

MINUTES

**Regular Meeting
City Hall Council Chamber**

**July 18, 2022
Monday, 6:00 p.m.**

Present: Mayor O. Stanhope Anthony III, presiding; Council Members 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, Assistant City Manager Benjamin (Ben) Yarboro, City Attorney Andrea Leslie-Fite, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Public Information and Communications Officer Chip Nuhrah, Director of Human Resources Deborah (Deb) Jolly, Police Chief Jeffrey (Jeff) Ledford, Fire Chief William Hunt, EFO, Director of Water Resources David Hux, Interim Public Works Director Scott Black, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Absent: Council Member David White

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

Mr. Hopper led the Pledge of Allegiance.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda**

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

B. Public Comment:

- 1) Jerret Fite who resides at 103 Marcella Drive, Kings Mountain, North Carolina spoke to thank the City of Shelby officials and staff for affording his wife the opportunity to practice the passion she has for the field of law. Secondly, Mr. Fite publicly professed his love for his wife, he's proud of her and thankful God brought their steps together to go through life as husband and wife.**
- 2) Larry McCluney who resides at 1642 Lincoln Drive, Shelby, North Carolina came to Council to complain about the streetlights on Lincoln Drive and Eaves Road. Mr. McCluney asked for someone from the City to please come take care of it.**

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 June 20, 2022
- 2) Approval of a resolution honoring Ronnie Edwin Jones on the occasion of his retirement from employment with the City of Shelby: Resolution No. 54-2022
- 3) Approval of a reimbursement resolution with regard to installment financings for FY 2022-2023: Resolution No. 55-2022
- 4) Adoption of Fiscal Year 2021-2022 Budget Ordinance Amendment No. 11: Ordinance No. 43-2022
- 5) Management Reports:
 - a. Monthly Financial Summary – May 2022

D. Unfinished Business:

- 1) Shelby Aquatics Center Renovation Project:
 - a) Adoption of a budget ordinance amendment for the City of Shelby's City Park Pool Renovation Project: Ordinance No. 44-2022
 - b) Approval of a resolution authorizing selection of Sossamon Construction Company, Inc. based on qualifications for the Shelby Aquatics Center Renovation Project: Resolution No. 56-2022

Mr. Howell introduced the renovation project for the Shelby City Park pool. Ordinance No. 44-2022 amends the project budget ordinance by appropriating an additional \$2,373,230 from the Natural Gas Fund reserves for the construction of this project. Resolution No. 56-2022 awards the contract for construction to Sossamon Construction Company, Inc. in the amount of \$2,373,230. Mr. Howell noted that this amount is substantially higher than the initial budgeted amount, due to the increase in materials in construction costs. The pool is 26 years old and losing a significant amount of water every day.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve and adopt Ordinance No. 44-2022 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S CITY PARK POOL RENOVATION PROJECT"

ACTION TAKEN: Upon a motion made by Mr. Causby, City Council voted unanimously to approve and adopt Resolution No. 56-2022 entitled, “A RESOLUTION AUTHORIZING SELECTION OF SOSSAMON CONSTRUCTION COMPANY, INC. BASED ON QUALIFICATIONS FOR THE SHELBY AQUATICS CENTER RENOVATION PROJECT”

2) Water and Sewer Projects – American Rescue Plan Funds:

- a) Adoption of ordinance establishing a capital project ordinance and budgets for the City of Shelby’s American Rescue Plan Water and Sewer Projects: Ordinance No. 45-2022
- b) Approval of a resolution authorizing selection of McGill Associates, PA based on qualifications for the Water Plant filter upgrades: Resolution No. 57-2022

Mr. Howell introduced the Water and Sewer Projects funded with the American Rescue Plan funds. Mr. Howell clarified that this list of projects does not include the money set aside for the unsewered neighborhood project. Mr. Howell stated that Mr. Hux listed several projects that are necessary within the existing water and sewer system. Ordinance No. 45-2022 appropriates \$971,000 from the approximately \$6.3 million ARP funds. Resolution No. 57-2022 authorizes the City Manager to negotiate with McGill Associates, PA for engineering and design of the Water Plant filter upgrade project. Mr. Hux stated that the \$971,000 is an updated amount based on recent costs and pricing.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve and adopt Ordinance No. 45-2022 entitled, “AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY’S AMERICAN RESCUE PLAN WATER AND SEWER PROJECTS”

ACTION TAKEN: Upon a motion made by Mrs. Bullock, City Council voted unanimously to approve and adopt Resolution No. 57-2022 entitled, “A RESOLUTION AUTHORIZING SELECTION OF MCGILL ASSOCIATES, PA BASED ON QUALIFICATIONS FOR THE WATER PLANT FILTER UPGRADES”

E. New Business

- 1) **FIRST READING:** An Ordinance amending Chapters 1, 10, 16, 20, 30, 32, 34 of the City of Shelby Code of Ordinances: Ordinance No. 46-2022

City Attorney Leslie-Fite introduced Ordinance No. 46-2022 for Council's consideration. Mrs. Leslie-Fite stated to Council that this ordinance updates several Chapters (1, 10, 16, 20, 30, 32, 34) of our Code of Ordinances to comply with the new statutory changes requiring cities to include misdemeanor language to every ordinance the city wishes to be punishable as a misdemeanor.

By consensus, City Council decided not to vote on Ordinance No. 46-2022 at this time and will address it again with a Second Reading scheduled for August 1, 2022.

2) FIRST READING: An Ordinance amending Chapter 12 of the City of Shelby Code of Ordinances: Ordinance No. 47-2022

City Attorney Leslie-Fite introduced Ordinance No. 47-2022 for Council's consideration stating this ordinance amending Chapter 12 of the Code of Ordinances is in reference to changes in the cemetery industry with the evolution of materials and items used to build mausoleums and monuments. Mrs. Leslie-Fite stated that Charlie Holtzclaw, Director Parks and Recreation, noted that some of our verbiage was outdated in Chapter 12 so this amendment is to update that language; it is not related to the other amendments being approved due to the Senate Bill.

By consensus, City Council decided not to vote on Ordinance No. 47-2022 at this time and will address it again with a Second Reading scheduled for August 1, 2022.

F. City Manager's Report:

- The City expects notification of the RAISE grant award by August 12th, 2022. The City Manager stated City officials are cautiously optimistic about receiving the grant and feel like they have done everything they could do to hopefully be selected to receive the award this time.
- The City applied for a \$400,000 grant application for an American Rescue Plan grant for analysis of the aging parts of the Water and Sewer systems. The City should hear soon if we have been selected to receive this grant.
- NC Hometown Strong program based out of the Governor's office has designated the City of Shelby to be part of a new program called the NC Music City Program. The City was one of three cities selected, along with Elizabeth City and Durham. The City's only role is to provide an ad-hoc committee and a staff person to work with the consultant.
- Mr. Howell has been asked by the President of the NCLM, Mayor Scott Neisler, to serve on the Legislative Policy Committee through 2023.

- Revised lease agreement with the Destination Cleveland County and the Don Gibson Theater will be coming up in the next month or so.
- There is a need for an Interim City Attorney contract due to Mrs. Leslie-Fite relocating to Guilford County. Mr. Howell asked Council's permission to submit a letter of interest for the Interim City Attorney position. By consensus, Council agreed to allow Mr. Howell to proceed.

G. Council Announcements and Remarks:

Mayor Anthony reminded everyone of the upcoming American Legion World Series in August.

Ms. Arth commented that she noticed a great deal of community support for the RAISE grant and thanked everyone that took time to show their support. Also, Mayor Anthony thanked Mr. Nuhrah for all his work in getting the information out to the public.

Mr. Webber stated he was glad to see the City of Shelby in the same league as Durham on the Music-Friendly Communities Program.

Mr. Hopper announced that on July 23rd Holly Oak Park would be celebrating their 63rd anniversary at 11:00am. Mr. Hopper also announced he has been selected to be a Chief Inspector for Combative Sports with the North Carolina Boxing Commission.

H. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 6:26 p.m.

Respectfully submitted,

Carol Williams
City Clerk

O. Stanhope Anthony III
Mayor

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