

Welcome and Call to Order by Mayor O. Stanhope Anthony III

Invocation

Pledge of Allegiance

A. Approval of Agenda

Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda.

- 1) Motion to adopt the agenda as proposed or amended

B. Special Presentations:

- 1) Recognition of Steven Maurice Seate on the occasion of his retirement from employment with the City of Shelby 1 – 3
- 2) Recognition of Julie Reynolds McMurry on the occasion of her retirement from employment with the City of Shelby 4 - 6
- 3) Recognition of Assistant Chief David Vanhoy - Graduating from the National Fire Academy's Executive Fire Officer Program 7 – 9
- 4) Charlie Holtzclaw, Director Parks and Recreation – Facility usage and tournaments update 10 - 11

C. Consent Agenda:

Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion and vote.

- 1) Approval of the Minutes of the Regular Meeting of September 19, 2022 12 - 22
- 2) Approval of Special Event Application:
 - a) Central United Methodist Church – Fall Festival, request date: Sunday, October 30, 2022 23 - 29

b) The Light Ball Dash 5K – requested date, Sunday, December 18, 2022	30 - 36
3) Management Reports:	37 - 64
a) Financial Summary – August 2022	
D. Unfinished Business:	
1) Approval of a resolution appointing the Interim City Attorney: Resolution No. 64-2022	65 - 79
E. New Business:	80
None	
F. City Manager’s Report	80
G. Council Announcements and Remarks	81
H. Closed Session	81
To establish, or to instruct staff concerning the position to be taken by or on behalf of City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute 143-318.11(a)(5).	
I. Adjournment:	81
<i>To adjourn a meeting of City Council, a majority of the Council Members must vote for a motion to adjourn.</i>	
1) Motion to adjourn	

City of Shelby
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October 3, 2022
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B. Special Presentations:

Agenda Item B-1

- 1) Recognition of Steven Maurice Seate on the occasion of his retirement from employment with the City of Shelby

Presenting: (Stan Anthony, Mayor and Jeffrey Ledford, Chief of Police)

- Memorandum dated June 1, 2022, from Jeffrey Ledford, Chief of Police to Rick Howell, City Manager
- Resolution No. 45-2022

City Manager's Recommendation / Comments

This time is scheduled on your agenda to recognize Captain Steven Seate on the occasion of his retirement from employment. In keeping with policy City Council previously adopted Resolution No. 45-2022 to recognize him for having served the City faithfully for the past 30 years with the Shelby Police Department. He is to be congratulated!

Steven is a dedicated employee who has provided veteran leadership over the past several years in the performance of his duties. He has been a vital part of the team at the Shelby Police Department. He will be missed both personally and professionally.

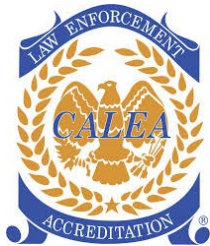
As is in keeping with current policy Captain Seate will be presented with a framed resolution, a city lapel pin, and a key to the City. It is customary and appropriate to recognize Captain Seate for his many years of service to the City.

Please join me in wishing him a healthy and happy retirement.



**SHELBY POLICE
DEPARTMENT**

JEFFREY H. LEDFORD
CHIEF OF POLICE



*CALEA Accredited
2001*



*CALEA Accredited
2014*



To: Rick Howell, City Manager
Carol Williams, City Clerk

From: Jeffrey H. Ledford, Chief of Police

Re: Captain Steven Maurice Seate, Jr.
Shelby City Council Resolution

Date: June 1, 2022

Captain Steven Maurice Seate, Jr. has served the City of Shelby, the citizens of Shelby and the Shelby Police Department for 30 years. He was hired as a Police Officer with the Shelby Police Department (SPD) January 2, 1997.

Seate was promoted to the rank of Sergeant with the Shelby Police Department November 22, 2004, to the rank of Lieutenant February 22, 2010, then to the rank of Captain March 4, 2016, of which he held until his retirement April 1, 2022. Seate worked in and led various divisions throughout his career here at the SPD (Vice/Narcotics Division Detective, Sergeant over Patrol Squads and Criminal Investigations Division, Watch Commander over Patrol Rotations, Tactical Command Leader over SPD's Special Response Team, Lieutenant over the Community Oriented Policing Unit, the Patrol Division, and the Criminal Investigations Division). In addition, he was an ASP Impact Weapon Instructor and an OC Aerosol Projector, Less Lethal Munitions Distraction Devices and Chemical Munitions Instructor.

Captain Seate is being honored for his leadership, his loyalty, his commitment to protect and serve, and his dedication to the civilian community, the law enforcement community, the City of Shelby, and the State of North Carolina, therefore his service has been submitted to the NC Governor's Office for the Order of the long Leaf Pine Award for these qualities.

Captain Seate is well-known, and very much respected by the community, and assisted them in any way possible. He has had a long, successful career with the Shelby Police Department and has demonstrated his dedication, his commitment to public service through his Law Enforcement career over the past 30 years, deserving to be honored with a Shelby City Council Resolution and the anticipated Governor's Order of the Long Leaf Pine Award.

Thank you.

RESOLUTION NO. 45-2022

**A RESOLUTION HONORING STEVEN MAURICE SEATE, JR.
ON THE OCCASION OF HIS RETIREMENT
FROM EMPLOYMENT WITH THE CITY OF SHELBY**

WHEREAS, on the occasion of his retirement from employment on April 1, 2022, it is fitting and proper for the City Council to express its sincere appreciation to Steven Maurice Seate, Jr. for his loyal, dedicated, and committed service to the City of Shelby from January 2, 1997 to April 1, 2022; and,

WHEREAS, Mr. Seate has been a loyal team member in the continuing development of the Shelby Police Department, especially for his strength, courage, and bravery exhibited in providing protection and service to the City of Shelby and to all its citizens; and,

WHEREAS, during his tenure of service, Mr. Seate has been a loyal employee for the City of Shelby, beginning as a Patrol Officer January 1997; receiving a promotion to Police Sergeant in November 2004, receiving a promotion to Police Lieutenant in February 2010, and receiving a promotion to Police Captain in March 2016; and finishing his career as the Operations Division Commander, and has been an outstanding example of the quality of employee necessary to the development of the good of the City; and Mr. Seate previously served as a Tactical Commander for Shelby Police Department's Special Response Team, a Patrol Watch Commander, a Community Oriented Policing Unit Commander, a Criminal Investigations Division Commander; and,

WHEREAS, Mr. Seate is a successful graduate of the North Carolina Justice Academy's Management Development Program November 2009, and completed over 2,000 hours of advanced law enforcement training, having received his Law Enforcement Advanced Certificate February 2004, which is the highest certification that a Law Enforcement Officer can receive from the State of North Carolina; and, received several Shelby Police Department Merit Awards for dedication to the Agency and the Citizens of Shelby by Exhibiting the Highest Standards of Professionalism and Customer Service; and, was the 2012 recipient of the Shelby Police Department Leadership Award; and, provided security for the 2012 Democratic National Convention for the 44th President of the United States Barak Hussein Obama, II, held in Charlotte, North Carolina and,

WHEREAS, Mr. Seate's commitment, leadership, laudatory work effort, and devotion to duty has helped create a winning attitude within the Shelby Police Department of the City of Shelby; and,

WHEREAS, the City of Shelby is most grateful for the devoted, community, and personal contributions Mr. Seate has given to all the citizens, organizations, and businesses within the greater Shelby community; and,

WHEREAS, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Mr. Seate for his dedicated and devoted duty to law enforcement service to its citizens, noting that Mr. Seate will be missed both professionally and as a fellow co-worker.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Steven Maurice Seate, Jr. for his performance of duty to the City of Shelby and extend the very best wishes for a successful retirement.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 1st day of April 2022.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

City of Shelby
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Agenda Item B-2

- 2) Recognition of Julie Reynolds McMurry on the occasion of her retirement from employment with the City of Shelby

Presenting: (Stan Anthony, Mayor and Ben Yarboro, Assistant City Manager)

- Memorandum dated August 10, 2022, from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Resolution No. 59-2022

City Manager's Recommendation / Comments

This time is scheduled on your agenda to recognize Julie McMurry on the occasion of her retirement from employment. In keeping with policy City Council previously adopted Resolution No. 59-2022 to recognize her for having served the City faithfully for the past 30 years with the Shelby Utilities Department. She is to be congratulated!

Julie always brought a "can do" attitude to whatever position she held. I always knew that I could count on her. She never failed to step up to the plate as a faithful and loyal team Shelby player. Julie is a dedicated employee who has provided veteran leadership over the past several years in the performance of her duties. She has been a vital part of the team at the Shelby Utilities Department. She will be missed both personally and professionally.

As is in keeping with current policy Mrs. McMurry will be presented with a framed resolution, a city lapel pin, and a key to the City. It is customary and appropriate to recognize Mrs. McMurry for her many years of service to the City.

Please join me in wishing her a healthy and happy retirement



MEMORANDUM:

To: Rick Howell, City Manager

From: Ben Yarboro, Assistant City Manager

Date: August 10, 2022

Subject: Julie McMurry Retirement Resolution

Background:

Julie McMurry came to work for the City of Shelby on March 2, 1992 as a Billing Clerk. She was promoted several times during her tenure and at the time of her retirement she was Director of Energy Services. Julie retired from the City after 30 years of dedicated service on June 1, 2022. It is fitting and appropriate to recognize Mrs. McMurry for her service by approving a resolution on her behalf.

Recommendation:

It is recommended that City Council, approve a resolution honoring Julie Reynolds McMurry on her retirement from employment with the City of Shelby

RESOLUTION NO. 59-2022
A RESOLUTION HONORING JULIE REYNOLDS MCMURRY ON THE OCCASION OF HER
RETIREMENT FROM EMPLOYMENT WITH THE CITY OF SHELBY

WHEREAS, on the occasion of her retirement from employment on June 1, 2022, it is fitting and proper for the City Council to express its sincere appreciation to Julie Reynolds McMurry for her loyal, dedicated, and committed service to the City of Shelby from March 2, 1992 to June 1, 2022; and,

WHEREAS, Mrs. McMurry has been a loyal team member in the continuing development of the City of Shelby Utilities Department, particularly the Electric and Natural Gas departments, and to all of its citizens; and,

WHEREAS, during her tenure of service, Julie McMurry has been a dedicated employee for the City of Shelby, beginning as a Billing Clerk in 1992, promoted to Purchasing Officer in 1997 and Purchasing Manager in 2000, and;

WHEREAS, In 2002 Mrs. McMurry transferred to the Utilities Department as Business Manager, promoted in 2004 to Administrative Services Manager, and Interim Utilities Director in 2005 for two years. In 2014 Mrs. McMurry was again promoted to Interim Utilities Director, and in 2015 was promoted to Director of Energy Services where she continued until her retirement, and,

WHEREAS, throughout her career, Julie McMurry has demonstrated the utmost professionalism, ability, and integrity, winning the unbridled respect and admiration of her colleagues and fellow citizens of the City of Shelby; and,

WHEREAS, Mrs. McMurry served on the Carolinas Public Gas Association Board and was the first female Board Chair in 2021; Julie was also instrumental in the development of the Cleveland Community College Lineman program; and,

WHEREAS, Mrs. McMurry served on the Board of Commissioners, and various committees with ElectriCities, in addition, she was served on the North Carolina Association of Municipal Electric Systems (NCAMES) Board and Conference Planning Committee; and,

WHEREAS, the City of Shelby is most grateful for the professional, and personal contributions Mrs. McMurry has given to all the citizens, organizations, and businesses within the greater Shelby community; and,

WHEREAS, the City Council of the City of Shelby wishes to acknowledge and express its appreciation to Julie Reynolds McMurry for her over 30 years of dedicated and devoted duty in service to its citizens, noting that Mrs. McMurry will be missed both professionally and as a fellow co-worker who was always proficient and reliable throughout her career.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council publicly express their sincere appreciation to Julie Reynolds McMurry for her performance of duty to the City of Shelby during the past 30 years, and extend the very best wishes for a successful, long, safe, and happy retirement.

BE IT FURTHER RESOLVED that this Resolution be entered upon the permanent Minutes of the City Council.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Shelby to be affixed this the 15th day of August, 2022.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

City of Shelby
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Agenda Item B-3

- 3) Recognition of Assistant Chief David Vanhoy's graduation from the National Fire Academy's Executive Fire Officer Program

Presenting: (Stan Anthony, Mayor and William Hunt, Fire Chief)

- Memorandum dated August 23, 2022, from William Hunt, Fire Chief to Rick Howell, City Manager
- Copy of National Fire Academy Certificate of Executive Fire Officer

City Manager's Recommendation / Comments

Chief David Vanhoy is to be congratulated on his Executive Fire Officer designation.

Chief Vanhoy's achievement is a testament to his professionalism and commitment to excellence and it is fitting and appropriate to formally recognize David on his graduation from the National Fire Academy's Executive Fire Officer Program.

This program consists of a rigorous curriculum taken over a four-year period and due to the pandemic Chief Vanhoy's studies were even more challenging because of changes and modifications in course offerings and instruction. Congratulations Chief Vanhoy!



August 23, 2022

MEMORANDUM

To: Rick Howell, City Manager
From: William Hunt, Fire Chief

Subject: City Council recognition of Assistant Chief David Vanhoy's graduation from the National Fire Academy's Executive Fire Officer Program.

Background

The *National Fire Academy (NFA)* is a department within the *United States Fire Administration (USFA)* under the direction of the *US Department of Homeland Security*. The mission of the USFA is to support and strengthen fire and emergency medical services and stakeholders to prepare for, prevent, mitigate, and respond to all types of hazards. Programs and coursework at the NFA are designed to enhance the profession and expand the knowledge and skills of fire and emergency services personnel. The *Executive Fire Officer Program (EFOP)* is the capstone program at the NFA and highlights the USFA's mission by preparing and engaging senior level officers to meet the ever-changing demands in their communities.

Review

The *Executive Fire Officer Program* is a rigorous curriculum consisting of two upper division baccalaureate courses and two graduate courses taken over a four-year period at the National Fire Academy's campus located in Emmitsburg, MD. Major coursework is designed to prepare current and aspiring leaders in the areas of executive development and leadership, community education and risk reduction, and emergency management, planning and mitigation. In addition to the residency coursework, students complete peer reviewed applied research projects related to each year's course and defend their fourth-year project before an expert panel at the NFA.

Assistant Chief David Vanhoy completed the required coursework and successfully defended his capstone research project and was conferred graduation from the executive fire officer program on April 15, 2022. It is important to note that Chief Vanhoy's studies were marked with adversity related to the COVID-19 pandemic with delays in residency course offerings, modifications to instruction, and restrictions in the on-campus experience.

Recommendation

With his recent graduation, Chief Vanhoy joins an elite cadre of fire service leaders from across the profession that have earned the executive fire officer designation from the NFA. This achievement is a testament to his professionalism and commitment to excellence and it is fitting for it to be formally recognized. Please accept my recommendation to recognize Assistant Chief David Vanhoy on the occasion of his graduation from the *National Fire Academy's Executive Fire Officer Program* at an appropriate meeting of the Shelby City Council.

U.S. FIRE ADMINISTRATION

NATIONAL FIRE ACADEMY

*In recognition of successful completion
of the requisite courses of study and
applied research projects the*

National Fire Academy

*under the authority granted by the
116th Congress of the United States of America
and on recommendation of the Faculty
confers the title of*

EXECUTIVE FIRE OFFICER

upon

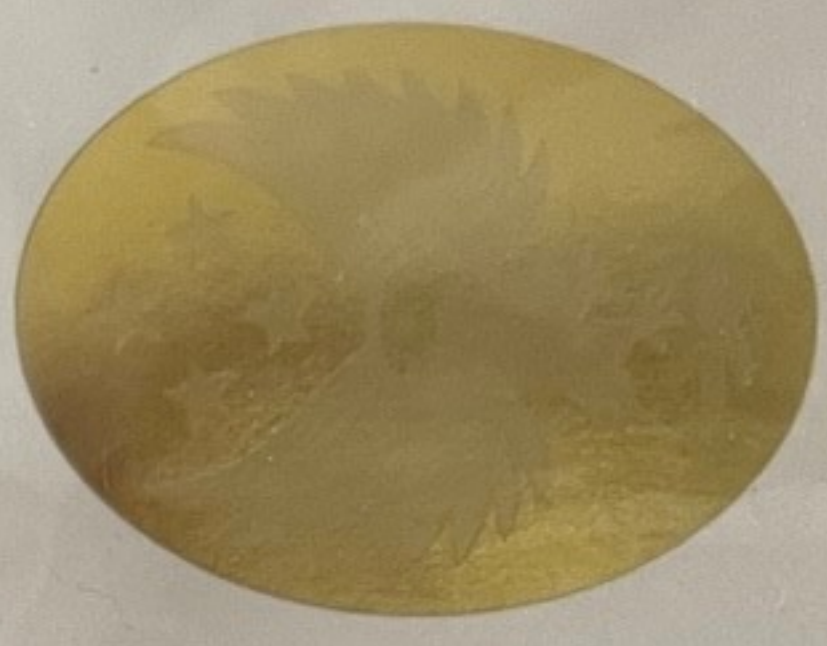
David Ryan Vanhoy

*with all honors, privileges, and responsibilities
thereunto appertaining*

Awarded this 15th day of April, 2022



Lori Moore-Murphy
Administrator
U.S. Fire Administration



[Signature]
Superintendent
National Fire Academy

City of Shelby
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Agenda Item B-4

4) Charlie Holtzclaw, Director Parks & Recreation - Sports Tournaments and Events

Presenting: (Charlie Holtzclaw, Director of Parks & Recreation)

- Memorandum dated September 22, 2022, from Charlie Holtzclaw, Director of Parks & Recreation to Rick Howell, City Manager, Justin Merritt, Assistant City Manager, and Carol Williams, Clerk

City Manager's Recommendation / Comments

Mr. Holtzclaw has requested time on the agenda to give a short presentation to inform Council of how much and often our extraordinary Park facilities are being used, the impact they have to our community, as well as being the number one visitor attraction in Cleveland County.



Memorandum

To: Rick Howell, City Manager
Cc: Justin Merritt, Assistant City Manager
Carol Williams, City Clerk
From: Charlie Holtzclaw, Director Parks & Recreation
Date: September 22, 2022
Subject: Parks & Recreation Sports Tournaments and Events

Executive Summary of issue – Background

As we entered 2019 there were indications that the number of events, rentals and sports tournaments at our various Parks & Recreation facilities were on the verge of really taking off. Then COVID hit and had a significant negative impact.

Review and comments

As we gradually exited COVID restrictions and people felt more and more comfortable getting back out, our facilities are now being used on a level that exceeds anything I've seen in my tenure with the department. Over the course of a year, we will have approximately 1,000 facility rentals, more than 40 weekend sports tournaments bringing over 30,000 visitors to Shelby, plus our lineup of Special Events of all sorts will be the most we have offered.

Recommendation

I would like to request time to give a short presentation on October 3rd to inform Council how much and often our extraordinary Park facilities are being used, the impact they have to our community, as well as being the number one visitor attraction in Cleveland County.

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C. Consent Agenda:

Agenda Item: C-1

- 1) Approval of the Minutes of the Regular Meeting of September 19, 2022

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of September 19, 2022

City Manager's Recommendation / Comments

Approve the minutes as presented or as amended by the Mayor and City Council via the Consent Agenda.

MINUTES

Regular Meeting
City Hall Council Chamber

September 19, 2022
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members David White, Charles Webber, David Causby, Violet Arth, 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 Clerk Carol Williams, Deputy City Clerk Breanna Jones, Public Information and Communications Officer Chip Nuhrah, Director of Human Resources Deborah (Deb) Jolly, Director of Finance Elizabeth (Beth) Beam, CPA, Police Chief Jeffrey (Jeff) Ledford, Fire Chief William Hunt, EFO, Planning and Development Services Director Walter Scharer, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections;

Mayor Anthony called the meeting to order at 6:00 p.m. recognizing Boy Scout Troop 101 from First Baptist Church.

Mayor Anthony delivered the invocation and invited the Boy Scout troop to lead the Pledge of Allegiance.

A. Approval of agenda:

1) Motion to adopt the proposed agenda

Mayor Anthony requested the removal of Item B-1 under Special Presentations due to a scheduling conflict, and Item E-2(b) under Consent Items be removed from tonight's agenda.

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

Ms. Arth requested permission to excuse herself from the City Council meeting by 7:10 p.m.

ACTION TAKEN: Upon a motion by Mr. White, City Council voted unanimously to approve Ms. Arth permission to leave early.

B. Special Presentation:

1) Recognition of Director of Finance, Beth B. Beam, and the City of Shelby's Finance Department as recipients of the Certificate of Achievement for

Excellence in Financial Reporting awarded by the Government Finance Officers Association for Fiscal Year ended June 30, 2021.

Mayor Anthony recognized the City's Finance Department for attaining this award for over 15 years. Mayor Anthony presented the award certificate to Beth Beam, Finance Director, for the City of Shelby. Mrs. Beam acknowledged it was with great teamwork that this award is possible. Mrs. Beam further indicated that she was glad to lead such a great team and would extend the Council's appreciation to the Finance Department.

C. Public Comment:

- 1) Mary Degree who resides at 1110 Stanton Drive, Shelby, North Carolina presented to Council a petition signed by homeowners in her neighborhood who are against a duplex being built on a vacant lot on Stanton Drive. Mrs. Degree also presented the Restrictions that are recorded in the Register of Deeds (Book 7, Page 88) pertaining to this neighborhood. Mrs. Degree stated she and her neighbors are not against building homes, but against a duplex being built. Mrs. Degree read the Restrictions to Council which in her opinion applied to this matter.**
- 2) Richard Hooker who resides at 1520 King Arthur Court, Shelby, North Carolina spoke about Minority Enterprise Development Week, October 23rd – 29th, 2022. Mr. Hooker stated this would be the 30th year of the Development Center being in Cleveland County and the City of Shelby. Mr. Hooker further stated this year's theme is Enduring Legacy and Sustainability which will recognize the longevity of this organization. Mr. Hooker recognized the support this organization has received from City Council and invited them to attend the celebration this year.**
- 3) Marcus Cyprian who resides at 1111 Stanton Drive, North Carolina echoed Mrs. Degree's concerns about the building of the duplex next door to his mother's home. Mr. Cyprian stated this is an older neighborhood but one that cares about each other and wants things done the right way. Mr. Cyprian thanked Council for their time.**
- 4) Reverend James L. Smith who resides at 1100 Hemlock Drive, Shelby, North Carolina stated the community at Sherwood Acres is made up of hard-working people and he has lived there since 1984. Rev. Smith asked Council if something can be done about the large hole in the ground at the vacant lot on Stanton Drive; he said it is a mess when a large rainfall happens. Reverend Smith concluded by stating this is the City of Pleasant Living and it should be that in all communities not just some communities.**

Mayor Anthony appreciated the comments and reminded the neighborhood group that deed restrictions cannot be enforced by the City but can be enforced through the court system. Mayor Anthony stated there may be grounds for legal action against the property owner but that would be up to the neighborhood and an attorney to consider. Mayor Anthony concluded by stating Mr. Scharer has contacted the property owner and instructed the owner to fill in the hole.

D. Public Hearings:

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina (2043 Green Oak Drive): Ordinance No. 50-2022**

Mr. Scharer introduced a zoning map amendment for property located at 2043 Green Oak Drive from R20 zoning district to R6-CZ zoning district. Mr. Scharer stated sewer is available in this area. Mr. Scharer stated the applicant included the conditional use amendment with a condition of only allowing single family dwellings on this site. Mr. Scharer said the applicant, Ashley Jennings, wishes to build two single-family dwellings on this property, with each lot being approximately 7,500 square feet.

Mr. Scharer shared that the homes in this neighborhood are approximately 1200 square feet and reminded Council that the City cannot restrict home sizes but can regulate lot size. Mr. Scharer stated the applicant has plans for each home to be approximately 1800 square feet.

Mr. Howell reminded Council that the size of the home is immaterial, only the lot size being proposed should be considered.

Mr. Scharer stated that the amendment is inconsistent with the Shelby Comprehensive Land Use, and that the Planning and Zoning Board had a split vote (4 – 3) to deny the zoning amendment.

Mayor Anthony opened the public hearing at 6:26 p.m. and invited comments from the public.

Ashley Jennings, property owner of 2043 Green Oak Drive, Shelby, North Carolina spoke as the applicant and in favor of the rezoning amendment. Ms. Jennings stated she is from Cleveland County and her father lives in the Green Oak Drive neighborhood. Ms. Jennings stated as a developer she focuses on distressed properties and renovates them for new ownership. Ms. Jennings declared her company, Experience Capital, LLC has revitalized 11 homes this year, brought \$6 million into the housing market, and has sold 75 homes. Ms. Jennings presented to Council a few examples of the homes her company has been involved with this year, and stated she uses several local

companies and tradesmen for plumbing, electrical, drywall, paint, flooring, etc.

Ms. Jennings further stated she wants to build two homes because housing at this price point is needed. Ms. Jennings said that if we continue to stay the same then nothing is going to change, and the City becomes stagnant.

Ms. Jennings stated she and Mr. Scharer talked about options for this property and she's glad she didn't choose to do a duplex; however, she decided to do two single-family homes to keep with the community the same.

Mayor Anthony closed the public hearing at 6:34 p.m.

Mayor Anthony reminded Council in this matter there needs to be a statement of reasonableness in the motion.

Mr. Scharer came forward to state that he neglected to tell Council earlier that this matter could be a potential spot zoning issue that a Judge could overturn if this zoning amendment was challenged.

Mr. Howell stated if this rezoning makes sense, then Council may want to look at the neighborhood to see if it makes sense to rezone the entire development. Mr. Howell also acknowledged that the City should make sure utilities support the additional density.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted 3 – 3 (Bullock, White, Causby – Arth, Webber, Hopper) to deny Ordinance No. 50-2022 entitled, “A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA (2043 GREEN OAK DRIVE)” based on the inconsistency statement in Section 1 and the unreasonableness statement in Section 2 of the Ordinance. Mayor Anthony casted a tie-breaking vote against Mr. White's motion to deny.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted 4 – 2 (Arth, Webber, Hopper, Causby – Bullock, White) to approve and adopt Ordinance No. 50-2022 entitled, “A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA (2043 GREEN OAK DRIVE)”.

2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina (Lithia Springs Road): Ordinance No. 51-2022

Mr. Scharer introduced a zoning map amendment for property located on Lithia Springs Road from R20 zoning district to R6 zoning district. Mr. Scharer stated that the property is currently vacant, and that sewer is available in the area. Mr.

Scharer declared that an R6 zoning can be for single family dwellings or multi-family dwellings and a Special Use Permit would not be required.

Mr. Scharer also pointed out that the future land use for this area is listed as Conservation Development because at the time the exact path of the new by-pass was unknown and there was no sewer available; now we know the path of the by-pass and there is sewer available.

Mayor Anthony opened the public hearing at 6:52 p.m. and invited comments from the public. There were no comments from the public.

Mayor Anthony closed the public hearing at 6:53 p.m.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve and adopt Ordinance No. 51-2022 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA (LITHIA SPRINGS ROAD)" based on the consistency statement in Section 1 and the reasonableness statement in Section 2 of the Ordinance.

E. CONSENT AGENDA:

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

- 1) Approval of the Minutes of the Regular Meeting of August 15, 2022
- 2) Approval of Special Event Applications:
 - a) Mush, Music, & Mutts Festival, requested date: October 15, 2022
 - b) REMOVED from Agenda:
Seeds in Season, requested date: October 29, 2022
 - c) Cleveland County's Veteran's Day Parade, requested date: November 11, 2022
 - d) Pinnacle Classical Academy Homecoming Parade, requested date: December 2, 2022
- 3) Approval of a resolution authorizing the selection of Upland Architects, Inc., based on Qualifications for Architectural Design for City Hall Annex Renovation project: Resolution No. 60-2022
- 4) Adoption of budget ordinance amendment for the City of Shelby's American Rescue Plan Water and Sewer Project: Ordinance No. 52-2022

- 5) Adoption of an ordinance concurring with the North Carolina Department of Transportation for speed limit revisions inside the corporate limits of Shelby, North Carolina: Ordinance No. 53-2022
- 6) Adoption of a resolution supporting the application requesting stormwater grant funding from the Local Assistance for Stormwater Infrastructure Investments Fund (LASII) for city-wide stormwater modeling, infrastructure assessment, and master plan: Resolution No. 61-2022
- 7) Adoption of a resolution for Community Development Block Grant Section 3 Plan September 2022-2025: Resolution No. 62-2022
- 8) Management Reports:
 - a. Financial Summary – July 2022

F. Unfinished Business:

- 1) Water and Sewer Asset Management and Hydraulic Modeling Projects -
 - a. Adoption of a budget ordinance amendment for the City of Shelby's Water and Sewer Asset Management and Hydraulic Modeling Projects: Ordinance No. 54-2022
 - b. Approval of a resolution authorizing selection of HDR Inc based on qualifications for the Water and Sewer Asset Management and Hydraulic Modeling Projects: Resolution No. 63-2022

Mr. Howell introduced the Water and Sewer Asset Management and Hydraulic Modeling Projects that contains two items:

- Ordinance 54-2022 if approved this ordinance would appropriate \$465,000 toward the development of plans specific to both the Water and Sewer systems - \$400,000 from grant funding and \$65,000 from local funding. This appropriation includes \$400,000 (\$100,000 for Water System and \$300,000 for Sewer System) from the NC Division of Water Infrastructure.
- Resolution No. 63-2022 if approved would allow for the selection HDR, Inc. of Charlotte to provide engineering services for the Water and Sewer Asset Management and Hydraulic Modeling Projects.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve and adopt Ordinance No. 54-2022 entitled, “AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY’S AMERICAN RESCUE PLAN WATER AND SEWER ASSET MANAGEMENT AND MODELING PROJECTS” and Resolution No. 63-2022, entitled, “A RESOLUTION AUTHORIZING SELECTION OF HDR INC BASED ON QUALIFICATIONS FOR THE WATER AND SEWER ASSET MANAGEMENT AND HYDRAULIC MODELING PROJECTS.”

2) **SECOND READING:** An Ordinance amending Chapter 16 of the City Of Shelby Code Of Ordinances: Ordinance No. 49-2022

Mayor Anthony reminded Council that the First Reading was at the last meeting with City Attorney Leslie-Fite. Mr. Howell stated that this Ordinance clarifies and modernizes the language within the City Code.

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve and adopt Ordinance No. 49-2022 entitled, “AN ORDINANCE AMENDING CHAPTER 16 OF THE CITY OF SHELBY CODE OF ORDINANCES”.

G. New Business

1) Consideration of appointments to City advisory boards and commissions:

a) Planning and Zoning Advisory Board

Mayor Anthony reported the terms of three incumbents, Mike Royster, Scott Bankhead and Jim Martin concluded June 2022. Mr. Royster and Mr. Bankhead wish to continue their service. Mr. Martin wishes to conclude his service on the board. Mayor Anthony further stated there is a vacancy that needs to be filled as well with a term concluding in June 2024.

There are five applications on file in the Clerk’s Office:

- Becca Schweppe
- Ric Francis
- Matthew Albinger
- Henry Earle
- Karla Haynes

Mr. Webber nominated Karla Haynes for appointment to fill the vacancy concluding in 2024.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to close the nominations for the unexpired term and accept the nomination by acclamation.

Mr. Causby nominated Scott Bankhead and Mike Royster for reappointment and Becca Schweppe for appointment for terms concluding in 2025.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to close the nominations for the unexpired term and accept the nomination by acclamation.

MS. ARTH EXCUSED HERSELF FROM THE MEETING AT 7:03 P.M.

H. City Manager's Report:

- **Regarding the Interim City Attorney position:** Mr. Howell hopes to have a recommendation to Council by the next Council meeting, October 3rd. This position will be contractual.
- **Regarding the hiring of the City Attorney position:** This is a difficult task to replace Mrs. Leslie-Fite and the position will be open until filled to ensure we get the right person.
- **Regarding Shell Building #4:** The slab is complete, and wall panels will be up in mid-September and once the walls are up the roof should follow. There is an issue with materials being delayed.
- **Regarding Rail Trail Phase 1A:** Notice to Proceed should be dated September 26th and waiting on the delivery of pipe.
- **Regarding the City Park pool renovations:** Construction should be completed before the pool season, if not, earlier. The old pool was losing 50,000 gallons of water a day. This project is a complete rebuild of the pool.

I. Council Announcements and Remarks:

Mayor Anthony listed the upcoming events:

- **Employee Picnic – Wednesday, September 28th at the City Park**
- **Cycle NC – October 4th Uptown**
- **Cleveland Cup – October 14th at Hanna Park**

- October 15th – Livermush Festival Uptown
- October 20th – ElectriCities Fall Regional meeting – let Bre know if you are interested in attending

Mr. Webber appreciated the efforts from the City Manager and Human Resources in recruiting and retention, especially the attention given to the City Attorney position.

Mr. Hopper commented Raleigh hosted a Career Fair trying to recruit personnel and wondered if the City of Shelby could do the same. Mr. Howell stated we have participated in those locally.

Mr. Hopper commented he appreciated the update on Steffes and how they are building the electric Bobcat here in Shelby.

J. Closed Session

To establish, or to instruct staff concerning the position to be taken by or on behalf of City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute 143-318.11(a)(5).

ACTION TAKEN: Mr. White made a motion to enter a closed session pursuant to the appropriate North Carolina General Statute as cited. The Mayor invited all Council members present along with Mr. Howell, Mrs. Williams, and Mrs. Jones to attend. The motion passed unanimously, and Council moved into closed session at 7:08p.m.

Council returned to the regular session at 7:32p.m.

K. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Causby, City Council voted unanimously to adjourn the meeting at 7:33 p.m.

Respectfully submitted,

Carol Williams
City Clerk

**O. Stanhope Anthony III
Mayor**

Minutes of September 19, 2022

DRAFT

City of Shelby
Agenda Item Summary
October 3, 2022
Council Chambers

Agenda Item: C-2

2) Approval of Special Event Applications:

- a. Central United Methodist Church - Fall Festival, requested date:
Sunday, October 30, 2022
- b. The Light Ball Dash – requested date, Sunday, December 18, 2022

Consent Agenda Item: (Carol Williams, City Clerk)

- Memorandums dated September 26, 2022 from Carol Williams, City Clerk to Rick Howell, City Manager
- Special Event Applications

City Manager's Recommendation / Comments

These events are in keeping with special event practices of the City. It is my recommendation that these items be approved by City Council at this time via the Consent Agenda.

Memo

To: Rick Howell, City Manager
From: Carol Williams, City Clerk
Date: September 26, 2022
Re: Special Event Permit Application

BACKGROUND:

Special Event Permit Application has been submitted for the following:

- ✓ CUMC Fall Festival, requested date: October 30, 2022

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

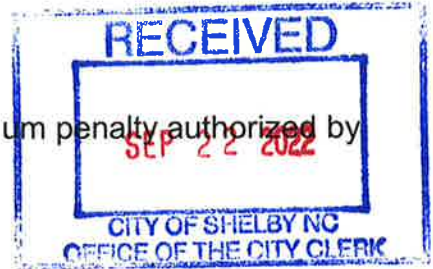
RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of October 3, 2022 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received September 22, 2022

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.



CITY OF SHELBY SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. EVENT NAME:

Central Methodist Shelby Fall Festival

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

We will have a church wide and community wide trunk or treat on S. Washington St.

3. LOCATION OF EVENT (ATTACH MAP):

S. Washington St. Between E. Marion St. and E. Warren St.

4. PLEASE INDICATE:

Approximately how many people will attend the event? 700

Approximately how many vehicles will be present? 25

Approximately how many animals will be present? None

If the event is a parade, please indicate the amount of street that will be needed:

Single lane _____

All lanes in travel direction _____

Whole street yes

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: Mitel Hensley

Address: 604 Peach St Shelby 28150

Phones: 704-477-3004
(Daytime) (Evening)

E-mail address Mitel_hensley@yahoo.com

Name: _____

Address: _____

Phones: _____
(Daytime) (Evening)

E-mail address _____

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) October 30, 2022

Alternate day(s) and date(s) _____

Requested hours of operation, from 3:00 AM/PM to 8:00 AM/PM

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT:

If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: _____

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: _____

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: _____

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is \$15.00 per day per event panel.

Stage panel (STG PAN) cost is \$110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:

_____ x \$15.00 x Number of Days _____ = \$ _____

Total Number of Stage Panels:

_____ x \$110.00 x Number of Days _____ = \$ _____

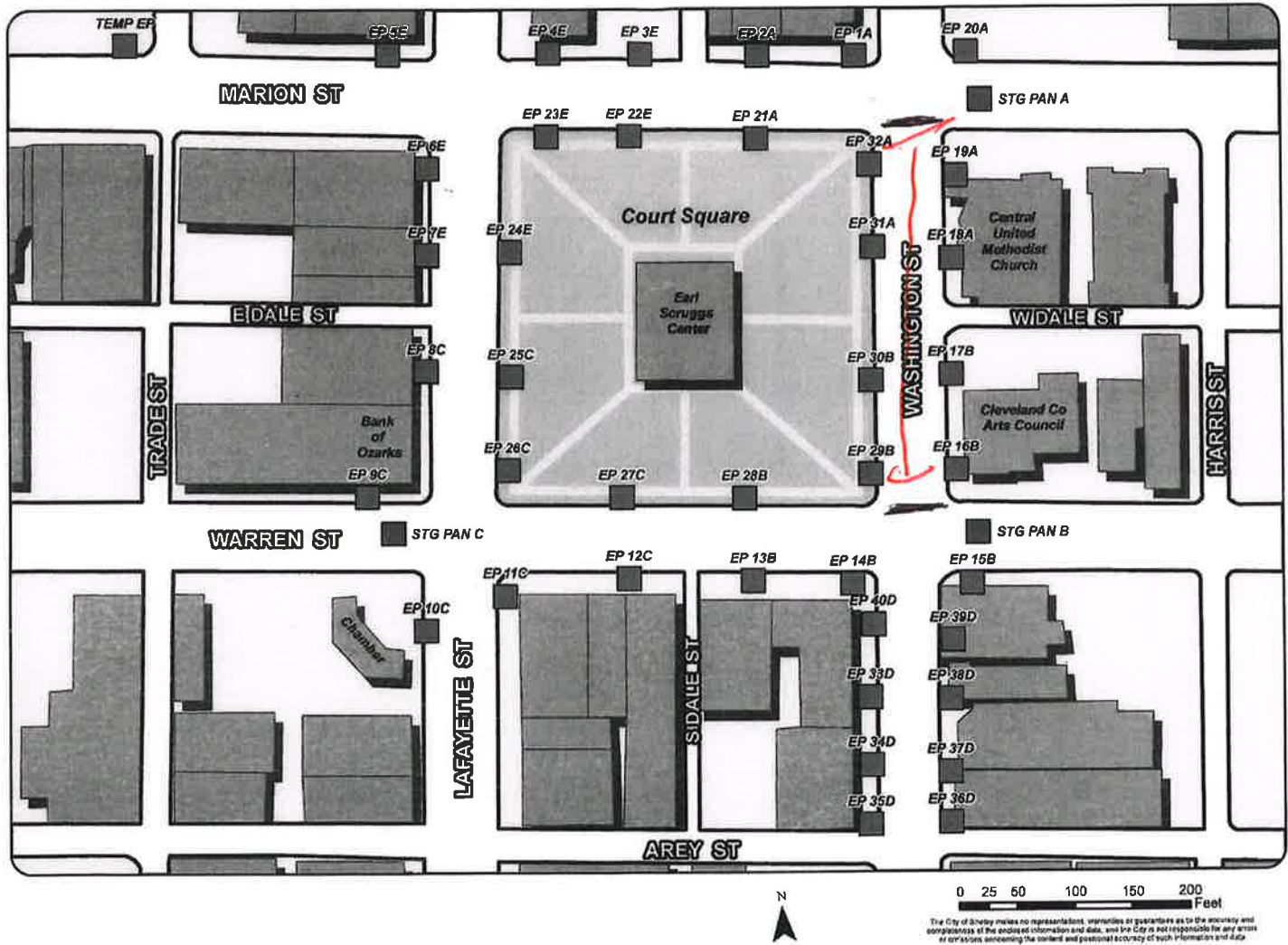
All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

CUMC Shelby Fall Festival
 Oct 30, 2022

City of Shelby Uptown Event Panels

Location



The City of Shelby makes no representations, warranties or guarantees as to the accuracy and completeness of the enclosed information and data, and the City is not responsible for any errors or omissions concerning the content and positional accuracy of such information and data.



Legend

- Event Panel
- Stage Panel

Memo

To: Rick Howell, City Manager
From: Carol Williams, City Clerk
Date: September 26, 2022
Re: Special Event Permit Application

BACKGROUND:

Special Event Permit Application has been submitted for the following:

- ✓ Light Ball Dash, requested date: December 18, 2022

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of October 3, 2022 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received September 22, 2022

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.



CITY OF SHELBY SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. EVENT NAME:

The Light Ball Dash

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

A one mile race to enjoy the Christmas lights and benefit Feeding Kids Cleveland County.

3. LOCATION OF EVENT (ATTACH MAP):

Peach St. neighborhood
The race begins at Marion School and ends on Peach St.

4. PLEASE INDICATE:

Approximately how many people will attend the event? 300-400

Approximately how many vehicles will be present? 0

Approximately how many animals will be present? 0

If the event is a parade, please indicate the amount of street that will be needed:

Single lane _____

All lanes in travel direction _____

Whole street yes

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: Mitch, Suzanne and Ella Hunsley

Address: 604 Peach St. Sd by, NC 28150

Phones: MAd 704-477-3004
(Daytime) (Evening)

E-mail address Mitch_hunsley@yahoo.com
↳ underscore

Name: _____

Address: _____

Phones: _____
(Daytime) (Evening)

E-mail address _____

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) 12/18/2022

Alternate day(s) and date(s) _____

Requested hours of operation, from 5:00 AM/PM to 8:00 AM/PM

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT:

If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? No

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: _____

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: _____

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Streets blocked to prevent car traffic
needed at Peach St./Forest Hill Dr; Brookdale Rd/Forest Hill);
Hillside/Brookdale; Montrose Cir/Montrose Dr.

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: _____

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is \$15.00 per day per event panel.

Stage panel (STG PAN) cost is \$110.00 per day per stage panel.

Full Day Rentals only

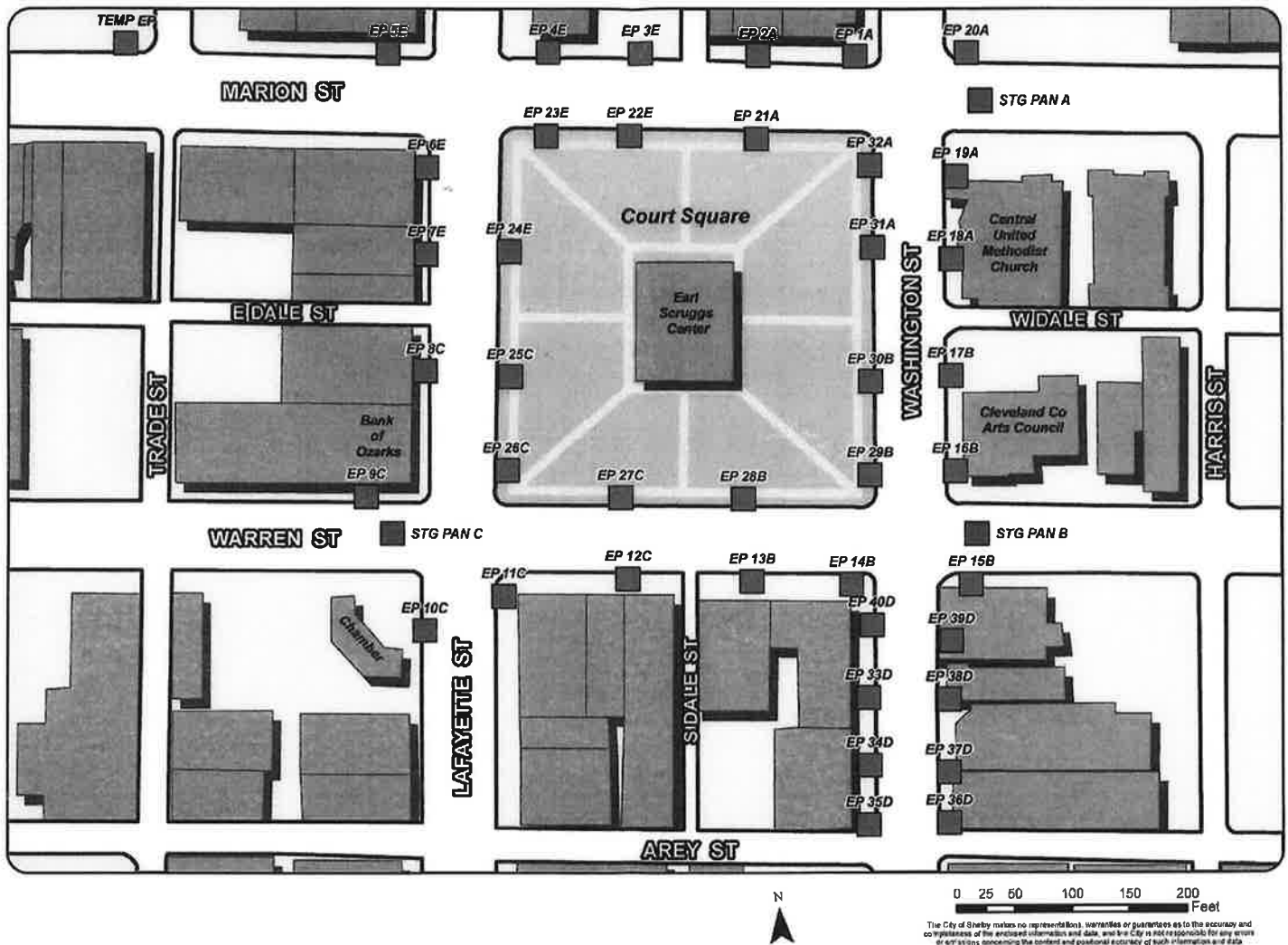
Total Number of Event Panels:
_____ x \$15.00 x Number of Days _____ = \$ _____

Total Number of Stage Panels:
_____ x \$110.00 x Number of Days _____ = \$ _____

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

City of Shelby Uptown Event Panels

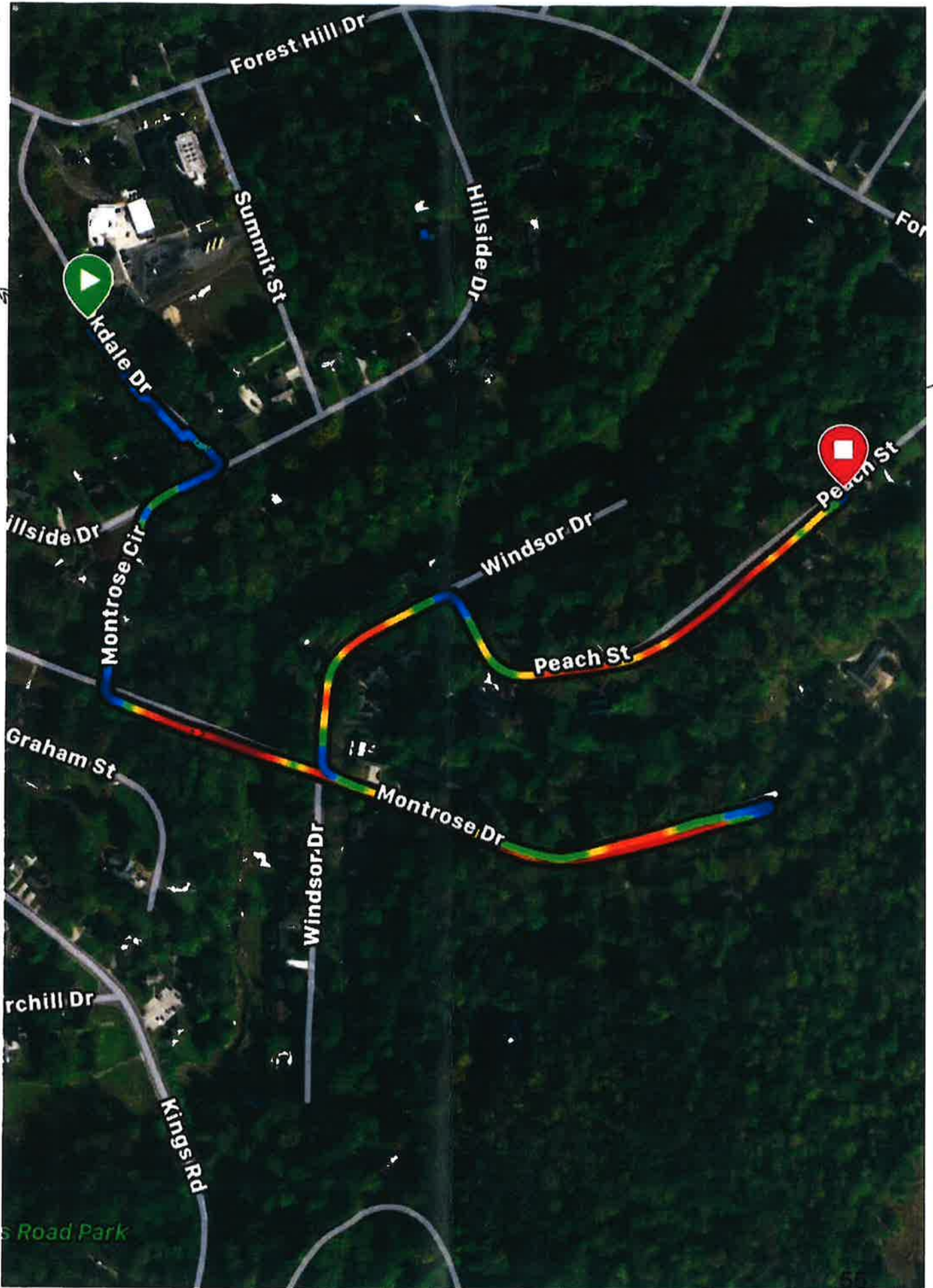


Legend

- Event Panel
- Stage Panel

start

stop



City of Shelby
Agenda Item Summary
October 3, 2022
Council Chambers

Agenda Item: C-3

1) Management Reports:

- a. Financial Report – August 2022

Consent Agenda Item: (Justin Merritt, Assistant City Manager)

- Monthly Financial Summary, August 2022

City Manager's Recommendation / Comments

The above listed reports are for City Council information and are placed on the agenda to ensure documentation that they were formally presented by management during a regular meeting.

Shelby
NORTH CAROLINA

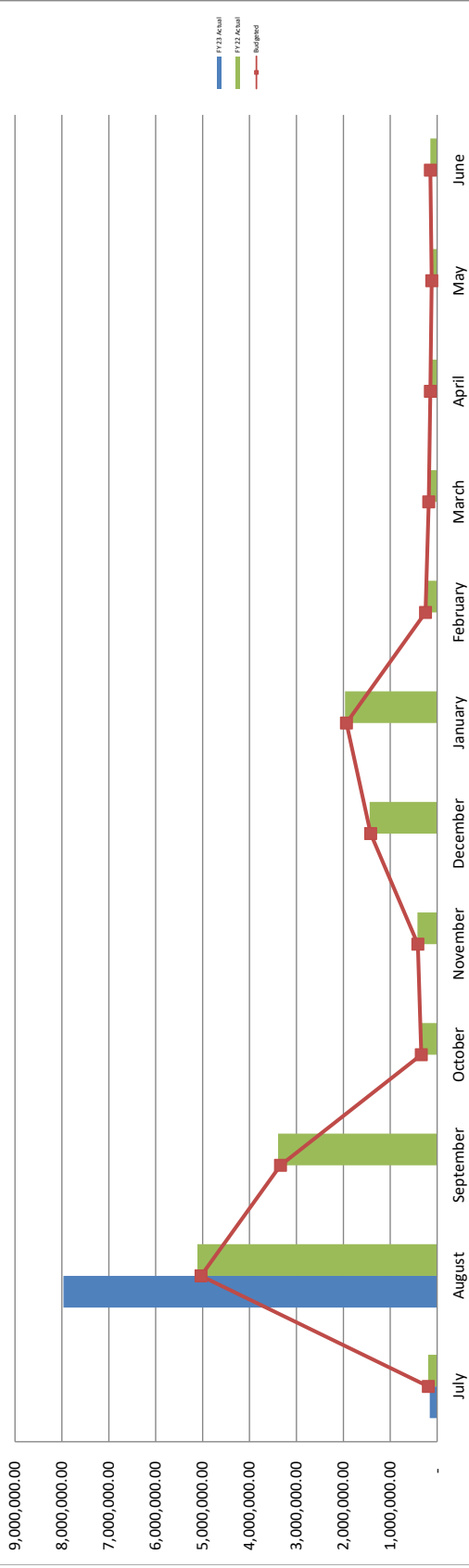


**Monthly Financial Summary
August 2022**

City of Shelby
 Current Property Tax Collections
 FY 2023

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	190,056.52	5,035,795.53	3,341,141.02	338,609.13	412,443.71	1,416,839.88	1,935,288.46	248,568.25	178,522.56	143,157.79	116,609.13	142,958.00	13,500,000.00
FY 2022	192,874.52	5,110,461.99	3,390,680.59	343,629.74	418,559.07	1,437,847.57	1,963,993.41	252,253.81	181,169.54	145,280.41	118,338.11	145,077.66	13,700,166.42
FY 2023	159,791.35	7,968,461.04	-	-	-	-	-	-	-	-	-	-	8,128,252.39
% of Budget	1.18%	59.03%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	60.21%
Variance	(30,265.17)	2,932,665.51	(3,341,141.02)	(338,609.13)	(412,443.71)	(1,416,839.88)	(1,935,288.46)	(248,568.25)	(178,522.56)	(143,157.79)	(116,609.13)	(142,958.00)	(5,371,747.61)

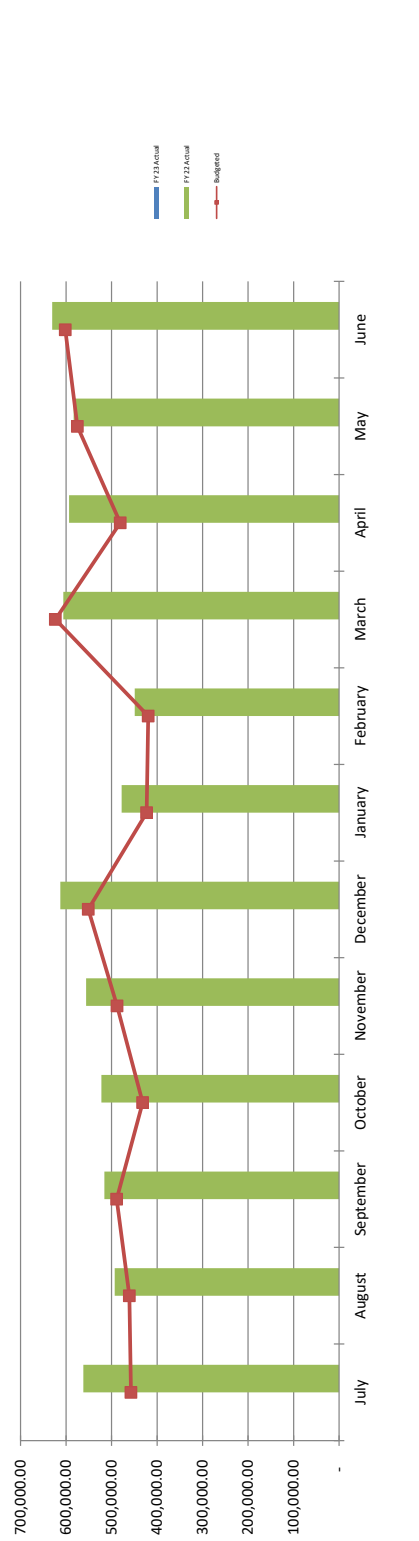
Current Property Tax Collections Budgeted and Collected



City of Shelby
Sales Tax Collections
FY 2023

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	457,219.50	460,807.29	488,817.11	431,447.31	487,706.29	550,878.03	422,831.32	419,411.40	623,273.87	480,929.57	575,165.84	601,512.47	6,000,000.00
FY 2022	561,875.17	493,247.25	515,682.23	522,268.85	555,802.56	612,729.17	477,791.05	448,935.70	605,975.13	593,551.22	583,186.10	630,335.55	6,601,379.98
% of Budget	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Variance	(457,219.50)	(460,807.29)	(488,817.11)	(431,447.31)	(487,706.29)	(550,878.03)	(422,831.32)	(419,411.40)	(623,273.87)	(480,929.57)	(575,165.84)	(601,512.47)	(6,000,000.00)

Sales Tax Collections Budgeted and Collected



Notes:
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-5.pdf>

Sales Tax Distribution Method: A link to a description of the individual articles of Sales Tax is embedded here: http://www.dor.state.nc.us/publications/sales/distribution_articles.pdf

City of Shelby
 Utility Sales Tax Distribution (Formerly Utility Franchise Tax)
 Last Three Years

	Third Quarter	Fourth Quarter	First Quarter	Second Quarter	Totals
Collection Period:	(July-Sept.)	(Oct.-Dec.)	(Jan.-Mar.)	(Apr.-June)	
Received in:	December	March	June	September	
FY 21	574,782.27	445,666.24	476,587.12	451,433.94	1,948,469.57
FY 22	515,722.31	464,401.65	486,627.19	466,918.19	1,933,669.34
FY 23	-	-	-	-	-
Budget	556,178.37	484,704.73	500,184.30	458,932.60	2,000,000.00
% of Budget	0.00%	0.00%	0.00%	0.00%	0.00%



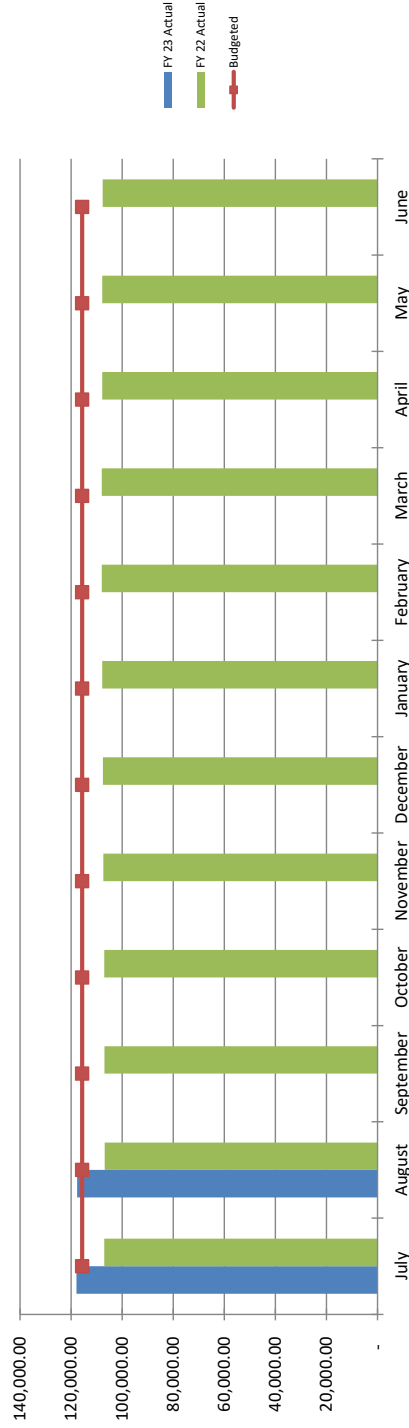
Notes:

Effective July 2014, utility franchise tax was eliminated on sales of electricity and piped natural gas. A "hold harmless" provision will keep local distribution levels at the amounts received during the 2013-14 Fiscal Year.

City of Shelby
Solid Waste Fees
FY 2023

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	115,666.67	1,388,000.00
FY 2022	107,028.51	106,863.30	106,940.27	107,008.94	107,373.25	107,574.77	107,831.27	107,977.54	108,003.36	107,814.95	107,847.23	107,668.33	1,289,931.72
FY 2023	117,913.85	117,612.75	-	-	-	-	-	-	-	-	-	-	235,526.60
% of Budget	8.50%	8.47%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	16.97%
Variance	2,247.18	1,946.08	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(1,152,473.40)
Res. Accts:	7,794	7,778	-	-	-	-	-	-	-	-	-	-	-
Comm. Accts:	682	676	-	-	-	-	-	-	-	-	-	-	-

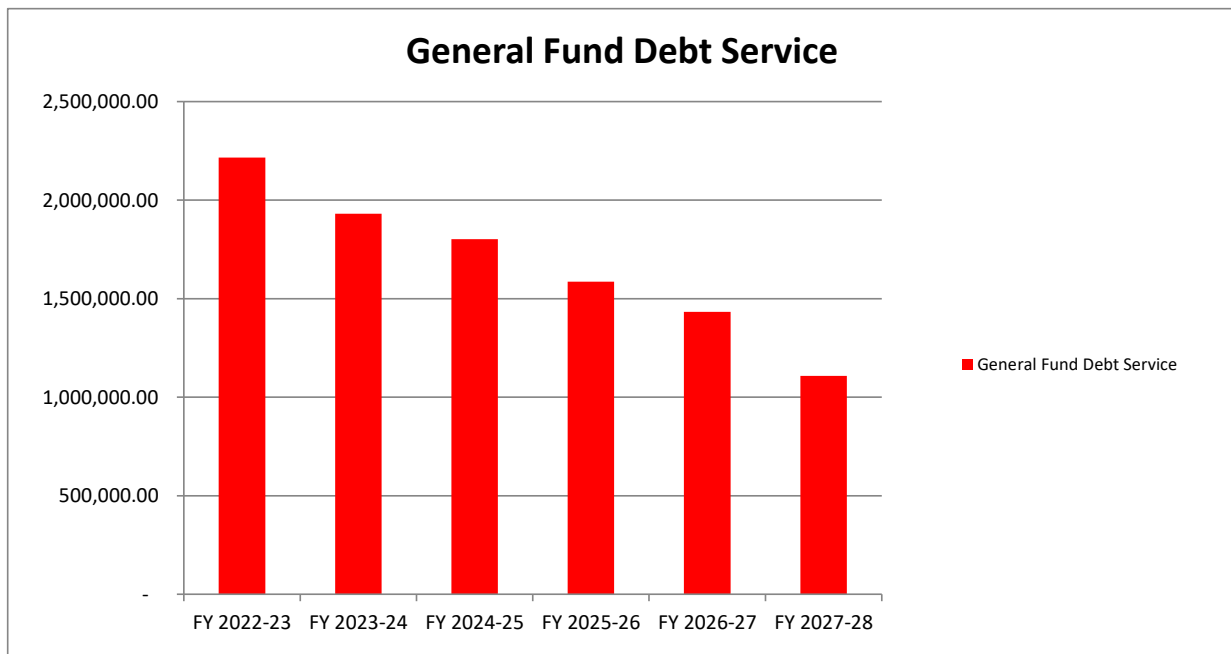
Solid Waste Fees Budgeted and Collected



DEBT SERVICE - GENERAL FUND

	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
<u>General Obligation Bonds</u>						
Street & Sidewalk GO Bond (\$6mm)	555,250.00	551,250.00	540,400.00	529,600.00	518,800.00	508,000.00
Debt Retired In 2037						
<u>Installment Purchase Contracts</u>						
Hanna Park Recreation Complex	658,606.66	644,079.33	629,552.00	615,024.66	600,497.33	600,497.33
Debt Retired In 2032						
FY 18 Installment Purchase	266,389.91	-	-	-	-	-
Debt Retired In 2023						
FY 19 Installment Purchase	104,354.77	104,354.77	-	-	-	-
Debt Retired In 2024						
FY 20 Installment Purchase	189,692.00	189,692.00	189,692.00	-	-	-
Debt Retired In 2025						
FY 21 Installment Purchase	128,617.50	128,617.50	128,617.50	128,617.50	-	-
Debt Retired In 2026						
FY 22 Installment Purchase	313,175.08	313,175.08	313,175.08	313,175.08	313,175.08	-
Debt Retired In 2027						
Total Debt Service - General Fund	2,216,085.92	1,931,168.68	1,801,436.58	1,586,417.24	1,432,472.41	1,108,497.33

Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



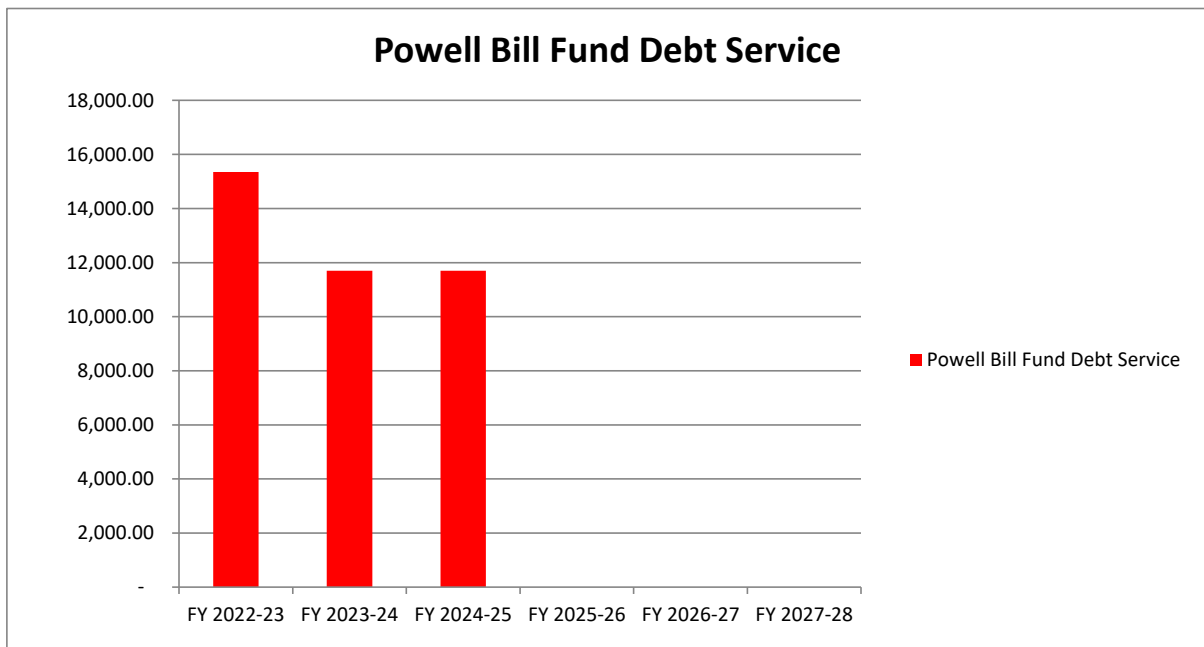
City of Shelby
 For 2023 02 (16.67% of the Fiscal Year)
 General Fund Expenditures by Division

DEPARTMENT	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL GOVERNING BOARD	59,104.00	59,104.00	11,165.76	805.41	47,132.83	20.30 %
TOTAL ADMINISTRATION	640,869.00	640,869.00	117,806.56	0.00	523,062.44	18.40 %
TOTAL FINANCE	777,398.00	777,398.00	156,531.82	0.00	620,866.18	20.10 %
TOTAL PURCHASING	81,240.00	81,240.00	16,462.54	0.00	64,777.46	20.30 %
TOTAL HUMAN RESOURCES	436,873.00	436,873.00	49,177.89	0.00	387,695.11	11.30 %
TOTAL CUSTOMER SERVICE	114,438.00	114,438.00	55,758.54	0.00	58,679.46	48.40 %
TOTAL INFORMATION SERVICES	610,864.00	610,864.00	193,246.99	129,612.48	288,004.53	52.90 %
TOTAL METER SERVICE	795.00	795.00	-7,384.02	55,566.00	-47,386.98	6,060.60 %
TOTAL GARAGE	571,222.00	571,222.00	107,532.87	0.00	463,689.13	18.80 %
TOTAL CITY HALL	108,450.00	108,450.00	20,842.90	0.00	87,607.10	19.20 %
TOTAL POLICE	8,602,300.00	8,602,300.00	1,548,712.00	12,361.68	7,041,226.32	18.10 %
TOTAL COMMUNICATION	873,400.00	873,400.00	102,646.01	0.00	770,753.99	11.80 %
TOTAL FIRE	5,519,120.00	5,519,120.00	893,563.37	34,898.30	4,590,658.33	16.80 %
TOTAL BUILDING INSPECTIONS	424,050.00	424,050.00	52,178.38	0.00	371,871.62	12.30 %
TOTAL STREETS	1,334,500.00	1,334,500.00	177,307.29	624.00	1,156,568.71	13.30 %
TOTAL AIRPORT	483,850.00	483,850.00	57,020.65	4,908.02	421,921.33	12.80 %
TOTAL SOLID WASTE	2,017,910.00	2,017,910.00	257,668.33	207,680.00	1,552,561.67	23.10 %
TOTAL GIS	104,003.00	104,003.00	5,146.45	27,500.00	71,356.55	31.40 %
TOTAL PLANNING SERVICES	573,590.00	573,590.00	89,985.77	356.55	483,247.68	15.80 %
TOTAL SPECIAL APPROPRIATIONS	3,024,520.00	3,024,520.00	199,983.97	0.00	2,824,536.03	6.60 %
TOTAL PARKS & RECREATION	1,910,050.00	1,910,050.00	436,111.06	73,431.60	1,400,507.34	26.70 %
TOTAL MAINTENANCE & CEMETERY	1,745,725.00	1,745,725.00	258,795.38	82,769.12	1,404,160.50	19.60 %
GRAND TOTAL	30,014,271.00	30,014,271.00	4,800,260.51	630,513.16	24,583,497.33	18.09 %

DEBT SERVICE - POWELL BILL FUND

	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
<u>Installment Purchase Contracts</u>						
FY 18 Installment Purchase Debt Retired in 2023	3,644.52	-	-	-	-	-
FY 20 Installment Purchase Debt Retired in 2025	11,703.00	11,703.00	11,703.00	-	-	-
Total Debt Service - Powell Bill Fund	15,347.52	11,703.00	11,703.00	-	-	-

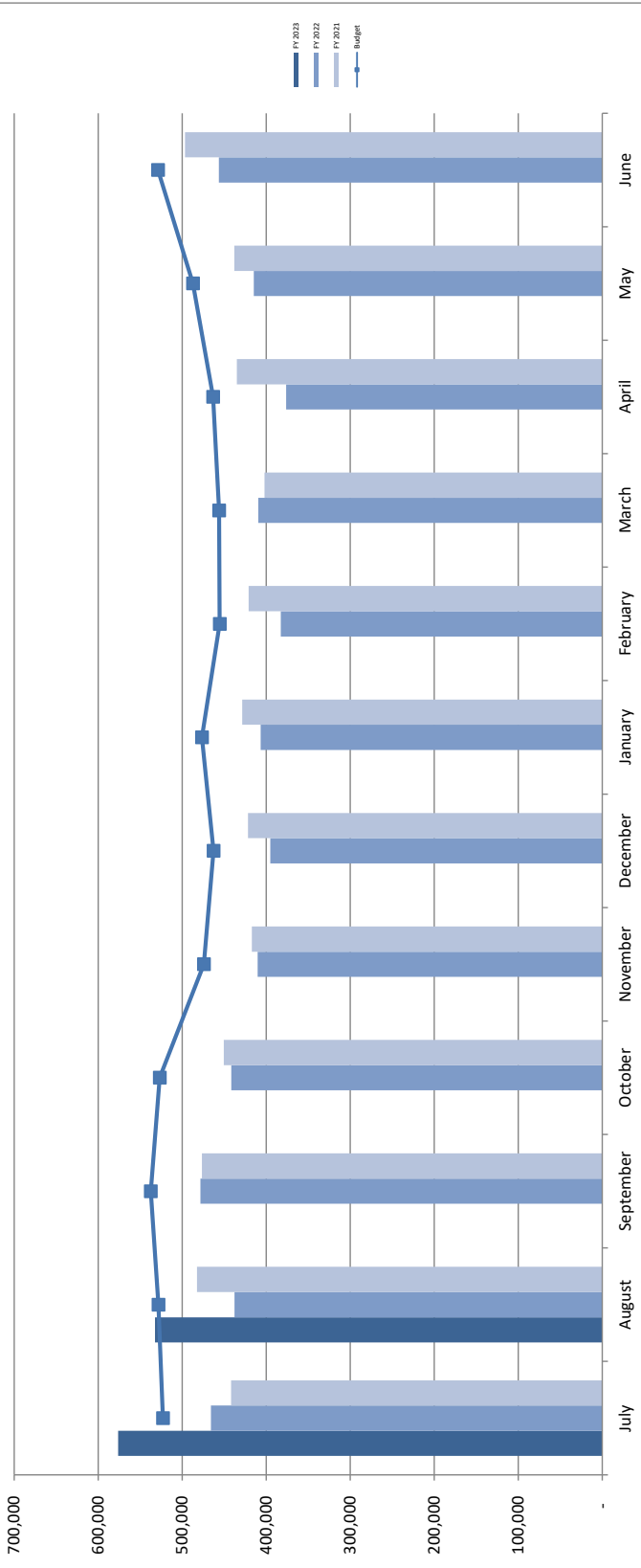
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Water Revenue Budget to Actual
FY 2023

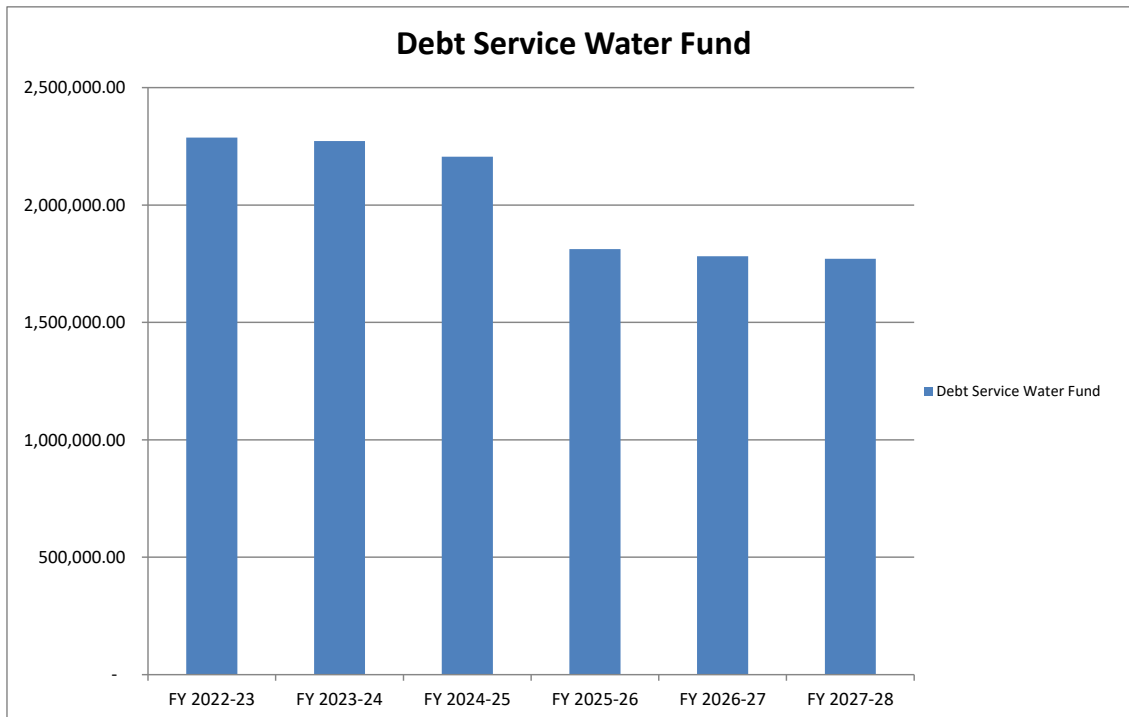
	July	August	September	October	November	December	January	February	March	April	May	June	Total
FY 2023 Budget													
Inside Water Useage Dollars	138,063 465,040.09	139,550 470,762.23	144,210 475,202.60	139,173 469,758.08	121,040 423,091.79	117,610 413,152.76	125,577 427,855.03	113,264 402,525.34	116,265 409,156.84	118,818 414,298.60	125,315 433,696.01	139,836 469,818.61	1,538,722 5,274,357.98
Outside Water Useage Dollars	14,699 57,862.84	14,709 57,589.54	16,371 62,218.37	14,577 57,170.54	12,668 51,084.22	12,132 49,639.65	11,645 48,584.98	13,328 52,968.52	11,310 46,939.85	11,779 48,963.64	13,365 53,673.96	15,220 58,945.91	161,804 645,642.02
Totals Useage Dollars	152,762 522,902.93	154,259 528,351.78	160,581 537,420.96	153,750 526,928.61	133,709 474,176.01	129,742 462,792.41	137,223 476,440.02	126,592 455,493.86	127,575 456,096.69	130,597 463,262.24	138,680 487,369.97	155,056 528,764.52	1,700,526 5,920,000.00
FY 2023 Actual													
Inside Water Useage Dollars	158,071 514,688	136,239 465,712	-	-	-	-	-	-	-	-	-	-	294,310 980,400.01
Outside Water Useage Dollars	16,117 61,638	17,694 66,735	-	-	-	-	-	-	-	-	-	-	33,811 128,372
Totals Useage Dollars	174,188 576,325	153,933 532,447	-	-	-	-	-	-	-	-	-	-	328,121 1,108,772.11
Variance													
Inside Water Useage Dollars	20,008 49,647.47	(3,311) (5,049.78)	(144,210) (475,202.60)	(139,173) (469,758.08)	(121,040) (423,091.79)	(117,610) (413,152.76)	(125,577) (427,855.03)	(113,264) (402,525.34)	(116,265) (409,156.84)	(118,818) (414,298.60)	(125,315) (433,696.01)	(139,836) (469,818.61)	(1,244,412) (4,293,957.97)
Outside Water Useage Dollars	1,418 3,774.71	2,985 9,145.01	(16,371) (62,218.37)	(14,577) (57,170.54)	(12,668) (51,084.22)	(12,132) (49,639.65)	(11,645) (48,584.98)	(13,328) (52,968.52)	(11,310) (46,939.85)	(11,779) (48,963.64)	(13,365) (53,673.96)	(15,220) (58,945.91)	(127,993) (517,270)
Totals Useage Dollars	21,426 53,422.18	(326) 4,095.22	(160,581) (537,420.96)	(153,750) (526,928.61)	(133,709) (474,176.01)	(129,742) (462,792.41)	(137,223) (476,440.02)	(126,592) (455,493.86)	(127,575) (456,096.69)	(130,597) (463,262.24)	(138,680) (487,369.97)	(155,056) (528,764.52)	(1,372,405) (4,811,227.89)

Water Sales In Dollars - Budget to Actual FY 2022 - 2023



DEBT SERVICE - WATER FUND	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
<u>Revenue Bonds</u>						
Series 2021 Refunding Revenue Bonds Debt Retired In 2031	880,052.90	878,082.07	878,287.26	499,614.47	497,103.08	500,082.76
Series 2016 Revenue Bonds Debt Retired In 2031	233,400.00	233,400.00	233,400.00	233,400.00	233,400.00	233,400.00
NCDEQ-DWI SRF Loan Debt Retired In 2040	1,060,171.30	1,047,604.00	1,035,036.68	1,022,469.38	1,009,902.08	1,009,902.08
<u>Installment Purchase</u>						
Uptown Infrastructure - Electric Fund Loan Debt Retired In 2038	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00
FY 19 Installment Purchase Debt Retired In 2024	54,380.79	54,380.79	-	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	2,561.50	2,561.50	2,561.50	-	-	-
FY 21 Installment Purchase Debt Retired In 2026	14,465.00	14,465.00	14,465.00	14,465.00	-	-
FY 22 Installment Purchase Debt Retired In 2027	14,680.83	14,680.83	14,680.83	14,680.83	14,680.83	-
Total Debt Service - Water Fund	2,286,962.32	2,272,424.19	2,205,681.27	1,811,879.68	1,782,335.99	1,770,634.84

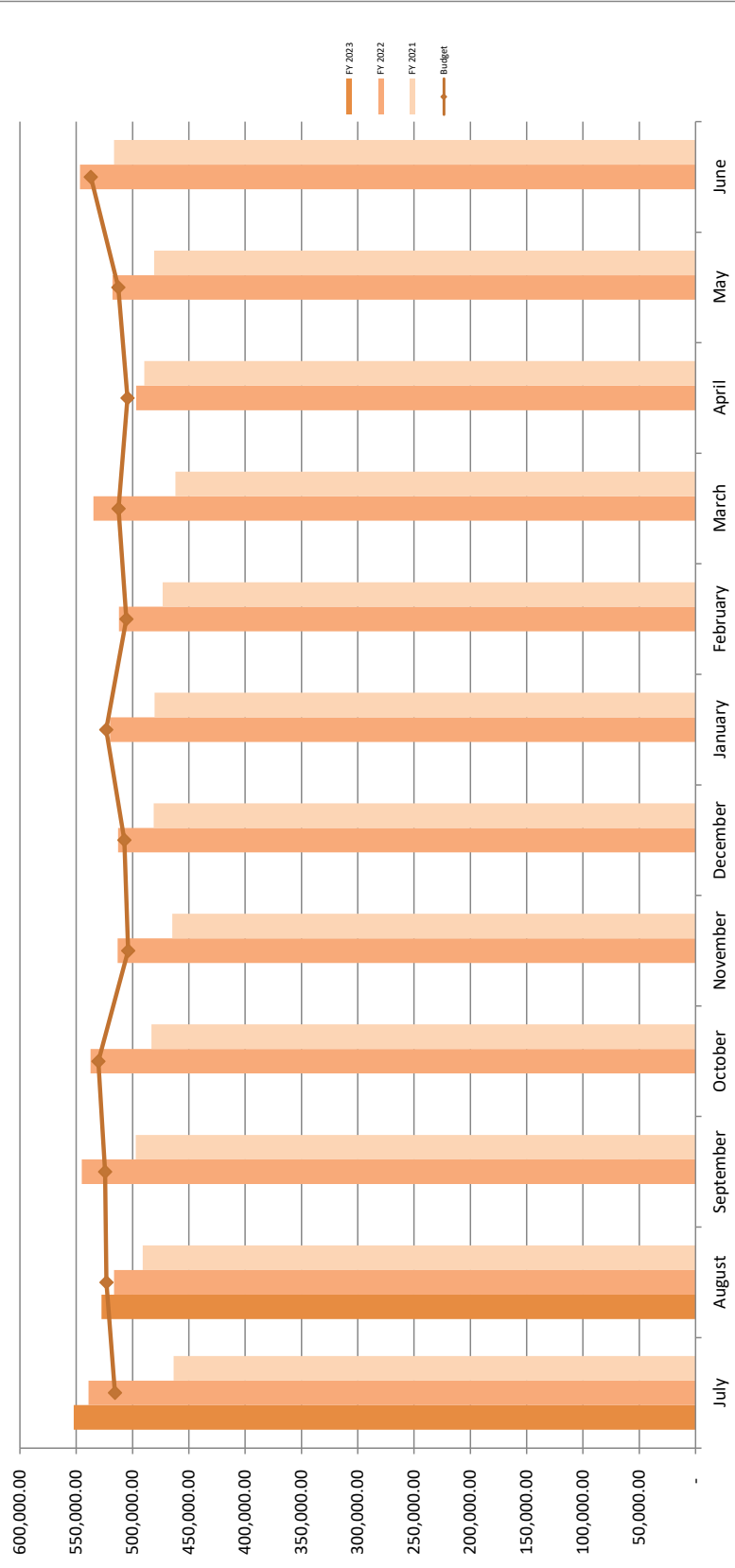
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Sewer Revenue Budget to Actual
FY 2023

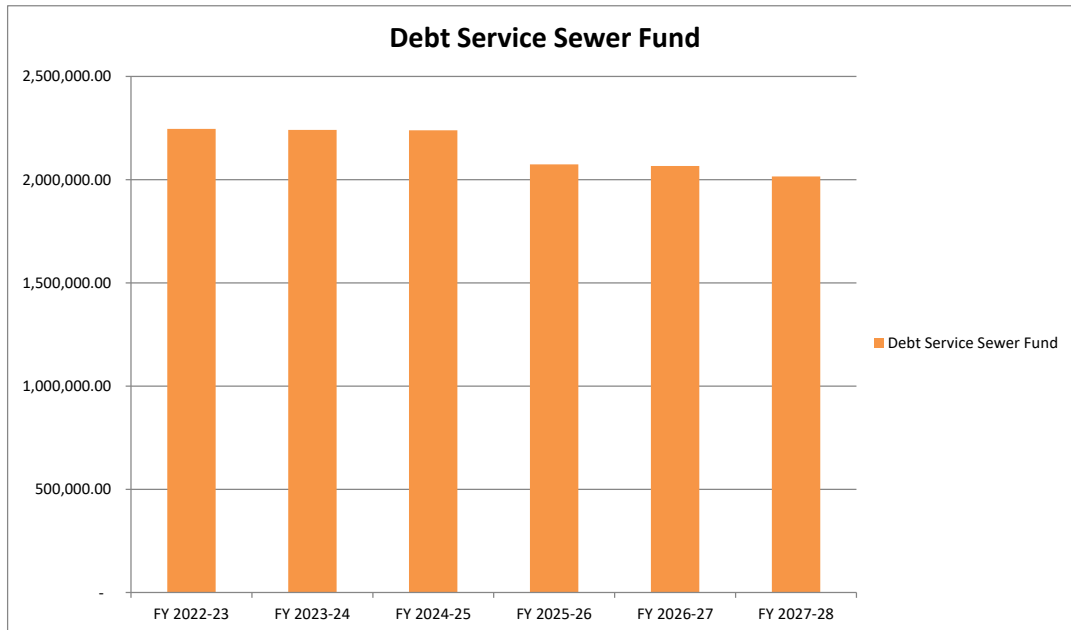
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY 2023 Budget													
Inside Sewer													
Useage	72,710	75,039	53,846	74,627	68,777	69,769	74,616	69,023	70,431	67,589	70,657	75,988	843,072
Dollars	482,406.79	491,295.85	488,188.81	492,302.58	465,483.76	468,840.36	483,584.67	466,230.38	470,440.58	463,046.92	472,218.02	496,169.29	5,740,208.00
Outside Sewer													
Useage	2,769	2,540	3,139	3,387	3,442	3,474	3,648	3,561	3,954	3,482	3,293	3,350	40,038
Dollars	33,180.11	31,872.84	36,167.85	38,065.44	38,412.02	38,420.11	39,762.75	39,209.84	41,932.12	41,531.08	40,378.46	40,859.38	459,792.00
Totals													
Useage	75,479	77,579	56,985	78,014	72,219	73,243	78,264	72,584	74,385	71,071	73,950	79,338	883,110
Dollars	515,586.90	523,168.69	524,356.66	530,368.02	503,895.78	507,260.46	523,347.42	505,440.21	512,372.70	504,578.00	512,596.48	537,028.68	6,200,000.00
FY 2023 Actual													
Inside Sewer													
Useage	81,458	73,261	-	-	-	-	-	-	-	-	-	-	154,719
Dollars	510,316.11	485,319.06	-	-	-	-	-	-	-	-	-	-	995,635.17
Outside Sewer													
Useage	3,035	3,073	-	-	-	-	-	-	-	-	-	-	6,108
Dollars	41,951.65	42,181.65	-	-	-	-	-	-	-	-	-	-	84,133.30
Totals													
Useage	84,493	76,334	-	-	-	-	-	-	-	-	-	-	160,827
Dollars	552,267.76	527,500.71	-	-	-	-	-	-	-	-	-	-	1,079,768.47
Variance													
Inside Sewer													
Useage	8,748	(1,778)	(53,846)	(74,627)	(68,777)	(69,769)	(74,616)	(69,023)	(70,431)	(67,589)	(70,657)	(75,988)	(688,353.33)
Dollars	27,909.32	(5,976.79)	(488,188.81)	(492,302.58)	(465,483.76)	(468,840.36)	(483,584.67)	(466,230.38)	(470,440.58)	(463,046.92)	(472,218.02)	(496,169.29)	(4,744,572.83)
Outside Sewer													
Useage	266	533	(3,139)	(3,387)	(3,442)	(3,474)	(3,648)	(3,561)	(3,954)	(3,482)	(3,293)	(3,350)	(33,929.67)
Dollars	8,771.54	10,308.81	(36,167.85)	(38,065.44)	(38,412.02)	(38,420.11)	(39,762.75)	(39,209.84)	(41,932.12)	(41,531.08)	(40,378.46)	(40,859.38)	(375,658.70)
Totals													
Useage	9,014	(1,245)	(56,985)	(78,014)	(72,219)	(73,243)	(78,264)	(72,584)	(74,385)	(71,071)	(73,950)	(79,338)	(722,283.00)
Dollars	36,680.86	4,332.02	(524,356.66)	(530,368.02)	(503,895.78)	(507,260.46)	(523,347.42)	(505,440.21)	(512,372.70)	(504,578.00)	(512,596.48)	(537,028.68)	(5,120,231.53)

Sewer Sales in Dollars - Budget to Actual FY 2022 - 2023



DEBT SERVICE - SEWER FUND	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
<u>Revenue Bonds</u>						
Series 2021 Refunding Revenue Bonds Debt Retired In 2031	444,259.37	442,773.80	442,017.78	289,821.66	288,125.74	287,842.45
NC DENR-DWI SRF Loan Debt Retired in 2034	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10
NC DENR-DWI SRF Loan Debt Retired in 2035	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90
NC DENR-DWI SRF Loan Debt Retired in 2035	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90
NC DENR-DWI SRF Loan Debt Retired in 2041	991,870.00	991,870.00	991,870.00	991,870.00	991,870.00	991,870.00
<u>Installment Purchase</u>						
Uptown Infrastructure - Loan from Electric Fund Debt Retired in 2038	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00
FY 18 Installment Purchase Debt Retired In 2023	2,903.26	-	-	-	-	-
FY 19 Installment Purchase Debt Retired In 2024	1,408.74	1,408.74	-	-	-	-
FY 20 Installment Purchase Debt Retired In 2025	12,525.50	12,525.50	12,525.50	-	-	-
FY 21 Installment Purchase Debt Retired In 2026	6,215.00	6,215.00	6,215.00	6,215.00	-	-
FY 22 Installment Purchase Debt Retired In 2027	50,928.61	50,928.61	50,928.61	50,928.61	50,928.61	-
Total Debt Service - Sewer Fund	2,245,515.37	2,241,126.54	2,238,961.79	2,074,240.17	2,066,329.25	2,015,117.35

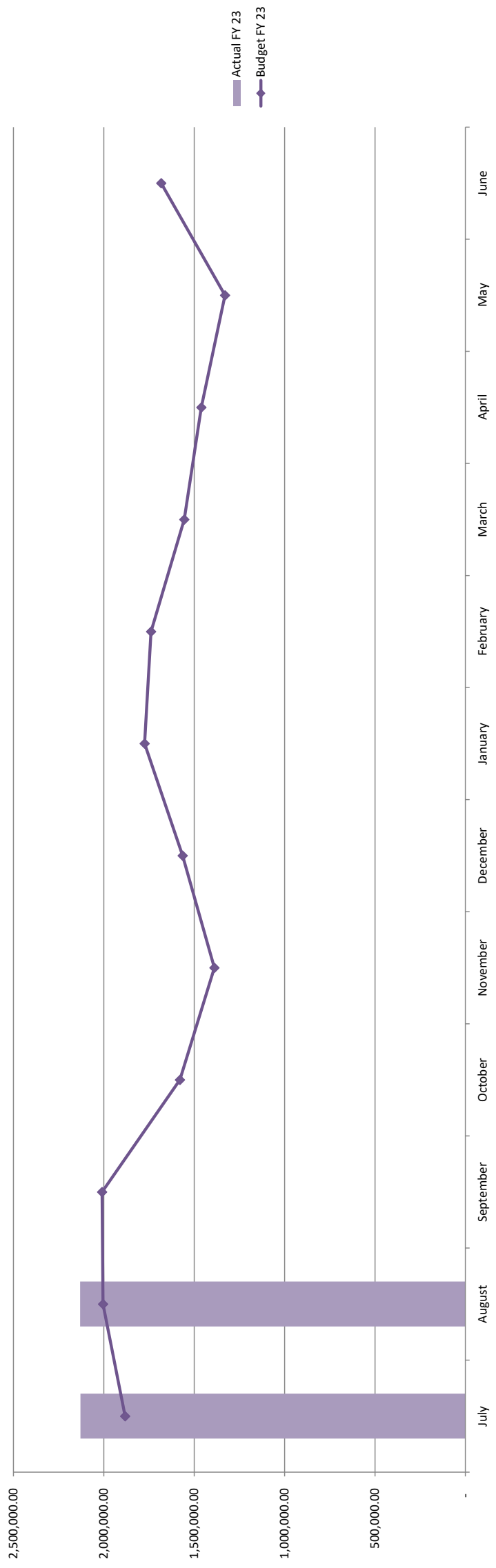
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



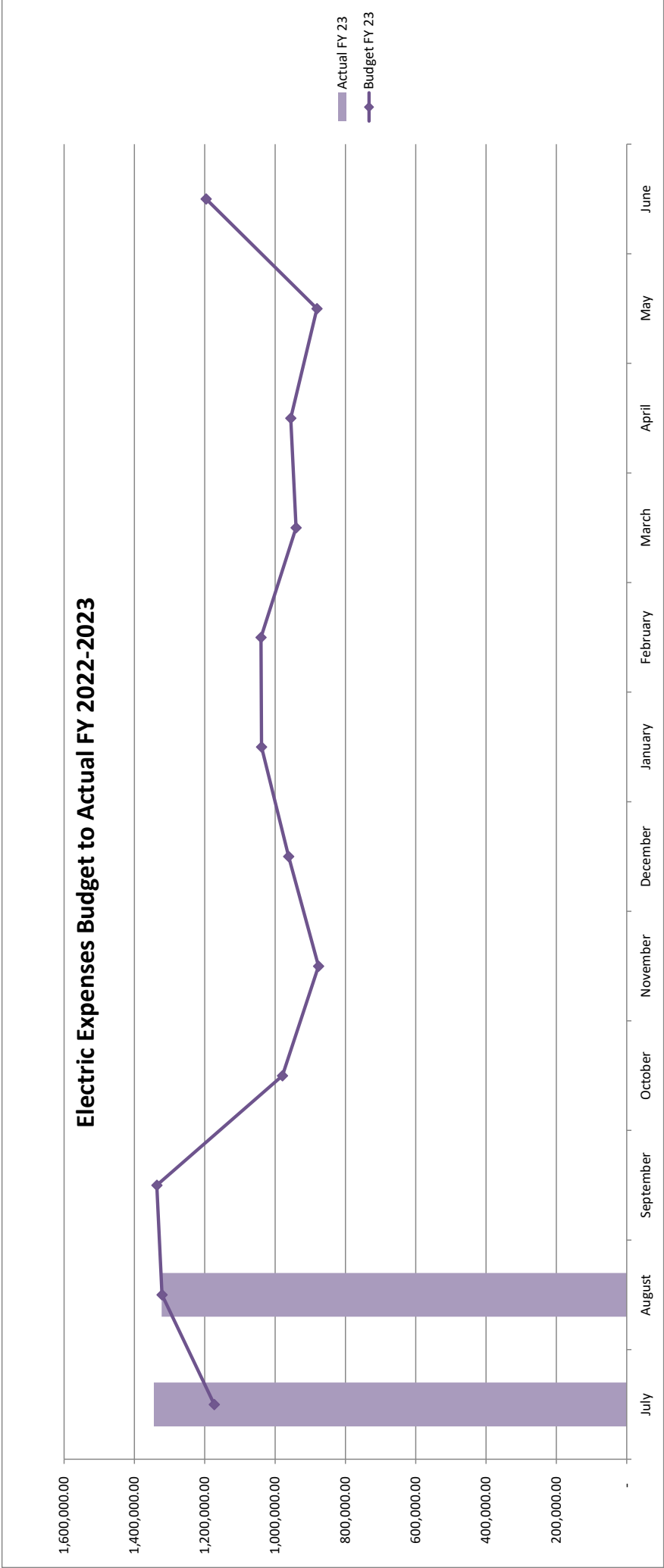
City of Shelby
Electric Revenues Budget to Actual
FY 2023

Revenues Budget FY 23	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	811,339.33	899,025.39	837,112.18	615,713.70	557,038.91	741,563.78	892,174.27	882,027.65	732,971.99	621,214.13	543,160.82	710,834.79	8,844,176.96
Commercial	1,046,961.00	1,075,685.30	1,141,157.79	943,339.89	813,224.19	804,409.32	864,398.10	838,547.68	805,015.81	817,766.73	766,146.23	940,614.89	10,857,266.92
Industrial	23,604.95	29,950.90	31,370.04	20,136.51	18,472.01	18,538.52	17,477.46	18,423.59	17,433.62	21,583.90	20,352.55	31,212.07	268,556.13
Totals	1,881,905.28	2,004,661.59	2,009,640.01	1,579,190.10	1,388,735.11	1,564,511.62	1,774,049.84	1,738,998.92	1,555,421.42	1,460,564.76	1,329,659.60	1,682,661.75	19,970,000.00
Actual FY 23	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	916,780.13	904,057.27	-	-	-	-	-	-	-	-	-	-	1,820,837.41
Commercial	1,166,935.12	1,182,234.18	-	-	-	-	-	-	-	-	-	-	2,349,169.29
Industrial	45,836.56	44,782.64	-	-	-	-	-	-	-	-	-	-	-
Totals	2,129,551.81	2,131,074.09	-	-	-	-	-	-	-	-	-	-	4,260,625.90
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	105,440.80	5,031.88	(837,112.18)	(615,713.70)	(557,038.91)	(741,563.78)	(892,174.27)	(882,027.65)	(732,971.99)	(621,214.13)	(543,160.82)	(710,834.79)	(7,023,339.55)
Commercial	119,974.12	106,548.88	(1,141,157.79)	(943,339.89)	(813,224.19)	(804,409.32)	(864,398.10)	(838,547.68)	(805,015.81)	(817,766.73)	(766,146.23)	(940,614.89)	(8,508,097.62)
Industrial	22,231.61	14,831.74	(31,370.04)	(20,136.51)	(18,472.01)	(18,538.52)	(17,477.46)	(18,423.59)	(17,433.62)	(21,583.90)	(20,352.55)	(31,212.07)	(177,936.93)
Totals	247,646.53	126,412.50	(2,009,640.01)	(1,579,190.10)	(1,388,735.11)	(1,564,511.62)	(1,774,049.84)	(1,738,998.92)	(1,555,421.42)	(1,460,564.76)	(1,329,659.60)	(1,682,661.75)	(15,709,374.10)

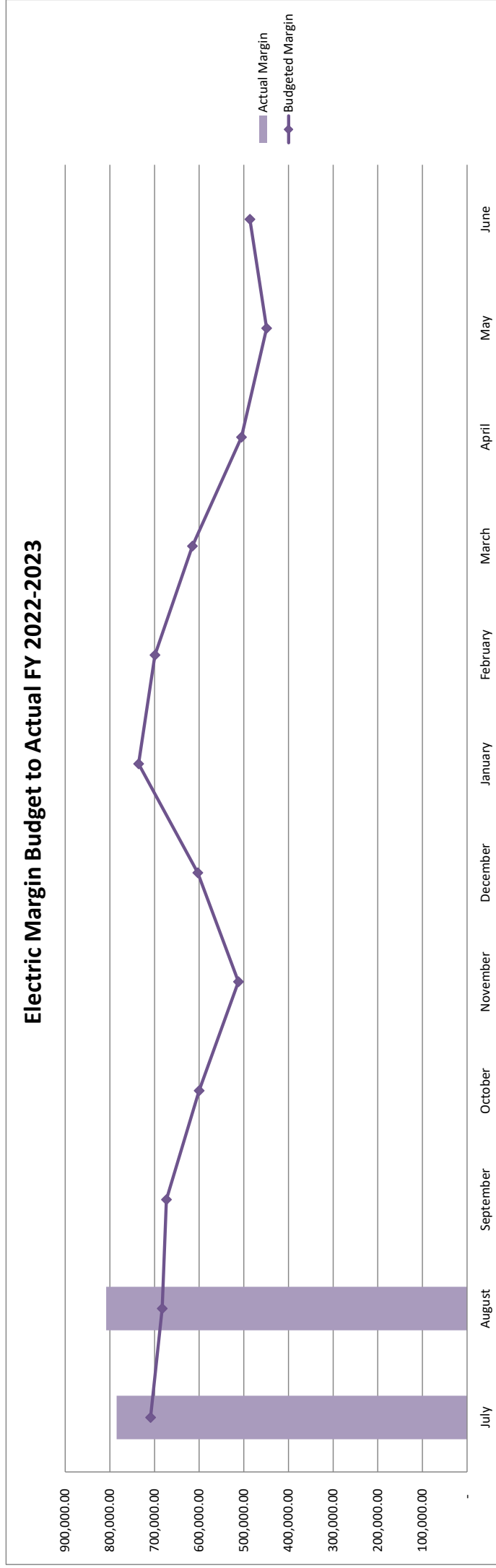
Electric Revenues Budget to Actual FY 2022-2023



Expenses													
Budget FY 23													
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,129,897.13	1,278,019.66	1,295,677.22	947,442.76	845,871.37	928,956.34	1,005,099.12	1,005,077.89	908,369.84	924,709.24	850,361.89	1,159,231.55	12,278,714.00
SEPA	42,962.83	43,672.77	40,713.23	31,606.28	30,642.60	32,417.88	33,272.52	34,740.11	31,937.85	30,544.02	30,351.40	37,138.51	420,000.00
Totals	1,172,859.96	1,321,692.43	1,336,390.45	979,049.04	876,513.96	961,374.22	1,038,371.63	1,039,818.00	940,307.69	955,253.26	880,713.29	1,196,370.05	12,698,714.00
Actual FY 23													
NCMPA1	1,306,177.15	1,277,989.04	-	-	-	-	-	-	-	-	-	-	2,584,166.19
SEPA	38,582.69	44,802.70	-	-	-	-	-	-	-	-	-	-	83,385.39
Totals	1,344,759.84	1,322,791.74	-	-	-	-	-	-	-	-	-	-	2,667,551.58
Expense Variance													
NCMPA1	(176,280.02)	30.62	1,295,677.22	947,442.76	845,871.37	928,956.34	1,005,099.12	1,005,077.89	908,369.84	924,709.24	850,361.89	1,159,231.55	9,694,547.81
SEPA	4,380.14	(1,129.93)	40,713.23	31,606.28	30,642.60	32,417.88	33,272.52	34,740.11	31,937.85	30,544.02	30,351.40	37,138.51	336,614.61
Totals	(171,899.88)	(1,099.31)	1,336,390.45	979,049.04	876,513.96	961,374.22	1,038,371.63	1,039,818.00	940,307.69	955,253.26	880,713.29	1,196,370.05	10,031,162.42



Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	1,881,905.28	2,004,661.59	2,009,640.01	1,579,190.10	1,388,735.11	1,564,511.62	1,774,049.84	1,738,998.92	1,555,421.42	1,460,564.76	1,329,659.60	1,682,661.75	19,970,000.00
Budgeted Expenses	(1,172,859.96)	(1,321,692.43)	(1,336,390.45)	(979,049.04)	(876,513.96)	(961,374.22)	(1,038,371.63)	(1,039,818.00)	(940,307.69)	(955,253.26)	(880,713.29)	(1,196,370.05)	(12,698,714.00)
Budgeted Margin	709,045.32	682,969.16	673,249.56	600,141.06	512,221.15	603,137.39	735,678.20	699,180.91	615,113.73	505,311.51	448,946.31	486,291.70	7,271,286.00
Actual Revenues	2,129,551.81	2,131,074.09	-	-	-	-	-	-	-	-	-	-	4,260,625.90
Actual Expenses	(1,344,759.84)	(1,322,791.74)	-	-	-	-	-	-	-	-	-	-	(2,667,551.58)
Actual Margin	784,791.97	808,282.35	-	-	-	-	-	-	-	-	-	-	1,593,074.32
Margin Variance	75,746.65	125,313.19	(673,249.56)	(600,141.06)	(512,221.15)	(603,137.39)	(735,678.20)	(699,180.91)	(615,113.73)	(505,311.51)	(448,946.31)	(486,291.70)	(5,678,211.68)



DEBT SERVICE - ELECTRIC FUND FY 2022-23 FY 2023-24 FY 2024-25 FY 2025-26 FY 2026-27 FY 2027-28

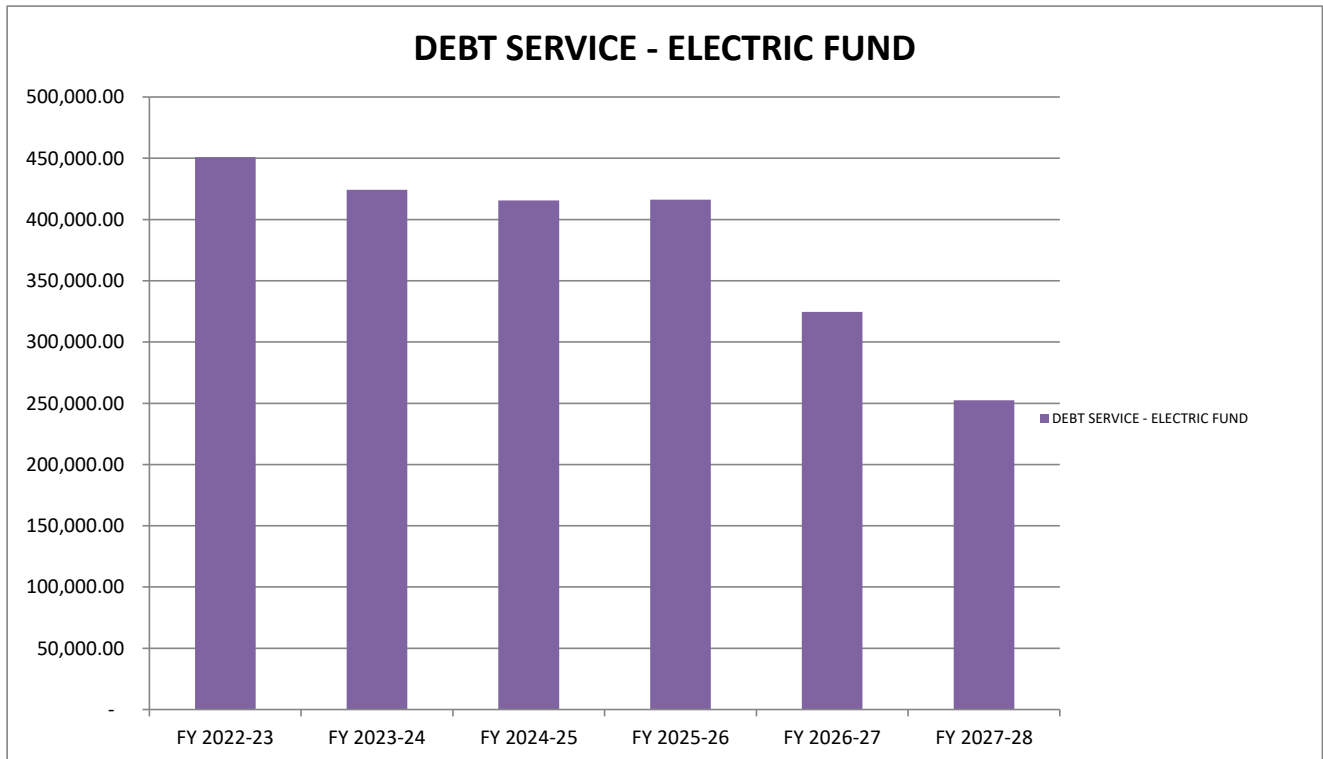
Revenue Bonds

Series 2021 Refunding Revenue Bonds						
Debt Retired In 2031	251,906.46	251,061.16	251,357.07	251,958.36	250,301.68	252,338.27

Installment Purchase Contracts

FY 18 Installment Purchase						
Debt Retired In 2023	25,727.86	-	-	-	-	-
FY 19 Installment Purchase						
Debt Retired In 2024	8,921.99	8,921.99	-	-	-	-
FY 21 Installment Purchase						
Debt Retired In 2026	89,952.50	89,952.50	89,952.50	89,952.50	-	-
FY 22 Installment Purchase						
Debt Retired In 2027	74,312.73	74,312.73	74,312.73	74,312.73	74,312.73	-
Total	<u>450,821.54</u>	<u>424,248.38</u>	<u>415,622.30</u>	<u>416,223.59</u>	<u>324,614.41</u>	<u>252,338.27</u>

Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



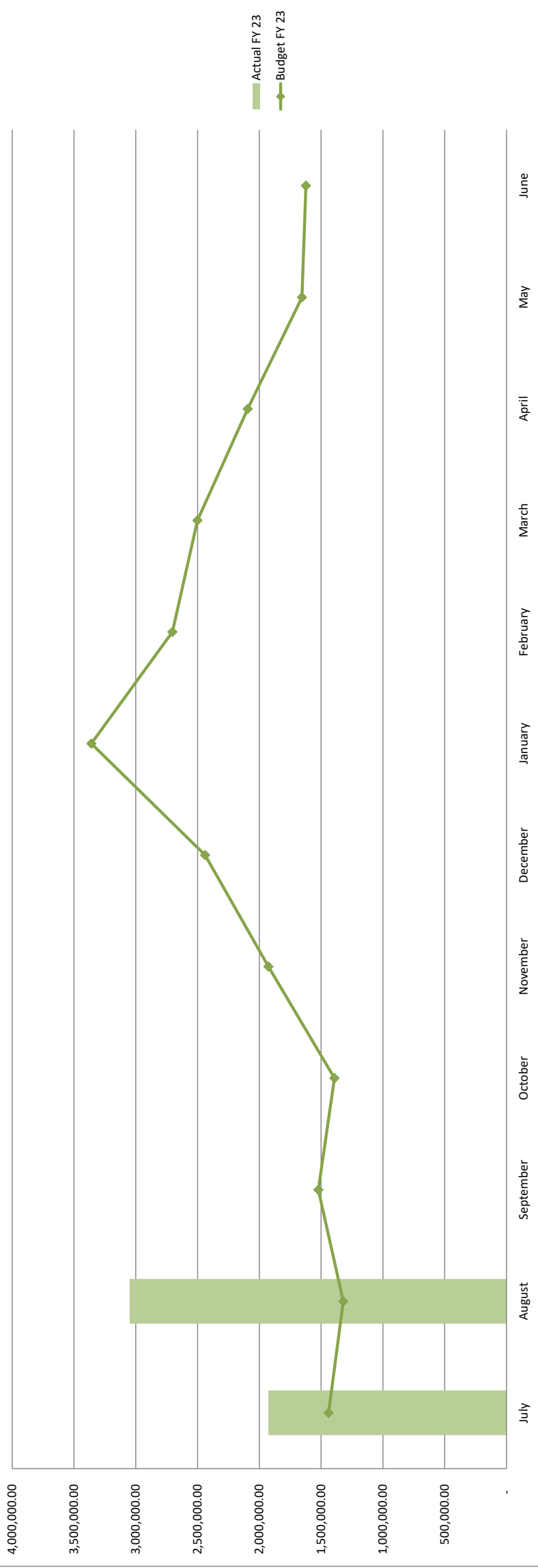
City of Shelby
Gas Revenues Budget to Actual
FY 2023

Revenues Budget FY 23	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	143,817.59	139,914.56	142,304.98	152,268.61	288,597.72	687,462.00	928,757.33	748,191.99	591,409.01	431,313.34	216,256.53	164,836.16	4,635,129.82
Commercial	187,475.43	203,606.16	222,489.45	231,942.11	330,516.37	665,856.40	962,015.78	770,671.13	620,889.05	498,047.94	236,695.57	209,937.55	5,140,142.94
High Load Factor	28,322.76	23,048.70	17,625.50	14,074.97	59,326.81	66,378.63	69,374.34	76,048.27	67,121.17	71,591.86	67,426.34	67,400.06	627,739.40
Interruptibles	86,605.91	87,394.43	83,246.67	80,882.81	104,721.13	90,118.97	86,188.49	123,336.75	84,862.03	88,152.61	82,399.34	87,737.00	1,085,646.13
Special Ind Class	994,081.66	866,950.23	1,056,723.90	913,262.16	1,143,331.48	928,968.29	1,313,549.15	985,032.25	1,136,138.08	1,005,256.67	1,052,959.85	1,092,834.96	12,489,088.70
Totals	1,440,303.35	1,320,914.08	1,522,390.51	1,392,430.66	1,926,493.51	2,438,784.29	3,359,885.09	2,703,280.39	2,500,419.34	2,094,362.42	1,655,737.64	1,622,745.73	23,977,747.00

Actual FY 23	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	147,256.99	155,189.28	-	-	-	-	-	-	-	-	-	-	302,446.27
Commercial	193,205.83	219,617.44	-	-	-	-	-	-	-	-	-	-	412,823.27
High Load Factor	31,013.69	39,924.05	-	-	-	-	-	-	-	-	-	-	70,937.74
Interruptibles	134,132.14	153,994.49	-	-	-	-	-	-	-	-	-	-	288,126.63
Special Ind Class	1,420,593.19	2,480,346.62	-	-	-	-	-	-	-	-	-	-	3,900,939.81
Totals	1,926,201.84	3,049,071.88	-	-	-	-	-	-	-	-	-	-	4,975,273.72

Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	3,439.40	15,274.72	(142,304.98)	(152,268.61)	(288,597.72)	(687,462.00)	(928,757.33)	(748,191.99)	(591,409.01)	(431,313.34)	(216,256.53)	(164,836.16)	(4,332,683.55)
Commercial	5,730.40	16,011.28	(222,489.45)	(231,942.11)	(330,516.37)	(665,856.40)	(962,015.78)	(770,671.13)	(620,889.05)	(498,047.94)	(236,695.57)	(209,937.55)	(4,727,319.67)
High Load Factor	2,690.93	16,875.35	(17,625.50)	(14,074.97)	(59,326.81)	(66,378.63)	(69,374.34)	(76,048.27)	(67,121.17)	(71,591.86)	(67,426.34)	(67,400.06)	(556,801.66)
Interruptibles	47,526.23	66,600.06	(83,246.67)	(80,882.81)	(104,721.13)	(90,118.97)	(86,188.49)	(123,336.75)	(84,862.03)	(88,152.61)	(82,399.34)	(87,737.00)	(797,519.50)
Special Ind Class	426,511.53	1,613,396.39	(1,056,723.90)	(913,262.16)	(1,143,331.48)	(928,968.29)	(1,313,549.15)	(985,032.25)	(1,136,138.08)	(1,005,256.67)	(1,052,959.85)	(1,092,834.96)	(8,588,148.89)
Totals	485,898.49	1,728,157.80	(1,522,390.51)	(1,392,430.66)	(1,926,493.51)	(2,438,784.29)	(3,359,885.09)	(2,703,280.39)	(2,500,419.34)	(2,094,362.42)	(1,655,737.64)	(1,622,745.73)	(19,002,473.28)

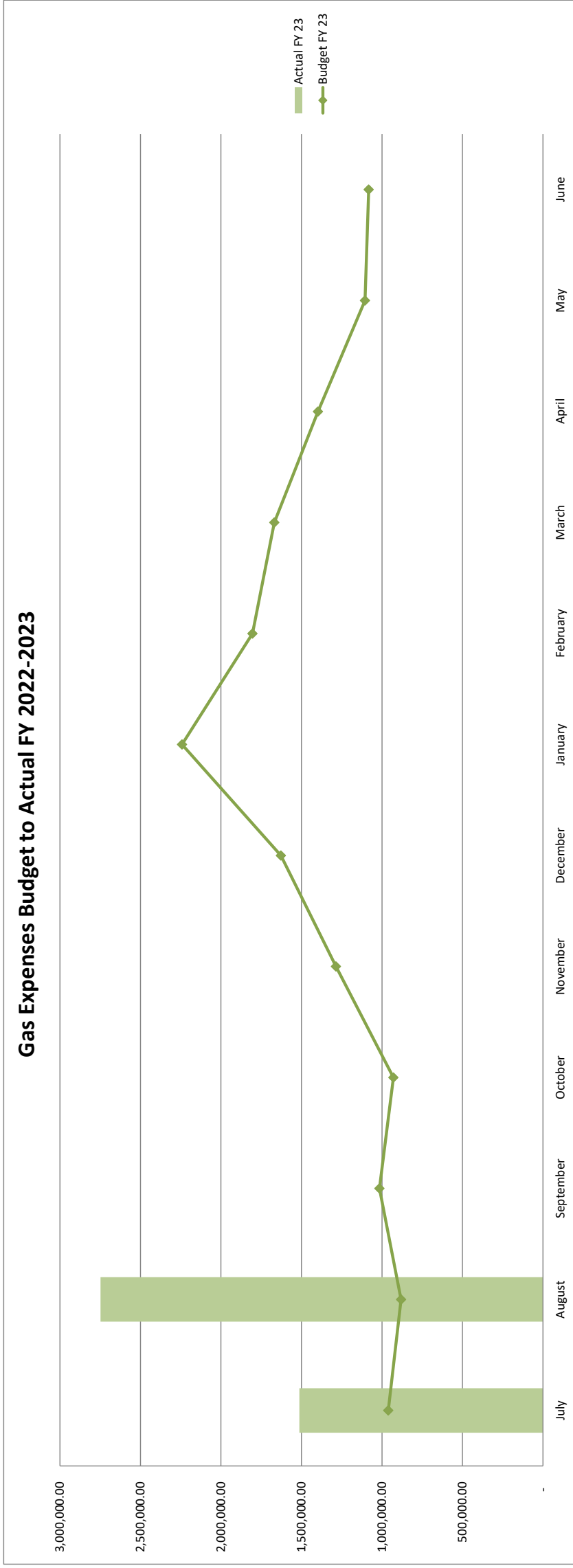
Gas Revenues Budget to Actual FY 2022-2023



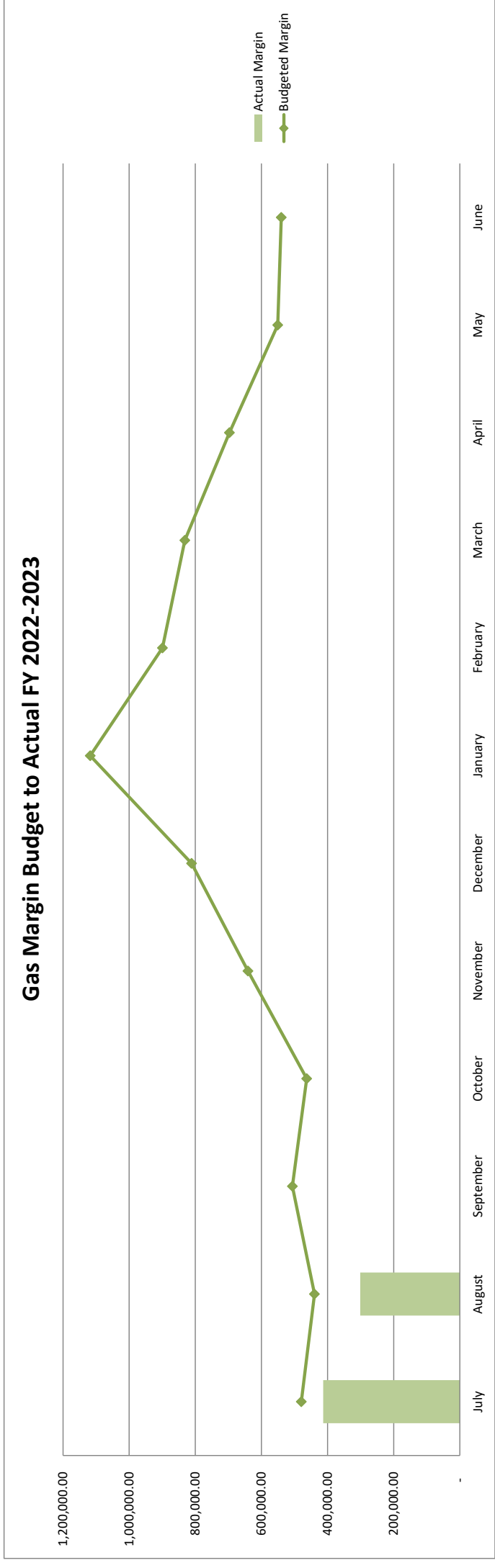
Expenses Budget FY 23	July	August	September	October	November	December	January	February	March	April	May	June	Totals
	961,093.37	881,426.65	1,015,868.93	929,148.62	1,285,520.95	1,627,365.10	2,242,002.20	1,803,859.48	1,668,493.26	1,397,537.42	1,104,849.52	1,082,834.50	16,000,000.00

Actual FY 23 1,512,881.58 2,747,763.73 - - - - - - - - - - - - 4,260,645.31

Expense Variance (551,788.21) (1,866,337.08) 1,015,868.93 929,148.62 1,285,520.95 1,627,365.10 2,242,002.20 1,803,859.48 1,668,493.26 1,397,537.42 1,104,849.52 1,082,834.50 11,739,354.69



Margin	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budgeted Revenues	1,440,303.35	1,320,914.08	1,522,390.51	1,392,430.66	1,926,493.51	2,438,784.29	3,359,885.09	2,703,280.39	2,500,419.34	2,094,362.42	1,655,737.64	1,622,745.73	23,977,747.00
Budgeted Expenses	961,093.37	881,426.65	1,015,868.93	929,148.62	1,285,520.95	1,627,365.10	2,242,002.20	1,803,859.48	1,668,493.26	1,397,537.42	1,104,849.52	1,082,834.50	16,000,000.00
Budgeted Margin	479,209.98	439,487.43	506,521.58	463,282.04	640,972.56	811,419.19	1,117,882.89	899,420.91	831,926.07	696,825.00	550,888.12	539,911.23	7,977,747.00
Actual Revenues	1,926,201.84	3,049,071.88	-	-	-	-	-	-	-	-	-	-	4,975,273.72
Actual Expenses	1,512,881.58	2,747,763.73	-	-	-	-	-	-	-	-	-	-	4,260,645.31
Actual Margin	413,320.26	301,308.15	-	-	-	-	-	-	-	-	-	-	714,628.41
Margin Variance	(65,889.72)	(138,179.28)	(506,521.58)	(463,282.04)	(640,972.56)	(811,419.19)	(1,117,882.89)	(899,420.91)	(831,926.07)	(696,825.00)	(550,888.12)	(539,911.23)	(7,263,118.59)



DEBT SERVICE - GAS FUND **FY 2022-23** **FY 2023-24** **FY 2024-25** **FY 2025-26** **FY 2026-27** **FY 2027-28**

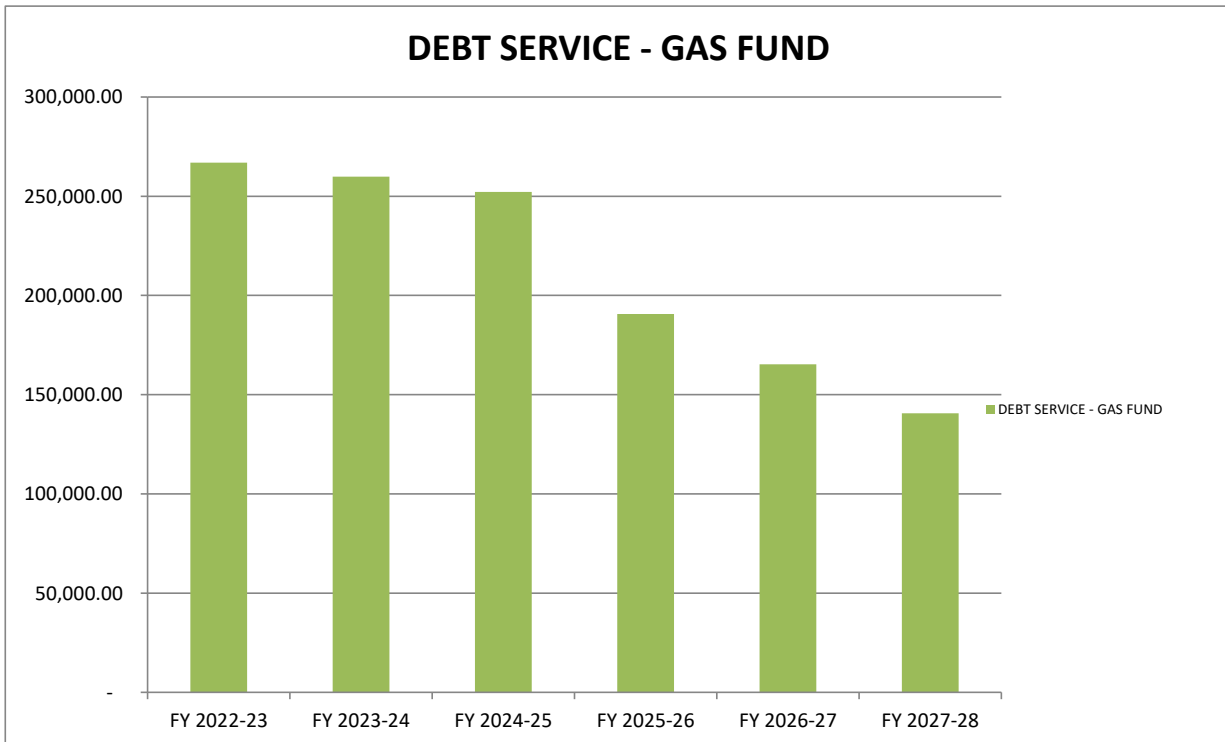
Revenue Bonds

Series 2021 Refunding Revenue Bonds						
Debt Retired In 2031	184,888.28	184,264.97	184,141.90	141,085.52	140,220.49	140,576.52

Installment Purchase Contracts

FY 18 Installment Purchase						
Debt Retired In 2023	6,424.24	-	-	-	-	-
FY 19 Installment Purchase						
Debt Retired In 2024	7,621.62	7,621.62	-	-	-	-
FY 20 Installment Purchase						
Debt Retired In 2025	18,518.00	18,518.00	18,518.00	-	-	-
FY 21 Installment Purchase						
Debt Retired In 2026	24,392.50	24,392.50	24,392.50	24,392.50	-	-
FY 22 Installment Purchase						
Debt Retired In 2027	25,105.65	25,105.65	25,105.65	25,105.65	25,105.65	-
Total Debt Service - Gas Fund	<u>266,950.29</u>	<u>259,902.74</u>	<u>252,158.05</u>	<u>190,583.67</u>	<u>165,326.14</u>	<u>140,576.52</u>

Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
 For 2023 02 (16.67% of the Fiscal Year)
 Utility Funds Expenditures by Department

	ORIGINAL APPROP	TRANFRS ADJSTMNTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL WATER ADMINISTRATION	3,205,592.00	0.00	3,205,592.00	193,559.19	0.00	3,012,032.81	6.0 %
TOTAL WATER LINES OPERATIONS	1,003,420.00	0.00	1,003,420.00	108,746.53	38,050.00	856,623.47	14.6 %
TOTAL WATER PLANT OPERATIONS	2,161,505.00	0.00	2,161,505.00	356,705.01	122,438.38	1,682,361.61	22.2 %
TOTAL WATER	6,370,517.00	0.00	6,370,517.00	659,010.73	160,488.38	5,551,017.89	12.9 %
TOTAL SEWER ADMINISTRATION	2,990,308.00	0.00	2,990,308.00	216,522.20	0.00	2,773,785.80	7.2 %
TOTAL SEWER LINES OPERATIONS	1,187,660.00	0.00	1,187,660.00	123,059.21	3,800.00	1,060,800.79	10.7 %
TOTAL SEWER PLANT OPERATIONS	2,443,132.00	0.00	2,443,132.00	327,984.37	399,756.38	1,715,391.25	29.8 %
TOTAL SEWER	6,621,100.00	0.00	6,621,100.00	667,565.78	403,556.38	5,549,977.84	16.2 %
TOTAL ELECTRIC ADMINISTRATION	2,854,131.00	0.00	2,854,131.00	290,816.19	0.00	2,563,314.81	10.2 %
TOTAL ELECTRIC PURCHASE	14,125,474.00	0.00	14,125,474.00	4,257,293.00	0.00	9,868,181.00	30.1 %
TOTAL ELECTRIC LINES	3,826,395.00	0.00	3,826,395.00	452,717.18	631,650.44	2,742,027.38	28.3 %
TOTAL ELECTRIC	20,806,000.00	0.00	20,806,000.00	5,000,826.37	631,650.44	15,173,523.19	27.1 %
TOTAL NATURAL GAS ADMINISTRATION	4,487,212.00	2,373,230.00	6,860,442.00	2,802,795.25	0.00	4,057,646.75	40.9 %
TOTAL NATURAL GAS PURCHASE	17,010,000.00	0.00	17,010,000.00	3,338,503.49	0.00	13,671,496.51	19.6 %
TOTAL NATURAL GAS LINES	2,657,535.00	0.00	2,657,535.00	222,689.73	24,843.34	2,410,001.93	9.3 %
TOTAL NATURAL GAS	24,154,747.00	2,373,230.00	26,527,977.00	6,363,988.47	24,843.34	20,139,145.19	24.1 %

City of Shelby
Weather Variances
Fiscal Year to Date at August 31, 2022

Month	Average Rain*	Actual Rain	Variance	Average CDD**	Actual CDD	Variance	Average HDD**	Actual HDD	Variance
July	4.30	5.00	0.70	388	523	135	0	0	0
August	4.40	5.80	1.40	563	427	-136	0	0	0
September	3.80	0.00	(3.80)	256	0	-256	5	0	-5
October	3.80	0.00	(3.80)	109	0	-109	129	0	-129
November	3.40	0.00	(3.40)	0	0	0	460	0	-460
December	4.00	0.00	(4.00)	1	0	-1	564	0	-564
January	3.90	0.00	(3.90)	0	0	0	810	0	-810
February	3.90	0.00	(3.90)	0	0	0	586	0	-586
March	4.70	0.00	(4.70)	24	0	-24	464	0	-464
April	3.30	0.00	(3.30)	23	0	-23	223	0	-223
May	4.40	0.00	(4.40)	116	0	-116	51	0	-51
June	4.30	0.00	(4.30)	337	0	-337	0	0	0
Totals	48.20	10.80	(37.40)	1,817	950	(867)	3,292	-	(3,292)

Heating Degree Days: This is a value which gives an indication of the need to heat a building in a given climate. The number of heating degrees in a day is defined as the difference between a reference value of 65°F and the average outside temperature for that day.

Cooling Degree Days: This is a value which gives an indication of the need to cool a building in a given climate. The number of cooling degrees in a day is defined as the difference between a reference value of 65°F and the average outside temperature for that day.

* Source www.weather.com

** Source www.climate.fizber.com

City of Shelby
Agenda Item Summary
October 3, 2022
Council Chambers

D. Unfinished Business

Agenda Item D-1

- 1) Approval of a resolution appointing the Interim City Attorney: Resolution No. 64-2022

Unfinished Business Item: (Rick Howell, City Manager)

- Teague Campbell Dennis & Gorham, LLP agreement with City of Shelby
- Application for Interim City Attorney
- Resolution No. 64-2022

City Manager's Recommendation / Comments

Resolution No. 64-2022 is presented for City Council consideration at this time. If approved this resolution would formalize the interim appointment of Teague, Campbell, Dennis and Gorham, LLP to serve in the capacity of City Attorney. This resolution satisfies the requirement of NC General Statute 160A-173 for Council to appoint a City Attorney to serve at its pleasure and to as its legal advisor.

I have found the firm to be well experienced and capable of serving the City's legal needs in the interim. Their current slate of clients demonstrates a knowledge of municipal law and reference checks verified their experience. Natalia Isenberg will be our principal contact with Teague Campbell.

HOURLY REPRESENTATION AGREEMENT

The terms of this Agreement, by and between the City of Shelby (hereinafter referred to as “Client”) and Teague Campbell Dennis & Gorham, LLP (hereinafter referred to as “Law Firm”), are set forth as follows:

1. Client hereby retains and employs the Law Firm to provide interim City Attorney services for the Client in Shelby, North Carolina.
2. The fee for this representation will be billed at the Law Firm’s hourly rate for the actual time spent in this representation. The Law Firm’s hourly rate for attorney services to the Client will range from \$275.00 for partners and of counsel, \$250.00 for associates and \$125.00 for paralegals. The Law Firm will render statements monthly in increments of one tenth (1/10) of an hour for time expended providing services to the Client, which statements shall be due and payable upon receipt.
3. Additionally, the Client agrees to pay any hard costs and expenses paid or incurred by the Law Firm for the Client in connection with this representation. This includes travel, lodging and meals. The Law Firm will render statements for associated costs and expenses in a timely manner, which shall be due upon receipt.
4. The Law Firm will represent the Client promptly, efficiently, and zealously according to the highest legal and ethical standards. The Client shall have the right to terminate the services of the Law Firm at any time upon written notice to the Law Firm. The Law Firm shall also have the right to terminate its services at any time if the Law Firm determines that continuing services to the Client would be unethical, impractical, improper or otherwise undesirable. In the event of termination by the Client or the Law Firm, payment for legal services would be due through the termination date.
5. The Client is also put on notice that the Law Firm has been approved as coverage counsel for the North Carolina League of Municipalities (“NCLM”) and in that capacity may be periodically retained by NCLM with respect to interpretation of coverage under NCLM insurance policies. It is possible that, in the future, the Law Firm will be retained to advise NCLM as to whether the Client and/or its employees are entitled to coverage under an NCLM policy. The Law Firm will immediately inform the Client in the event that the Law Firm is so retained. In this event, the Client knowingly makes an informed decision to waive any conflict arising from the Law Firm providing such advice to the NCLM, provided that such advice does not relate to a matter in which the Law Firm has advised the Client. The services provided pursuant to this Agreement will not be adversely affected by possible future work for NCLM with respect to interpretation of coverage. The possible future work by the Law Firm to interpret coverage under an NCLM policy will not result in disclosure or use of information imparted by the Client in the representation and services provided by this Agreement or at any future time. As part of this Agreement, the Client understands and agrees that any of the Law Firm’s attorneys performing services pursuant to this contract and any of the Law Firm’s attorneys interpreting coverage under the NCLM policy will keep their physical and electronic files separate and will wall off their work

from each other. Such action is taken out of an abundance of caution to avoid even the potential for harm to the Client.

This Agreement is effective the _____ day of _____, 2022.

Teague Campbell file #: _____.

CITY OF SHELBY

Rick Howell
City Manager

TEAGUE CAMPBELL DENNIS & GORHAM, LLP

Natalia K. Isenberg
For the Firm

APPLICATION FOR CITY ATTORNEY

City of Shelby, North Carolina

Submitted by: Teague Campbell
August 23, 2022

August 23, 2022

City of Shelby
Rick Howell
City Manager
300 South Washington Street
Shelby, NC 28150
Via email: rick.howell@cityofshelby.com

Dear Mr. Howell,

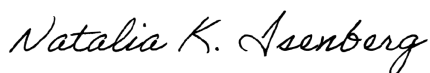
For more than 35 years, Teague Campbell has dedicated itself to the needs of local government. Teague Campbell attorneys have represented cities and counties across the state at the administrative, trial, and appellate level. We have worked to protect local government before risk occurs through direct engagement with municipal clients and the creation and modification of coverage agreements designed to protect them. Our Public Sector Services team also regularly serves as acting attorney of record or as an extended legal department for our public sector clients. By utilizing the broad experience within our Firm, we have put together a program that effectively works as a staff attorney for municipalities, but provides greater flexibility, a more specified skillset, and, often, cost savings.

Our Public Sector Services team is made up of knowledgeable attorneys who are experienced in insurance coverage, employment law, constitutional law, contract review, ordinances and codes, land use and zoning, litigation, elections law, and public records requests, just to name a few. Our Firm currently serves as the Town Attorney for the Town of Plymouth, the County Attorney for Transylvania County, and the interim County Attorney for Alamance County. In these contractual relationships, we attend all Board meetings and special called meetings and work closely with the Town Manager and County Manager on a variety of matters. We have also been working directly with local government entities through the North Carolina League of Municipalities and the North Carolina Association of County Commissioners since the 1980s.

In this proposal, we have identified a qualified team the City of Shelby; however, our collective experience and institutional knowledge is available to protect the interests of our clients, which provides a level of unmatched expertise and service. I am happy to connect with you directly to discuss any of the enclosed information in more detail.

We appreciate the consideration and look forward to serving the City of Shelby.

Sincerely,



Natalia K. Isenberg, Partner
nisenberg@teaguecampbell.com
(c): 919-896-2380

Firm Information

Teague Campbell Dennis & Gorham, LLP

P.O. Box 19207, Raleigh, NC 27619-9207

Phone: 919-871-0166

Fax: 919-873-1814

Raleigh: 4700 Falls of Neuse Road, Suite 450, Raleigh NC 27609

Asheville: 117 Cherry Street North, Asheville, NC 28801

www.teaguecampbell.com

About Teague Campbell

Teague Campbell traces its roots to a Raleigh partnership formed in 1946 between Woodrow Teague and former North Carolina Governor, later United States Senator, J. Melville Broughton. The Firm just celebrated 75 years with offices in Raleigh and Asheville, and a total of 62 employees: 35 attorneys and 27 support staff. With the opening of the Asheville office in 2008, the Firm increased its ability to effectively serve public sector clients across the state. Our attorneys can access any public entity in a timely and cost-efficient manner, enhancing our service to clients from Murphy to Manteo.

Our Experience

Our Firm has been instrumental in litigating important cases that have clarified the case law for governmental immunity in North Carolina. Our team is well versed in state and local statutes and applicable federal regulations, and we keep a close eye on developments coming down from the appellate courts that affect public sector clients. In addition to defending municipalities and counties in litigated matters, our attorneys have experience serving as in-house counsel to local governments, giving us a unique perspective on the needs of these entities and the issues they face. Below is a sampling of their experience (additional representative matters and case law available upon request).

- Drafted multiple ordinances to ensure intent of governing body while avoiding unintended risk.
- Helped to usher county government through global pandemic and assisted with advice on rights and responsibilities in response to same.
- Analyzed the scope of municipal authority in evolving situations.
- Successfully condemned unsafe structures.
- Successfully argued and obtained multiple Rule 12(b) dismissals of claims against police officers, municipalities, and counties on the basis of governmental immunity.
- Obtained summary judgment on behalf of multiple municipal clients in matters ranging from simple negligence to claims invoking protections under the North Carolina and United States Constitutions.
- Drafted first immunity policy exclusion successfully utilized in defense of local government in NC.
- Briefed multiple North Carolina Supreme Court pleadings to successfully obtain Petitions for Writ of Certiorari and Writs for Discretionary Review.

- Successfully obtained dismissal of an uninsured motorist claim via appeal to the North Carolina Court of Appeals based on exclusion in applicable policy in a case arising out of a Deputy Sheriff shot in the line of duty.
- Tried to verdict over 35 cases, including the following:
 - Successfully tried a case to a defense verdict in negligence case against a county's transportation. Plaintiff sought \$500,000 in damages when an 85-year-old fell out of the back of the county's handicap van traveling 55 miles per hour.
 - Successfully tried a case to verdict in a negligence claim against another county related to a catastrophic degloving injury to county landfill patron. The jury returned a verdict for half of the defendant's last settlement offer.
 - Successfully tried a case to a defense verdict involving wrongful death of a motorist involved in an accident with a Deputy Sheriff. Pre-trial demand in excess of \$1 million.
 - Successfully tried a case to a defense verdict in a negligence claim relating to a motor vehicle accident with a visibly disabled county bus driver.
 - Obtained a summary judgment dismissal of pro se prisoner complaint filed in federal court alleging that City police officers violated the ADA and the prisoner's constitutional rights by handcuffing a deaf prisoner.

Our Services

Our public sector services include, but are not limited to:

- Assist with recruitment, hiring and training for local government officials
- City, town, and county attorney services
- Code enforcement
- Consultation and risk assessment in real time
- Consultation and support for emergency service providers, law enforcement agencies and public health departments
- Contract drafting and review
- Dispute resolution and litigation
 - *Our team is experienced in addressing acute concerns regarding negligence; premises liability, professional liability; constitutional claims, including false arrest and imprisonment and use of force; emergency response and pursuit; wrongful death; health care professional liability; employment law; workers' compensation; insurance coverage; eminent domain (including direct and inverse condemnation); property tax appeals and constitutional law matters.*
- Economic development
- Elections Law
- Eminent domain with some land use, planning and zoning services
- Employment and Labor Law
- Governance
 - *Local boards; Open Meetings Law; ethics and conflicts of interest; quasi-judicial hearings; questions of statutory authority.*
- Insurance Issues

- Ordinance drafting and review
- Property tax appeals
- Public records request compliance
- Workshops, trainings, and in-service

Team

In addition to the principal contact serving as the City Attorney for the City of Shelby, we have an experienced team of municipal attorneys and reputable staff ready to meet your needs in a timely manner. Below are a few of the attorneys who may be called upon in their substantive areas of expertise.



Natalia Isenberg
 Partner, *Principal Contact*
 919.896.2380
 nisenberg@teaguecampbell.com

- Currently serves as Town Attorney for the Town of Plymouth, manages outside litigation for the Alamance County Attorney team and supports the Transylvania County Attorney team on a variety of issues.
- Represents counties and municipalities in ongoing litigation.
- Actively involved with the NC Public Risk Management Association, NC Association of Municipal Attorneys, and the Civil Rights and Governmental Law Section of the Defense Research Institute.
- Serves on the firm’s Diversity and Inclusion Committee and on the Wake County Bar Association’s Committee on Diversity, Equity, and Inclusion.



Julie Hooten
 Partner, *Asheville*
 919.719.4743
 jhooten@teaguecampbell.com

- Represents cities, towns and counties in workers’ compensation claims, employment law matters and other municipal law contractual matters.
- Currently serves a variety of clients insured with the NC League of Municipalities and self-insured entities.
- Actively involved with the NC Association of County Commissioners, NC Association of Municipal Attorneys, and the NC League of Municipalities.
- Serves on the support team for Transylvania County, Alamance County, and the Town of Plymouth.



Debra Bechtel
 Of Counsel
 828.320.8853
 dbechtel@teaguecampbell.com

- Former county attorney with over 20 years of experience.
- Current interim County Attorney for Alamance County.
- Supports other local entity teams at the Firm, including Transylvania County and the Town of Plymouth.
- Actively involved with the National Sheriffs' Association, NC Association of Local Health Directors, and the NC Opioid Allocation Taskforce.



Patrick Scott
 Attorney
 919.719.4735
 pscott@teaguecampbell.com

- Currently serves on the attorney team for Transylvania County, Alamance County, and the Town of Plymouth.
- Former law enforcement officer.
- Skilled litigator.
- Actively involved with the NC Association of Municipal Attorneys, the NC Association of Public Risk Managers, and the NC Association of County Commissioners.

References

John Roseboro
 City of Durham
 Senior Assistant City Attorney
 (p): 919-560-4158 ext. 13241
 (e): John.Roseboro@durhamnc.gov

Jaime Laughter
 County Manager
 Transylvania County
 (p): 828-884-3100
 (e): Jaime.laughter@transylvaniacounty.org

Brandon Freeman
 Staff Attorney
 Buncombe County Attorney's Office
 (p): 828-250-4120
 (e): Brandon.Freeman@buncombecounty.org

Bryan Hagood
 County Manager
 Alamance County
 (p): 336-228-1312
 (e): Bryan.Hagood@alamance-nc.com

Representative Local Government Clients

This is a representative, but not exhaustive, list.

Alamance County	Edgecombe County	Swain County
Avery County	Franklin County	Town of Andrews
Bladen County	Granville County	Town of Apex
Brunswick County	Great American Insurance Company	Town of Burnsville
Buncombe County	Harnett County	Town of Butner
Burke County	Henderson County	Town of Cary
Caldwell County	Hertford County	Town of Chapel Hill
Carteret County	Iredell County	Town of Enfield
Cherokee County	Jackson County	Town of Erwin
Chowan County	Johnston County	Town of Forest City
City of Asheboro	Lee County	Town of Garner
City of Brevard	Lenoir County	Town of Hertford
City of Cherryville	Macon County	Town of Lillington
City of Durham	Martin County Board of Commissioners	Town of Madison
City of Eden	Moore County	Town of Maggie Valley
City of Elizabeth City	MunichRe	Town of Plymouth
City of Greenville	Nash County	Town of Rose Hill
City of Hendersonville	NC Association of County Commissioners	Town of Rosman
City of Lenoir	NC League of Municipalities	Town of Weaverville
City of Morganton	New Hanover County	Town of Wendell
City of New Bern	Northampton County	Town of Wilson
City of Raleigh	Onslow County	Town of Windsor
City of Reidsville	Orange County	Town of Woodfin
City of Wilmington	Orange County Board of Commissioners	Transylvania County
City of Sanford	Pender County	Trident Public Risk
Cleveland County	Person County	Tyrrell County
Columbus County Board of Elections	Pitt County	Union County
Cumberland County School Board	Polk County	Vance County
Currituck County	Randolph County	Village of Pinehurst
Dare County	Richmond County	Wake County
Davidson County	Roanoke Rapids	Wake County Public Schools
Duplin County	Robeson County	Warren County
Durham County	Rowan County	Wayne County
Durham Public Schools	Stanley County	

Fee Structure

Our contractual relationship can be structured under a monthly flat fee agreement that provides a finite amount of hours each month, or our attorneys can bill hourly as time is invested into City matters. This is an area that we like to discuss in further detail with our public sector clients to determine the best fit for the entity's needs.



Natalia K. Isenberg

Partner
Raleigh Office
nisenberg@teaguecampbell.com
919.719.4738 (T)

Education

- B.A., 1998, University of California at Berkeley
- J.D., 2007, Campbell University School of Law

Bar Admissions

- North Carolina
- United States District Courts in the Eastern, Middle and Western Districts of North Carolina
- United States Court of Appeals for the 4th Circuit

Professional Activities

- North Carolina State Bar
- North Carolina Bar Association
 - Women in the Profession Committee, 2008-2009
- Wake County Bar Association
 - Leadership Development Committee
- Wake Women Attorneys, Board Member, 2009
- NC Association of Defense Attorneys
 - Board Member
- NC Association of Municipal Attorneys
- Defense Research Institute
 - Governmental Liability Section

Recognition & Awards

- IOLTA Scholarship Recipient, 2005
- North Carolina State Bar Pro Bono Student Award, 2007
- North Carolina Super Lawyers: "Rising Star," 2017

[Profile]

Growing up, Natalia wanted to be a cultural anthropologist. Her practical side eventually led her to the law. Her investigative nature gives her a drive and love for the profession that sets her apart. Natalia focuses her practice on defending municipalities, governments, and their respective officials and employees. She currently serves as the Town Attorney for Plymouth and advises the Town Council on a variety of matters. In the broader realm of Municipal Law, Natalia handles a variety of claims for her clients including false arrest and imprisonment, use of force, Section 1983 claims, negligence, flooding, drowning, wrongful death, inverse condemnation, railroad accidents, bicycle accidents, premises liability and environmental torts. She regularly obtains dismissals based on nuanced defenses unique to the public sector, such as the immunity doctrine. As an advocate for her clients, she strives to be thorough, proactive and responsive.

Natalia was born in Poland and grew up in the Washington, D.C. area. She graduated from the University of California at Berkeley with a Bachelor of Arts degree in Cultural Anthropology and a minor in Linguistics. Natalia's first introduction into the legal field was working as a civil litigation paralegal. She was inspired to attend law school after helping a pro bono client recover funds that were wrongfully withheld by a landlord. Natalia attended Campbell University School of Law on a merit scholarship and received the North Carolina State Bar Pro Bono Student Award in 2007 for her work as President of Project for Older Prisoners, a group dedicated to decreasing the financial burden on the state of the aging prison population. Natalia currently serves on the firm's Diversity and Inclusion Committee and on the Wake County Bar Association's Committee on Diversity, Equity, and Inclusion. Prior to joining Teague Campbell, she clerked for the Honorable Ann Marie Calabria at the North Carolina Court of Appeals.

Natalia represents clients in North Carolina's Superior Courts, the United States District Courts for the Eastern, Middle and Western Districts of North Carolina and the United States Court of Appeals for the Fourth Circuit and she has been recognized by North Carolina Super Lawyers as a "rising star" in her practice. Natalia and her husband live in Raleigh with their two daughters. As a family, they enjoy being outdoors, exploring the North Carolina mountains and are actively involved with St. Francis of Assisi Catholic Church. In her free time, Natalia enjoys hiking, watching movies with her husband and is a fan of live stand-up comedy.



Julia S. Hooten

Partner
Asheville Office
jhooten@teaguecampbell.com
919.805.5118 (C)

Education

- B.A., 1994, Appalachian State University
- M.A., 2000, Western Carolina University
- J.D., 2003, Campbell University

Bar Admissions

- North Carolina
- United States District Court of North Carolina, Eastern and Western Districts

Professional Activities

- North Carolina Association of Municipal Attorneys
- North Carolina Association of Defense Attorneys
- North Carolina State Bar
- Buncombe County Bar Association
- North Carolina Bar Association, Workers' Compensation Section Council
 - Chair, 2017-2018
 - Vice Chair, 2016-2017
 - Secretary, 2015-2016
 - Treasurer, 2014-2015
 - Section Meeting and CLE Co-Planner, 2010-2011
 - Member, 2009- Present
- Western NC Human Resource Association

Recognition & Awards

- The Best Lawyers in America ©, 2020 "Lawyer of the Year," Asheville Workers' Compensation-Employers
- The Best Lawyers in America ©, 2014 "Lawyer of the Year," Asheville Workers' Compensation-Employers
- The Best Lawyers in America ©, 2013-2022
- North Carolina Super Lawyers: "Rising Star", 2011-2013
- AV-Rated by Martindale Hubbell ®

[Profile]

A Raleigh native, Julie has deep roots in Western NC and has spent more than half her life living in the mountains. She moved to Asheville in 2008 to open Teague Campbell's second office. The move enabled her to better serve clients in the western part of the state, but Asheville quickly became home for her family. For over 17 years Julie has been representing counties and municipalities; helping them to navigate complex legal issues and avoid litigation. From employment and personnel matters to workers' compensation claims, Julie has experience in a wide variety of legal issues that fall under the realm of Municipal Law. Julie relies on her thorough understanding of local government and applies a thoughtful analysis to help her clients navigate the complex intersection of public service, social responsibility, and legal risk.

Julie has represented clients before the North Carolina Industrial Commission, in both Civil District and Superior Courts of North Carolina, the Court of Appeals, the EEOC and in Federal District Court. She appreciates collaborative relationships, tailors her representation to the true needs of each client and does not subscribe to a "one size fits all" approach. She is focused, responsive and truly invested in developing a strategy that is in line with her client's larger business goals.

Julie earned a Bachelor of Arts degree in Philosophy from Appalachian State University where she played tennis. She later received a Master of Arts degree in American History from Western Carolina University and her Juris Doctor degree from Campbell University. While in law school, Julie was Notes & Comments Editor for the Campbell Law Review. She was also President of Women in Law, a member of the Lonestar Trial Team and the Wilem C. Vis Arbitration Moot, and received several awards upon graduation, including one from the National Association of Women Lawyers.

Julie's love for the outdoors is evident in the places she has been and the places she hopes to visit with her family. In college, Julie visited and worked in places like Alaska, Yellowstone National Park and Colorado. She and her husband, Joe, are now on a quest to visit all of the National Parks with their three children.



Debra Bechtel

Of Counsel
Asheville Office
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828.320.8853 (T)

Education

- B.A., University of Florida
- J.D., University of Florida

Bar Admissions

- North Carolina
- United States District Court for the Western District of North Carolina
- United States Supreme Court

Professional Activities

- North Carolina Bar Association
- International Municipal Attorneys Association
- National Sherriffs' Association
- NC Opioid Allocation Taskforce

Publications

- "The Simple and Honest Practice of Law" in Lawyer to Lawyer: North Carolina Reflections of Law ed. Theresa A. Newman (North Carolina Bar Association)

[Profile]

Debra has a palpable enthusiasm for the practice of law in the public sector, which she brings to the firm with a wealth of knowledge and experience. She began her legal career as a North Carolina prosecutor and went on to spend almost two decades as the Catawba County Attorney. Debra has provided service and support to elected officials, county employees, citizens and numerous professional groups during her career. She has experience with all aspects of local government law including the Board of Commissioners, Sheriff's Office, Emergency Medical Services, Fire, Public Health, Environmental Health, Economic Development, Planning and Zoning, Elections, Utilities and Engineering, Public Records and Contracts. Debra is uniquely positioned to partner with local government entities across North Carolina to take proactive steps to reduce liability. This includes reviewing, drafting and improving policies, conducting training and offering real time advice on day-to-day issues.

Debra is naturally altruistic and remains engaged in community initiatives outside the confines of her day job. In addition to being an active member of numerous professional organizations, she is a committed leader who values collaboration. She has served as the President of the NC Police Attorneys Association, the President of the NC County Attorneys Association, the Parliamentarian of the NCACC Legislative Goals Conference and is a Founding Member of the Legal Advisors Section of the National Sheriffs' Association. Debra has previously served on the Criminal Justice Partnership Board and the Drug Treatment Court Board of NC and is currently working on the state-wide opioid allocation agreement. For her work and leadership, she has been awarded the Catawba County Employee of the Year, the EMS Outstanding Leadership Award and the North Carolina County Attorney of the Year. The NC Association of County Attorneys recently awarded Debra with a Distinguished Service Award and the Presidential Recognition Award for her work on the NC Opioid Allocation Agreement. The Sherrills Ford-Terrell Fire and Rescue also recognized Debra for her dedication to the profession with a Service Award.

Since 1992, Debra has been a visiting lecturer at Wake Forest University covering topics such as sociology of law and homicide. She also develops and presents critical training and in-service for EMS, fire and rescue squads, animal control, school health nurses and social workers across the state. Debra is called upon regularly to speak at continuing education conferences for County Attorneys, Public Health Directors and the National Sheriffs' Association.

Originally from New York, Debra finished high school in Florida but began her professional career in North Carolina and has not looked back. She and her husband, Ken, have two grown sons who both graduated from Wake Forest University, where Ken is also a professor.



Patrick J. Scott

Attorney
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Education

- B.A., 2011, University of North Carolina, Wilmington
- J.D., 2019, Campbell University School of Law

Bar Admissions

- North Carolina

Professional Activities

- North Carolina State Bar
- North Carolina Bar Association
- Wake County Bar Association
- North Carolina Association of Defense Attorneys
- North Carolina Association of Municipal Attorneys

[Profile]

Growing up in a law enforcement family, Patrick knew from a young age that he wanted to pursue a career serving his community. After earning a Criminal Justice degree from the University of North Carolina at Wilmington, Patrick spent 2.5 years working as a patrol deputy for the Duplin County Sheriff's Office. A move to the Triangle precipitated his transition to the Wake Forest Police Department where he joined the investigative division and was exposed to incidents ranging from use of force to larceny to homicide. These experiences inspired him to attend law school at Campbell University. While pursuing his Juris Doctor degree, Patrick participated in Teague Campbell's Summer Associate Program, interned for the Wake County District Attorney's Office and for the Honorable Judge Tyson at the North Carolina Court of Appeals, and also served as Secretary for the Federal Bar Association.

Patrick brings a unique skill set to his municipal and liability practice. He has a different perspective on the law and rules of court, allowing him to spot issues earlier and address them ahead of time. Patrick prides himself on his organization, work ethic and ability to ask the right questions. He is eager to apply the knowledge acquired during his law enforcement career and hopes to serve local government officials in a new capacity.

A native of North Carolina, Patrick grew up on the coast and has deep family ties to the area of over 200 years. He still enjoys visiting the southern beaches of North Carolina and spending time with family in the area. Patrick, his wife Janine, and their Goldendoodle Barley, now call Raleigh home. They spend their free time outside and love hiking at National and State Parks. Patrick also serves his church in various capacities and enjoys running and competing in triathlons.

RESOLUTION NO. 64-2022
A RESOLUTION APPOINTING AN INTERIM CITY ATTORNEY

WHEREAS, the City of Shelby currently has a vacancy for the position of City Attorney and City Council has directed the City Manager to implement a search for an interim City Attorney currently with the search for a full-time staff attorney; and,

WHEREAS, the City Manager conducted a search to identify a qualified candidate for the interim City Attorney position; and,

WHEREAS, the City Manager is recommending to City Council that it contract on an interim basis with Teague, Campbell, Dennis and Gorham, LLP; and,

WHEREAS, North Carolina General Statute 160A-173 provides that the City Council shall appoint a City Attorney to serve at its pleasure and to be its legal advisor.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. That Teague, Campbell, Dennis and Gorham, LLP is hereby appointed to serve as Interim City Attorney for an indefinite period at the pleasure of City Council.

Section 2. That the City Manager is hereby authorized to enter into an hourly representation agreement for legal services as presented to City Council.

Section 3. This resolution shall become effective on Tuesday, October 4, 2022.

Adopted and approved this the 3rd day of October 2022.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

City of Shelby
Agenda Item Summary
October 3, 2022
Council Chambers

E. New Business

None

Agenda Item F

City Manager's Report

I will report to Mayor and Council on a number of ongoing projects and issues. The projects and issues reported upon are intended to be for your information and do not necessarily require action by Council.

City of Shelby
Agenda Item Summary
October 3, 2022
Council Chambers

Agenda Item: G

Council Announcements and Remarks

H. Closed Session:

To establish, or to instruct staff concerning the position to be taken by or on behalf of City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute 143-318.11(a)(5).

I. Adjournment:

To adjourn a meeting of City Council, a majority of the Council members must vote for a motion to adjourn.

- 1) Motion to adjourn