

MINUTES

Regular Meeting
City Hall Council Chamber

March 16, 2020
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 Andrew Hopper, Sr.; City Manager Rick Howell, MPA, ICMA-CM, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, Assistant City Manager/Director of Finance Justin S. Merritt, MPA, Assistant Director of Finance Elizabeth B. (Beth) Beam, CPA, Director of Human Resources Deborah (Deb) Jolly, Police Chief Jeffrey H. (Jeff) Ledford, Director of Parks and Recreation Charlie Holtzclaw, Director of Planning and Development Services Walter (Walt) Scharer, AICP, Public Information and Communications Officer Chip Nuhrah; 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

Mayor Anthony announced the removal of the Special Presentations and the Closed Session from the agenda in order to shorten the duration of the meeting. The Mayor explained Council is following the recommendations of the US Centers for Disease Control and Prevention and Governor Cooper's state of emergency declaration about mitigating the spread of the coronavirus (COVID19) disease.

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

B. Special Presentations: REMOVED

- 1) Recognition of Michael Robert Mull on the occasion of his retirement from employment with the City of Shelby: Resolution No. 3-2020**
- 2) City of Shelby Parks and Recreation Master Plan – Charlie Holtzclaw, Director of Parks and Recreation, and Eric Woolridge, DbD, Director of Planning**

C. Public Comment: None

D. Public Hearing:

- 1) **Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina: Ordinance No.15-2020**

Mr. Scharer introduced this proposed zoning map amendment. Utilizing both location and zoning maps, he pointed to the subject property located on Lowman Road across from Cleveland Vocational Industries in the City's Extraterritorial Jurisdiction (ETJ). It is currently zoned Residential 20. The owner and applicant, Ronald Church, intends to develop the property into a commercial site. Mr. Scharer explained the General Business 2 District is established as a district in which the permitted uses are identical to the General Business District except that billboards are not permitted in the General Business 2 District. He stated the City's Comprehensive Land Use Plan designates this site in a Medium Density Residential area. Adjacent to the site is a Conservation area. The proposed zoning map amendment is inconsistent with the City's Comprehensive Land Use Plan. City staff believes this was an oversight when the plan was developed. The Conservation area designation, however, was intended to preserve space for the US 74 Bypass, which is currently under construction. The section adjacent to the site is funded and right-of-way acquisition is underway for the Bypass. In an effort to update the Comprehensive Land Use Plan, a Small Area Plan for this area is scheduled to be completed in the future.

Mr. Scharer concluded by stating after considerable discussion, the Planning and Zoning Board recommended approval of the proposed zoning map amendment for the property located on Lowman Road from Residential 20 (R20) zoning district to General Business 2 (GB2) zoning district.

Mayor Anthony opened the public hearing at 6:07 p.m. and invited comments from the public:

Ronald Church who resides at 610 Falcon Circle in Shelby, North Carolina spoke in support of his application requesting the proposed zoning map amendment on Lowman Road.

Mayor Anthony closed the public hearing at 6:08 p.m.

ACTION TAKEN: Upon a motion made by Mr. Webber, City Council voted unanimously to approve and adopt Ordinance No. 15-2020 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA".

E. Consent Agenda:

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 March 2, 2020
- 2) Approval of Special Event Permit Application:
 - a. Central United Methodist Church Easter Celebration, requested date: April 12, 2020
- 3) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from Clearwater Paper Corporation: Resolution No. 9-2020
- 4) Approval of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of an unopened right-of-way for Chesterfield Drive: Resolution No. 10-2020

F. Unfinished Business: None

G. New Business: None

H. City Manager's Report:

Mr. Howell addressed the coronavirus (COVID19) pandemic from the City's perspective. The City's goal is to continue to maintain the consistent delivery of services to the citizens and protect its employees. All rolling services such as trash collection, utilities, fire and rescue, public safety, and building inspections will continue on a normal basis unless notified otherwise. All parks and recreation programming is temporarily suspended until further notice.

Payments for utility bills can be made through the City's online payment service, by phone, by placing a payment in the City's drop box located at the back door of the City Hall building, or by mailing the payment to the City's post office box. The City is suspending disconnections from service at this time.

Mrs. Arth Dukes clarified that there is a convenience charge for paying a utility bill via the online payment service.

Regular updates will be posted to social media outlets.

Mr. Howell stated if a local State of Emergency is necessary, it will be coordinated with Cleveland County. The City will not issue any statements

about public health but will share posts from the Public Health Department in support of Cleveland County.

There was a discussion regarding childcare. Mr. Howell explained if sick time is not available, the City will advance sick time up to 80 hours, but it must be earned back. There is an option to work without pay. The City will support and protect employees but hold them accountable to the same standards as previously existed.

Mrs. Arth Dukes added she did not want any City employee to lose his/her job due to lack of childcare during this pandemic.

I. Council Announcements and Remarks:

Mrs. Arth Dukes urged the public to take the City's recommendations seriously. Everyone's health is important. This is now about the greater good and not to be taken lightly. Remember to tip at the local restaurants when using takeout and curbside services.

Mayor Anthony urged everyone to stay calm and work through these challenging times. Follow the advice of the US Centers for Disease and Prevention. Stay safe and healthy. Support local businesses and please tip.

J. Closed Session: REMOVED

- 1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by City Council, including agreement on a tentative list of economic development incentives that may be offered pursuant to North Carolina General Statute 143.318.11 (a) (4)

K. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:25 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

**O. Stanhope Anthony III
Mayor**

Minutes of March 16, 2020