

MINUTES

Regular Meeting – Electronic method
City Hall and Don Gibson Theatre

May 4, 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, Assistant City Manager Justin S. Merritt, MPA, Interim City Attorney Martha Raymond Thompson, City Clerk Bernadette A. Parduski, Director of Human Resources Deborah C. (Deb) Jolly, Director of Finance Elizabeth B. (Beth) Beam, Director of Water Resources David W. Hux, Fire Chief William P. Hunt, MPA, EFO, Director of Parks and Recreation Charlie Holtzclaw, Director of Planning and Development Services Walter (Walt) Scharer, AICP, Public Information and Communications Officer Chip Nuhrah, Jennipher H. Harrill, Social Media Manager, Blue Eyes Social Media Connections, and Stan Lowery, Executive Director, Don Gibson Theatre

Mayor Anthony called the meeting to order at 6:00 p.m. and certified a quorum was present. It was noted a location for public access to the meeting was established at the Don Gibson Theatre and monitored by Mr. Lowery. A maximum of ten (10) persons would be allowed to attend.

The Mayor called for a moment of silence to reflect and remember all those in our community, our country, and around the world, including our government officials and leaders, in service and working tirelessly to resolve the COVID-19 pandemic.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

Mayor Anthony requested the addition of Item C-4 under the consent agenda as follows:

- Approval of a resolution regarding the provision of legal services for the City of Shelby: Resolution No. 18-2020

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

B. Special Presentation:

1) Shelby Bicycle + Pedestrian Plan – Walt Scharer, Director of Planning and Development Services

Mr. Scharer introduced the subject matter of his presentation by stating in 2019 the North Carolina Department of Transportation awarded the City of Shelby State Planning and Research (SPR) funding to produce a comprehensive bicycle and pedestrian plan. Council approved and accepted the funds in September 2019 and the planning process began. The grant amount was \$72,000 with a City match of \$8,000 for a total project cost of \$80,000. The City's consultant on this project, Toole Design Group of Raleigh, North Carolina, has completed the plan.

Next, Mr. Scharer acknowledged the following individuals which included staff, advisory board members, community partners, and citizen/advocates who participated in this project: Ben Yarboro, Shannon Porter, Scott Black, Juan Cherry, Mark Carter, Patrick McMurry, Bill McCarter, Audrey Whetten, Jane Love, Dean Ledbetter, Howard Liss, and Chuck Lampley.

Mr. Scharer stated the 2020 Shelby Bicycle and Pedestrian Plan includes both the overview of the process for developing the plan along with the recommendations and next steps to achieve a safer, more connected bicycling and pedestrian system. He provided a summary of the overall contents that make up the plan:

- Existing conditions review
- Public participation
- Network of facilities
- Catalyst projects
- Program and policy recommendations
- Implementation plan
- Design guidance

Mr. Scharer discussed the reasons for bicycling and walking in Shelby:

- Promote equity and inclusivity through all neighborhoods
- Encourage economic growth and community development
- Increase quality of life and build connections to community
- Create safer streets
- Improve health and encourage an active lifestyle

Mr. Scharer stated the public outreach process engaged the greater Shelby community through meaningful and creative events and outreach. The outreach key takeaways included:

- Viable mobility choices are valued
- Lack of adequate infrastructure
- Safety is a concern
- Connectivity to the future Rail Trail Project is critical

- Fill existing gaps in infrastructure especially in sidewalks and extend bicycle connectivity

Mr. Scharer stated several analyses were conducted during the planning process to ensure that the recommendations effectively serve all people and communities within Shelby and included:

- Public involvement – The public engagement process and the community analyses provided a foundation for developing the Shelby plan.
- Pedestrian hotspots – These areas need more sidewalks and trails that connect to the existing sidewalk network.
- Safety, comfort, and access – Bikeable communities are healthier, and enjoy more economic growth, than their less bike-friendly peers.
- Sidewalk inventory – Sidewalks provide basic mobility for walking and wheeling, connecting important points of interest and community destinations. A sidewalk network with gaps where there is no sidewalk reduces mobility and restricts accessibility to and from key destinations. Some of the conditions that hinder walking and make for unsafe maneuverability include breaks in sidewalk connectivity; non-ADA compliant curb ramps; poorly maintained, narrow, or broken sidewalks; or obstructions on the sidewalk path. Breaks in the network, also referred to as “gaps”, can reduce walkability, especially for individuals with physical disabilities and the elderly.
- Equity analysis – The equity analysis highlights areas within Shelby in which there are concentrations of underserved populations due to social, economic, and cultural disadvantages, and where people may benefit most from safer bicycling and walking connections based upon the lack of personal vehicle access.

Mr. Scharer discussed the recommended network, including 87 linear projects of bicycle and pedestrian facilities and 15 spot projects. He commented that public input was one layer of analysis used to craft a network of bicycle and pedestrian recommendations that would serve the City of Shelby. Mr. Scharer added a well-connected network of facilities in Shelby can increase users that bicycle and walk, provide connectivity to several destinations, and help the City strategize investments and implementation.

Each of the projects in the network of facilities is split into one of three categories:

- Primary Routes – West Marion Street
- Secondary Routes – Royster Avenue at South Morgan Street; Gidney Street
- Spot Projects – East Grover Street and North Dekalb Street

- Also mentioned were the Rail Trail and the 2020 Shelby on the Move Recreation Master Plan

Next, Mr. Scharer discussed the following as a variety of policy opportunities that align with the Shelby Bicycle and Pedestrian Plan goals and performance measures:

- Adopt a Sidewalk Improvement Policy
- Implement Bicycle Parking Requirements
- Create a Bicycle and Pedestrian Advisory Committee
- Adopt a Sidewalk Fee-in-lieu Policy or Ordinance
- Adopt a Developer Built Bikeway Policy or Ordinance

Mr. Scharer reviewed four catalyst projects that can build momentum, offer an illustration of proposed recommendations, and identify key elements of a successful network (safety, connectivity, comfort, unbroken flow, directness, and attractiveness) as follows:

- **Primary Route – West Marion Street**

Located in the heart of Uptown Shelby, West Marion Street is a vital connector within Uptown. West Marion Street also links Uptown to the surrounding residential neighborhoods, Court Square and the Earl Scruggs Center, and the commercial center of Shelby.

- **Secondary Route – Royster Avenue**

Royster Avenue is envisioned to be a neighborhood greenway, intended to encourage bicycling and walking to and from Uptown Shelby and the Rail Trail.

- **Secondary Route – Gidney Avenue**

Gidney Street links South Dekalb Street to numerous residential properties and the rear access to commercial retail that is along East Dixon Boulevard (Lowe's Home Improvement, Aldi, Walmart Super Center, etc.). In addition, Gidney Street will connect directly to the planned Hickory Creek Greenway.

- **Spot Project – East Grover Street/ North Dekalb Street**

East Grover Street at North Dekalb Street is a highly trafficked and geometrically wide intersection. This intersection is adjacent to the Atrium Health Cleveland Hospital, along with several high-volume pharmacies. Long street crossings, high speeds, incomplete

sidewalks, and poor sight distances make this intersection a barrier for people bicycling and walking.

Lastly, Mr. Scharer concluded by stating recommendations that achieve a safe, connected, accessible, comfortable, and convenient bicycle and pedestrian network require design guidance that reflects best practices and can serve as a resource for the City moving forward. This design guidance, along with the entire Plan, should be used by planners and engineers to better understand important considerations as they plan and design safe and comfortable infrastructure for Shelby.

Council received the information and will consider the 2020 Shelby Bicycle and Pedestrian Plan for formal adoption at a future meeting.

C. Consent Agenda:

Mayor Anthony presented the consent agenda. Mr. Hopper 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 April 20, 2020
- 2) Adoption of an ordinance authorizing demolition of a dwelling (715 Congress Street): Ordinance No. 18-2020
- 3) Adoption of an ordinance authorizing demolition of a dwelling (319 Grice Street): Ordinance No. 19-2020
- 4) Approval of a resolution regarding the provision of legal services for the City of Shelby: Resolution No. 18-2020

D. Unfinished Business: None

E. New Business:

- 1) Consideration of a resolution supporting the City of Shelby's application for trail construction funds for the Carolina Thread Trail: Resolution No. 16-2020

Mr. Howell introduced Resolution No. 16-2020 for Council's consideration. If approved, this resolution would authorize the submittal of a grant application to the Carolina Thread Trail (CTT) organization requesting funding to assist the City of Shelby with replacement of the First Broad River Trail suspension bridge. The bridge was destroyed in February 2020 due to flooding.

Mr. Scharer added these grant awards may be as much as \$100,000 and applications are due in June 2020. He recommended applying for these funds to rebuild the suspension bridge.

ACTION TAKEN: Upon a motion made by Mr. Webber, City Council voted unanimously to approve and adopt Resolution No. 16-2020 entitled, “A RESOLUTION SUPPORTING THE CITY OF SHELBY’S APPLICATION FOR TRAIL CONSTRUCTION FUNDS FOR THE CAROLINA THREAD TRAIL”.

- 2) Consideration of a resolution of tentative award for the Brookwood Drive sewer asphalt repairs to Two Brothers Utilities, LLC: Resolution No. 17-2020

Mr. Howell introduced Resolution No. 17-2020 for Council’s consideration. If approved, this resolution would award a contract to Two Brothers Utilities, LLC in an amount not to exceed \$99,425.91. He explained this project was bid using the informal bid method which does not require the receipt of three (3) bids. The City received two bids and one no bid for the unit prices for the Brookwood Drive Asphalt Repair Project.

As background, Mr. Howell stated City staff has reviewed the existing conditions in the area and have discussed possibilities for repair. Sewer lines were installed along Brookwood Drive, Circleview Drive, Spring Drive, and Meadowood Drive in the late 1990s. Over the last five years, the City has observed settling along the sewer line that can be attributed to poor soils and/or compaction. The City has made a few repairs, however, other areas in this neighborhood are appearing with as much as four (4) inches of settlement in places. This work will repair poor construction from the original installation of sewer lines within this neighborhood.

Mr. Howell concluded by stating staff reviewed the bids and recommended the City award the bid to Two Brothers Utilities, LLC for the unit prices for Brookwood Drive Asphalt Repair that will not exceed \$99,425.91 without approval by the City of Shelby. It was noted funds are available in the Sewer operation budget for Fiscal Year 2019-2020.

ACTION TAKEN: Upon a motion made by Mr. Causby, City Council voted unanimously to approve and adopt Resolution No. 17-2020 entitled, “A RESOLUTION OF TENTATIVE AWARD FOR THE BROOKWOOD DRIVE SEWER ASPHALT REPAIRS TO TWO BROTHERS UTILITIES, LLC”.

F. City Manager’s Report:

- 1) Mr. Howell will deliver his proposed Fiscal Year 2020-2021 budget presentation and budget message at the next Council meeting of May 18, 2020. He anticipates the budget to be very similar to last year’s budget

due to the current economic conditions brought about by the COVID-19 pandemic and other factors. Mr. Howell told Council his recommendations will be made clear and to expect more frequent budget amendments from staff, which will be caused by uncertain and most likely lost revenues.

- 2) Mr. Howell reminded Council the City was awarded a North Carolina Department of Transportation (NCDOT) – Transportation Alternatives Program (TAP) grant in the amount of \$4.16 million to secure the purchase of the rail corridor for its rails-to-trail project. The City continues to work with NCDOT to obtain those funds which have been held back due to the Department’s budget issues.
- 3) Mr. Howell mentioned a citizen noticed the gates at Sunset Cemetery were missing. The gates were damaged by a bus driver, attempting to turn around, and are being repaired.
- 4) Mr. Howell said the Water Treatment Plant is scheduled for a startup date on May 15, 2020.
- 5) Mr. Howell mentioned the Wastewater Treatment Plant Biosolids Facility should have a startup date sometime in September or October 2020.
- 6) Regarding the US Department of Transportation BUILD (Better Utilizing Investments to Leverage Development Transportation Discretionary) Grants Program, Mr. Howell stated the City is in the process of completing and submitting its application seeking \$25 million in funding to build a rail trail within its rail corridor.
- 7) Mr. Howell reported the Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed into law by the President, includes \$10 billion in funds to be awarded as economic relief to eligible US airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic. Shelby Cleveland County Regional Airport was included and will receive a \$30,000 grant for operational purposes.
- 8) Regarding the construction of Shell Building No. 3 located on Plato Lee Road, Mr. Howell said the clearing and grubbing of that site has begun with Hickory Construction Company acting as general contractor.
- 9) Regarding the Foothills Farmers Market 2020 season, Mr. Howell advised Council new guidelines for the reopening of the market beginning Saturday, May 9, 2020, are intended to implement operational adjustments to mitigate health risks from COVID-19.
- 10) Regarding the Shelby1Fund Small Business Loan Program, Mr. Howell

informed Council 18 applications have been submitted to date requesting \$170,000, including 9 qualified, 6 disqualified, and 3 checks have been issued.

- 11) Mr. Howell provided Council with the City's Monthly Financial Summary of the Fiscal Year to date at March 2020.

G. Council Announcements and Remarks:

- 1) Mayor Anthony encouraged the public to complete the 2020 Census.
- 2) Next, Mayor Anthony provided an update on the work of the Bobby Bell Commemoration Committee. The two ideas under consideration included the renaming of Dekalb Street to Bobby Bell Boulevard. NC House of Representatives Speaker Tim Moore's office provided additional information from NC Department of Transportation (DOT). NCDOT advised to forego the renaming process due to the current economic situation at this time and encouraged Council to seek an honorary designation of Dekalb Street to Bobby Bell Boulevard. Council should submit a local resolution and request the appropriate signage. The Mayor noted this project could be quickly accomplished. The second idea is the renaming of a City-owned facility namely, City Pavilion, which Council has the authority to do so. This project would only require additional, interpretative signage.

By consensus, Council agreed to proceed with both projects honoring Bobby Bell.

- 3) Mayor Anthony reminded all to support Shelby's small businesses during the COVID-19 pandemic.
- 4) Mr. Webber expressed his gratefulness and commended the City Manager, staff, and employees for enduring through the COVID-19 pandemic and the many challenges they faced over the last several months.

Mr. Causby echoed Mr. Webber's sentiments.

- 5) Mrs. Arth Dukes wished all to stay safe and healthy.

H. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to adjourn the meeting at 6:43 p.m.

Respectfully submitted,

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

**O. Stanhope Anthony III
Mayor**

Minutes of May 4, 2020