

MINUTES

Regular Meeting
City Hall Council Chamber

February 7, 2022
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members David W. White, David Causby, Violet Arth, Charles Webber, Andrew L. Hopper Sr., and Emilie Bullock.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Justin S. Merritt, MPA, City Attorney Andrea Leslie-Fite, Interim City Clerk Carol Williams, Public Information and Communications Officer, Chip Nuhrah, Director of Finance Elizabeth B. (Beth) Beam, CPA, Director of Energy Services Julie R. McMurry, Director of Water Resources David W. Hux, Fire Chief William P. Hunt, MPA, EFO, Director of Planning and Development Services Walter (Walt) Scharer, AICP, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Mayor Anthony called the meeting to order at 6:00 p.m. and delivered the invocation.

City Manager Rick Howell led the Pledge of Allegiance.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

ACTION TAKEN: Upon a motion by David White, City Council voted unanimously to approve the agenda as presented.

B. Special Presentations:

- 1) Steve Padgett, Director, Cleveland Community College Small Business Center

Mr. Padgett presented the 2022 Spring Seminar Schedule to Council offering 23 various seminars. He stated the seminars will continue to be virtual because he's noticed that his registrations are higher if the seminars are offered virtually.

He continued with an update regarding the Small Business Center. The pandemic has certainly hurt small business owners. He mentioned a free and confidential counseling service offered to small business owners called Reboot, Recover and Rebuild. Fourteen businesses took advantage of this

program. Cleveland County has a strong small business network; however, there is always more work to be done.

C. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of January 3, 2022
- 2) Approval of a resolution honoring James V. (Vic) Branton on the occasion of his retirement from employment with the City of Shelby: Resolution No. 9-2022
- 3) Approval of a resolution honoring Don Loucks on the occasion of his retirement from employment with the City of Shelby: Resolution No. 10-2022
- 4) Approval of a resolution authorizing the selection of Heath and Associates, LLC based on qualifications for engineering design for Natural Gas Pipeline Replacement: Resolution No. 11-2022

D. Unfinished Business:

- 1) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Hickory Creek Sewer Outfall Replacement Project: Ordinance No. 8-2022

Mr. Howell introduced Ordinance No. 8-2022 for Council's consideration. If approved this ordinance establishes a project ordinance and budgets for the sewer project which runs from approximately Windsor Drive to US 74. This area has had numerous overflow spills especially during heavy rain events. This utilizes a portion of the state grant the City was awarded for infrastructure improvements. The estimated costs for the project is \$1.6 million; however, at this time Council is asked to appropriate \$283,285 for engineering design.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve and adopt Ordinance No. 8-2022 entitled, "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S HICKORY CREEK SEWER OUTFALL REPLACEMENT PROJECT".

2) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's 24-inch South Tank and Forest Hill Drive Waterline Extension Project: Ordinance No. 9-2022

Mr. Howell introduced Ordinance No. 9-2022 for Council's consideration. If approved this ordinance establishes a project ordinance and budgets for the waterline extension project which runs from N. Morgan Street to Forest Hill Drive. This utilizes a portion of the state grant the City was awarded for infrastructure improvements. The estimated costs for the project is \$5.8 million; however, at this time Council is asked to appropriate \$550,300 for engineering design. This is an important project that will improve water quality, flow, and public health.

ACTION TAKEN: Upon a motion made by Mr. Causby, City Council voted unanimously to approve and adopt Ordinance No. 9-2022 entitled, "AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S 24-INCH SOUTH TANK AND FOREST HILL DRIVE WATERLINE EXTENSION PROJECT".

3) Randolph Road Industrial Park Sewer Project:

a) Approval of a resolution authorizing tentative award to Piedmont Utility Group, Inc. for the Randolph Road Industrial Park Sewer: Resolution No. 12-2022

b) Adoption of Budget Ordinance Amendment for the City of Shelby's Randolph Road Industrial Park Sewer Extension Project: Ordinance No. 10-2022

Mr. Howell presented Resolution No. 12-2022 and Ordinance No. 10-2022 for Council's consideration. This project is the construction of a sewer lift station that would provide sewer to the 64-acre Randolph Road Business Park where Shell Building #4 is being currently built.

Ordinance No. 10-2022 appropriates \$1,503,542 in funding this project. 75% of this funding is covered by the grant received from the NC Department of Commerce with the remaining 25% shared by the City and Cleveland County.

Resolution No. 12-2022 awards the project to Piedmont Utility Group, Inc. Three bids were received and Piedmont Utility Group was the lowest bidder at \$1,357,541.29.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve and adopt Ordinance No. 10-2022 entitled, “A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S RANDOLPH ROAD INDUSTRIAL PARK SEWER EXTENSION PROJECT”.

- c) **ACTION TAKEN:** Upon a motion made by Ms. Arth, City Council voted unanimously to approve and adopt Resolution No. 12-2022 entitled, “A RESOLUTION AUTHORIZING TENTATIVE AWARD TO PIEDMONT UTILITY GROUP, INC. FOR THE RANDOLPH ROAD INDUSTRIAL PARK SEWER”.

G. New Business:

- 1) **Approval of a resolution adopting the Conflict of Interest Policy of the City of Shelby: Resolution No. 13-2022**

Mr. Howell presented Resolution No. 13-2022 for Council’s consideration. This resolution updates past policies that are out of date. Mrs. Beam drafted this Conflict of Interest policy in accordance with the requirements of NC General Statute 143C-6-23(b). This updates when grant funding or other funds become available that staff and Council will recognize and avoid any conflict of interest when conducting this type transaction. Each member of Council signed and executed the Conflict of Interest policy.

- 2) **ACTION TAKEN:** Upon a motion made by Mrs. Bullock, City Council voted unanimously to approve and adopt Resolution No. 13-2022 entitled, “A RESOLUTION ADOPTING THE CONFLICT OF INTEREST POLICY OF THE CITY OF SHELBY”.

H. City Manager’s Report:

- 1) **Regarding T-Hangar #4 the groundwork is almost complete and the metal building should be delivered by mid-March and the project will be completed by the end of May or first part of June.**
- 2) **Regarding Shell Building #4 we are waiting on the County to get LGC approval for the loan financing. The contractor, Hickory Construction, has been allowed to proceed with mobilization and obtaining the necessary insurance bonds.**
- 3) **Regarding the Suspension Bridge at the First Broad River it will hopefully**

be complete by the end of February.

- 4) Regarding the Aquatic Center Project it has been delayed until the end of this pool season to hopefully get a larger group of pre-qualified bidders and more competitive bids.
- 5) Regarding Phase 1 of the Rail Trail from approximately Grover St. to Marion St. this will be bid in March and construction starting this spring.

I. Council Announcements and Remarks:

1) Mayor Anthony asked for an update on the Marion Street/Hwy. 150 intersection due to MPO DOT remarks that the bids will be in February 2022. Mr. Howell deferred to Mr. Scharer who stated that construction could be this calendar year. Mr. Howell clarified that the utility work has not been done and what the DOT reported is not correct. Agreements are in place and that the work is proceeding but the utility relocation work has not been completed.

2) Mayor Anthony asked for more information about the Civil Rights Marker ceremony slated for Saturday, February 19th. Mr. Howell deferred to Mr. Merritt who has been working on this project. Mr. Merritt reported that the unveiling will be at 10:00am on E. Warren Street (at Buffalo Creek Gallery) and then the ceremony will move to the Courthouse for some speakers and actual participants of the Sit-In that occurred at Smtih's Drug Store in 1960.

J. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:28 p.m.

Respectfully submitted,

Carol S. Williams
Interim City Clerk

O. Stanhope Anthony III
Mayor

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