

MINUTES

Regular Meeting
City Hall Council Chamber

March 15, 2010
Monday, 6:00 p.m.

Present: Mayor W. Ted Alexander, presiding; Council Members Christopher H. (Chris) Mabry, Oliver Stanhope (Stan) Anthony, III, Jeanette D. Patterson, Joel R. Shores, Jr.; City Manager Rick Howell, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, CMC, Director of Human Resources Deborah (Deb) Jolly, Director of Utilities Brad R. Cornwell, PLS, EI, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, Director of Public Works Daniel C. (Danny) Darst, Jr., Director of Development Services Brian L. Pruett, Director of Planning Services Walter (Walt) Scharer, AICP; and media representatives

Absent: Council Member Andrew L. Hopper, Sr.

Clerk's Note:

A Council vacancy (Ward 4) exists due to the resignation of Mr. Putnam on February 10, 2010.

Mayor Alexander called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. Mr. Mabry gave the invocation and Boy Scout Chris Carter led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

Mr. Shores requested the removal of Item D-11 from the Consent Agenda.

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mrs. Patterson, City Council voted unanimously to approve the agenda as amended.

B. Special Presentations:

- 1) Recognition of the Mayor's Outstanding Volunteer Service Recipient for February 2010: Boy Scout Chris Carter

Mayor Alexander introduced Chris Carter of Boy Scout Troop 100 and recognized him for his Eagle Scout project involving the restoration of three homes along the 200 block of McBrayer Street. The Mayor, also involved in the project through Preservation North Carolina, said these homes were

originally purchased by Hopper's Chapel to help the neighborhood. Several months ago, the homes were added to the newly designated West Warren Street National Register District. He stated that once the structures are stabilized, they will be put on the market and sold thanks to Boy Scout Chris Carter and the many volunteers who assisted with the cleanup project.

Mayor Alexander presented a framed certificate to Chris Carter on behalf of the City of Shelby.

Boy Scout Chris Carter recognized his parents and Scout Master Fred Blackley in attendance.

- 2) Proclamation extending congratulations to Mark Brooks upon his appointment as Chief of Police of Marion, North Carolina

Mayor Alexander called upon Police Chief Mark Brooks. The Mayor formally read and presented the framed proclamation to Chief Brooks, which acknowledged his 21 years of service with the Shelby Police Department and extended congratulations to him on his selection as Chief of Police for the City of Marion.

Chief Brooks recognized his wife and her parents in attendance and expressed his appreciation to all he worked with in Shelby during his career.

- 3) Recognition of Scott Black as the City of Shelby's 2009 Employee of the Year

Mayor Alexander stated that the City of Shelby began an Employee of the Quarter Recognition Program in January 2009. Employees are nominated by peers from any department. An employee committee representing the various departments reviews the quarterly nominations to select the top candidate for Employee of the Quarter and ultimately an Employee of the Year will be chosen each year from the Employees of the Quarter.

The Mayor congratulated Scott Black, Street Supervisor with the Department of Public Works, as the City's first Employee of the Year. Mr. Howell added that Mr. Black was also recognized at the annual Employee Service Awards luncheon recently held.

Mayor Alexander, assisted by Mr. Howell, presented Mr. Black with a plaque honoring him as the City of Shelby's 2009 Employee of the Year.

Mr. Black recognized his wife and members of the Street Division in attendance.

4) Recognition of the City of Shelby Public Works Street Division as Main Street Champions

Mayor Alexander acknowledged the Street Division staff of the City's Department of Public Works, under the supervision of Scott Black, as Main Street Champions. The Streets Division was nominated by Uptown Shelby Association for their dedicated support of the downtown revitalization efforts. Mr. Black received the award at the January 2010 Main Street Conference held in New Bern, North Carolina.

The Mayor called upon the members of the Street Division, who included Jeremy Bridges, Todd Hamrick, Adrian Myers, Stephen Fisher, Henry Rivera, Ronnie Jones, and Scott Black, and presented the framed certificate to them.

5) Recognition of Assistant Fire Chief Jake Whisnant as the Western North Carolina Association of Firefighters Officer of the Year for 2009

Mayor Alexander stated that the Western North Carolina Association of Firefighters (WNCAF) is an association of 300 fire departments and their membership serving thirty-three counties throughout the Piedmont-Foothills and Mountain regions of North Carolina. Each year the Association honors an individual from its membership as its Officer of the Year. This year Assistant Fire Chief Jake Whisnant was recognized for this honor. It is important to note that Assistant Fire Chief Whisnant's selection marks the second year in a row that a member of the Shelby Fire & Rescue Department has been honored in this fashion by WNCAF.

The Mayor, assisted by Fire Chief William Hunt, recognized Assistant Fire Chief Jake Whisnant and presented the plaque to him as he read the inscription.

6) Recognition of City Clerk Bernadette A. Parduski as Master Municipal Clerk conferred by the International Institute of Municipal Clerks

Mayor Alexander called upon City Clerk Bernadette Parduski, formally read, and presented the framed certificate from the International Institute of Municipal Clerks conferring the designation of Master Municipal Clerk on her. The Mayor commended this professional designation and congratulated Mrs. Parduski on her achievement.

Mrs. Parduski expressed her appreciation and gratitude to all those she serves with currently and formerly for supporting and valuing the Clerk's Office.

C. Public Comment:

- 1) **Sandra Renick who resides at 112 Brookhill Road in Shelby, North Carolina spoke as a representative of the Keep Shelby Beautiful (KSB) Commission. Mrs. Renick extended an invitation to all to volunteer and join KSB on April 17, 2010 for a litter cleanup event called Litter Sweep which is part of the Great American Cleanup. KSB has chosen three primary gateways into the City for the Litter Sweep including Marion Street, Lafayette Street, and West Warren Street. Mrs. Renick encouraged participation and stated details are available at the City's website or by contacting KSB Executive Coordinator Mary Byrnes.**

Next Mrs. Renick reminded all that the KSB Big Tree Contest ends Friday, March 19, 2010. Entry forms are available online at the City's website.

- 2) **Dr. Timothy Sims, Senior Pastor at Bethel Baptist Church, 606 South Dekalb Street, in Shelby, North Carolina arrived late but was allowed to speak during public comment.**

Pastor Sims announced preliminary plans for Bethel Baptist Church to build, open, and operate a private school on its campus. He anticipated the Church's single-story gym would be turned into a two-story classroom facility. The Church has purchased four houses to acquire the property but would keep them only under certain conditions in conjunction with a school such as using them for faculty housing, etc. Church leaders are still in the early planning stages of this project. He mentioned a City ordinance which prohibits a school within 300 feet of a residence as a matter of concern for the Church, the Historic Preservation Commission, and the City itself. Pastor Sims requested Council's consideration to begin discussions with the City for the opening of a school.

The matter was referred to the City's Planning Director, Mr. Scharer.

D. Consent Agenda:

ACTION TAKEN: Mayor Alexander presented the amended consent agenda. Mrs. Patterson made a motion to approve the amended consent agenda and each item as presented. After a second from Mr. Shores, the amended consent agenda and following items were unanimously approved:

- 1) **Approval of the Minutes of the Special Meeting of February 19, 2010**
- 2) **Approval of the Minutes of the Special Meeting of February 20, 2010**

- 3) Approval of the Minutes of the Regular Meeting of March 1, 2010
- 4) Approval of Special Event Permit Applications:
 - a. Uptown Shelby Association's 2010 Events Calendar
 - b. Ride for the Mind on March 27, 2010
- 5) Approval of a resolution honoring Arlan Bush on the occasion of his retirement from employment: Resolution No. 15-2010
- 6) Approval of a resolution accepting the acquisition of real property from Charles L. Beam and wife, Frances H. Beam (life tenants), et al, to the City of Shelby for property to construct a natural gas regulator station on Caleb Road: Resolution No. 16-2010
- 7) Adoption of FY 2009-2010 Budget Ordinance Amendment No. 4: Ordinance No. 8-2010
- 8) Adoption of an ordinance authorizing demolition of a dwelling located at 214 Black Street: Ordinance No. 9-2010
- 9) Adoption of an ordinance authorizing demolition of a dwelling located at 806 (808) Logan Street: Ordinance No. 10-2010
- 10) Adoption of an ordinance authorizing demolition of a dwelling located at 402 Mint Street: Ordinance No. 11-2010
- 11) REMOVED

Adoption of an ordinance authorizing demolition of a dwelling located at 2007 Kings Road: Ordinance No. 12-2010
- 12) Adoption of an ordinance authorizing demolition of a dwelling located at 229 Putnam Street: Ordinance No. 13-2010

END CONSENT AGENDA

E. Unfinished Business:

- 1) Consideration of a resolution adopting 2010-2011 City Council Goals and Priorities: Resolution No. 17-2010

Mr. Howell reminded Council of the goals and priorities discussed at the Council retreat in February 2010 and developed at the March 1, 2010

meeting, which have been reviewed and compiled in resolution form for their consideration.

ACTION TAKEN: Upon a motion by Mr. Mabry, second by Mr. Anthony, City Council voted unanimously to approve and adopt Resolution No. 17-2010 entitled, "A RESOLUTION ADOPTING 2010-2011 CITY COUNCIL GOALS AND PRIORITIES".

F. New Business: None

G. City Manager's Report:

- 1) Mr. Howell distributed copies of the North Carolina Department of Transportation Draft 5 Year Work Program as it pertains to Cleveland County, which was a request made at Council's recent retreat.
- 2) Mr. Howell announced that "Sunshine Week" is March 14-20, 2010. A proclamation has been drafted to recognize "Sunshine Week" as a national initiative to open a dialogue about the importance of open government and freedom of information. Mr. Howell also provided Council with a copy of the "Guide to Open Government and Public Records", a publication of the North Carolina Attorney General's Office and the North Carolina Press Association.
- 3) Mr. Howell said he is in the process of drafting a letter regarding Shelby's Legislative Agenda for the North Carolina League of Municipalities.
- 4) As part of the Golden Leaf's Community Assistance Initiative process in Cleveland County, Mr. Howell reminded Council that the City's proposal presentation is scheduled for the afternoon of March 17, 2010 at Cleveland Community College.
- 5) As part of the upcoming budget process, Mr. Howell informed Council that the City is seeking group health insurance quotes. He also noted that the sales tax receipts are down 12.5 percent, a half percent higher than anticipated.
- 6) Mr. Howell stated that the City received a letter dated February 22, 2010 from the Local Government Commission noting signs of financial weakness in the water and sewer funds. The Mayor responded by letter dated March 9, 2010 that the financial weaknesses identified in those funds were the result of large capital projects undertaken over the past year. Both required the expenditure of a significant amount of money on the front end by the City to get these projects moving. Council has authorized the borrowing of funds and has adopted a reimbursement resolution that would allow such to the water and sewer funds upon the

approval and issuance of revenue bonds. The City chose to wait to issue the revenue bond in 2010 in an attempt to allow the credit markets to stabilize following the economic downturn. Copies of both letters were provided to Council for their review.

H. Council Announcements and Remarks:

- 1) Mrs. Patterson (at her office building) and Mr. Shores (while having dinner at a local restaurant) shared their personal experiences over the past weekend, March 13 and 14, 2010, in which they encountered the response of the Shelby Fire & Rescue Department. Both paid high compliments to the Department for the way each situation was handled.
- 2) Mayor Alexander announced and encouraged attendance at the American Legion World Series Town Hall and festivities, which are scheduled for Saturday, March 20, 2010, beginning at 10:00 a.m., Keeter Auditorium, Cleveland Community College.
- 3) Mayor Alexander acknowledged Council's receipt of the packet of applications prepared by Mrs. Parduski for the Ward 4 City Council vacancy. The Mayor announced the names of the candidates, who were all in attendance, as follows: Dennis Carl Bailey, Ronald Bernard Schaeffer, and Sandra Ross Blankenship. The Council's appointment process will continue on April 5, 2010.

J. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion by Mr. Shores, second by Mrs. Patterson, City Council voted unanimously to adjourn the meeting at 6:55 p.m.

Respectfully submitted,

Bernadette A. Parduski, MMC
City Clerk

W. Ted Alexander
Mayor