

MINUTES

Regular Meeting – Electronic Meeting
City Hall and Don Gibson Theatre

June 15, 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 R. Thompson, City Clerk Bernadette A. Parduski, Director of Finance Elizabeth B. (Beth) Beam, Director of Energy Services Julie R. McMurry, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, 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 and reflection. Afterwards, he delivered an invocation.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

Mrs. Arth Dukes requested that Item D-4 under Unfinished Business be removed from the agenda and placed on the agenda for July 20, 2020:

- Consideration of a proposed ordinance to amend the Unified Development Ordinance (UDO) of the City of Shelby: Ordinance No. 24-2020

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

B. Public Comment:

- 1) Mrs. Parduski read the statement of Casey Delehanty who resides at 127 Ramsgate Drive in Boiling Springs, North Carolina in its entirety. Mr. Delehanty expressed his support of Council's action to condemn racism and requested to dismantle systems and symbols of racial oppression by

removing the Confederate monument from the Court Square and renaming Dixon Boulevard.

- 2) Mrs. Parduski read the statement of Betsy Kendrick who resides at 100 Lake George Drive in Shelby, North Carolina in its entirety. Miss Kendrick expressed her support of Council's action to condemn racism and to take proactive measures in renaming streets that celebrate the confederacy and in removing the Confederate monument from the Court Square.
- 3) Mrs. Parduski read the statement of Arielle McKee who resides at 91 Edgemont Avenue in Shelby, North Carolina in its entirety. Miss McKee expressed her support of Council's action to condemn racism to be accompanied by a commitment to take steps to eliminate systems of racial oppression and to make Shelby into an actively anti-racist community, allocating City resources to support education, community development, equal representation, etc.
- 4) Mrs. Parduski read the statement of Hannah Allford who resides at 1538 Gold Farm Road in Boiling Springs, North Carolina in its entirety. Miss Allford expressed her support of Council's action to condemn racism, advocating a name change to NC Highway 74's "Dixon Boulevard" and the reallocation of the Cleveland County Confederate Monument in front of the Earl Scruggs Center to a local or state museum.

These statements are hereby incorporated by reference and made a part of these Minutes.

Mayor Anthony explained the Confederate monument located on the grounds of the Earl Scruggs Center is property owned by Cleveland County. Similarly, the stretch of US 74 Bypass, which runs through Cleveland County, is approximately 19 miles long from east to west, with approximately 9 miles within the City limits. In both cases, the Mayor stated the City is limited in its ability and authority to bring about any changes. However, additional conversation and dialogue with Cleveland County and State officials about the processes can continue.

Mayor Anthony also expressed his appreciation to the young people for their comments and participation in the recent events held around the City, creating awareness and energy in the community.

C. Consent Agenda:

Mayor Anthony presented the consent agenda. Mr. White moved to approve the consent agenda and following items were unanimously adopted:

- 1) Approval of the Minutes of the Regular Meeting of June 1, 2020

- 2) Approval of a resolution supporting the City of Shelby's application for honorary designation of Bobby Bell Boulevard: Resolution No. 23-2020
- 3) 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. 24-2020
- 4) Approval of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of West Stadium Street: Resolution No. 25-2020
- 5) Approval of a resolution declaring the intent of the City Council of the City of Shelby to consider the permanent closure of the north end of Pere Street from West Dale Street to West Marion Street: Resolution No. 26-2020
- 6) Approval of a resolution awarding the contract for the City of Shelby Fiscal Year (FY) 2019-2020 Street Resurfacing Program: Resolution No. 27-2020
- 7) Approval of a resolution approving a one-time special collection for bulky items in the City of Shelby, North Carolina: Resolution No. 28-2020
- 8) Approval of a Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council

D. Unfinished Business:

- 1) Consideration of the City of Shelby Fiscal Year (FY) 2020-2021 Budget Ordinance: Ordinance No. 22-2020

Mayor Anthony presented Ordinance No. 22-2020 for Council's consideration. As previously proposed by Mr. Howell, this ordinance sets forth the spending levels for each City department and service, appropriates corresponding funding, and sets the ad valorem property tax rate for the coming fiscal year. The Mayor noted the required public hearing was held on June 1, 2020.

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to approve and adopt Ordinance No. 22-2020 entitled, "CITY OF SHELBY FISCAL YEAR (FY) 2020-2021 BUDGET ORDINANCE".

- 2) Consideration of the City of Shelby Fiscal Year (FY) 2020-2021 Supplemental Budget Ordinance: Ordinance No. 23-2020

Mayor Anthony presented Ordinance No. 23-2020 for Council's consideration. As previously proposed by Mr. Howell, this ordinance sets forth the authorized number of full-time positions to be employed by the City, ratifies position reclassifications, and adopts the proposed Schedule of Fees and Charges effective July 1, 2020. The Mayor noted the required public hearing was held on June 1, 2020.

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to approve and adopt Ordinance No. 23-2020 entitled, "CITY OF SHELBY FISCAL YEAR (FY) 2020-2021 SUPPLEMENTAL BUDGET ORDINANCE".

- 3) Consideration of the City of Shelby Reimbursement Resolution with regard to installment financings for Fiscal Year (FY) 2020-2021: Resolution No. 29-2020

Mr. Howell presented Resolution No. 29-2020 for Council's consideration. This resolution would allow the City to reimburse itself from financing proceeds obtained to purchase capital equipment during the upcoming fiscal year. The City finances its annual rolling stock (police cars, fire trucks, utility trucks, backhoes, etc.) by borrowing money short term at tax exempt interest rates over a 59-month period. This allows the City to maintain cash liquidity and manage its fleet in an effective manner. Financing for capital purchases this year will again be bid out to interested financial institutions to achieve the most competitive rate.

ACTION TAKEN: Upon a motion made by Mr. Webber, City Council voted unanimously to approve and adopt Resolution No. 29-2020 entitled, "CITY OF SHELBY REIMBURSEMENT RESOLUTION WITH REGARD TO INSTALLMENT FINANCINGS FOR FISCAL YEAR (FY) 2020-2021".

- 4) REMOVED; TO BE PLACED ON THE AGENDA OF JULY 20, 2020

Consideration of a proposed ordinance to amend the Unified Development Ordinance (UDO) of the City of Shelby: Ordinance No. 24-2020

E. New Business:

- 1) Consideration of a resolution condemning racism: Resolution No. 30-2020

Mayor Anthony introduced Resolution No. 30-2020 for consideration. The Mayor thought it was appropriate to bring this matter forward as the City of Shelby stands united and firm in its support of all those in our community working to bring about an awareness of racism and all the issues surrounding it. He expressed his appreciation to all those voicing their views with assurances the dialogue about racism will continue.

Mayor Anthony read the resolution condemning racism in its entirety.

ACTION TAKEN: Upon a motion made by Mrs. Arth Dukes, City Council voted unanimously to approve and adopt Resolution No. 30-2020 entitled, “A RESOLUTION CONDEMNING RACISM”.

F. City Manager’s Report:

- 1) Mr. Howell informed Council that Greenheck Fan Corporation’s new facility for its architectural products business is under construction and nearing completion at the Foothills Commerce Center. He mentioned he recently received a letter from the Project Manager with Choate Construction Company. The letter was highly complimentary to City staff involved in the project for their collaborative effort and first-class customer service.
- 2) Mr. Howell announced that Ames Cooper Group will invest approximately \$26.3 million with the expansion of its copper manufacturing facility located in Shelby at the former site of Metals America and Chase Brass & Copper Co., creating 46 jobs. He added company officials project their long-term investment could potentially exceed more than \$50 million in infrastructure, equipment, and working capital over the course of the project to build a new copper smelter plant, which will recycle and purify copper materials.
- 3) With regard to the construction of the 100,000 square foot Job Ready Industrial Shell Building No. 3 located on Plato Lee Road, Mr. Howell reported the project is ongoing and moving forward with completion anticipated in January 2021.
- 4) Regarding the Water Treatment Plant Rehabilitation and Upgrade Project, Mr. Howell informed Council the new clear well tanks are fully functional now and the project will be completed in the very near future. He complimented all those associated with the project for bringing it to fruition.
- 5) Mr. Howell mentioned the Biosolids Project at the Wastewater Treatment Plant is nearing 50 percent completion with a startup date sometime in September or October 2020.

G. Council Announcements and Remarks:

- 1) Mrs. Arth Dukes requested clarification on the renaming of Dixon Boulevard.

Mr. Howell explained when a local jurisdiction wants to name or rename a road, the staff within the respective jurisdiction would first need to determine if the road is a state-maintained road. If it is a state-maintained road, they need to contact the appropriate NCDOT District Engineer's office. Mr. Howell has made this request. The District office will need to know the desired name, determine if it conflicts with any existing street name and what signing, if any, needs to be revised. The District and Division office will determine if the road was named by the North Carolina Department of Transportation (NCDOT) Board of Transportation (BOT). If the BOT has not named the road, the proposed name is not controversial and will not conflict with an existing street name, the Division should determine the cost to the Department to change the name of the road. Cost includes guide signs and supports, if required. The District/Division notifies the municipality or county staff of their decision of the naming or renaming and the cost to do so to the Department. The municipality or county can name/rename the road through a resolution and pay the cost to the Department. If, however, the BOT named the road, then only the BOT or the General Assembly can rename the road.

Mr. Howell will advise Council when a response is received from NCDOT about the naming of Dixon Boulevard.

- 2) Mr. Webber commended Mayor Anthony for his leadership during these difficult times. He also mentioned the wonderful letter from Choate Construction Company praising City staff for their customer service. Mr. Webber also questioned whether Dixon Boulevard could have been named for a family since the Dixon name is very prominent in Cleveland County. Mr. Howell responded that there have only been assumptions made about the naming of Dixon Boulevard to date. He hopes the research provided by the NCDOT will shed some light on the naming of Dixon Boulevard.
- 3) Mr. White relayed a message to Mr. Howell from Randy McSwain who wishes to hold a Police Appreciation Day.
- 4) Mr. Hopper expressed his personal appreciation to each Council Member for being proactive and for taking positive action against systemic racism. He shared his thoughts and personal experiences about his military service and law enforcement career. Mr. Hopper said that obviously there has been a great deal of soul-searching by many during this time. He appreciates all non-African Americans for their open-mindedness and for not being silent any longer about this country being for all of us. He reminded Christians there is only one heaven. Lastly, Mr. Hopper commended Mr. Howell for his leadership and was proud of Police Chief Jeff Ledford and the Shelby Police Department.

- 5) Mayor Anthony mentioned Council and City staff are awaiting Governor Cooper's next COVID-19 Executive Order to determine how to conduct their next meeting of July 20, 2020.

H. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Hendrick, City Council voted unanimously to adjourn the meeting at 6:44 p.m.

Respectfully submitted,

Bernadette A. Parduski, NCCMC, MMC
City Clerk

O. Stanhope Anthony III
Mayor

Minutes of June 15, 2020