

## MINUTES

Regular Meeting  
City Hall Council Chamber

October 21, 2019  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony III, presiding; Council Members Eric B. Hendrick, David W. White, David Causby, Violet Arth Dukes, Charles Webber, and Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Clerk Bernadette A. Parduski, City Attorney Robert W. (Bob) Yelton, Assistant City Manager/Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah C. (Deb) Jolly, Director of Energy Services Julie R. McMurry, Director of Water Resources David W. Hux, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, Director of Public Works Daniel C. (Danny) Darst, Director of Parks and Recreation Charlie Holtzclaw, and 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

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

### A. Approval of agenda:

#### 1) Motion to adopt the proposed agenda

At the request of Mr. Howell, Mayor Anthony added Item I-1 under the Closed Session as follows:

- To consult with the City Attorney in order to preserve the attorney-client privilege in the matter of Willie A. Green, Sr. versus the City of Shelby and Rick Howell pursuant to North Carolina General Statute 143-318.11 (a) (3)

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

### B. Special Presentations:

- 1) Recognition of the Shelby Natural Gas Department as a recipient of the American Public Gas Association's System Operational Achievement

### **Recognition (SOAR) Award – Bronze Level: Resolution No. 64-2019**

**Mayor Anthony called upon Mrs. McMurry and the Natural Gas operations staff members. The Mayor formally read and presented the Resolution recognizing the Shelby Natural Gas Department as a recipient of the American Gas Association’s System Operational Achievement Recognition (SOAR) Award to the group. The Mayor also presented the SOAR Award – Bronze Level plaque, commending their commitment to providing natural gas safely and efficiently to Shelby’s customers.**

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

**Miss Whetten began her presentation by acknowledging USA Board President David Royster and President-elect Roger Holland in attendance.**

**She announced the completion of three major special projects:**

- **The public art sculpture entitled, “Incrementum”, located in the 200 block of South Washington Street.**
- **The alley lights above South Dale Street.**
- **The promotional video to reach prospective tourists and former residents.**

**With regard to investment statistics for Fiscal Year 2018-2019, more than \$5.7 million was invested in Uptown Shelby, representing both the public and private sectors of completed projects. These numbers do not include over \$6.8 million currently underway in ongoing investment.**

**Miss Whetten added that she and the USA Board commend the City for its visionary leadership regarding the Rail Trail, the Streetscape Project, the Bike and Pedestrian Plan, and the Parks and Recreation Master Plan. Each project offers incredible opportunity for this community as well as the synergy created by all of these efforts happening at once.**

**With regard to on-going projects, she continues to provide construction updates to Uptown business owners, property owners, and residents.**

**With regard to recent and upcoming events, new businesses, and business expansions, Miss Whetten stated these are good indicators of activity and growth in Uptown Shelby.**

**Miss Whetten concluded with promoting Small Business Saturday on November 30, 2019, the holiday shopping season, and the importance of**

shopping locally, noting the rate of return to local communities through labor, profit, procurement, and charity.

Council received the information. No action was required.

### 3) Don Gibson Theatre update – Stan Lowery, Executive Director

Mr. Lowery began his presentation by proclaiming 2019 as the 10<sup>th</sup> anniversary of the Don Gibson Theatre, which opened on November 21, 2009. During the 2011 North Carolina Main Street Conference hosted at the Don Gibson Theatre, he noted Destination Cleveland County was recognized for the Best Public-Private Partnership for its work in creating and developing the Don Gibson Theatre with private funds as well as contributions from the public sector.

Next he gave an update highlighting the activities at the Don Gibson Theatre over the ten years of its operation. He stated there were more than 250,000 visitors to the theatre, which hosted 1,820 days of events/rentals and produced more than 300 concerts with attendance averaging 74 percent of capacity. Local hotels reported the theatre generated more than 3,000 room nights of stay.

Mr. Lowery reviewed the breakdown of the patrons who visit the theatre as follows:

- Shelby residents – 43 percent
- Travel less than 50 miles – 29 percent
- Travel more than 50 miles – 19 percent
- Out-of-state visitors – 6 percent
- Visitors from Charlotte, North Carolina include 3 percent
- Visitors from Asheville, North Carolina include 3 percent

In general, Mr. Lowery stated approximately 30 percent of the theatre's patrons travel more than 50 miles and reside outside of North Carolina. There have been visitors from 29 states and 8 countries.

Mr. Lowery reported the theatre has collected sales tax since 2015, generating tax revenue for the State and the region.

Mr. Lowery discussed noteworthy developments at the theatre including:

- The Don Gibson Singer-Songwriter Symposium began in 2014. There have been 175 entries to date performing before an accredited panel of judges each year for a grand prize. The event encourages the

development of singer songwriters and honors the Shelby native who was a member of the Nashville Songwriter Hall of Fame, the Grand Ole Opry, and the Country Music Hall of Fame.

- **Mr. Lowery said the theatre maintains strong partnerships and relationships with many organizations including the Shelby Police Department, Boys and Girls Club, Uptown Shelby Association, Cleveland County Arts Council, Foothills Merry Go Round Festival, Cleveland County School System, Keep Shelby Beautiful (KSB) Commission, Atrium Health, Health Care Foundation of Cleveland County, Junior Charity League, several local churches, and the Earl Scruggs Center.**
- **The Don Gibson Theatre has also hosted various events including:**
  - **“New Harmonies: Celebrating American Roots Music”, a traveling Smithsonian Institute exhibit.**
  - **The Teen Summit is a non-profit established in 2007 by founder and president, Pat Houston.**
  - **The North Carolina Main Street Conference was held in 2011 and again in 2017.**

**Mr. Lowery highlighted the following promotional events:**

- **Mr. Lowery mentioned Governor Roy Cooper proclaimed 2019 to be “The Year of Music”. The proclamation mentioned great musicians from North Carolina including Earl Scruggs and Don Gibson. The North Carolina Arts Council suggested each town or community put on and highlight their own showcase of stars from that area. Come Hear Shelby is an initiative celebrating the music heritage past and present of Cleveland County, North Carolina. The collaboration was inspired by the Come Hear NC campaign led by the NC Arts Council and the NC Department of Cultural Resources. The Come Hear Shelby concert held on June 8, 2019 at the Don Gibson Theatre was taped and broadcast by UNC-TV Raleigh Station.**
- **The ncIMPACT Initiative at the UNC School of Government partnered with the Urban Institute at UNC-Charlotte and Destination Cleveland County to highlight the story of how regional partners are constructing North Carolina’s creative placemaking economy in and around Shelby. A “town hall” event on October 22, 2019 has been scheduled at the Earl Scruggs Center with a reception to follow at the Don Gibson Theatre. This event will be recorded and broadcast statewide on UNC-TV and the North Carolina Channel.**

- This year WTVI PBS Charlotte filmed an episode of “Country in the Carolinas” in Shelby, featuring Don Gibson and Earl Scruggs.

To conclude, Mr. Lowery announced the Don Gibson Theatre’s annual fundraiser gala will be held on November 2, 2019 at 6:30 p.m. Tickets are still available.

Council received the information. No action was required.

**4) 2019 City Park Sports Tournaments Report – Charlie Holtzclaw, Shelby Parks and Recreation Director**

Mr. Holtzclaw introduced his presentation entitled, “City Park Sports Visitor Impact 2019”, stating sports tourism is more than economic development. He stated the new Sports and Recreation Complex at City Park was opened in 2012 with two primary goals. The first was to create quality fields to serve the youth in this community that play baseball or softball, and the second was to create championship caliber fields to draw state and regional sports tournaments to Shelby, bringing tourism to Shelby’s motels and restaurants.

Mr. Holtzclaw further stated in eight years of operation, the Complex has enabled City Park to host several youth Tar Heel Leagues State Championship Tournaments both for boys’ baseball and girls’ softball, bringing in approximately 40 teams and 600 players to a tournament. He added City Park has also played host to dozens of other youth and adult tournaments, bringing several thousands of visitors that otherwise would not have come to Shelby. By the end of October, City Park will have had 22 tournaments in 2019 consisting of 352 teams, with over 5,000 players and 13,000 spectators amounting to over 18,000 visitors. By the end of 2019, Mr. Holtzclaw anticipated the total number of visitors may exceed the population of the City of Shelby.

Mr. Holtzclaw mentioned another great example of hosting an event will occur the weekend of October 25 through 27, 2019 when 40 adult men’s softball teams will hold the World Softball League National Championships at Shelby City Park. These teams are traveling from Florida, Georgia, Louisiana, Maryland, South Carolina, North Carolina, Virginia, and Tennessee.

Mr. Holtzclaw concluded by stating there is huge potential for both soccer and football with similar results at Hanna Park in the future.

Council received the information. No action was required.

**5) Outage Management System (OMS) Implementation – Sam Clark, Shelby Customer Services Manager, and Julie McMurry, Shelby Energy Services Director**

**Mr. Howell introduced the subject matter of the presentation, stating the purpose of the City’s new Outage Management System (OMS) with Data Voice International is to assist management, crews, staff, and customers in managing utility outages and enhancing customer service through affordable technology.**

**Next, Mr. Clark stated staff recently implemented the new OMS with Data Voice International effective September 26, 2019. The new OMS allows staff to track electric service interruptions from one platform. The OMS also easily integrates with the City’s CIS, GIS, and SCADA systems. Mr. Clark acknowledged a team approach from the City’s IT, GIS, Customer Service, and the Electric Department in the planning, preparation, and implementation process.**

**Mr. Clark provided background information about Data Voice International including its acquisition by the Harris Utilities Group, which already provides financial and operational software to the City of Shelby and creates a NorthStar partnership. All this software completes and integrates a suite of solutions for operations management and customer engagement.**

**Mr. Clark further stated Data Voice's OMS also offers the City a new Interactive Voice Response (IVR) phone system. The IVR system works with the OMS to provide customers with account information, payment options, ability to report electrical or street light outages, or any other utility issue. The IVR system provides customers more options for them to complete themselves if they do not want to wait on hold. As always, Shelby’s Customer Service staff is readily available if the customer chooses the option to speak with someone.**

**Mr. Clark added the OMS will allow our linemen to handle electrical outages in a more efficient manner while giving our customers more convenient, faster ways to communicate outages to City staff. It offers field crews the real-time information they need to get the job done as quickly and efficiently as possible. With the OMS, we can now easily assign and manage outages, work and service orders, and push work queue updates to other linemen in the field.**

**Next, Mrs. McMurry explained another feature with the OMS which is the Lineman Application. This mobile-ready application allows our linemen to have real-time outage data to serve customers in a timely fashion. With**

geospatial location technology, vehicle tracking integration, and messaging features, the Lineman Application provides the crew with up-to-the minute job updates and facilitates communication between dispatchers, linemen, and customers.

Mr. Clark summarized by stating the Data Voice OMS comes equipped with features that work together to transform field and office operations, supporting these capabilities:

- Outage location
- Remote access
- Field restoration
- Customer communication
- Geospatial connectivity
- Post-outage support

Mr. Clark concluded by stating since OMS is new, the City will utilize a promotional push of bill inserts, bill messages, posting a 'Report an Outage' link on the website, and adding information to Customer Connect to inform customers of the OMS and how they can now report an outage.

Lastly, Mr. Clark pointed out staff focused on the City's electric system first and will add the water and natural gas utilities to the OMS in the future.

Council received the information. No action was required.

C. Public Comment: None

D. Consent Agenda:

**ACTION TAKEN:** Mayor Anthony presented the consent agenda. Mr. Amaya 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 7, 2019
- 2) Approval of a resolution accepting property from Bishwa Jung Thapa: Resolution No. 66-2019
- 3) Approval of a resolution approving the Shelby-Cleveland County Regional Airport T-Hangar Space Lease Agreement: Resolution No. 67-2019
- 4) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 73-2019

- 5) Adoption of Fiscal Year 2019-2020 Budget Ordinance Amendment No. 9:  
Ordinance No. 74-2019

**END CONSENT AGENDA**

E. Unfinished Business: None

F. New Business: None

G. City Manager's Report:

- 1) Mr. Howell anticipated the City will close on the sale of the Norfolk Southern Corporation Rail Corridor property on November 29, 2019.
- 2) Mr. Howell encouraged and invited the public to take the online survey and to participate in the Comprehensive Parks and Recreation Master Plan process.
- 3) Mr. Howell reminded Council that Greenheck Fan Corporation's economic development event will be held on October 23, 2019 from 11:30 a.m. to 1:30 p.m. at the former Schletter facility located in the Foothills Commerce Center.
- 4) Mr. Howell stated that staff updates on major projects will be provided to Council at one of their future meetings, November 18, 2019 or December 2, 2019.

H. Council Announcements and Remarks:

- 1) Mayor Anthony encouraged Council members to attend the event at Greenheck Fan Corporation on October 23, 2019.

I. Closed Session:

- 1) To consult with the City Attorney in order to preserve the attorney-client privilege in the matter of Willie A. Green, Sr. versus the City of Shelby and Rick Howell pursuant to North Carolina General Statute 143-318.11 (a) (3)

**ACTION TAKEN:** Mr. Amaya made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony consulted with Mr. Yelton who advised the topic met the statutory requirements for a closed session. The Mayor invited all Council members present along with Mr. Howell, Mr. Yelton, and Mrs. Parduski to attend. The motion passed unanimously and Council moved into closed session at 7:07



p.m.

Council returned to the regular session at 7:20 p.m.

**J. Adjournment:**

**1) Motion to adjourn**

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 7:21 p.m.

Respectfully submitted,

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

**O. Stanhope Anthony III  
Mayor**

**Minutes of October 21, 2019**