), and Emanuel Hunt Jr. (ETJ), will conclude June 2018. All five incumbents are seeking reappointment to this board.

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

1. Juan L. Cherry

## **POSSIBLE ACTION:**

Council can begin the nominating process or take appointive action for three new terms and two ETJ recommendations to the Cleveland County Commissioners concluding June 2021.

## **Attachments:**

- A. Planning and Zoning Board Roster 2018
- B. Application of Juan L. Cherry

**PLANNING AND ZONING BOARD 2018**

<b>MEMBERS</b>	<b>ADDRESS</b>	<b>TERM EXPIRATION</b>	<b>PHONE NUMBER</b>
Marlene Peeler (I) Chair <a href="mailto:marlene@prushelby.com">marlene@prushelby.com</a>	H: 217 Windsor Drive W: 410 N. Lafayette St. Shelby, NC 28150	June 2018	704 484-3003
Rick Washburn (I) Vice Chair <a href="mailto:rick.washburn@hometrustedbanking.com">rick.washburn@hometrustedbanking.com</a>	1622 Spangler Drive Shelby, NC 28150	June 2018	W: 704 476-2727
Mark Carter (I) <a href="mailto:mcarter@carterchev.com">mcarter@carterchev.com</a>	H: 600 Peach Street PO Box 205	June 2018	704 482-4341
Bob Cabaniss (ETJ) <a href="mailto:bcabanis46@yahoo.com">bcabanis46@yahoo.com</a>	371 Magness Road Shelby, NC 28150	June 2018	704 484-3484
Emanuel Hunt, Jr. (ETJ) <a href="mailto:ehuntjr46@yahoo.com">ehuntjr46@yahoo.com</a>	810 B Pleasant Drive Shelby, NC 28152	June 2018	H: 704 487-5280 W: 404 780-5224
Jeff Aderholdt (ETJ) <a href="mailto:jaderholdt1@yahoo.com">jaderholdt1@yahoo.com</a>	113 Shadowgate Drive Shelby, NC 28152	June 2020	W: 864 492-2401 C: 704 284-1244
Charles Hamrick (I) <a href="mailto:mrcharles911@gmail.com">mrcharles911@gmail.com</a>	911 West Marion Street P O Box 1356 Shelby, NC 28150	June 2020	704 996-3114
Greg Taylor (I) <a href="mailto:gtpsi@carolina.rr.com">gtpsi@carolina.rr.com</a>	2605 Pebble Creek Dr. Shelby, NC 28152	June 2020	H: 704 477-6457 W: 704 487-7774
Michael R. (Mike) Royster (I) <a href="mailto:mroyster@roysteroil.com">mroyster@roysteroil.com</a>	915 West Marion Street Shelby, NC 28150	June 2019	H: 704 484-1933 W: 704 487-6344
Jim Martin <a href="mailto:150jmartin@gmail.com">150jmartin@gmail.com</a>	162 Columns Circle Shelby, NC 28150	June 2019	H: 704 482-5265 C: 704 473-7391
Scott Bankhead (I) <a href="mailto:banksurv@bellsouth.net">banksurv@bellsouth.net</a>	H: 1907 Three Lakes Dr. W: 1203 East Marion St. Shelby, NC 28150	June 2019	H: 704 482-0562 W: 704 481-1040

Meetings are held on the third Thursday of each month at noon

Three (3) year appointments: (I) Inside Members – 8; (ETJ) Extraterritorial Jurisdiction Members – 3

City Council Liaison: Eric Hendrick – Ward 1  
926 Elizabeth Road  
Shelby, NC 28150  
C: 704 418-5688; W: 704 487-7846  
E-mail: [eric.hendrick@cityofshelby.com](mailto:eric.hendrick@cityofshelby.com)

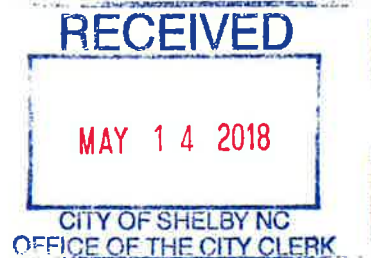
Staffed by Planning and Development Services Department (704 484-6829): Walt Scharer, Director and Darin Hallman, Planner



APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

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's boards, commissions, or committees as outlined below. If you have an interest in being considered for 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. If you have questions or need assistance, please call 704 669-6588. Thank you!

- 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 5-14-18

NAME Juan L. Cherry

ADDRESS (No P O Boxes please) 307 Goldfinch Court

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 6 4

PHONE NUMBERS: Home 704-300-8617 Work 704-476-8386

EMAIL ADDRESS juancherry07@gmail.com

OCCUPATION Educator/Clergy

EDUCATIONAL BACKGROUND BA - Journalism / MA -School Counseling

BOARD OR COMMISSION INTERESTED IN:

- 1. Housing & Redevelopment Advisory Board
2. Parks & Recreation Advisory Commission
3. Shelby Planning & Zoning Board

OTHER COMMENTS:

SIGNATURE Juan L. Cherry DATE 5-14-18



City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

**Agenda Item: G-1**

New Business

- 1) Consideration of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of a section of County Home Road:  
Resolution No. 29-2018

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

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Summary of Available Information:

- Memorandum dated June 11, 2018 from Walter Scharer, Planning Director to Rick Howell, City Manager
- General Applications and letter from Shelby Hospitality Group, LLC
- Preliminary Plat showing County Home Road
- Location Map
- Resolution No. 29-2018

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City Manager's Recommendation / Comments

This item is placed on City Council agenda to consider a resolution that would make known to the public that the City has received a petition for road closure from property owners on both sides of a section of County Home Road located between the frontage road of US Hwy 74 and Kings Road (see map) and further that it is the City's intent to consider permanent closure of this road section. The resolution sets forth a date and time of July 16, 2018 for a public hearing on this matter and directs the City Clerk to advertise said hearing once a week for four consecutive weeks prior to the hearing.

I would note that the City does have a waterline located within this NCDOT street right of way and that the petitioning owners have agreed to grant the City an easement so that it can remain in place. The easement will be required of the landowner. If this waterline must be relocated for any reason in the future that cost would fall upon the property owner and/or developer unless otherwise authorized by City Council. The City does intend to reserve an easement for said waterline as authorized by statute.

**It is my recommendation that Resolution No. 29-2018 be adopted and approved by City Council at this time.**



**Memorandum**

**To:** Rick Howell - City Manager  
**From:** Walter Scharer – Planning Director  
**Date:** June 11, 2018  
**Subject:** Request to close a section of County Home Road

**Executive Summary of issue – Background**

The owner of both sides of a small section of County Home Road on the north side of the current US 74 By-Pass has petitioned the City of Shelby to close the street. A location map and surveyor’s plat showing this site is attached.

**Review and Comments**

Pursuant to North Carolina General Statute 160A-229, the City of Shelby may close a street 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 June 18, 2018. County Home Road is a state street, therefore, after the public hearing is complete and City Council approves the Resolution to Close the Street, the resolution will be sent to NCDOT for consideration to close by the North Carolina Board of Transportation.

**Recommendation**

Staff has no objection to this proposed right-of-way closing. Please place this item on the consent agenda for the June 18, 2018 City Council meeting.

**Attachments: Application, Location Map, Resolution of Intent to Close a portion of County Home Road, and Plat.**



City of Shelby  
Planning and Development Services Department

General Application

Address of Subject Property:

County Home Road between Highway 74 and Kings Road

Applicant(s) Name: State Employees' Credit Union

Address: 1729 E Dixon Blvd.

Shelby, NC 28152

Email: crystal.adams@ncsecu.org

Phone: 704-482-4492

Owner(s) Name: State Employees' Credit Union

Email: crystal.adams@ncsecu.org

Phone: 704-482-4492

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

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: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

Proposed Land Use: \_\_\_\_\_

Approx. Building Sq. Ft.: \_\_\_\_\_

Approx. Project Acreage: \_\_\_\_\_

Business Name: \_\_\_\_\_

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.

Edward J. [Signature] EUP. Property Mgt  
Signature of Applicant

4-3-18  
Date

Received by: \_\_\_\_\_

\_\_\_\_\_ Date



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

County Home Road between Highway 74 and Kings Road

Applicant(s) Name: SHELBY HOSPITALITY GROUP LLC

Address: 217 EAST TREMONT AVE
CHARLOTTE NC 28209

Email: DBARKER@CATELLUSGROUP.COM

Phone: 704.332.7052

Owner(s) Name: SHELBY HOSPITALITY GROUP LLC

Email: DBARKER@CATELLUSGROUP.COM

Phone: 704.332.7052

Relationship to Property: [ ] Owner [ ] Developer, Contractor, etc. [x] Other: Adjacent Property Owner

Request for (Check all that apply):

- [ ] Annexation (Contiguous & Satellite)
[ ] Change in Tenant/Building Use
[ ] Site Plan Review & Zoning Permit
[ ] Street Name Change
[x] 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:
Proposed Zoning:
Proposed Land Use:
Approx. Building Sq. Ft.:
Approx. Project Acreage:
Business Name:

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.

Signature of Applicant

Date 4/3/18

Received by:

Date

February 28, 2018

Mr. Walter Scharer  
P.O. Box 207  
Shelby, North Carolina 28151

RE: County Home Road Closure

Dear Mr. Scharer,

Pursuant to North Carolina General Statute 160A-299, we, the owners of property adjacent to County Home Road, as shown on the attached plat, do hereby petition the City of Shelby to permanently close that section of the street.

If you have any questions, please contact me at 704-332-7052.

Thanks!

Sincerely,



Chris Dischinger, Manager  
Shelby Hospitality Group LLC  
CD Shelby, LLC, Manager Member

REVIEW OFFICERS CERTIFICATE:  
STATE OF NORTH CAROLINA,  
COUNTY OF CLEVELAND,

REVIEW OFFICER OF CLEVELAND COUNTY,  
STATUTORY REQUIREMENTS FOR RECORDING.

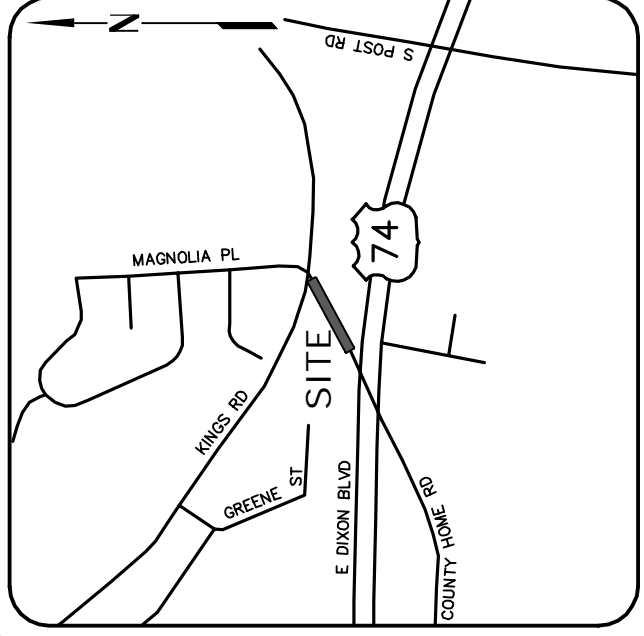
DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_

REQUESTING ROAD CLOSING/ABANDONMENT AND PROPOSED PROPERTY ALLOCATION  
SHELBY HOSPITALITY GROUP, LLC

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

REQUESTING ROAD CLOSING/ABANDONMENT AND PROPOSED PROPERTY ALLOCATION  
STATE EMPLOYEES CREDIT UNION

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



LOCATION MAP  
NOT TO SCALE

**SYMBOL LEGEND**

- CM(S)  CONCRETE MONUMENT FOUND
- CM(F)  CONCRETE MONUMENT SET
- IP(F)  IRON PIN FOUND
- IP(S)  IRON PIN SET (#5 REBAR)
- RS(F)  RAILROAD SPIKE FOUND
- DOT(F)  NODOT R/W DISK FOUND
- PK(F)  P-K NAIL FOUND
- PK(S)  P-K NAIL SET
- CP  COMPUTED POINT

SHELBY HOSPITALITY GROUP, LLC  
DEED BOOK 1745, PAGE 2037  
LOT 1, PLAT BOOK 37, PAGE 29  
PIN: 2556340040

**AREA 1**  
709.60 Sq. Ft. or 0.016 Acres to  
be combined with PIN: 2556340040

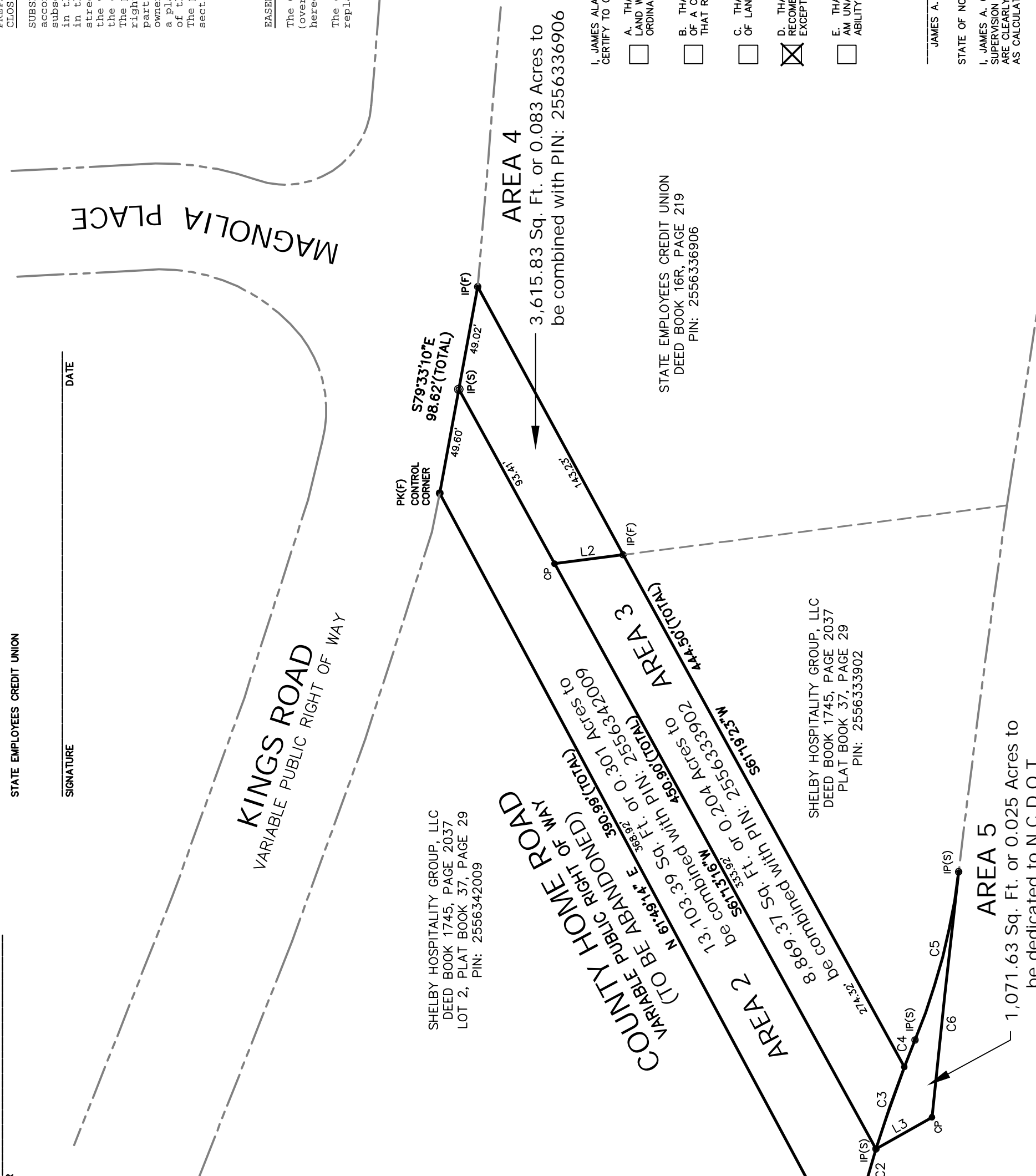
SHELBY HOSPITALITY GROUP, LLC  
DEED BOOK 1745, PAGE 2037  
LOT 2, PLAT BOOK 37, PAGE 29  
PIN: 2556342009

**AREA 2**  
13,103.39 Sq. Ft. or 0.301 Acres to  
be combined with PIN: 2556342009

**AREA 3**  
444.50(TOTAL)  
359.19(Sq. Ft.) or 0.204 Acres to  
be combined with PIN: 255633902

**AREA 4**  
3,615.83 Sq. Ft. or 0.083 Acres to  
be combined with PIN: 2556336906

**AREA 5**  
1,071.63 Sq. Ft. or 0.025 Acres to  
be dedicated to N.C.D.O.T.



**SURVEY NOTES**

1. NORTH ORIENTATION IS N.C. GRID BASED ON TIES TO N.C. GRID MONUMENTS "HICKS" AND "KEETER" AS SHOWN HEREON.
2. BOUNDARY BASED ON EXISTING PHYSICAL EVIDENCE OBSERVED ON THE DATE(S) OF THE SURVEY.
3. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED. ALL AREAS CALCULATED USING THE COORDINATE METHOD. ERROR WAS DISTRIBUTED USING THE LEAST SQUARES METHOD OF ADJUSTMENT.
4. IRON PINS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

PREPARED IN ACCORDANCE WITH: 160A-299 PROCEDURE FOR PERMANENTLY CLOSING STREETS AND ALLEYS

SUBSECTION "c" Upon the closing of a street or alley in accordance with this section, subject to the provisions of subsection (f) of this section, all right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning the parcels of land adjacent to the street or alley, or their heirs, assigns, or assigns, or the centerline of the abutting land owned by them, shall extend to the centerline of the street or alley.

The provisions of this subsection regarding division of right-of-way shall apply to the closing of a street or alley as to a particular street or alley closing by the assent of all property owners taking title to a closed street or alley by the filing of a plat which shows the street or alley closing and the portion of the closed street or alley to be taken by each such owner. If at any time after the closing of a street or alley, this section, has an ownership right in the closed street or alley.

**EASEMENT NOTE**

The City of Shelby retaining a utility easement for any utilities (overhead and/or buried) that may lie on or cross the road shown hereon.

The easement width is to be as required for the maintenance or replacement of existing utilities.

JAMES ALAN CLINE, A PROFESSIONAL LAND SURVEYOR, NCPLS L-3504  
CERTIFY TO ONE OR MORE OF THE FOLLOWING:

- A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- C. THAT THIS PLAT IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND.
- D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE CLOSING OF A STREET OR ALLEY, THE CLOSING OF A ROAD, OR OTHER EXCEPTION TO THE DEFINITION OF A SUBDIVISION.
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEY IS SUCH THAT I AM UNABLE TO MAKE DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO THE PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JAMES A. CLINE, L-3504 DATE \_\_\_\_\_

STATE OF NORTH CAROLINA, CLEVELAND COUNTY

I, JAMES A. CLINE, CERTIFY THAT THIS PLAT WAS DRAWN BY ME FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTIONS FROM SOURCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED OR OTHERWISE SHOWN ON THIS PLAT ARE SHOWN AS APPROXIMATE; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-39 AS AMENDED. AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-39 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 11 DAY OF MAY, A.D. 2018.

**PRELIMINARY PLAT**  
NOT FOR RECORDATION,  
SALES, OR CONVEYANCES

JAMES A. CLINE L-3504

PLAT OF RIGHT OF WAY ABANDONMENT/DEDICATION  
**COUNTY HOME ROAD**

S.R. 2409

CITY OF SHELBY, TOWNSHIP NUMBER 6  
CLEVELAND COUNTY, NORTH CAROLINA

CHECKED BY: JAC  
SURVEY DATE: 09/14/2017  
DRAWN BY: JAC  
PROJECT NUMBER: CH130128  
PLAT NUMBER: CH130128-RWA.dwg  
DATE: 09/14/2017  
STATUS: PRELIMINARY

REVISION/DATE/COMMENT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°48'53"W	25.50
L2	N07°21'47"W	32.45
L3	N29°28'38"W	30.21

CURVE TABLE

CURVE	RADIUS	LENGTH	CH. BRG.	CH. DIST.
C1	600.00'	130.20'	N80°49'15"W	129.95'
C2	600.00'	18.44'	N73°43'26"W	18.44'
C3	600.00'	40.74'	N70°53'55"W	40.73'
C4	600.00'	13.67'	N68°18'03"W	13.67'
C5	300.00'	81.79'	S75°27'32"E	81.54'
C6	6466.67'	115.93'	N83°46'59"W	115.93'



SCALE: 1" = 50'

**GEOSCIENCE GROUP**  
Incorporated  
F-0585  
500-K Clanton Road  
Charlotte, NC 28217  
704-525-2003  
704-525-2051(fax)  
geosciencegroup.com

1/1



# Location Map County Home Road

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



Date: 4/11/2018

680 Feet

340

1 inch = 340 feet

Scale 1:4,075

**RESOLUTION NO. 29-2018**

**A RESOLUTION DECLARING THE INTENT OF THE CITY COUNCIL OF THE CITY OF SHELBY TO CONSIDER THE PERMANENT CLOSURE OF A SECTION OF COUNTY HOME ROAD**

**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 a section of County Home Road; 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 July, 2018 in the Council Chamber at the City Hall in Shelby, North Carolina to consider an order to close a section of County Home Road.

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 18<sup>th</sup> day of June 2018.

---

O. Stanhope Anthony III  
Mayor

ATTEST:

---

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



City of Shelby  
Agenda Item Summary  
June 18, 2018  
City Hall Council Chamber

Agenda Item: H

City Manager's Report

- 1) Holly Oak Park Playground
- 2) First Broad River Trail Temporary Closure

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.*

Motion to adjourn