

MINUTES

Regular Meeting
City Hall Council Chamber

November 4, 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 Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, Assistant City Manager/Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah (Deb) Jolly, Fire Chief William P. Hunt, MPA, EFO, Division Chief – Operations and Personnel David Vanhoy, CFO, Division Chief Logistics and Enforcement Services Todd McMurry, Director of Parks and Recreation Charlie Holtzclaw, and Director of Planning and Development Services Walter (Walt) Scharer, AICP

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. Amaya led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

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

B. Special Presentations:

- 1) A Proclamation declaring November 16-24, 2019 as Hunger and Homelessness Awareness Week in Shelby, North Carolina – Bre Griffin, Housing Specialist, Partners Behavioral Health Management, Gaston Lincoln Cleveland Continuum of Care

Mayor Anthony formally read and presented this proclamation to Bre Griffin, Housing Specialist with Partners Behavioral Health Management, who was present along with Melodie McSwain, Director of the Mental Health Association of Cleveland County, as representatives of the Gaston Lincoln Cleveland Continuum of Care.

Miss Griffin spoke on behalf of the Gaston Lincoln Cleveland Continuum of Care group. The Continuum of Care program is funded by the US Department of Housing and Urban Development (HUD), and promotes the

goal of ending homelessness in communities, provides funding for efforts by non-profit providers and state and local governments to quickly re-house homeless individuals and families, promotes access to and effective utilization of programs, and optimizes self-sufficiency among those experiencing homelessness.

Miss Griffin reiterated the fundamental mission is to aid homeless individuals and families by providing access to available services and resources that lead to long-term permanent housing and self-sufficiency.

2) Recognition of Shelby Parks and Recreation Advisory Board as the 2019 Distinguished Recreation Board by the North Carolina Recreation and Park Association (NCRPA)

Mr. Holtzclaw announced the City of Shelby Parks and Recreation Advisory Board was recognized at the North Carolina Recreation and Parks Association (NCRPA) annual conference in September as the 2019 Distinguished Recreation Board in recognition of “fostering and promoting parks and recreation in our community”. It was also noted the Board won the same award in 2003, demonstrating a long and successful commitment to Parks and Recreation by the City of Shelby.

Mr. Holtzclaw then introduced Executive Director Michelle Wells and President Keith Jenkins, both of the NCRPA, to make a formal presentation of the award.

Mayor Anthony called upon the members of the Shelby Parks and Recreation Advisory Board in attendance: Vice-Chair David Lynn, Marie Hendrick, Craig Ferree, Robert Coleman, Bill Young, and Juan Cherry.

Mr. Holtzclaw expressed the regrets of Chair Allen Langley, who was unable to attend tonight’s presentation.

Next, Miss Wells publicly expressed her appreciation to the City of Shelby for its support and investment to enhance the quality of park and recreation services throughout the City, mentioning the significance of the “Shelby on the Move” Recreation Master Plan process currently underway.

Mr. Jenkins explained this award honors a park and recreation board or commission which has demonstrated its ability to foster and promote parks and recreation on the local and/or state level. In addition to their role of working with the Parks and Recreation Department, the members of this board go above and beyond in several ways, serving on the Foothills Merry-Go-Round Committee and working the festival, overseeing the Honor’s

Awards Banquet, volunteering at the annual Carrousel Christmas, and other events. For their dedication and hard work, Mr. Jenkins stated it was an honor to recognize the Shelby Parks and Recreation Board for 2019.

3) Findings of the City of Shelby Public Protection Classification Summary Report prepared by North Carolina Department of Insurance/Office of State Fire Marshal

Chief Hunt introduced his presentation entitled, “City of Shelby ISO Public Protection Classification (PPC) Rating Inspection Summary”, stating the City of Shelby was awarded an ISO-Class 2 Fire District rating which took effect on August 1, 2019.

Chief Hunt explained the Insurance Services Office (ISO) provides advisory services to insurance companies for underwriting risk and establishing insurance rates. Through the Public Protection Classification (PPC) program, the ISO rates municipal fire-protection efforts in communities throughout the United States. In each community, the ISO individually evaluates the fire suppression force (50%), the water delivery system (40%), and the 911 communications (10%) using the Fire Suppression Rating Schedule (FSRS), and then assigns an overall public protection classification from one (1) to ten (10) based on the compiled data. Class 1 generally represents superior property fire protection, and Class 10 indicates that the area's fire-suppression program does not meet ISO's minimum criteria. In North Carolina, the Office of the State Fire Marshal (OSFM) administers the program on behalf of the ISO as the North Carolina Response Rating System in communities with less than 100,000 population.

Chief Hunt stated on October 3, 2018 the City Manager and the Fire Chief were notified by the Supervisor of the Ratings and Inspections Division of OSFM that a Public Protection Classification inspection of the City of Shelby was scheduled for January 14-15, 2019 and assigned to Ratings Inspector Jeremy Hunt. Upon receipt of the notification, Fire Division Chief Todd McMurry was tasked with leading the project and the Fire and Rescue Department began compiling the necessary data and exhibits to facilitate the site visit. It is important to note that the preparation for and the actual rating-inspection site visit came at the same time the department was gearing-up for its accreditation site visit, and represented a significant commitment of time, expertise, and coordination in order to successfully manage both projects. On January 14, 2019, Mr. Hunt conducted his site visit of Shelby and completed reviews of the emergency communications, the firefighting force, and the water supply system. On April 25, 2019 the OSFM provided notification of its findings, awarding the City of Shelby an ISO-Class 2 Fire District rating effective August 1, 2019. Chief Hunt noted the City previously

held an ISO-Class 4 district rating.

Chief Hunt concluded by acknowledging the Project Team members, led by Project Leader/Fire Division Chief – Logistics and Enforcement Services Todd McMurry:

- David Vanhoy, Fire Division Chief – Personnel and Emergency Services
- Jimmy Wellmon, Battalion Chief
- Phillip Lane, Fire Marshal
- Quentin Cash, Battalion Chief
- Matt Williams, Battalion Chief
- Clinton Beam, Battalion Chief
- David Hux, Water Resources Director
- Eric Snyder, Geographic Information System (GIS) Manager
- Lorie Poston, Cleveland County E-911 Director

After summarizing the PPC rating and grading components, Chief Hunt displayed and presented the North Carolina Department of Insurance – Office of the State Fire Marshal Certificate of Fire District Rating.

Council received the information and took no action.

C. 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 21, 2019
- 2) Adoption of an ordinance authorizing demolition of a dwelling: Ordinance No. 75-2019
- 3) Adoption of Fiscal Year 2019-2020 Budget Ordinance Amendment No. 9: Ordinance No. 76-2019

END CONSENT AGENDA

D. Unfinished Business:

- 1) City of Shelby Rail Trail Corridor Project:

- a. Consideration of a resolution approving a financing agreement authorized by North Carolina General Statute 160A-20: Resolution No. 68-2019

Mr. Howell introduced Resolution No. 68-2019 for Council's consideration. If approved, this resolution would approve a financing agreement between the City of Shelby and Fidelity Bank for a loan not to exceed \$1,340,000.00 toward the purchase of a rail corridor from Norfolk Southern Railway Company. The borrowing term would be for 59 months at an interest rate of 1.89 percent. The borrowed amount is the balance of the purchase price not covered by the North Carolina Department of Transportation (NCDOT) – Transportation Alternatives Program (TAP) Fund Grant of \$4,160,000.00 awarded to the City in August 2019.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 68-2019 entitled, "A RESOLUTION APPROVING A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20".

- b. Consideration of a budget ordinance amendment for the City of Shelby's Rail Trail Corridor Project: Ordinance No. 77-2019

Mr. Howell introduced Ordinance No. 77-2019 for Council's consideration. If approved, this ordinance would recognize the financing revenue as well as the NCDOT TAP Fund grant and appropriate the funding for the acquisition of the rail corridor at the appropriate time.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Ordinance No. 77-2019 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S RAIL TRAIL CORRIDOR PROJECT".

E. New Business: None

F. City Manager's Report:

- 1) Mr. Howell commended the City's Fire and Rescue Department and Water Resources Department for the City's improved Fire District Rating of 2. He also commended City Council for investing in the City's infrastructure within the water system allowing for water source availability.
- 2) Mr. Howell invited Mayor and Council members to attend the City's Veterans Day Appreciation Lunch on November 12, 2019 at 12:00 noon, Don Gibson Theatre.

- 3) Mr. Howell expressed his appreciation to the Parks and Recreation Advisory Board for their passion for the City parks and for the people who utilize them, especially the children.

G. Council Announcements and Remarks:

- 1) Mr. Webber commended the City's Parks and Recreation Advisory Board and the Parks and Recreation Department and the Fire and Rescue Department for their respective outstanding performances as well as commending the entire City staff for all they do.

Mr. Webber also encouraged voters to vote on Election Day, November 5, 2019.

- 2) Mr. Causby, Mr. White, and Mrs. Arth Dukes echoed Mr. Webber's comments to staff and the Parks and Recreation Advisory Board.
- 3) Mayor Anthony also boasted and commended the Parks and Recreation Department and the Advisory Board for their service and making a positive difference overall. Next, the Mayor recognized Fire Division Chief Todd McMurry and Fire Chief William Hunt, stating the level of professionalism is paying off for the Fire and Rescue Department.

Mayor Anthony reminded voters to head to the polls and vote on Election Day.

H. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mrs. Arth Dukes, City Council voted unanimously to adjourn the meeting at 6:38 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

**O. Stanhope Anthony III
Mayor**

Minutes of November 4, 2019