

MINUTES

Regular Meeting
City Hall Council Chamber

October 15, 2018
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members David W. White, David Causby, Violet Arth Dukes, Charles Webber, and Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Clerk Bernadette A. Parduski, NCCMC, MMC, City Attorney Robert W. (Bob) Yelton, Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Water Resources David W. Hux, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, Director of Planning and Development Services Walter (Walt) Scharer, AICP; and Director of Cable Programming Greg Tillman of Cleveland Community College and The Video Factory

Absent: Council Member Eric B. Hendrick

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 Boy Scout Troop 101 chartered through First Baptist Church and Cub Scout Pack 107 chartered through Aldersgate United Methodist Church led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

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

A. Special Presentations:

- 1) Recognition of Timothy Milson Walker on the occasion of his retirement from employment with the City of Shelby: Resolution No. 46-2018

Mayor Anthony called upon Timothy Milson Walker, who recognized his immediate family members in attendance. The Mayor formally read and presented framed Resolution No. 46-2018 to Lieutenant Walker. Mayor Anthony then presented a plaque along with the key to the City and a City lapel pin to him in honor of and with heartfelt appreciation for 29 years of dedicated service to the City of Shelby Police Department.

Lieutenant Walker was also conferred with the *Order of the Long Leaf Pine*, which is among the most prestigious awards presented by the North Carolina Office of the Governor. On behalf of Governor Roy Cooper, Mayor Anthony formally read and presented the commendation to Lieutenant Walker in recognition of his dedication and outstanding service as an exemplary employee of the State of North Carolina.

Humbled by the recognition, Lieutenant Walker expressed his appreciation to all.

2) 2018 General Election – Clifton W. Philbeck, Director of Elections, and Renee G. Bost, Deputy Director of Elections, Cleveland County Board of Elections

Mr. Philbeck introduced himself as the Director of Elections and Renee Bost as the Deputy Director of Elections for the Cleveland County Board of Elections. The purpose of their presentation was to provide voter education as it pertains to the passage of the new state law known as the Uniform and Expanded Early Voting Act. He gave the specifics of early voting locations and hours for General Election day, November 6, 2018:

- October 17, 2018 – November 3, 2018, including two Saturdays and a Sunday
- Hours Monday through Friday – 7:00 a.m. to 7:00 p.m.
- Locations include: Market Place Shopping Center in Shelby, Kings Mountain Fire Museum, and Boiling Springs Town Hall

Mr. Philbeck stated the deadline for voter registration or updating existing voter registration information was October 12, 2018. Early votes can be cast by registered voters and those who want to participate in what is called “same-day registration” which begins October 17, 2018. Same-day registration will be available at all early voting sites.

Mr. Philbeck added REACH Transit, the free transportation service provided by the Transportation Administration of Cleveland County (TACC) has agreed to add Market Place Shopping Center as a stop on their schedule for voters.

Next, Miss Bost explained the availability of absentee voting by mail. Requests for an absentee ballot must be made on an absentee request form and must be received in the Cleveland County Board of Elections office by October 30, 2018. Completed absentee ballots must be returned to the Cleveland County Board of Elections on Election Day, November 6, 2018.

Miss Bost stated all three voting sites and 21 precincts are accessible to all voters. Curbside voting is available for voters who are not able to enter

voting sites.

Miss Bost explained the Market Place Shopping Center site was selected because it is centrally located among three Shelby precincts, offers 450 parking spaces, and provides easy access from US 74 Bypass and South Post Road.

Mrs. Arth Dukes expressed her appreciation for the free transportation service arranged by the Board of Elections and provided by TACC to voters.

Council received the information and no action was required.

B. Public Comment:

1) Richard Hooker, Jr. who resides at 1520 King Arthur Court in Shelby, North Carolina spoke in support of Minority Enterprise Development (MED) Week, October 14 through 20, 2018. As the Executive Director of Cleveland County Business Development Center, Mr. Hooker said MED Week is an annual observance to celebrate and recognize the economic and community achievements and accomplishments of minority owned businesses. The Cleveland County Business Development Center will host events throughout MED Week, including:

- Information Session on Local Construction and Procurement hosted by Cleveland County Schools at the Staff Development Center on October 16, 2018.
- Youth Minority Enterprise Development hosted at James Love Elementary School on October 18, 2018.
- Financing Your Small Business sponsored by the Cleveland County Small Business Center at LeGrand Center on October 18, 2018.
- Annual Awards Dinner with Guest Speaker Me'Chelle Degree McKenney, certified leadership trainer, speaker, and author at the LeGrand Center on October 19, 2018.
- Emerging Leaders Lecture Series with guest speakers: Jazmyne Childs, a field manager for Advance Carolina, and Dennis Toms Jr., an independent clinical mental therapist, on October 20, 2018 at the Dover YMCA.

Lastly, Mr. Hooker expressed his appreciation to the City of Shelby for its continued support of the Cleveland County Business Development Center and MED Week, urging participation in the activities he mentioned.

C. Public Hearing:

- 1) Consideration of a resolution authorizing the closeout of the Campbell and Sterchi Building Revitalization Project under the North Carolina Department of Commerce Division of Community Investment and Assistance Community Development Block Grant (CDBG) Grant No. 15-E-2771: Resolution No. 55-2018

Mr. Scharer explained as a requirement of receiving Community Development Block Grant funds from the North Carolina Department of Commerce, Division of Community Investment and Assistance, the City of Shelby must conduct a public hearing to allow the public to offer comments on the activities carried out by the City under CDBG Grant No. 15-E-2771 prior to closing this grant.

Mr. Scharer stated the construction and rehabilitation of the building at 112 North Lafayette Street is complete and the businesses are now in operation. The project provided critical building improvements that allowed Greenbrook Design Center and Uptown Indigo to open their doors.

Mr. Scharer concluded by stating staff recommended proceeding with a closeout public hearing for this grant project.

Mayor Anthony opened the public hearing at 6:20 p.m. and invited comments from the public.

The public offered no comments and Mayor Anthony closed the public hearing at 6:21 p.m.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 55-2018 entitled, "A RESOLUTION AUTHORIZING THE CLOSEOUT OF THE CAMPBELL AND STERCHI BUILDING REVITALIZATION PROJECT UNDER THE NORTH CAROLINA DEPARTMENT OF COMMERCE DIVISION OF COMMUNITY INVESTMENT AND ASSISTANCE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) GRANT NO. 15-E-2771".

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 October 1, 2018
- 2) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 57-2018

- 3) Adoption of a budget ordinance amendment for the City of Shelby's Uptown Streetscape and Pedestrian Improvements Project: Ordinance No. 58-2018
- 4) Adoption of an ordinance establishing a capital project ordinance and budget for the City of Shelby's Airport Grant T-Hagar Project: Ordinance No. 59-2018

END CONSENT AGENDA

E. Unfinished Business:

- 1) Consideration of a resolution authorizing the assignment of a sole source vendor for the purchase of a dewatered solids conveyor system for the City of Shelby's Wastewater Treatment Plant Compost Facility Upgrade Project: Resolution No. 56-2018

Mr. Howell introduced Resolution No. 56-2018, which is brought forward for Council's consideration and approval in compliance with North Carolina General Statute 143-129 (e)(6). If approved, the resolution would designate the specified equipment and vendor as the sole source for the conveyor system with regard to the First Broad River Waste Water Treatment Plant Biosolids Improvements Project. It is the intent of City staff and the design engineering firm, HDR Engineering, Inc., to satisfy the requirements of the statute and to document the reasoning behind the conveyor system procurement recommendation. Mr. Howell stated it is essential this particular equipment be specified to ensure the successful operation of the system after construction is complete.

Next, Mr. Hux stated HDR engineers evaluated several layouts for new facilities and came up with a final layout that included a conveyor from a new solids dewatering facility to a covered storage pad. Due to the site grades and location of the structure, a new conveyor would have to be designed to operate in order to make up a significant elevation within a short distance. Specifically, the conveyor would have to work at a steep angle. In evaluating equipment, Serpentix conveyor system was the only belt style conveyor that was able to operate at the design incline required and also met the other design specifications.

Mr. Hux concluded by stating HDR recommended the sole sourcing of Serpentix P2 Pathwinder design for the belt conveyor based on being the only design to operate in the conditions described, while offering a variety of other advantages over other manufacturers. He said this project has been designed and is in the process of being advertised.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 56-2018 entitled, “A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A SOLE SOURCE VENDOR FOR THE PURCHASE OF A DEWATERED SOLIDS CONVEYOR SYSTEM FOR THE CITY OF SHELBY’S WASTEWATER TREATMENT PLANT COMPOST FACILITY UPGRADE PROJECT”.

F. New Business: None

G. City Manager’s Report:

1) Mr. Howell provided the following information:

- The City has been notified by the North Carolina Department of Insurance and Office of the State Fire Marshal that it will undergo an inspection and survey of the Shelby Fire and Rescue Department as part of the routine work to review the current public protection classification. The onsite inspection and survey will take place in January 2019.
- There will likely be a delay in the final turnover of Hanna Park to the City from the contractor due to grading and drainage issues. The final punch list has yet to be developed. It is likely the dedication ceremony may also be later than previously anticipated.

Mr. Howell also mentioned the Greater Cleveland County Soccer Association presented the City with a check for \$30,000 to be used toward the purchase of soccer items at Hanna Park.

- The Fire Heavy Rescue Truck has been delivered to the Shelby Fire and Rescue Department. Staff is currently working to get all necessary equipment transferred over.
- The final draft of the Traffic Calming Policy is in process and will be a future agenda item in November 2018.
- With regard to the Uptown Water and Sewer, work has moved to South Lafayette Street between Warren Street and Graham Street. It is expected to be complete by Thanksgiving. South Lafayette Street is the second-to-last block of the water/sewer phase. The final block will be a short piece of East Warren Street between Washington Street and Harris Street alley.

- The First Broad River Trail Widening Project is nearing completion and should reopen by the end of this week.
- The City's Monthly Financial Summary for September 2018 will be published this week.
- The City closed on the property located at 201 West Marion Street, the site of the former Charleston Place, which is now owned by TGS Engineers as of today, October 15, 2018.

H. Council Announcements and Remarks:

1) Mayor Anthony made the following announcements:

- Shelby High School Homecoming Parade – October 18, 2018 at 4:00 p.m., Uptown Shelby
- City of Shelby Volunteer Recognition Event – October 18, 2018 at 6:00 p.m., City Pavilion
- Liver Mush Festival of North Carolina also known as Mush, Music & Mutts Festival – October 19-20, 2018, Uptown Shelby
- Cleveland Cup – October 26, 2018 at 3:30 p.m., Shelby City Park
- Planting Day – November 3, 2018 at 10:00 a.m., First Broad River Trail

2) Mr. Webber expressed his appreciation to the community members who attended tonight's Council meeting especially the boy scouts, the cub scouts, and Mr. Hooker.

I. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:36 p.m.

Respectfully submitted,

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

**O. Stanhope Anthony III
Mayor**

Minutes of October 15, 2018