

Shelby City Council Agenda  
Regular Meeting  
March 6, 2023 at 6:00 p.m.

City Hall Council Chamber  
300 South Washington Street  
Shelby, North Carolina

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. 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 February 20, 2023 1-8
- 2) Approval of a resolution approving a financing agreement authorized by North Carolina General Statute 160A-20: Resolution No. 12-2023 9-24
- 3) Approval of a resolution approving acceptance of maintenance and ownership of the sewer extension infrastructure improvements for Southridge Subdivision: Resolution No. 13-2023 25-31
- 4) City of Shelby's R2707D US 74 Bypass Water Line Relocation Project: 32-55
  - a) Adoption of an Ordinance establishing a capital project ordinance and budgets for the City of Shelby's R2707D US 74 Bypass Water Line Relocation Project: Ordinance No. 11-2023
  - b) Approval of a resolution accepting and approving a utility relocation agreement for water infrastructure between the City of Shelby and the North Carolina Department of Transportation for relocation of utilities in conflict with the proposed US 74 Bypass: Resolution No. 14-2023

**Shelby City Council Agenda  
March 6, 2023  
Page 2**

5) Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 12-2023 (water and sewer taps)	56-59
6) Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 13-2023 (chemicals)	60-63
7) Adoption of budget ordinance amendment for the City of Shelby's American Rescue Plan Water and Sewer Project: Ordinance No. 14-2023	64-69
8) Approval of Special Event Applications:	
a) Road to Hope 5K, requested date: April 29, 2023	70-77
b) Shining in Shelby, requested date: May 11 – 14, 2023	78-84
c) Shelby Sprint 5K, requested date: May 13, 2023	85-92
d) Uptown Shelby's Block Party, requested date: April 28, 2023	93-99
9) Management Reports:	
a) Financial Summary – January 2023	100-127
<b>C. Unfinished Business:</b>	
1) None	128
<b>D. New Business:</b>	
1) Consideration of appointments to City advisory boards and commissions:	
a) Keep Shelby Beautiful	129-131
<b>E. City Manager's Report</b>	132
<b>F. Council Announcements and Remarks</b>	132

**G. Closed Session:**

- |    |   |     |
|----|---|-----|
| 1) | 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). | 133 |
|----|---|-----|

**H. Adjournment:** 133

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

- 1) Motion to adjourn

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

**B. Consent Agenda:**

**Agenda Item: B-1**

- 1) Approval of the Minutes of the Regular Meeting of February 20, 2023

**Consent Agenda Item: (Carol Williams, City Clerk)**

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Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of February 20, 2023

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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

February 20, 2023  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony, III, presiding; Council Members David Causby, David White, Violet Arth, Charles Webber, and Emilie Bullock.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Justin S. Merritt, MPA, Assistant City Manager Ben Yarboro, Interim City Attorney Julie Hooten, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Director of Human Resources Deborah (Deb) Jolly, Director of Finance Elizabeth (Beth) Beam, CPA, Fire Chief William Hunt, EFO, Police Chief Jeffrey (Jeff) Ledford, Director of Planning and Development Services Walter (Walt) Scharer, Public Works Director Scott Black, Airport Supervisor Jack Poole, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections;

**Absent:** Council member Andrew L. Hopper, Sr.

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

Ms. Arth led the Pledge of Allegiance.

### A. Approval of agenda:

#### 1) Motion to adopt the proposed agenda as amended.

**ACTION TAKEN:** Upon a motion by Mr. White, City Council voted unanimously to approve the agenda as amended acknowledging the revised Resolution No. 8-2023 and to excuse Ms. Arth at 7:15p.m. if needed.

### B. Special Presentation:

#### 1) Airport Layout Plan update – Ben Yarboro, Assistant City Manager

Mr. Yarboro presented to Council an updated Airport Layout Plan which is a master plan of the facilities including the terminal, runway extensions and hangars. The plan should be updated every 5 – 7 years as the needs of the airport changes. The previous plan was updated in 2007. Mr. Yarboro explained the following:

- The background and history of the airport

- The completed projects from the 2007 Airport Layout Plan
- The 2023 Airport Layout Plan with the future projects listed
  - Taxiway overlay and direct access realignment
  - Land acquisition
  - T-Hangar development
  - Corporate Hangar development
  - Runway 5 extension
  - Airport Entrance road relocation
  - Perimeter fencing
  - Terminal expansion

Mr. Yarboro also acknowledged Airport Supervisor, Jack Poole, and the high level of customer service he delivers every day. Mr. Yarboro finalized his presentation by stating there are two resolutions on the agenda tonight that would approve the 2023 Airport Layout Plan and authorize the submittal of the proposed 2023-2027 Transportation Improvement Plan for the Shelby-Cleveland County Regional Airport to the NC Division of Aviation; these plans are necessary for grant funding from the state.

#### C. Public Comment:

Cynitra Stewart who resides at 416 McBrayer Street, Shelby, North Carolina addressed Council about the embankment and cliff at the back of her house which collects branches; she would like it to be looked at by the City. Her other concern was the litter problem in the City; she suggested the City obtain a smaller truck similar to the brush/leaf truck that the City uses.

Skip Warrick who resides at 822 East Marion Street, Shelby, North Carolina thanked Council for their willingness to address the street concerns he brought to Council a few weeks ago; however, the issue has now moved down the street. Mr. Warrick stated the noise complaints continue; he hopes this concern is addressed and resolved in a timely manner.

Irvin Anthony who resides at 105 Edgemont Avenue, Shelby, North Carolina reiterated the concerns Mr. Warrick addressed. Mr. Anthony stated that it is a safety issue just trying to pull into his driveway due to the commercial vehicles parked along Edgemont Avenue.

Brent Hayes who resides at 822 Hawthorne Road, Shelby, North Carolina addressed Council about the derelict vehicles parked in front of his home causing safety concerns on his street. Mr. Hayes stated the vehicles are parked on the street because the owners' commercial vehicles are parked at their residence instead of at their place of business. Mr. Hayes is proud of his neighborhood and welcomed the community to come by; but stated his neighborhood is not a parking lot.

**D. Public Hearing:**

- 1) Consideration to close Ella Street and a portion of South Washington Street between Textile Street and East Shannonhouse Street: Resolution No. 5-2023**

Mr. Scharer presented this item to Council due to the developer of Cambridge Commons revising their site plan which now requests the closure of Ella Street and a portion of South Washington Street. Mr. Scharer further stated the City will maintain all easements for City utilities that may be in the right of ways. Mr. Scharer stated the resolution is not to be approved tonight but it was included in the agenda packet for Council's review; the staff is in favor of the street closures but does have some concerns about how the City can retain those streets in the future.

Mayor Anthony opened the public hearing at 6:33 p.m. and invited comments from the public.

Maida Renson who resides in Greensboro, North Carolina, spoke in favor of the request as the developer of the project; and offered to answer any questions Council may have.

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

No action is necessary; this resolution will be brought back to Council at the March 6, 2023 meeting.

**C. Consent Agenda:**

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

- 1) Approval of the Minutes of the Regular Meeting of January 23, 2023**
- 2) Adoption of budget ordinance amendment for the City of Shelby's City Park pool renovation project: Ordinance No. 7-2023**
- 3) Adoption of budget ordinance amendment to purchase equipment for the Shelby Police Department from award from NC Governor's Crime Commission: Ordinance No. 8-2023**
- 4) Approval of a resolution a resolution approving and authorizing submittal of the proposed 2023-2027 Transportation Improvement Program (TIP) for the Shelby-Cleveland County Regional Airport to the NC Division of Aviation: Resolution No. 6-2023**

5) Approval of a resolution approving the contract for the performance of the City of Shelby's annual audit and preparation of financial statements for the Fiscal Year ended June 30, 2023: Resolution No. 7-2023

6) Management Reports:

a) Financial Summary – December 2022

## END OF CONSENT AGENDA

D. Unfinished Business:

1) Approval of a Resolution supporting a Sunset Cemetery Project Committee: Resolution No. 8-2023

Mr. Howell presented this item to Council and reminded them that several months ago a group of citizens presented a report about some historical records found about Sunset Cemetery, in particular, the finding of some unmarked graves. Mr. Howell stated the resolution presented tonight recognizes the committee's desire to move forward with this project and bring their recommendations to Council for review.

**ACTION TAKEN:** Upon a motion by Mr. White, City Council voted unanimously to adopt Resolution No. 8-2023 entitled, "A RESOLUTION SUPPORTING A SUNSET CEMETERY PROJECT COMMITTEE."

2) City Of Shelby's City Hall Roof Replacement Project:

a) Adoption of budget ordinance amendment for the City Hall Roof replacement: Ordinance No. 9-2023

b) Approval of a resolution awarding the contract to Cannon Roofing, LLC.: Resolution No. 9-2023

Mr. Howell introduced this item stating City Hall was built in 1939 and early 1940s, and the roof is original with minor repairs. Mr. Howell stated it is time for the roof to be replaced before more issues arise. Mr. Howell further stated Ordinance No. 9-2023 appropriates additional funding from the General Fund in the amount of \$512,130. Mr. Howell introduced

**Resolution No. 9-2023 which would award the contract to Cannon Roofing, LLC, in the amount of \$801,730.**

**Mr. Merritt addressed Council about the varying bids and the reason why two bids were so much higher; those companies use the same slate supplier and installer out of Chicago, but Cannon Roofing has their own installers and a different supplier in Vermont which resulted in lowered costs.**

**ACTION TAKEN: Upon a motion by Mr. Webber, City Council voted unanimously to adopt Ordinance No. 9-2023 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY HALL ROOF REPLACEMENT."**

**ACTION TAKEN: Upon a motion by Ms. Arth, City Council voted unanimously to adopt Resolution No. 9-2023 entitled, "A RESOLUTION AWARDED THE CONTRACT TO CANNON ROOFING, LLC."**

- 3) Approval of the resolution adopting the updated 2023 Airport Layout Plan for the Shelby-Cleveland County Regional Airport: Resolution No. 10-2023**

**Mr. Howell introduced this item by stating the resolution is a formality so the City can send the updated Airport Layout Plan to the NC Division of Aviation.**

**ACTION TAKEN: Upon a motion by Mrs. Bullock, City Council voted unanimously to adopt Resolution No. 10-2023 entitled, "A RESOLUTION ADOPTING THE UPDATED 2023 AIRPORT LAYOUT PLAN FOR THE SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT."**

#### **E. New Business**

- 1) Adoption of a resolution of the City Council of the City of Shelby approving the issuance of the National Finance Authority qualified 501(c)(3) bonds for a qualified residential rental project in an aggregate principal amount not to exceed \$6,855,000 for the purpose of financing or refinancing the acquisition, rehabilitation, improvement and equipping of Hickory Creek Apartments and certain other matters relating thereto: Resolution No. 11-2023**

**Mr. Howell introduced this resolution and if approved would comply with a section of the IRS Code requiring a local government body's**

approval and authorization to issue bonds for the purpose of improving a residential property currently owned by a non-profit 501©(3) entity. The City has no obligation to the project, and this is just a matter of complying with the IRS Code.

Mr. Lee McCormick, Municipal Advisor for the National Finance Authority addressed Council and further explained the project.

**ACTION TAKEN:** Upon a motion by Ms. Arth, City Council voted unanimously to adopt Resolution No. 11-2023 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHELBY APPROVING THE ISSUANCE OF THE NATIONAL FINANCE AUTHORITY QUALIFIED 501(C)(3) BONDS FOR A QUALIFIED RESIDENTIAL RENTAL PROJECT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,855,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION, REHABILITATION, IMPROVEMENT AND EQUIPPING OF HICKORY CREEK APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO.”

2) Adoption of FY 2022-2023 Supplemental Budget ordinance amendment: Ordinance No. 10-2023

Mr. Howell introduced Ordinance No. 10-2023 which if approved would authorize the City Manager and Finance Director to implement the recommendations of the market analysis and reclassification plan. Mr. Howell further stated the amendment would specifically allow for the implementation of payroll changes for those positions identified in the second phase of the market analysis effective the first pay period of March 2023.

**ACTION TAKEN:** Upon a motion by Mr. White, City Council voted unanimously to adopt Ordinance No. 10-2023 entitled, “FY 2022-2023 SUPPLEMENTAL BUDGET ORDINANCE AMENDMENT.”

F. City Manager’s Report

Mr. Howell thanked Council for their time and patience and willingness to ask questions and listen to the presentations at the Council Retreat this past Saturday.

G. Council Announcements and Remarks:

Mayor Anthony acknowledged Mr. Hopper’s absence and wished him a

speedy recovery.

**H. Adjournment:**

**1) Motion to adjourn**

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted unanimously to adjourn the meeting at 6:56 p.m.

Respectfully submitted,

Carol Williams  
City Clerk

O. Stanhope Anthony, III  
Mayor

Minutes of February 20, 2023

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-2

- 2) Approval of a resolution approving a financing agreement authorized by North Carolina General Statute 160A-20: Resolution No. 12-2023

**Consent Agenda Item: (Beth Beam, Director of Finance)**

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- Memorandums dated February 14, 2023, from Beth Beam, Director of Finance to Rick Howell, City Manager
- Supporting documents
- Resolution No. 12-2023

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City Manager's Recommendation / Comments

Resolution No. 12-2023 is presented for City Council consideration at this time. As Council is aware the City annually finances the purchase of all rolling stock equipment and vehicles through the issuance of a 59-month private placement financing agreement. Each year the total approved amount for rolling stock purchase is bid out to qualified financial institutions. This includes rolling stock for all City departments.

Mrs. Beam has solicited proposals and prepared the background material for the award of the financing for the current fiscal year as included within your agenda packet. All of the equipment has been purchased or funds have been encumbered and once the award is made for the financing a closing date will be set. After this date the City will be able to reimburse itself from the proceeds from the financing. This year's principal is \$ 1,504,823. The recommended bidder is United Financial (A Division of HomeTrust Bank) which has offered a rate of 3.49% over the life of the 59-month term. The list of purchased equipment for fiscal year 22-23 is included in your agenda packet. To illustrate the upward movement we are seeing on interest rates the financing agreement for last year's equipment purchase was 1.58% with United Financial.

**It is my recommendation that Resolution 12-2023 be adopted and approved via the Consent Agenda.**



To: Rick Howell, City Manager  
Through: Justin S. Merritt, Assistant City Manager  
From: Beth B. Beam, Director of Finance  
Date: February 14, 2023  
Subject: FY 2022-2023 Equipment Financing

Please find attached to this memo a resolution approving a financing agreement with United Financial (A Division of HomeTrust Bank) for the equipment and rolling stock to be purchased during the current fiscal year. The finance department sent requests for proposals to banks requesting that they submit proposals on our 2022-2023 equipment financing. The total amount of the request is \$1,504,823. We received seven proposals. The banks request that this type of financing be awarded as soon as possible after the proposals are due, as a result of market volatility. I opened the proposals on Tuesday, February 14th, at 2:00 in the afternoon. After reviewing the proposals, it is my recommendation that United Financial (A Division of HomeTrust Bank) be awarded this contract with a 3.49% interest rate, for 59 months, with annual payments in arrears. I have also attached the evaluation of the proposals. This is how we have handled awarding these financing contracts in the past. I will attend the Council meeting Monday, February 20th to answer any questions.

RESOLUTION NO. 55-2022

CITY OF SHELBY  
A REIMBURSEMENT RESOLUTION WITH REGARD TO  
INSTALLMENT FINANCINGS FOR FY 2022-2023

WHEREAS, the Internal Revenue Service and U.S. Treasury Department have published regulations that govern when a political subdivision such as the City of Shelby, North Carolina (the City), can issue or execute tax-exempt obligations to reimburse itself or any agency or division thereof for expenditures on purchases prior to the issuance of tax-exempt obligations for such projects; and

WHEREAS, the regulations require that the governing body of the political subdivision adopt a resolution reciting certain facts and intentions prior to the incurrence of the expenditures; and

WHEREAS, the City anticipates incurring certain expenditures for fiscal year 2022-2023 in an approximate amount not exceeding \$1,731,037 (the "Expenditures") with respect to purchase of motorized and other equipment prior to the issuance by the City of tax-exempt obligations in the form of an installment purchase contract for such purpose in an amount not to exceed \$1,731,037 expenditures for fiscal year 2022-2023.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Shelby as follows:

Section 1. The City Council hereby declares a reasonable "official intent" pursuant to Regulation 1.103-18 to the Internal Revenue Code of 1986, as amended, to reimburse the City from the proceeds of tax exempt obligations in the form of an installment purchase contract of the City executed under the authority of North Carolina General Statute 160A-20, as amended for such Expenditures. Such Expenditures must be incurred not later than two years from the date hereof in order to be eligible for reimbursement from the proceeds of the installment purchase contract or such other date as may be applicable in the regulations. The City anticipates incurring Expenditures in an approximate amount of not exceeding \$1,731,037 for fiscal year 2022-2023.

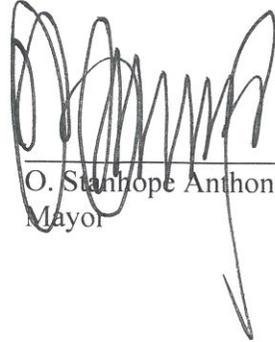
Section 2. To be eligible for reimbursement of the Expenditures, the installment purchase contract will be executed on or before the later of the date one year after the Expenditure was paid or the date one year after the equipment was placed in service, or such later date as may be applicable in the regulations as amended.

Section 3. The Expenditures are incurred solely to acquire, construct or rehabilitate property having a reasonably expected economic life of at least one year.

Section 4. The source of funds for the General Fund Expenditures will be general funds derived primarily from ad valorem taxes of the City and other City general funds and for the Enterprise Funds Expenditures will be charges for enterprise services.

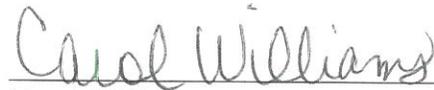
Resolution No. 55-2022  
July 18, 2022  
Page 2

Adopted and Approved this the 18th day of July 2022.



O. Stanhope Anthony, III  
Mayor

ATTEST:



Carol Williams  
City Clerk

APPROVED AS TO FORM:



Andrea Leslie Fite  
City Attorney



January 31, 2023

Ladies and Gentlemen:

The City of Shelby, North Carolina is soliciting installment contract proposals to finance the purchase of various types of equipment. Our financing requirements are in the estimated amount of \$1,504,823. The attached exhibit entitled **Attachment A-Equipment List 2023** provides for descriptions, quantity and other items of detail. The City invites your financial institution to submit a proposal for consideration.

The Request for Proposal includes various elements and components of your installment purchase transaction that should be addressed and included in your proposal. If you should have any questions regarding the items listed on the FY 2023 Proposed City of Shelby Installment Contract Equipment List or other aspects of this RFP, please contact me at (704) 669-6612.

Your response to this request must be received by **2:00 PM, E.S.T., Tuesday, February 14th, 2023** at City Hall, 300 South Washington Street, Shelby, North Carolina, 28150. The envelope should clearly be marked, **“Installment Contract Proposal—FY 2023.”** **Proposals may also be e-mailed to me at [beth.beam@cityofshelby.com](mailto:beth.beam@cityofshelby.com)**

Sincerely,

A handwritten signature in blue ink that reads 'Beth B. Beam'.

Beth B. Beam, NCCLGFO  
Director of Finance

Attachments: Attachment A-Equipment List 2023

2023 City of Shelby  
Proposed Installment Contract Equipment List

<u>Dept.</u>	<u>Description</u>	<u>Cost Center</u>	<u>Estimated Cost</u>	<u>\$ by Fund</u>	<u>Fund</u>
<b>Information Services</b>	Blade Servers, Wireless AP's	110420-51000	225,923.00		
<b>Police</b>	Motorola Radio Replacements	110431-51000	0.00		
	SUV(Replace 2008 Sedan)	110434-54000	60,000.00		
<b>Fire Department</b>	Signal Pre-Emption-Various Intersections	110434-51000	163,000.00		
	Motorola Radio Replacements	110434-51000	0.00		
<b>Airport</b>	9' Scrape Blade	110453-51000	7,000.00		
<b>Sanitation</b>	Grapple Truck (Replace Swa-Car)	110471-51000	190,000.00		
	6 Passenger Van(replace unit 174 15 Psgr)	110612-54000	33,000.00		
	7 Passenger Van(replace unit 180 15 Psgr)	110612-54000	33,000.00		
<b>Parks and Recreation</b>	1/2 Ton Pickup (Replace Unit 178)	110613-54000	25,000.00		
	Fairway Mower	110613-51000	65,000.00		
	Rear Discharge Cemetery Mower	110613-51000	13,000.00		
	61" Front Deck Mower	110613-51000	16,500.00		
	Turbine Blower Attachment	110613-51000	6,400.00	837,823.00	General Fund
<b>Powell Bill</b>	Truck Mounted Snow Plow	112452-51000	15,700.00		
	Salt/Sand Spreader Hopper for Truck	112452-51000	10,300.00	26,000.00	Powell Bill
<b>Water Fund</b>	1 Ton Pickup(Replace Unit 656)	610713-54000	50,000.00		
	Wachs Saw	610713-51000	15,000.00		
	Underbore Machine	610713-51000	7,000.00		
	Chemical Feed Pump	610714-51000	8,000.00	80,000.00	Water Fund
	JetVac Truck(Replace Unit 658)	620723-54000	175,000.00		
<b>Sewer Fund</b>	1 Ton Service Truck(Replace Unit 511)	620724-54000	82,500.00		
	Trailer for Mini-Excavator	620723-51000	10,000.00		
	Zero Turn Mower	620724-51000	16,500.00	284,000.00	Sewer Fund
<b>Electric Fund</b>	1 Ton Puckup(Replace Unit 749)	630733-54000	70,000.00		
	ROW Track Mower	630733-51000	135,000.00	205,000.00	Elec. Fund
<b>Gas Fund</b>	1/2 Ton Pickup(Replace Unit 782)	640743-54000	47,000.00		
	NG Leak Detector	640743-51000	25,000.00	72,000.00	Gas Fund
Total:			<u>1,504,823.00</u>	<u>1,504,823.00</u>	

**Solicitation Of  
Installment Contract Proposals  
CITY OF SHELBY, NORTH CAROLINA**

- “City”: City of Shelby, North Carolina
- “Bank”: Banking and/or financing corporation submitting response to the City of Shelby’s Request for Proposals.
- Type of Contract: The Contract will be a net Contract whereby City will be responsible for all expenses related directly or indirectly to the use of the equipment including maintenance and repair, taxes, insurance coverage, etc.
- Type of Equipment: See attached FY 2023 Proposed City of Shelby Installment Contract Equipment List.
- Anticipated  
Equipment Cost: \$1,504,823.00. See attached proposed FY 2023 Equipment List.
- Equipment Location: Shelby, North Carolina
- Contract Term: 59 months
- Rate Terms: The established rate will be as follows:  
  
a) A fixed annual percentage rate.
- This transaction will be funded into an escrow account. When escrow is funded, the fund will earn the best prevailing market rate at the time investments are made. The cost to the City will be the cost of the funds in the escrow account at the established rate. The financial institution’s proposal should clearly state any management fees required of the City.
- Rates shall be quoted for bank qualified and non-bank qualified status (see Determination of Taxability).
- Funding requirement shall provide for reimbursement to the City of any advance payment to vendors, upon execution of the proper acceptance documentation.
- Installment Payments: Installment payments will be annual. The principal and interest portions of each payment should be stated separately.
- Assignment: The Bank may not at anytime during the period of this contract, assign all or part of its interest in the equipment and/or this contract.

Title: Where appropriate, title to the equipment will be in City's name. Upon acceptance of the equipment, the Bank will be assigned a security interest in the property purchased.

Non-Appropriation/  
Termination: City is not permitted to execute an installment contract that restricts its right to provide a service activity, replace or substitute for the equipment purchased. Additionally, no deficiency judgment may be rendered against the City in any action for breach of a contractual obligation under this contract and the taxing power of the City is not and may not be pledged directly or indirectly to secure any moneys due under this contract.

Determination of  
Taxability: City qualifies as a governmental entity within the meaning of Section 103(a) of the Internal Revenue Code of 1954, as amended.

The City reasonably anticipates being a "qualified" municipal entity under the Tax Reform Act of 1986, for the purpose of this funding request. The City reasonably anticipates that it will issue less than \$10,000,000.00 in aggregate debt during the calendar year 2023. However, in the event of a determination of taxability where the Bank is unable to deduct 80% of the interest paid, City will accept installment payment adjustments designated to compensate the Bank for the higher after-tax yield.

The Bank's proposal must detail the calculation methodology in the event this transaction becomes a non-bank qualified installment contract.

Payment: City will have the option, exercisable at any time during the term of the contract agreement, upon at least thirty (30) days notice to the Bank, to prepay the installments designated as principal, in full, at the prepayment amount not greater than 100.0 percent (100.0%) of the principal amount outstanding, with accrued interest at the date of prepayment, and discharge its obligations with respect to the contract.

North Carolina  
General Statutes: This contract is an installment contract and security agreement pursuant to Section 160A-20 and Article 9 of Chapter 25 of the General Statutes of North Carolina.

Expenses: Additional costs expected to be associated with this transaction **MUST** be included in the proposal.

Documentation: Documentation will be in form and substance satisfactory to the Bank and City. City's legal counsel will review the documentation and may correspond and detail proposed amendments to the documentation.

The bid proposals for the City will be received until **2:00 PM, E.S.T., February 14th, 2023**. At that time there will be a public opening of the proposals in the City Hall Conference Room, 300 South Washington Street, Shelby, NC 28150.

It is the City's intention to review the proposals received and make a recommendation to award the contract by February 20, 2023.

It is the City's intention that upon award of contract by City Council that all contract documents be fully executed and funding placed into an escrow account in the City's name during the week of February 21-24, 2023.

The City reserves the right to reject any and/or all proposals received, or the right to waive minor irregularities or errors, or to select the proposal which, in our opinion, is in the best overall interest of the City.

City of Shelby  
 Evaluation of Installment Financing - FY23 Equipment  
 \$1,504,823

Was asked to provide bank qualified & non-bank qualified rates with annual interest/principal payments

	<u>First Citizens Bank</u>	<u>MLC</u>	<u>Signature Public Funding</u>	<u>TD Equipment Finance</u>	<u>United Financial/Hometrust</u>
Interest Rate	4.27%	3.97%	4.669%	3.916%	3.49%
Fees	\$0.00	\$500.00	\$0.00	\$0.00	\$0.00
Annual Payment (Principal & Interest)	\$339,429.75	\$336,915.29	\$343,121.79	\$337,901.14	\$332,259.51
Total Cash Outlay (Principal & Interest)	\$1,697,148.75	\$1,684,576.45	\$1,715,608.93	\$1,689,505.70	\$1,661,297.55
Prepayment Penalty	\$0.00	102% of remaining balance	101% of par	1% outstanding principal	\$0.00
Total Cash Outlay including fees	\$1,697,148.75	\$1,685,076.45	\$1,715,608.93	\$1,689,505.70	\$1,661,297.55

These two responses did not conform to request:

	<u>BCI Capital Mgmt Group</u>	<u>Truist</u>
Interest Rate	5.790%	4.51%
Fees	\$0.00	\$0.00
Annual Payment (Principal & Interest)	\$248,778.46	
Total Cash Outlay (Principal & Interest)	103% of outstanding principal	101% of outstanding principal
Prepayment Penalty	amortization schedule does not match loan requested	no amortization schedule included
Total Cash Outlay including fees	loan shows \$1,054,823	nominal int on amort shows 5.76%



## United Financial

A Division of HomeTrust Bank

876 Brevard Rd  
Asheville, NC 28806

---

February 10, 2023

City of Shelby, NC  
300 South Washington Street  
Shelby, NC 28150  
ATT: Beth B. Beam, NCCLGFO  
Finance Officer

Re: Finance proposal for: *The acquisition of equipment as described in the equipment list included in the RFP issued in the amount of \$1,504,823.00.*

Dear Beth,

As per your request, we are enclosing under same cover our proposal for the above captioned transaction. This transaction is structured on an annual basis with five (5) annual payments as reflected in the attached Bank Qualified Repayment Schedule B. This transaction is calculated at an annual percentage rate of 3.49% (Bank Qualified). Should the transaction become Non-Bank Qualified the interest rate would be 3.84% calculated by adding 0.35% to the Proposal Bank Qualified rate. All other terms and conditions remain the same for a Bank Qualified or a Non-Bank Qualified transaction.

There are no closing costs or origination fees related to the transaction.

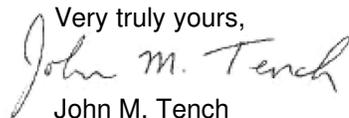
The collateral for the transaction will be determined as equipment is purchased. The bank agrees to reimburse the City in those instances where the City paid for the equipment in advance. The bank anticipates the collateral to consist of items on the RFP equipment list.

The bank agrees with the RFP Specifications. The bank will use its standard Municipal Lease and Option Agreement documentation as it has done in the past for the City of Shelby. While the bank will not charge a pre-payment penalty. The Concluding Payment is calculated at 100.00% of the outstanding balance for the entire transaction if paid in advance.

The bank can fund the proceeds into a HomeTrust Bank Escrow/Project account. There would be no fee on the account and interest would be paid to the account based on our current market rates for the account type.

The bank's documentation will include Substitution and Non-Appropriation language as well as the bank agrees it may not render a deficiency judgement against the City nor will the bank seek a pledge of the City's taxing powers.

If you have any questions or need additional information, please contact me at your convenience. Thank you for the opportunity to provide this proposal to you.

Very truly yours,  
  
John M. Tench  
Senior Vice President  
Director of Municipal Finance

---

Phone 828-684-5643  
Fax 828-684-5616

February 10, 2023

City of Shelby, NC  
300 South Washington Street  
Shelby, NC 28150

ATT: Beth B. Beam, NCCLGFO  
Finance Director

**Proposal for Finance of:** Various purchases of equipment as described in RFP in the amount of \$1,504,823.00.

Dear Beth,

As a follow-up to your recent request for a proposal regarding the above referenced transaction, United Financial is pleased to offer a finance proposal as follows:

**LESSOR:** United Financial, *A Division of HomeTrust Bank*

**LESSEE:** City of Shelby, NC

**COLLATERAL:** Equipment described above.

**AMOUNT:** Up to \$1,504,823.00

**START DATE:** Immediately upon funding

**TERM:** 59 Months

**PAYMENTS:** Lease payments will consist of five (5) annual payments of \$332,259.51 comprised of principal and interest (over 59 months).

Terms will be held for six months from the date of the proposal (also subject to Expiration and Acceptance terms below). If the transaction is not fully funded within six months of the date of this proposal, terms will then be based upon market rates at that time (defined as the T-Bill associated to the amortized term of the transaction plus 1.0%), limited to a maximum increase in the interest rate of 3.0% for a period or 18 months from the date of the proposal. If the transaction is not fully funded within 18 months of the proposal date, the terms will be based on the T-Bill associated to the amortized term of the transaction plus 1.0% with no maximum rate guaranty.

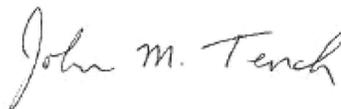
**EXPIRATION:** Lease payment terms quoted herein are subject to transaction being documented by 04/10/2023.

- LEGAL TITLE:** Legal Title to the Equipment during the Lease Term shall vest in the Lessee with Lessor perfecting a first security interest through Equipment Title, UCC, or other filing instruments as may be required by law.
- NET LEASE:** The Lease will be a net lease, under which all cost and responsibility of maintenance, insurance, taxes and other items of a similar nature shall be for the account of Lessee.
- INSURANCE:** Lessee shall provide evidence of insurance coverage at the time of delivery of the Equipment, in accordance with the provisions of the Lease.
- FINANCIALS:** Lessee shall furnish Lessor with its last three, (3) fiscal years financial statements and its latest interim financial statements, plus such other pertinent information as Lessor may reasonably request.
- APPROVAL:** Closing of the transaction(s) described herein, and the implementation hereof is expressly conditioned upon approval of Lessor's Senior Loan Committee, the receipt, review and acceptance of properly executed documentation acceptable to Lessor, and the absence of any material adverse change in Lessee's financial condition prior to deliver and acceptance of the Equipment.
- ACCEPTANCE:** Lessee acknowledges that the terms and conditions of this proposal are satisfactory and that upon execution hereof by Lessee this proposal shall constitute a valid and binding obligation of Lessee. As further condition to Lessor's approval hereof, Lessee must acknowledge its acceptance of this proposal by signing below in the space provided and returning it to the Lessor by 03/10/2023.

If you determine that this finance structure meet the needs of your organization, please have the appropriate officer indicate the chosen option, place their signature at the bottom of this page, and return it to us via fax, email or US Postal Service. Upon receipt of the signed proposal, we will be in touch with you to make provision for documenting the finance. Thank you for the opportunity to submit this proposal letter for your review and approval. Should you have any question or comments regarding the terms and conditions, or if we can be of any further assistance to you, please do not hesitate to call.

**TERMS PRESENTED IN THIS PROPOSAL SHALL SURVIVE CLOSING.**

Sincerely,



John M. Tench  
 Senior Vice President  
 Director of Municipal Finance

**ACCEPTED BY:**

**SIGNATURE:** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

City of Shelby, NC

REPAYMENT SCHEDULE B

Nominal Annual Rate: 3.49%

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	2/21/2023				1,504,823.00
1	1/21/2024	332,259.51	48,141.80	284,117.71	1,220,705.29
2	1/21/2025	332,259.51	42,602.61	289,656.90	931,048.39
3	1/21/2026	332,259.51	32,493.59	299,765.92	631,282.47
4	1/21/2027	332,259.51	22,031.76	310,227.75	321,054.72
5	1/21/2028	332,259.51	11,204.79	321,054.72	0.00
Grand Totals		1,661,297.55	156,474.55	1,504,823.00	

No prepayment Penalty for early payoff.

Last interest amount decreased by 0.02 due to rounding.

RESOLUTION NO. 12-2023  
A RESOLUTION APPROVING A FINANCING AGREEMENT AUTHORIZED  
BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the City of Shelby, North Carolina (the “City”) has previously determined to undertake a project for purchase of various types of equipment (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA, meeting in regular session on the 20th day of February 2023 makes the following findings of fact:

Section 1. The City hereby determines to finance the Project through United Financial (A Division of HomeTrust Bank), in accordance with the proposal dated February 14th, 2023. The amount of the financing shall not exceed \$1,504,823, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.49%, and the financing term shall not exceed fifty-nine (59) months from closing.

Section 2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver all Financing Documents, and to take any such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as United Financial (A Division of HomeTrust Bank) may request.

Section 3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for delivery of the Financing Documents have

been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Documents for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

Section 4. The City shall not take or omit to take any action, the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purpose of the registered owners on the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Document as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3) if applicable.

Section 5. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict.

This resolution is effective upon its adoption the 6th day of March A. D. 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-3

- 3) Approval of a resolution approving acceptance of maintenance and ownership of the sewer extension infrastructure improvements for Southridge Subdivision: Resolution No. 13-2023

**Consent Agenda Item: (Ben Yarboro, Assistant City Manager)**

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- Memorandum from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Supporting Maps
- Certification Checklist
- Fast Track Sewer Engineering Certification
- Resolution No. 13-2023

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City Manager's Recommendation / Comments

Resolution No. 13-2023 is presented for City Council consideration via the Consent Agenda. If approved this resolution would simply accept sewer infrastructure for maintenance and operation as constructed to serve Southridge subdivision. This infrastructure was built by a contractor for the developer in accordance with City standards and has been duly inspected by City staff for compliance and permitted by NC DEQ.

**It is my recommendation that Resolution 13-2023 be adopted and approved by City Council at this time via the Consent Agenda.**



## *Memorandum*

**To:** Rick Howell; City Manager

**From:** Ben Yarboro; Assistant City Manager *BY*

**RE:** **Acceptance of Sewer Infrastructure  
Southridge Subdivision Sewer Extension**

**Date:** March 1, 2023

### **Background:**

Parcel # 30017 located on Southridge St. (off of Dellinger Rd.) was subdivided to allow for residential housing. This parcel consisted of 6.25 acres and required a sewer extension of approximately 1,112 feet of 8-inch gravity sewer. The developer had this extension designed by a Professional Engineering firm and it was then permitted through NC DWR.

### **Review:**

City staff was involved during the construction process and completed multiple inspections during the installation process. The sewer infrastructure installed to serve this property was constructed in accordance with the approved plans and specifications and City standards. Attached are copies of the as-built drawings and the sewer certifications from Bobby Houser, PE indicating that the construction was completed in accordance to State and Local Guidelines.

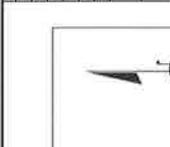
The sanitary sewer extension will be operated and maintained by the City of Shelby Utilities Department and is located within Public Right of Way and Public Utility Easements. The associated easements are recorded in Deed Book 1869 - page 1726 and Deed Book 1783 - page 1165.

### **Recommendation:**

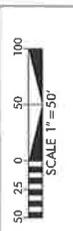
City Staff recommends that City Council formally accept the sewer infrastructure (1,112 ft of 8-inch gravity sewer) for ownership and maintenance associated with the construction of the Southridge Subdivision.

Please let me know if additional information is required.

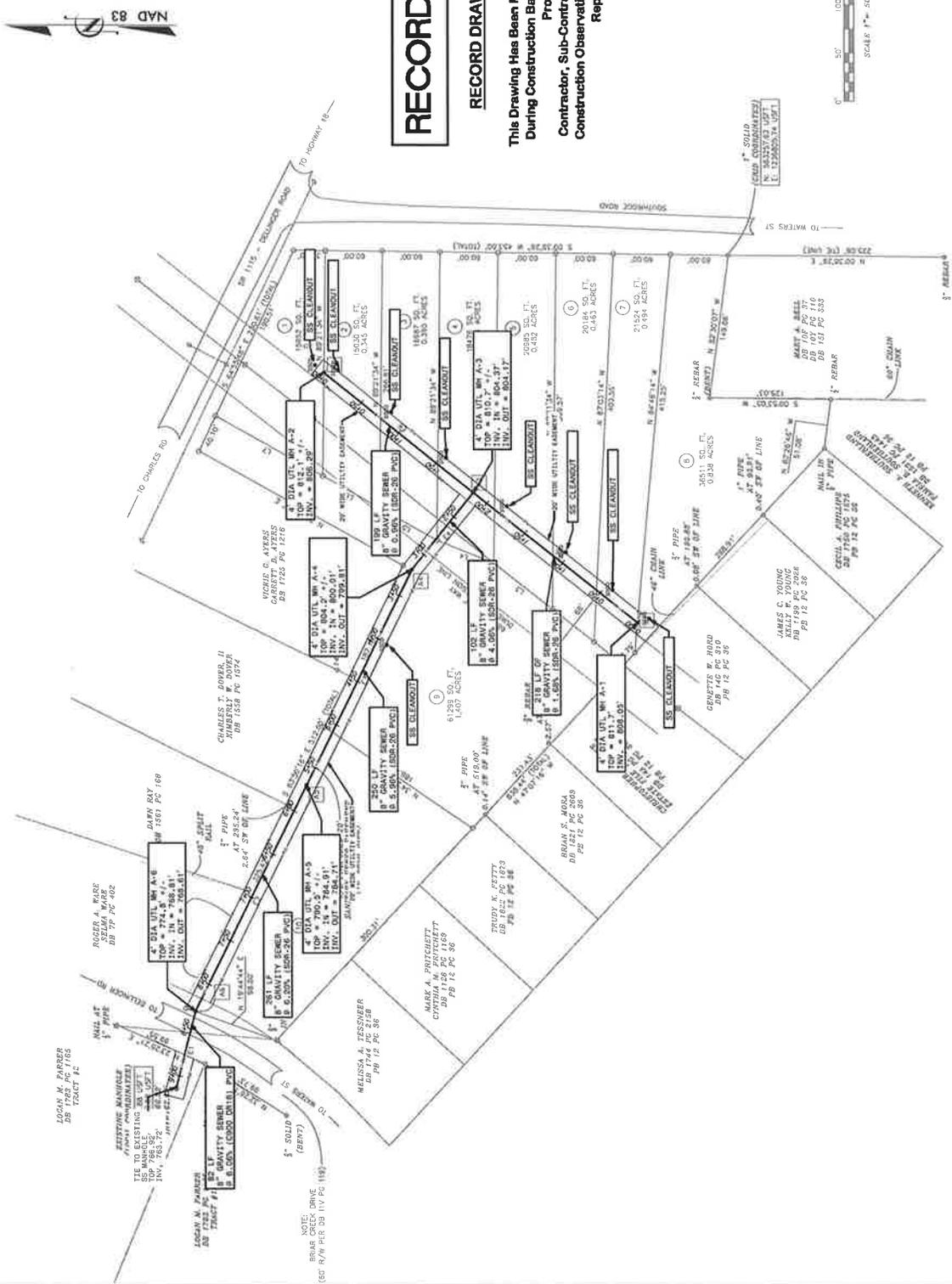
PROJECT REFERENCE NO.: UC-4  
 SHEET NO.: UC-4  
 DESIGNED BY: BCH  
 DRAWN BY:  
 CHECKED BY:  
 APPROVED BY:  
 REVISIONS:  
 UTILITY CONSTRUCTION  
 IN ALL AREAS ONLY



**UTILITY CONSTRUCTION**  
 DOCUMENT NOT CONSIDERED FINAL  
 UNLESS ALL SIGNATURES COMPLETED



SOUTHRIDGE ST



# RECORD DRAWING

## RECORD DRAWING CERTIFICATION

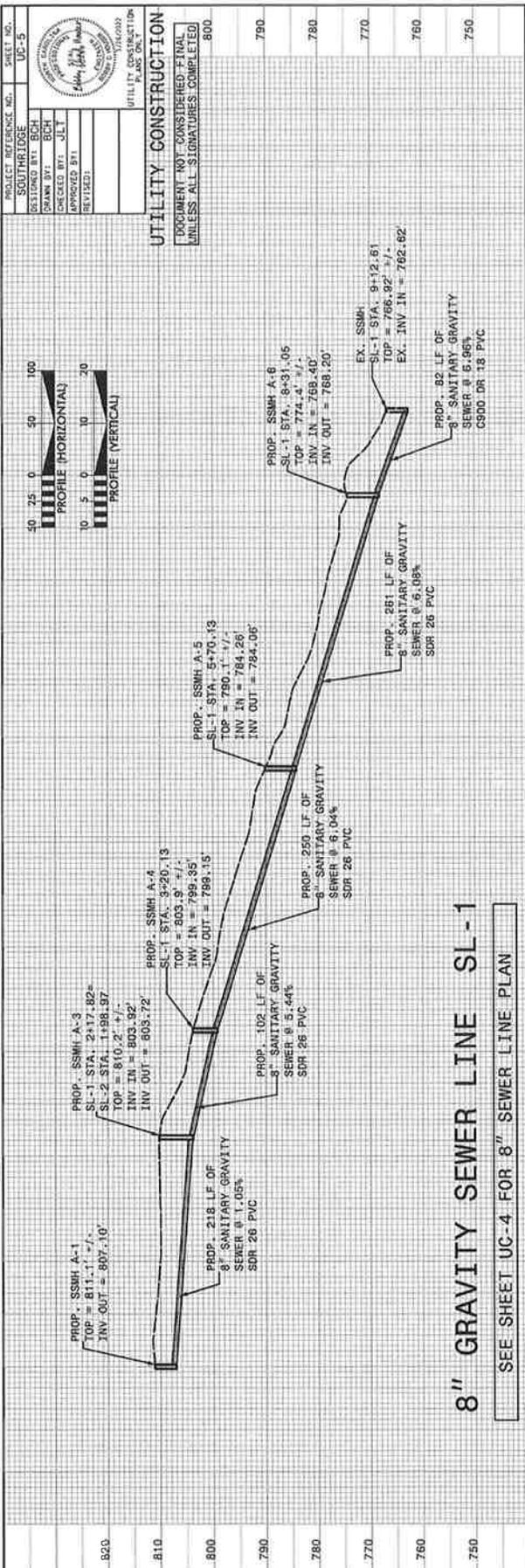
This Drawing Has Been Modified To Reflect Changes Made During Construction Based Upon Information As May Be Provided By The Contractor, Sub-Contractors, Surveyor, Inspector, And Construction Observation By The Engineer & Authorized Representatives.



SOUTHRIDGE ST

NO.	DATE	REVISIONS

66/92/5

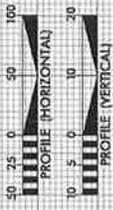


**8" GRAVITY SEWER LINE SL-1**  
SEE SHEET UC-4 FOR 8" SEWER LINE PLAN

PROJECT REFERENCE NO. SOUTHBRIDGE  
DESIGNED BY: BCR  
DRAWN BY: BCR  
CHECKED BY: JLT  
REVISIONS:

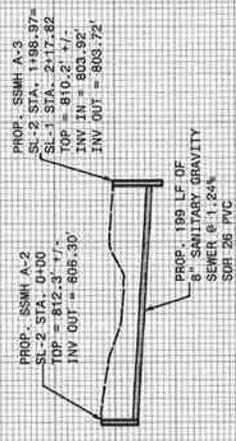


**UTILITY CONSTRUCTION**  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED  
800  
790  
780  
770  
760  
750



**RECORD DRAWING**  
**RECORD DRAWING CERTIFICATION**  
This Drawing Has Been Modified To Reflect Changes Made During Construction Based Upon Information As May Be Provided By The Contractor, Sub-Contractor, Surveyor, Inspector, And Construction Observation By The Engineer's Authorized Representatives.

820 810 800 790 780 770 760 750



**8" GRAVITY SEWER LINE SL-2**  
SEE SHEET UC-4 FOR 8" SEWER LINE PLAN

820 810 800

## CERTIFICATION CHECKLIST

To be completed by the certifying engineer prior to operation of the permitted sewers, per 15A NCAC 02T.0116.

Certifying Engineer: BOBBY CHAD HOUSER

Certification Review Date: 5/26/2022

Project Name: SOUTHRIDGE SUBDIVISION

WQ00 42950 Project County: CLEVELAND

- 1) Has permittee information changed since the permit was issued (or last modified): change of mailing address, change of ownership, transfer from developer to HOA/POA, etc.  Yes  No
    - If yes, please provide either a change of ownership form or new contact information. Note that transfer of permits from the developer to the HOA/POA must occur with the first certification.
  - 2) Have the as-built drawings have been signed, sealed, and dated by an N.C. PE?  Yes  No
  - 3) Final Engineering certification?  Yes  No
    - **If Partial Engineering certification, provide detailed narrative including what is being certified in the current phase, what was previously certified (if applicable), and what is left to be certified.**
  - 4) Adequate information related to sewer lines:  Yes  No  N/A
    - Three feet minimum cover has been provided for all sewers unless ferrous pipe was installed.
    - Minimum diameters for gravity sewers are 8-inches for public lines and 6-inches for private lines.
    - Manholes have been installed: At the end of each line, at all changes in grade, size, or alignment, at all intersections, and at distances not greater than 425 feet; minimum diameter shall be 4 feet (48-inches).
  - 5) Adequate information related to pump stations:  Yes  No  N/A
    - Ensure power reliability option was selected per [15A NCAC 02T.0305\(h\)](#).
  - 6) Was project construction completed in accordance with all of the following:  Yes  No  N/A
    - [15A NCAC 02T, Minimum Design Criteria \(MDC\) for the permitting of Gravity Sewers](#) (latest version), and [MDC for the Permitting of Pump Stations and Force Mains](#) (latest version)?
- If not, a variance approval is required in accordance with [15A NCAC 02T.0105\(b\)](#), prior to certification and operation.
- Contact the Central Office to discuss the variance to determine a course of action.
  - Applicant must submit two copies of the variance request form, plans, specifications, calculations, and any other pertinent information to the Central Office (one hard copy, one digital copy).
  - The central office will review the variance request, and if approvable, specific language regarding the variance will be incorporated into the permit, either via a special condition or a supplementary letter. A copy of the reissued permit with variance language or the variance letter must be maintained with the original documents.
- 7) Does the project contains high priority lines ([15A NCAC 02T .0402\(2\)](#))?  Yes  No
    - If yes, ensure that the permit already contains the necessary condition related to high priority lines 15A NCAC 02T.0403 (a)(5). If the permit does not include this language, the Fast Track reviewer will reissue the permit with the appropriate language.
  - 8) Are Permit modifications are required for any changes resulting in non-compliance with this permit (including but not limited to pipe length changes of 10% or greater, change in flow, pump station design capacity design change of 5% or greater, and/or change in the number/type of connections)?  Yes  No
    - If yes, a permit modification request must be submitted to the appropriate Regional Office, and a **modified permit with revised certification must be issued prior to certification and operation.**

**FAST TRACK SEWER ENGINEERING CERTIFICATION**

**PERMITTEE:** CITY OF SHELBY  
**PERMIT #:** WQ0042950  
**PROJECT:** SOUTHRIDGE SUBDIVISION  
**ISSUE DATE:** NOVEMBER 3, 2021

This project shall not be considered complete nor allowed to operate in accordance with standard Condition 7 of this permit until the Division has received this Certification and all required supporting documentation. It should be submitted in a manner that documents the Division's receipt. Send the required documentation to the Regional Supervisor, Water Quality Regional Operations Section at the address noted in the page footer.

Any wastewater flow made tributary to the wastewater collection system extension prior to completion of this Certification shall be considered a violation of the permit and shall subject the Permittee to appropriate enforcement actions. The Permittee is responsible for tracking all partial certifications up until a final certification is received by the Division. A Final Certification shall be a complete set of record drawings and design calculations regardless of whether partials have been submitted.

**PERMITTEE'S CERTIFICATION**

I, the undersigned agent for the Permittee, hereby state that this project has been constructed pursuant to the applicable standards & requirements, the Professional Engineer below has provided applicable design/construction information to the Permittee, and the Permittee is prepared to operate & maintain the wastewater collection system permitted herein or portions thereof.

Rick Howell, City Manager      Rick Howell      5/31/2022  
Printed Name, Title                      Signature                      Date

**ENGINEER'S CERTIFICATION**

I, BOBBY CHAD HOUSER, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe ( periodically,  weekly,  full time) the construction of the project name and location as referenced above for the above Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the following construction: 1,112 Linear feet of 8-inch gravity sewer; such that the construction was observed to be built within substantial compliance of this permit; 15A NCAC 02T; the Division of Water Resources' (Division) Gravity Sewer Minimum Design Criteria adopted February 12, 1996 as applicable; the Division's Minimum Design Criteria for the Fast-Track Permitting of Pump Stations and Force Mains adopted June 1, 2000 as applicable; and other supporting materials.

North Carolina Professional Engineer's Seal w/signature & date:

Final       Partial (include description)

Certification Comments/Qualifiers (attach if necessary):



5/26/2022

**RESOLUTION NO. 13 – 2023**

**A RESOLUTION APPROVING ACCEPTANCE OF MAINTENANCE AND OWNERSHIP OF THE SEWER EXTENSION INFRASTRUCTURE IMPROVEMENTS FOR SOUTHRIDGE SUBDIVISION**

**WHEREAS**, Sundown Automotive Inc. contracted with a professional engineering firm to design improvements to the sanitary sewer system to serve their properties along Southridge Street, Shelby as referenced in Deed Book 1869 page 1726 and Deed Book 1783 page 1165; and,

**WHEREAS**, plans for a sewer extension of 1,112 feet of 8-inch gravity sewer were reviewed by the City of Shelby and were submitted to and permitted by NC Division of Water Resources; and

**WHEREAS**, the developer contracted with Wesson Septic Services Inc. to construct the sanitary sewer lines in May 2022 as designed and permitted; and

**WHEREAS**, City Staff completed final inspections and certify that all infrastructure was constructed to City Standards and is in satisfactory condition; and

**WHEREAS**, the design engineer has certified that all infrastructure for the applicable improvements have been completed in accordance with plans approved by the City and NC Division of Water Resources.

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

Section 1. The sanitary system improvements as denoted above are hereby accepted by the City Council of the City of Shelby for maintenance and operation.

Section 2. The City Manager of the City of Shelby or his designee are hereby authorized and instructed to cause the provision of section 1 of this resolution to be implemented and the applicable sewer infrastructure shall be assumed for ownership and maintenance by the City of Shelby.

Section 3. This resolution shall become effective upon adoption and approval.

Adopted and approved this the 6<sup>th</sup> day of March 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

**Agenda Item: B-4**

- 4) City of Shelby’s R2707D US 74 Bypass Water Line Relocation Project:
- a) Adoption of an Ordinance establishing a capital project ordinance and budgets for the City of Shelby’s R2707D US 74 Bypass Water Line Relocation Project: Ordinance No. 11-2023
  - b) Approval of a resolution accepting and approving a utility relocation agreement for water infrastructure between the City of Shelby and the North Carolina Department of Transportation for relocation of utilities in conflict with the proposed US 74 Bypass: Resolution No. 14-2023

**Consent Agenda Item: (Ben Yarboro, Assistant City Manager)**

- Memorandum dated March 1, 2023, from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager and Justin Merritt, Assistant City Manager
- Map of Water Relocation for NCDOT
- Supporting Documents
- Ordinance No. 11-2023
- Resolution No. 14-2023

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City Manager’s Recommendation / Comments

Ordinance No. 11-2023 is presented for City Council consideration at this time. If approved this ordinance would appropriate funding for the relocation of the City owned water distribution and sewer collection lines in and around Johnson Road on the easternmost edge of the city limits. Council will recall that NCDOT has funded and will be constructing the D section of the new US Hwy 74 bypass in this area. As such the City is being required by NCDOT (per the NC General Statutes) to relocate all of its utility infrastructure to accommodate the road work. This ordinance only affects the water system. This work is estimated to cost \$\$77,000. The City share is \$19,250. The City will agree to allow NCDOT to include approved work within their construction contract. NCDOT will pay these costs up front and the City will reimburse our portion of the total cost once billed by NCDOT. The City’s share is appropriated from the Water Fund capital reserve. Resolution No 14-2023 authorizes the City to enter into an agreement with NCDOT.

**It is my recommendation Ordinance No. 11-2023 and Resolution No. 14-2023 be adopted and approved by City Council at this time via the Consent Agenda.**



## Memorandum

**To:** Rick Howell; City Manager  
Justin Merritt; Assistant City Manager

**From:** Ben Yarboro; Assistant City Manager *BY*

**RE:** **R-2707D US 74 Bypass Utility Relocation Agreement  
Water Relocation Agreement and Project Budget Ordinance**

**Date:** March 1, 2023

### Background

For several years the City has been actively working on utility relocations with the NCDOT Utilities Branch regarding utilities that will be in conflict with the proposed Highway 74 Bypass. Relocations for sections R-2707A and R-2707B have been completed and R-2707C is still in construction phase. NCDOT is now prepared to move forward with the R-2707D phase, and the City has elected to have the design and construction included within the NCDOT engineering and construction contract. R-2707D roadway plans have conflicts with the City's existing water infrastructure along the East Dixon Blvd/Frontage Road and Johnson Road as outlined below:

#### **E. Dixon Blvd/Frontage Road – Hydrant Relocation**

**Johnson Road** – 8-inch relocation at intersection of Johnson Road and disconnection of 2" waterline at the end of Johnson Road.

### Review

NCDOT's contract engineer has developed the plans for the relocations and has incorporated this work into the NCDOT construction contract. NCDOT has also provided a cost estimate and Utility Relocation Agreement to the City (attached for reference) The cost estimate for this work is estimated at \$77,000 with the City being responsible for 25% of relocation costs which is \$19,250.

**R-2707D E. Dixon Blvd/Frontage Road Waterlines \$19,250**

### Recommendation

Staff recommends approval of the resolution authorizing the City Manager to enter into a Relocation Agreement with NCDOT (attached for reference) and also establish a separate capital

project budget ordinance for the water system relocation costs associated with R-2707D Section of the Highway 74 Bypass.

**R-2707D E. Dixon Blvd/Frontage Road Waterlines \$19,250**  
Revenue transfer from Water Fund Balance

Please let me know if you have any questions regarding the R-2707D Relocation Agreement and PBO request.



1 inch = 200 feet



## Water Relocation For NCDOT Project R-2707D

-  Water Main
-  Proposed Bypass
-  Relocation Sites
-  Hydrants
-  Streets

**AGREEMENT OVERVIEW**

**DATE:** 2/1/2023

NORTH CAROLINA  
CLEVELAND COUNTY

**PROJECT NUMBERS**  
TIP NUMBER: R-2707D  
WBS ELEMENTS: 34497.3.12

**PARTIES TO THE AGREEMENT:**

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION "**DEPARTMENT**"

AND

CITY OF SHELBY "**MUNICIPALITY**"

**SCOPE OF TIP PROJECT:** Project consists of road improvements on US 74 (Shelby Bypass) from east of NC 150 to existing US 74 west of SR 2238 (Long Branch Road).

**PURPOSE OF THIS AGREEMENT:** To identify municipal participation in utility relocation and/or betterment costs.

**ESTIMATED COSTS TO OTHER PARTY:** \$19,250

**PAYMENT TERMS:** The Department will bill the City of Shelby upon completion of the work.

**MAINTENANCE:** The City of Shelby is responsible for all utility maintenance

**EFFECTIVE DATES OF AGREEMENT:**

**START:** Upon Full Execution of this Agreement

**END:** When work is complete and all terms are met.

This **AGREEMENT** is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the **Department** and the City of Shelby, hereinafter referred to as the **Municipality**; and collectively referred to as the "**PARTIES**."

The parties to this Agreement, listed above, intend that this Agreement, together with all attachments, schedules, exhibits, and other documents that are referenced in this Agreement and refer to this Agreement, represents the entire understanding between the parties with respect to its subject matter and supersedes any previous communication or agreements that may exist.

**I. WHEREAS STATEMENTS**

**WHEREAS**, this Agreement is made under the authority granted to the **Department** by the North Carolina General Assembly under General Statutes of North Carolina (NCGS), particularly Chapter 136-27.1 and 136 27.3; and,

**WHEREAS**, the **Department** has plans to make certain street and highway constructions and/or traffic control improvements; and,

**WHEREAS**, the **Municipality** has requested that the **Department** perform work or provide services; and,

**WHEREAS**, the Parties hereto wish to enter into an agreement for scoped work to be performed or provided by the **Department** (including construction, reviews, goods or services) with reimbursement for the costs thereof by the **Municipality** as hereinafter set out; and,

**WHEREAS**, the **Department** and the **Municipality** have agreed that the jurisdictional limits of the Parties, as of the date of entering the agreement for the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the Parties hereto for the purposes of this Agreement; and,

**NOW, THEREFORE**, this Agreement states the promises and undertakings of each party as herein provided, and the parties do hereby covenant and agree, each with the other, as follows:

**II. RESPONSIBILITIES**

- The **Department** shall be responsible for all phases of project delivery to include, utility relocation as shown in the **PROJECT DELIVERY** Provision.
- The **Municipality** shall be responsible for payment as shown in the **COSTS AND FUNDING** Provision

**III. PROJECT DELIVERY REQUIREMENTS**

**A. CONSTRUCTION**

1. At the request of the **Municipality**, the **Department** shall place provisions in the construction contract for Project R-2707D for the contractor to adjust and relocate utility lines and/or provide betterment. The work is described as follows: relocation of water lines.
2. Said work shall be accomplished in accordance with plan sheets, attached hereto as Exhibit "A", cost estimate attached hereto as Exhibit "B", and project specific provisions, if applicable, attached hereto as Exhibit "C".

**B. MAINTENANCE**

1. Upon the satisfactory completion of the relocations and adjustments of the utility lines covered under this Agreement, the **Municipality** shall assume normal maintenance operations to the said utility lines. Upon completion of the construction of the highway project, the **Municipality** shall release the **Department** from any and all claims for damages

in connection with adjustments made to its utility lines; and, further, the **Municipality** shall release the **Department** of any future responsibility for the cost of maintenance to said utility lines. Said releases shall be deemed to be given by the **Municipality** upon completion of construction of the project and its acceptance by the **Department** from its contractor unless the **Municipality** notifies the **Department**, in writing, to the contrary prior to the **Department's** acceptance of the project.

2. The **Municipality** obligates itself to service and to maintain its facilities to be retained and installed over and along the highway within the **Department's** right-of-way limits in accordance with the mandate of the North Carolina General Statutes and such other laws, rules, and regulations as have been or may be validly enacted or adopted, now or hereafter.
3. If at any time the **Department** shall require the removal of or changes in the location of the encroaching facilities which are being relocated at the **Municipality's** expense, the **Municipality** binds itself, its successors and assigns, to promptly remove or alter said facilities, in order to conform to the said requirement (if applicable per G.S. 136-27.1), without any cost to the **Department**.

#### IV. COSTS AND FUNDING

##### A. PROJECT COSTS

1. The **Municipality** shall be responsible for relocation, and/or betterment, costs for work as shown on the attached Exhibit "A". The estimated cost to the **Municipality** is \$19,250 as shown on the attached Exhibit "B".
2. It is understood by both parties that this is an estimated cost and is subject to change.

##### B. INVOICING BY THE Department

1. Upon completion of the highway work, the **Department** shall submit an itemized invoice to the **Municipality** for costs incurred. Billing will be based upon the actual bid prices and actual quantities used and shall include charges due to the **Department** for administration and oversight of the work.
2. Reimbursement shall be made by the **Municipality** in one final payment within sixty (60) days of said invoice.
3. If the **Municipality** does not pay said invoice within sixty (60) days of the date of the invoice, the **Department** shall charge interest on any unpaid balance at a variable rate of the prime plus one percent (1%) in accordance with G.S. 136-27.3.
4. Any cost incurred due to additional utility work requested by the **Municipality** after award of the construction contract, shall be solely the responsibility of the **Municipality**. The **Municipality** shall reimburse the **Department** 100% of the additional utility cost.
5. In the event the **Municipality** fails for any reason to pay the **Department** in accordance with the provisions for payment hereinabove provided, North Carolina General Statute 136-41.3 authorizes the **Department** to withhold so much of the **Municipality's** share of funds

allocated to said **Municipality** by North Carolina General Statute, Section 136-41.1, until such time as the **Department** has received payment in full.

**C. DOWN PAYMENT OR PRE-PAYMENT**

1. Any down payments are due at the time the agreement is fully executed.
2. At any time prior to final billing by the **Department**, the **Municipality** may prepay any portion of the estimated cost by sending payment per the attached cover memo. The **Department** will provide a final billing based on the fixed cost, less any previous payments that have been made.

**V. STANDARD PROVISIONS**

**A. AGREEMENT MODIFICATIONS**

Any modification to scope, funding, responsibilities, or time frame will be agreed upon by all parties by means of a written Supplemental Agreement.

**B. ASSIGNMENT OF RESPONSIBILITIES**

The **Department** must approve any assignment or transfer of the responsibilities of the **Municipality** set forth in this Agreement to other parties or entities.

**C. AGREEMENT FOR IDENTIFIED PARTIES ONLY**

This Agreement is solely for the benefit of the identified parties to the Agreement and is not intended to give any rights, claims, or benefits to third parties or to the public at large.

**D. OTHER AGREEMENTS**

The **Municipality** is solely responsible for all agreements, contracts, and work orders entered into or issued by the **Municipality** to meet the terms of this Agreement. The **Department** is not responsible for any expenses or obligations incurred for the terms of this Agreement except those specifically eligible for the funds and obligations as approved by the **Department** under the terms of this Agreement.

**E. AUTHORIZATION TO EXECUTE**

The parties hereby acknowledge that the individual executing this Agreement has read this Agreement, conferred with legal counsel, fully understands its contents, and is authorized to execute this Agreement and to bind the respective parties to the terms contained herein.

**F. DEBARMENT POLICY**

It is the policy of the **Department** not to enter into any agreement with parties that have been debarred by any government agency (Federal or State). By execution of this agreement, the **Municipality** certifies that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Agency or **Department** and that it will not enter into

agreements with any entity that is debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction.

**G. INDEMNIFICATION**

To the extent authorized by state and federal claims statutes, the **Municipality** shall be responsible for its actions under the terms of this agreement and save harmless the FHWA (if applicable), the **Department**, and the State of North Carolina, their respective officers, directors, principals, employees, agents, successors, and assigns to the extent allowed by law, from and against any and all claim for payment, damages and/or liabilities of any nature, asserted against the **Department** in connection with this Agreement. The **Department** shall not be liable and shall be held harmless from any and all third-party claims that might arise on account of the **Municipality's** negligence and/or responsibilities under the terms of this agreement.

**H. AVAILABILITY OF FUNDS**

All terms and conditions of this Agreement are dependent upon, and, subject to the allocation of funds for the purpose set forth in the Agreement and the Agreement shall automatically terminate if funds cease to be available.

**I. DOCUSIGN**

Department and Municipality acknowledge and agree that the electronic signature application DocuSign may be used, at the sole election of the Department or the Municipality, to execute this Agreement. By selecting "I Agree," "I Accept," or other similar item, button, or icon via use of a keypad, mouse, or other device, as part of the DocuSign application, Department and Municipality consent to be legally bound by the terms and conditions of Agreement and that such act constitutes Department's signature as if actually signed by Department in writing or Municipality's signature as if actually signed by Municipality in writing. The Department and Municipality also agree that no certification authority or other third-party verification is necessary to validate its electronic signature and that the lack of such certification or third-party verification will not in any way affect the enforceability of its electronic signature. The Department and Municipality acknowledge and agree that delivery of a copy of this Agreement or any other document contemplated hereby through the DocuSign application, will have the same effect as physical delivery of the paper document bearing an original written signature.

**J. GIFT BAN**

By Executive Order 24, issued by Governor Perdue, and NCGS 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e. Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

**ACCOUNTS RECEIVABLE**  
*UTILITY CONSTRUCTION AGREEMENT*  
1000017554

IN WITNESS WHEREOF, this Agreement has been executed the day and year heretofore set out, on the part of the **DEPARTMENT** and the **MUNICIPALITY** by authority duly given.

City of Shelby

FED TAX ID: \_\_\_\_\_

REMITTANCE ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_

AUTHORIZED SIGNER: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

This Agreement has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
(FINANCE OFFICER)

PRINT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
(CHIEF ENGINEER)

DATE: \_\_\_\_\_

PRESENTED TO BOARD OF TRANSPORTATION ITEM O: \_\_\_\_\_ (Date)

PROJECT SPECIAL PROVISIONS  
Utility Construction



Stantec Consulting Services Inc.  
One West Fourth St., Suite 820  
Winston-Salem, NC 27101  
336-770-9026  
Firm License No.: F-0672



SEAL NOT VALID UNLESS SIGNED AND DATED

**Utility Owner:**

City of Shelby  
Utilities – Water Resources Department  
824 W Grover Street  
Shelby, NC 28150  
Mailing:  
P.O. Box 201  
Shelby, NC 28151-0207

DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

**Revise the 2018 Standard Specifications as follows:**

**Page 15-1, Sub-article 1500-2, Cooperation with the Utility Owner**, insert the following after Line 23:

“The water utility owner is the City of Shelby, Water Resources Department. The Water Resources Director is David W. Hux and he can be reached at 704-484-6840. The Engineering Services Director is Ben Yarboro and he can be reached by phone at 704-669-2060.”

**Page 15-18, Sub-article 1540-3, CONSTRUCTION METHODS**, insert the following Paragraph after Line 25:

“(F) Polyethylene Encasement (Poly-Wrap)

Polyethylene encasement shall be applied to any ductile iron pipe and fittings located within 10 feet of existing or proposed gas lines or as shown on the plans. Polyethylene encasement shall also be applied to any ductile iron pipe and fittings located in areas where contaminated soil is encountered or where directed by the Engineer.

Polyethylene material, thickness and width shall conform to the latest revision of AWWA/ANSI C-105/A21.5. Only tubes shall be used on the main pipeline. Minimum

thickness shall be 8 mil. The inside surface of the polyethylene wrap to be in contact with the pipe exterior shall be infused with a blend of anti-microbial biocide to mitigate the microbiologically influenced corrosion and a volatile corrosion inhibitor to control galvanic corrosion.

Polyethylene encasement shall be installed, per AWWA C600 and ANSI/C105/A21.5, where shown on the drawings on ductile iron pipe, fittings, and valves in accordance with AWWA C105. Method C, using polyethylene sheets, shall only be used when directed by the Engineer.”

Payment will be under:

**Pay Item**

**Pay Unit**

Polyethylene Encasement (Poly-Wrap)

Liner Feet

OPINION OF PROBABLE COST  
R-2707D - 90% UTILITY CONSTRUCTION PLANS

Line #	ITEMCLASS	ITEMTYPE	NCDOT Pay Item	Item Description IDESCL1	Item Description IDESCL2	UC Sheets			Est. Qty	Engineer's Estimate																																	
						Unit	UC-04	UC-05		Unit or Lump Sum Price	Extended Amount																																
1	U	1510	53258000000-E	8" WATER LINE	8" DUCTILE IRON WATER LINE	LF	10	84	94	\$48.68	\$4,575.45																																
2	U	1510	53290000000-E	DUCTILE IRON WATER PIPE FITTINGS		LB	305	1495	1800	\$11.00	\$19,800.00																																
3	U	1510	55460000000-E	8" VALVE		EA	1	2	3	\$3,894.00	\$11,682.00																																
4	U	1520	56660000000-N	FIRE HYDRANT ASSEMBLY		EA	1	2	3	\$4,521.00	\$13,563.00																																
5	U	1520	56730000000-E	FIRE HYDRANT LEG		LF	10	45	55	\$74.80	\$4,114.00																																
6	U	1515	56430000000-E	3/4" WATER METER		EA	0	1	1	\$1,192.40	\$1,192.40																																
7	U	1515	56860000000-E	WATER SERVICE LINE		LF	0	15	15	\$33.00	\$495.00																																
8	U	1530	57980000000-E	ABANDON 2" UTILITY PIPE		LF	500	0	500	\$12.29	\$6,143.50																																
9	U	1530	58155000000-N	REMOVE FIRE HYDRANT		EA	1	2	3	\$973.50	\$2,920.50																																
10	U	1530	58010000000-E	ABANDON 8" UTILITY PIPE		LF	125	85	210	\$6.60	\$1,386.00																																
11	U	1530	58820000000-N	GENERIC UTILITY ITEM	THRUST COLLAR	EA	1	2	3	\$1,119.44	\$3,358.31																																
12	U	1530	58820000000-N	GENERIC UTILITY ITEM	POLY-WRAP ENCASMENT	LF	0	30	30	\$27.50	\$825.00																																
<table border="1"> <tr> <td colspan="10">Construction Cost Est.</td> <td>\$70,055</td> </tr> <tr> <td colspan="10">% contingency</td> <td>\$6,945</td> </tr> <tr> <td colspan="10">Budgetary Cost</td> <td>\$77,000</td> </tr> </table>											Construction Cost Est.										\$70,055	% contingency										\$6,945	Budgetary Cost										\$77,000
Construction Cost Est.										\$70,055																																	
% contingency										\$6,945																																	
Budgetary Cost										\$77,000																																	

City of Shelby's cost share is \$19,250 (25% of \$77,000)

# TIP PROJECT: R-2707D

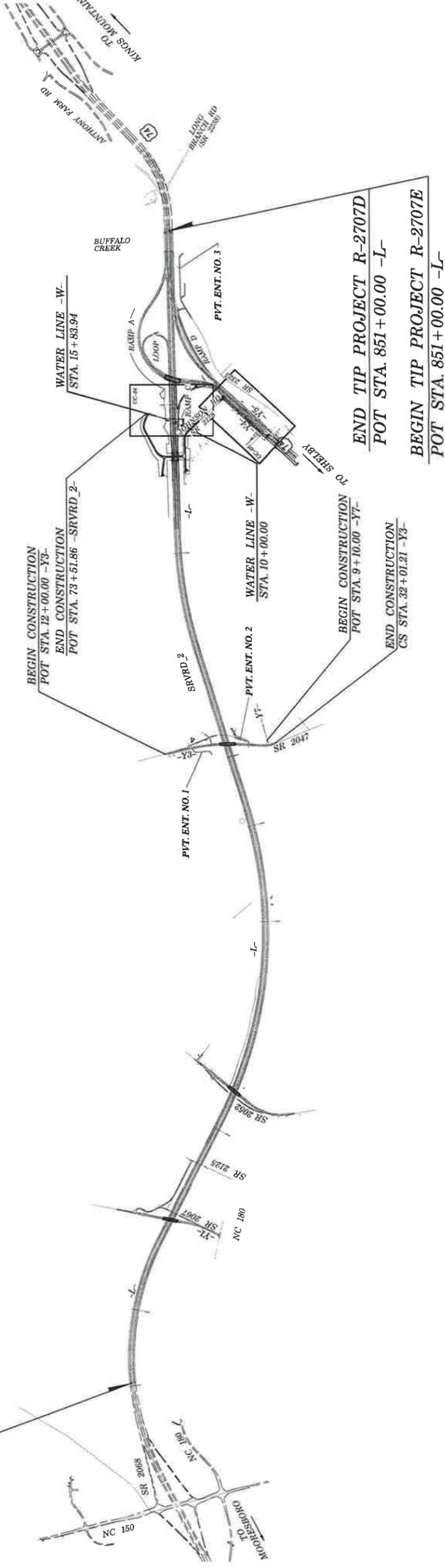
STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

## UTILITY CONSTRUCTION PLANS CLEVELAND COUNTY

Exhibit A  
City of Shelby

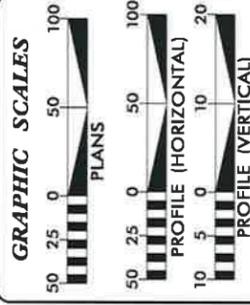
LOCATION: US 74, SHELBY BYPASS FROM EAST OF NC 150 TO  
EXISTING US 74, WEST OF SR 2238 (LONG BRANCH ROAD)  
TYPE OF WORK: 8" WATER RELOCATION

BEGIN TIP PROJECT R-2707D  
POC STA. 635+00.00 -L-



THIS IS A CONTROLLED ACCESS PROJECT  
WITH ACCESS BEING LIMITED TO INTERCHANGES

DOCUMENT NOT CONSIDERED FINAL  
UNTIL ALL SIGNATURES ARE COMPLETED



### INDEX OF SHEETS

SHEET NO.	DESCRIPTION:
UC-01	TITLE SHEET
UC-02	UTILITY SYMBOLOLOGY
UC-03	UTILITY NOTES
UC-03A-C	UTILITY PROJECT DETAILS
UC-04	WATER RELOCATION PLAN AND PROFILE
UC-05	WATER RELOCATION PLAN AND PROFILE

### WATER LINE OWNER ON PROJECT

CITY OF SHELBY  
UTILITY OPERATIONS CENTER  
824 W GROVER STREET  
SHELBY, NC 28150

PREPARED IN THE OFFICE OF

STANTEC CONSULTING  
SERVICES INC.  
ONE WEST FOURTH STREET, SUITE 820  
WINSTON-SALEM, NC 27101  
LICENSE NO. F-6672

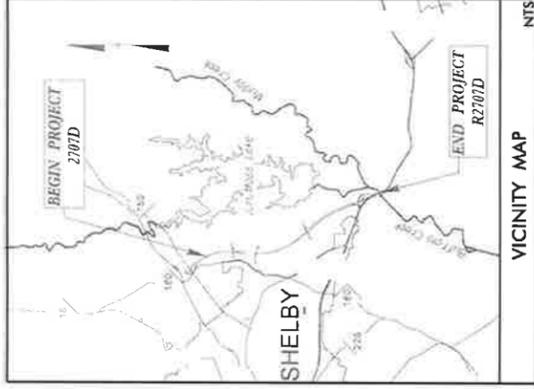
JOSEPH KELVINGTON CONSULTANT CONTACT #1  
LINDA L. PASS CONSULTANT CONTACT #2  
LAURA WILSON CONSULTANT CONTACT #3



DIVISION OF HIGHWAYS  
UTILITIES UNIT  
1555 MAIL SERVICES CENTER  
RALEIGH, NC 27699-3555  
TEL: (919) 254-4699  
FAX: (919) 254-4151

MICHAEL BRIGHT UTILITIES REGIONAL ENGINEER  
CHAD DREWERY UTILITIES ENGINEER  
AMY DUPREE UTILITIES AREA COORDINATOR  
WARREN ANDERSON UTILITIES COORDINATOR

T.I.P. NO.	R-2707D
SHEET NO.	UC-01



# UTILITIES PLAN SHEET SYMBOLS

## PROPOSED WATER SYMBOLS

Water Line (Sized as Shown)	
1 1/4 Degree Bend	
2 1/2 Degree Bend	
45 Degree Bend	
90 Degree Bend	
Plug	
Tee	
Cross	
Reducer	
Gate Valve	
Butterfly Valve	
Tapping Valve	
Line Stop	
Line Stop with Bypass	
Blow Off	
Fire Hydrant	
Relocate Fire Hydrant	
Remove Fire Hydrant	
Water Meter	
Relocate Water Meter	
Remove Water Meter	
Water Pump Station	
RPZ Backflow Preventer	
DCV Backflow Preventer	
Relocate RPZ Backflow Preventer	
Relocate DCV Backflow Preventer	

## PROPOSED SEWER SYMBOLS

Gravity Sewer Line (Sized as Shown)	
Force Main Sewer Line (Sized as Shown)	
Manhole (Sized per Note)	
Sewer Pump Station	

## PROPOSED MISCELLANEOUS UTILITIES SYMBOLS

Power Pole	
Telephone Pole	
Joint Use Pole	
Telephone Pedestal	
Utility Line by Others (Type as Shown)	
Trenchless Installation	
Encasement by Open Cut	
Encasement	

Thrust Block	
Air Release Valve	
Utility Vault	
Abandon Utility (Sized as Shown)	
Concrete Pier	
Steel Pier	
Plan Note	
Pay Item Note	

## EXISTING UTILITIES SYMBOLS

Power Pole		* Underground Power Line	
Telephone Pole		Aboveground Power	
Joint Use Pole		* Underground Telephone Conduit	
Utility Pole		* Underground Fiber Optics Telephone Cable	
Utility Pole with Base		* Underground TV Cable	
H-Frame Pole		* Underground Fiber Optics TV Cable	
Power Transmission Line Tower		* Underground Gas Pipeline	
Water Manhole		Aboveground Gas Pipeline	
Power Manhole		* Underground Water Line	
Telephone Manhole		Aboveground Water Line	
Sanitary Sewer Manhole		* Underground Gravity Sanitary Sewer Line	
Hand Hole for Cable		Aboveground Gravity Sanitary Sewer Line	
Power Transformer		* Underground SS Forced Main Line	
Telephone Pedestal		Underground Unknown Utility Line	
CATV Pedestal		SUE Test Hole	
Gas Valve		Water Meter	
Gas Meter		Water Valve	
Located Miscellaneous Utility Object		Fire Hydrant	
Abandoned According to Utility Records		Sanitary Sewer Cleanout	
End of Information			

\*For Existing Utilities  
Utility Line Drawn from Record  
(Type as Shown)  
Designated Utility Line  
(Type as Shown)



Stantec Consulting Services Inc  
801 Jones Franklin Road  
Suite 300  
Raleigh, NC 27606  
Tel (919) 851-6866  
Fax (919) 851-7024  
www.stantec.com  
License No. F-0672

PROJECT REFERENCE NO.	R-2707D	SHEET NO.	UC-03
DRAWN BY:	CMM		
CHECKED BY:	LLP		
APPROVED BY:			
REVISED:			
NORTH CAROLINA DEPARTMENT OF UTILITIES ENGINEERING SEC. 150-100.0100		UTILITY CONSTRUCTION PLANS ONLY	
<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>			

## UTILITY CONSTRUCTION

### GENERAL NOTES:

1. THE PROPOSED UTILITY CONSTRUCTION WILL MEET THE APPLICABLE REQUIREMENTS OF THE NC DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR ROADS AND STRUCTURES" DATED JANUARY 2018.
2. THE EXISTING WATER MAIN BELONGS TO CITY OF SHELBY, NC.
3. ALL WATER LINES ARE TO BE INSTALLED WITHIN COMPLIANCE OF THE RULES AND REGULATIONS OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF WATER RESOURCES, PUBLIC WATER SUPPLY SECTION.
4. THE UTILITY OWNER OWNS THE EXISTING UTILITY FACILITIES AND WILL OWN THE NEW UTILITY FACILITIES AFTER ACCEPTANCE BY THE NC DEPARTMENT OF TRANSPORTATION ("DEPARTMENT"). THE DEPARTMENT OWNS THE CONSTRUCTION CONTRACT AND HAS ADMINISTRATIVE AUTHORITY.
  - A. COMMUNICATIONS AND DECISIONS BETWEEN THE CONTRACTOR AND UTILITY OWNER ARE NOT BINDING UPON THE DEPARTMENT OR THIS CONTRACT UNLESS AUTHORIZED BY THE ENGINEER.
  - B. AGREEMENTS BETWEEN THE UTILITY OWNER AND CONTRACTOR FOR THE WORK THAT IS NOT PART OF THIS CONTRACT OR IS SECONDARY TO THIS CONTRACT ARE ALLOWED, BUT ARE NOT BINDING UPON THE DEPARTMENT.
5. PROVIDE ACCESS FOR DEPARTMENT PERSONNEL AND THE OWNER'S REPRESENTATIVES TO ALL PHASES OF CONSTRUCTION. NOTIFY DEPARTMENT PERSONNEL AND THE UTILITY OWNER TWO WEEKS PRIOR TO COMMENCEMENT OF ANY WORK AND ONE WEEK PRIOR TO SERVICE INTERRUPTION. KEEP UTILITY OWNERS' REPRESENTATIVES INFORMED OF WORK PROGRESS AND PROVIDE OPPORTUNITY FOR INSPECTION OF CONSTRUCTION AND TESTING.

### PROJECT SPECIFIC NOTES:

1. ALL NEW WATER MAINS LINES WILL BE CLASS 52 D.I. (DUCTILE IRON) PIPE UNLESS OTHERWISE INDICATED ON THE DRAWINGS. SECTION OF 2" PVC WATER MAIN LINE WILL BE C905, DR 21.
2. WATER MAINS CROSSING UNDER STORM DRAIN PIPE WILL HAVE 18" MINIMUM VERTICAL CLEARANCE UNLESS SPECIFIED ON THE DRAWINGS.
3. ALL MATERIALS AND CONSTRUCTION PERTAINING TO WATER MAIN CONSTRUCTION WILL BE IN ACCORDANCE WITH THE LATEST STANDARDS AND SPECIFICATIONS OF CITY OF SHELBY AND NCDOT DIV. 15 UTILITY CONSTRUCTION.
4. CONTRACTOR WILL OBTAIN THE LATEST STANDARDS, SPECIFICATIONS, AND STANDARD DETAILS DRAWINGS FROM THE CITY OF SHELBY AND NCDOT.

## UTILITY CONSTRUCTION

### STANDARD DETAIL DRAWINGS:

1. PROJECT STANDARD DETAILS ARE TO BE USED WHEN PROVIDED. CITY OF SHELBY STANDARD DETAILS ARE ALSO AVAILABLE ON LINE AT [www.cityofshelby.com](http://www.cityofshelby.com).
2. IF NO STANDARD DETAILS ARE PROVIDED FOR THE CITY OF SHELBY OR IN THE PROJECT DRAWINGS, THEN USE NCDOT STANDARD SPECIFICATIONS, DIVISION 15 STANDARD DETAILS FOR UTILITY CONSTRUCTION.





**Stantec**  
 Stantec Consulting Services Inc.  
 801 Jones Franklin Road  
 Suite 300  
 Raleigh, NC 27606  
 Tel. (919) 851-6866  
 Fax. (919) 851-7024  
 www.stantec.com  
 License No. F-0672

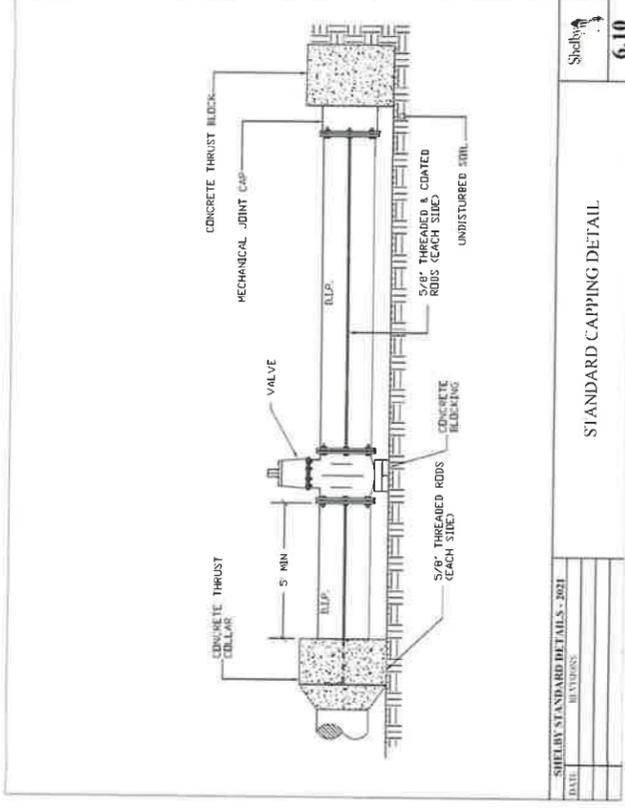
PROJECT REFERENCE NO. R-2707D UC-03C  
 SHEET NO. UC-03C

DESIGNED BY: LEW  
 DRAWN BY: GMM  
 CHECKED BY: LLP  
 APPROVED BY:  
 REVISED:  
 NORTH CAROLINA  
 DEPARTMENT OF  
 TRANSPORTATION  
 UTILITIES ENGINEERING SEC.  
 PHONE: (919) 707-6690  
 FAX: (919) 250-4151

CAROLINA PROFESSIONAL SEAL  
 BEAL  
 23500  
 ENGINEER  
 LICENSE NO. 10001

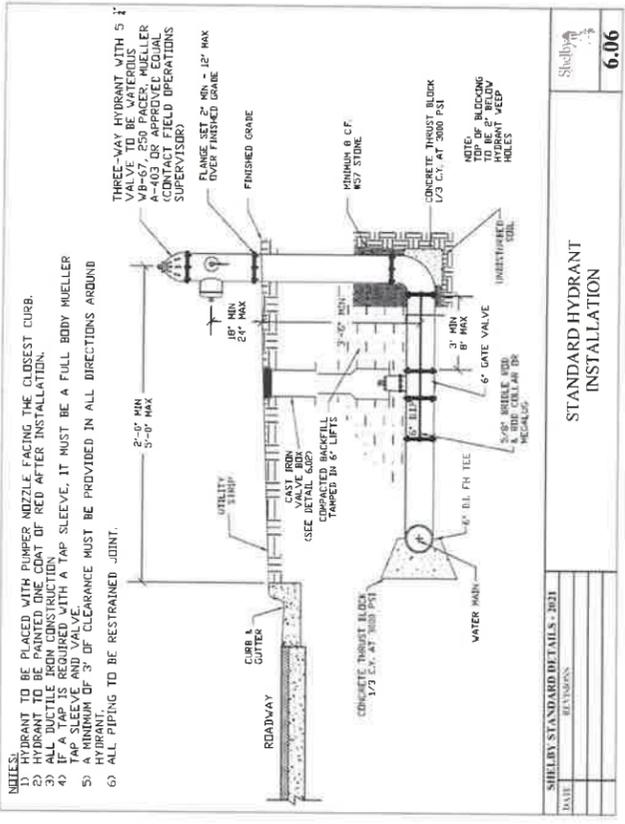
UTILITY CONSTRUCTION  
 PLANS ONLY

**UTILITY CONSTRUCTION**



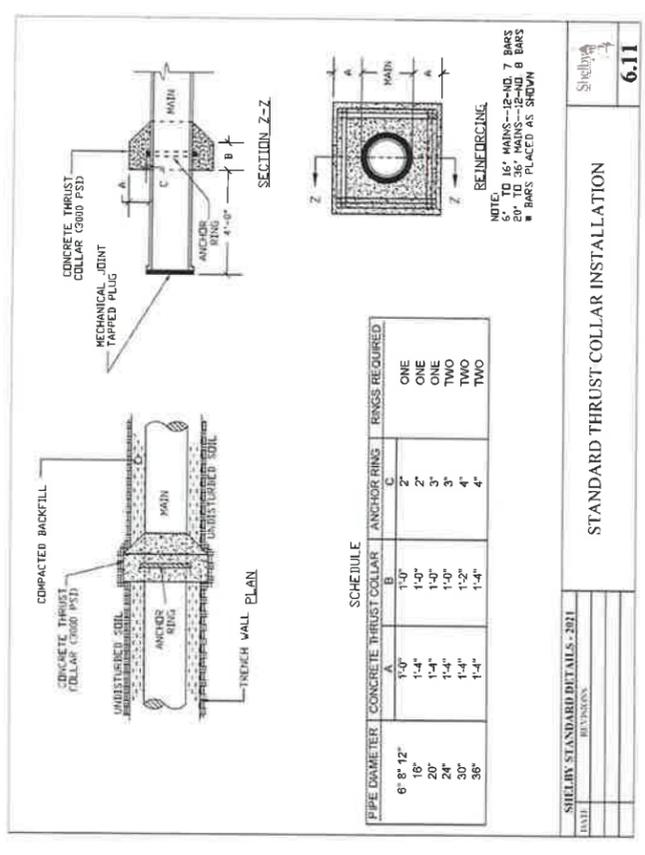
SHELBY STANDARD DETAILS - 2021  
 DATE: REVISED:  
 STANDARD CAPPING DETAIL  
 Shelby  
**6.10**

**7 STANDARD CAPPING DETAIL**  
 03C



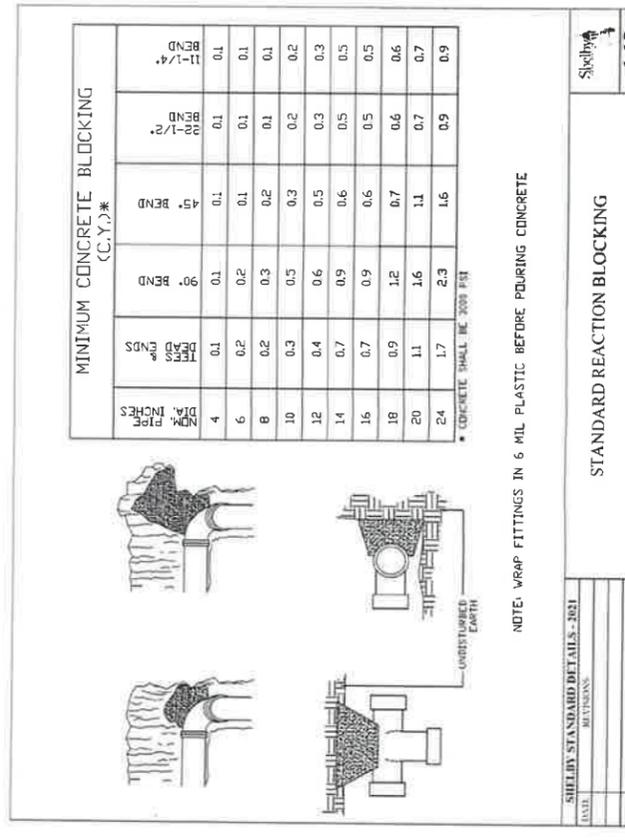
SHELBY STANDARD DETAILS - 2021  
 DATE: REVISED:  
 STANDARD HYDRANT INSTALLATION  
 Shelby  
**6.06**

**6 STANDARD HYDRANT INSTALLATION**  
 03C



SHELBY STANDARD DETAILS - 2021  
 DATE: REVISED:  
 STANDARD THRUST COLLAR INSTALLATION  
 Shelby  
**6.11**

**8 STANDARD THRUST COLLAR INSTALLATION**  
 03C



SHELBY STANDARD DETAILS - 2021  
 DATE: REVISED:  
 STANDARD REACTION BLOCKING  
 Shelby  
**6.12**

**9 STANDARD REACTION BLOCKING**  
 03C



PROJECT REFERENCE NO. R-2707D SHEET NO. UC-04  
 DESIGNED BY: LEW  
 DRAWN BY: GAV  
 CHECKED BY: LLD  
 APPROVED BY:  
 REVISIONS:  
 DATE: 04/20/2022  
 SEAL 2300  
 PROFESSIONAL ENGINEER  
 STATE OF NORTH CAROLINA  
 U.P. OF CONSTRUCTION PLANS ONLY

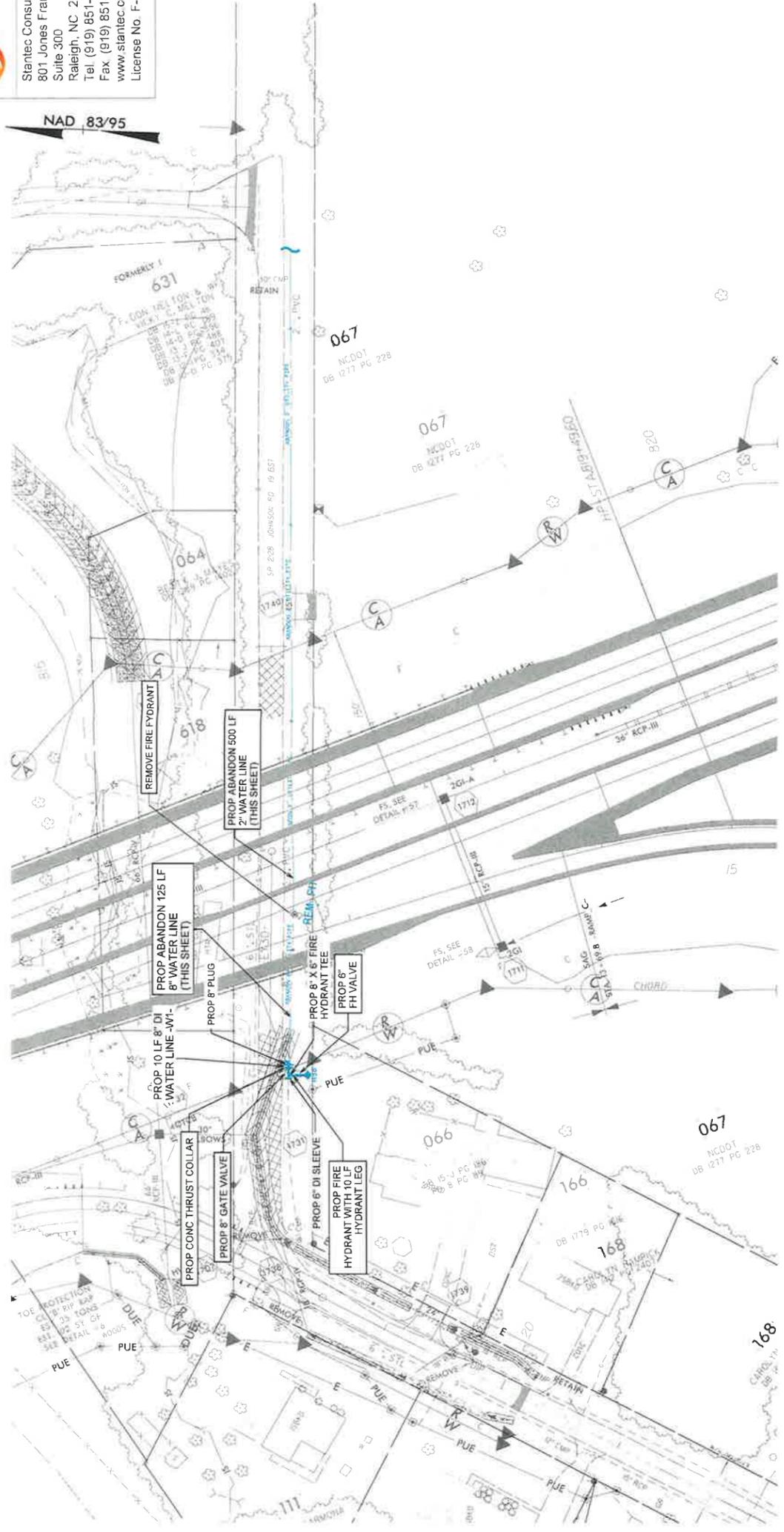
DOCUMENT NOT CONSIDERED FINAL  
 UNLESS ALL SIGNATURES COMPLETED

# UTILITY CONSTRUCTION AGREEMENT PLANS

COST BREAKDOWN LEGEND	
STATE COST	

- NOTES:
1. MAINTAIN MINIMUM 36" COVER BELOW FINAL GRADE FOR ALL WATER LINES.
  2. ABANDON WATER LINE IN LOCATIONS SHOWN. ABANDONMENT INCLUDES CUTTINGS AND APPURTENANCES. ABANDONMENT OF THE WATER LINE TO BE IN ACCORDANCE WITH THE CITY OF SHELBY'S REQUIREMENTS.

PROP WATER LINE -W-  
 10 LF 8" DI RJ PIPE  
 THE ESTIMATED QUANTITY OF DUCTILE IRON WATER PIPE FITTINGS ON THIS PLAN SHEET IS 305 POUNDS. THE ACTUAL QUANTITY AND TYPE OF FITTINGS WILL VARY BASED ON FIELD CONDITIONS.  
 ABANDON 125 LF EXIST 8" WATER LINE  
 ABANDON 500 LF EXIST 2" WATER LINE





ORDINANCE NO. 11-2023

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S R2707D US 74 BYPASS WATER LINE RELOCATION PROJECT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to establish a capital project ordinance and budgets for the City of Shelby's R2707D US 74 Bypass Water Line Relocation Project; and

WHEREAS, it is necessary for the City to establish a budget for this capital project and appropriate applicable funds needed for the administration and construction of this project in order to comply with applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and,

WHEREAS, G.S. 159-13.2 provides that a City may undertake the construction of a capital asset such as sewer utility infrastructure, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to relocate water utility lines in conjunction with construction of the US Hwy. 74 Bypass Project. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Fund Balance:

Fund Balance Appropriated	61006000-39900	\$19,250
Transfer to Water Capital Projects	610711-49611	\$19,250

Section 2. The following revenues are available and amounts are hereby appropriated:

Revenues:		
Transferred from Water Fund	61106000-39610-61845	\$19,250
Appropriation:		
Construction	611716-53000-61845	\$19,250

Section 3. The provisions of this capital project ordinance shall be entered in the minutes of the Shelby City Council and copies filed with the City Manager as Budget Officer, the Finance Director, and the City Clerk for their direction and guidance in receiving revenues and expending the monies due thereunder.

Ordinance No. 11-2023  
March 6, 2023  
Page 2

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and Approved this the 6th day of March, 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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John Kubis  
Interim City Attorney

**RESOLUTION NO. 14-2023**

**A RESOLUTION ACCEPTING AND APPROVING A UTILITY RELOCATION AGREEMENT FOR WATER INFRASTRUCTURE BETWEEN THE CITY OF SHELBY AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR RELOCATION OF UTILITIES IN CONFLICT WITH THE PROPOSED US 74 BYPASS**

**WHEREAS**, the North Carolina Department of Transportation has submitted a project for construction to include a new US 74 Bypass in Cleveland County, North Carolina, and referenced as WBS Element: 34497.3.6 (R-2707D); and,

**WHEREAS**, the construction of said roadway project will require certain adjustments to be made to the existing City of Shelby water system; and,

**WHEREAS**, the City of Shelby utilities do not have private utility easements and are located within the NCDOT right of way of said proposed US 74 Bypass; and,

**WHEREAS**, the City of Shelby agrees to undertake the actions required to accommodate the proposed improvements, and will enter into certain agreements with NCDOT to complete these aforementioned utility relocations for construction of the US 74 Bypass.

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

Section 1. In order to facilitate the orderly and expeditious relocation of the said required utilities owned by the City of Shelby, the NCDOT and the City of Shelby have agreed to relocation and reimbursement as detailed in the attached agreements entitled "Utility Construction Agreement" and is hereby made a part of this resolution by its incorporation.

Section 2. The City Manager of the City of Shelby or his designee are hereby authorized and directed to execute the applicable agreement as specified in Section 1 of this resolution.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted and approved this the 6<sup>th</sup> day of March 2023.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-5

- 5) Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 12-2023

**Consent Agenda Item: (Ben Yarboro, Assistant City Manager)**

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- Memorandum dated March 1, 2023, from Ben Yarboro, Assistant City Manager to Justin Merritt, Assistant City Manager
- Ordinance No. 12-2023

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City Manager's Recommendation / Comments

Ordinance No. 12-2023 is presented for City Council consideration via the Consent Agenda as a matter of routine business. If approved this budget ordinance amendment would recognize and appropriate additional funds from the Water Fund and Sewer Fund needed to balance the Water Distribution Line a Sewer Collection Line accounts. As a result of increased applications for water and sewer taps the City has realized increased revenue in these two areas. In order to spend these fund the City must make this budget amendment that both recognizes and appropriates the funding. The total amount for the water fund is \$60,000 and for the sewer fund is \$35,000.

**It is my recommendation that Ordinance No. 12-2023 be adopted and approved via the Consent Agenda as a matter of routine business.**



## ***Memorandum***

**To:** Justin Merritt, Assistant City Manager

**From:** Ben Yarboro, Assistant City Manager

**RE:** **Water and Sewer – Budget Amendment**

**Date:** March 1, 2023

### **Background**

During the FY 2022-23 Budget, there has been a rising cost in materials for water and wastewater materials needed for new services and system materials for daily operations. The City has also seen an increase in new services from residential development within the City during the Fiscal Year. The materials budgets have been depleted due to these factors.

### **Review**

Based on projected water and sewer taps for the remainder of the FY 2022-23 Budget, both the water and sewer line budgets are going to need additional funds to cover the cost of the materials needed to install these new services. The following are projected amounts needed for each for the remainder of this Fiscal Year:

<b>Fund:</b>	<b>GL Account:</b>	<b>Initial Amount:</b>	<b>Additional Amount Needed:</b>
Water Line	610713-41511	\$103,000	<b>\$60,000</b>
Sewer Line	620723-41511	\$25,000	<b>\$35,000</b>

### **Recommendation**

In consideration of the materials needed to perform water and sewer taps for new housing for the remainder of the Fiscal Year, staff recommends the City move forward a budget amendment to transfer the funds from our water and sewer tap revenue accounts to cover the costs as outlined above.

Please let me know if further information is needed.

ORDINANCE NO. 12-2023  
CITY OF SHELBY  
FY 2022-2023 BUDGET ORDINANCE AMENDMENT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its annual budget for FY 2022-2023; and,

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve same for implementation and compliance with the Fiscal Control Act;

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

Section 1. Ordinance No. 34-2022, the City’s FY 2022-2023 Budget Ordinance, is hereby amended as follows to provide for Budget Amendment No. 5 for the year:

(A) The City of Shelby has identified a need to appropriate additional funding to support the addition of new water and sewer taps to serve new customers. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

(1) The following Water Fund line items are amended:

(a) Increase 61006000-36711 Water Taps	\$60,000
(b) Increase 610713-41511 Materials	\$60,000

(2) The following Sewer Fund line items are amended:

(c) Increase 62006000-36721 Sewer Taps	\$35,000
(d) Increase 620723-41511 Materials	\$35,000

Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

	<u>Current Budget</u>	<u>Amendment No. 5</u>
General Fund	\$ 31,188,671	\$ 31,188,671
Emergency Telephone System Fund	107,000	107,000
Powell Bill Fund	679,000	679,000
Economic Dev. Fund	711,250	711,250
Housing Fund	2,485,707	2,485,707
Cemetery Fund	30,000	30,000
Utilities-Water Fund	6,370,517	6,430,517
Utilities-Sewer Fund	6,621,100	6,656,100
Utilities-Electric Fund	20,912,000	20,912,000
Utilities-Gas Fund	24,154,747	24,154,747
Utilities – Stormwater Fund	1,363,405	1,363,405
FY 2022-2023 Budget Total:	\$ 94,623,397	\$ 94,718,397

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of March A. D. 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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John Kubis  
Interim City Attorney

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-6

- 6) Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 13-2023

**Consent Agenda Item: (Ben Yarboro, Assistant City Manager)**

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- Memorandum dated March 1, 2023, from Ben Yarboro, Assistant City Manager Justin Merritt, Assistant City Manager
- Ordinance No. 13-2023

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City Manager's Recommendation / Comments

Ordinance No. 13-2023 is presented for City Council consideration via the Consent Agenda as a matter of routine business. If approved this budget ordinance amendment would recognize and appropriate additional funds from the Water Fund and Sewer Fund needed to balance the Water Plant and Sewer Plant accounts. As a result of increased chemical costs the City staff finds it necessary to request an additional appropriation of revenue to cover these cost and balance the existing budget. In order to spend these fund the City must make this budget amendment that both appropriates the additional funding and authorizes the expenditure. The total amount for the water fund is \$45,000 and for the sewer fund is \$70,000.

**It is my recommendation that Ordinance No. 13-2023 be adopted and approved via the Consent Agenda as a matter of routine business.**



## ***Memorandum***

**To:** Justin Merritt, Assistant City Manager

**From:** Ben Yarboro, Assistant City Manager

**RE:** **Sewer Plant and Water Plant – Fund Balance Appropriation**

**Date:** March 1, 2023

### **Background**

During the FY 2022-23 Budget, the City Sewer and Water Plants have experienced increases in the cost of chemicals to treat water and wastewater. The major factor causing the price increase is that most of the chemicals used in the treatment of water and wastewater are petroleum derived and the rising cost of fuel has caused the cost of these chemicals to increase as well. Also, the cost of inflation over the past year has had a major impact on the amount we have had to spend on these chemicals.

### **Review**

Staff has reviewed projected chemical usage and for the remainder of the FY 2022-23 Budget and determined that both the Sewer Plant and the Water Plant are going to need additional funds to cover the cost of the chemicals needed to operate. The following are projected chemical funds needed for each plant for the remainder of this Fiscal Year:

<b>Fund:</b>	<b>GL Account:</b>	<b>Initial Amount:</b>	<b>Additional Amount Needed:</b>
Water Plant	610714-41515	\$354,200	<b>\$45,000</b>
Sewer Plant	620724-41515	\$137,510	<b>\$70,000</b>

### **Recommendation**

In consideration of the chemicals needed to treat water and wastewater for the remainder of the Fiscal Year, staff recommends appropriating the funds from the water and sewer fund balances to cover the costs as outlined above.

Please let me know if further information is needed.

ORDINANCE NO. 13-2023  
CITY OF SHELBY  
FY 2022-2023 BUDGET ORDINANCE AMENDMENT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its annual budget for FY 2022-2023; and,

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve same for implementation and compliance with the Fiscal Control Act;

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

Section 1. Ordinance No. 34-2022, the City’s FY 2022-2023 Budget Ordinance, is hereby amended as follows to provide for Budget Amendment No. 6 for the year:

(A) The City of Shelby has identified a need to appropriate additional funding to address the rising costs of treatment chemicals necessary to operate the water and wastewater treatment facilities. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

(1) The following Water Fund line items are amended:

- (a) Increase 61006000-39900 Fund Balance Appropriated \$45,000
- (b) Increase 610714-41515 Chemicals \$45,000

(2) The following Sewer Fund line items are amended:

- (c) Increase 62006000-39900 Fund Balance Appropriated \$70,000
- (d) Increase 620724-41515 Chemicals \$70,000

Section 2. That the revenues, expenditures and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

	<u>Current Budget</u>	<u>Amendment No. 6</u>
General Fund	\$ 31,188,671	\$ 31,188,671
Emergency Telephone System Fund	107,000	107,000
Powell Bill Fund	679,000	679,000
Economic Dev. Fund	711,250	711,250
Housing Fund	2,485,707	2,485,707
Cemetery Fund	30,000	30,000
Utilities-Water Fund	6,430,517	6,475,517
Utilities-Sewer Fund	6,656,100	6,726,100
Utilities-Electric Fund	20,912,000	20,912,000
Utilities-Gas Fund	24,154,747	24,154,747
Utilities – Stormwater Fund	<u>1,363,405</u>	<u>1,363,405</u>
FY 2022-2023 Budget Total:	<u>\$ 94,718,397</u>	<u>\$ 94,833,397</u>

Ordinance No. 13-2023  
March 6, 2023  
Page 2

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and approved this the 6th day of March A. D. 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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John Kubis  
Interim City Attorney

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-7

- 7) Adoption of budget ordinance amendment for the City of Shelby's American Rescue Plan Water and Sewer Project: Ordinance No. 14-2023

**Consent Agenda Item: (Ben Yarboro, Assistant City Manager)**

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- Memorandum dated November 2, 2022, from Ben Yarboro, Assistant City Manager to Justin Merritt, Assistant City Manager
- Ordinance No. 14-2023

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City Manager's Recommendation / Comments

Ordinance No. 14-2023 is presented for City Council consideration at this time via the Consent Agenda as a matter of routine business. If approved this amendment appropriate funding from the original \$6,300,000 of American Rescue Plan funding to Water and Sewer Capital Projects as specifically described in the amendment. Mr. Yarboro has provided a detailed memo describing the uses of the recommended funding. He has reviewed these with me and I find them to be reasonable and in keeping with the City's overall goals relating to improvements to the existing systems. Council will recall that you previously approved an allocation plan that broadly laid out how it wished to spend these funds. The is amendment addresses the more details recommendations of city staff.

**It is my recommendation that Ordinance No. 14-2023 be adopted and approved by City Council via the Consent Agenda as a matter of routine business.**



## **Memorandum**

**To:** Justin Merritt; Assistant City Manager

**CC:** Rick Howell, City Manager

**From:** Ben Yarboro; Assistant City Manager - Operations

**Date:** February 28, 2023

**Subject:** Water and Sewer Projects - Project Budget Ordinances  
American Rescue Plan Funds – Additional Project

### **Background**

Over the course of the last 15 years, Water Resources has developed a comprehensive list of improvement projects for both water and sewer. This list has been developed through both internal and external evaluations that have included staff and in some cases consultant/engineer input. This list allows us to plan for improvements that are needed for system upgrades to continue to operate in a safe manner that follows all State and Federal regulations when money is needed and made available. With a large amount of work complete at the First Broad WWTP, Water Resources has turned our focus on continued improvements at the water plant, in the water distribution system and sewer collection system. With the approved street resurfacing bond, Water Resources has also increased the internal evaluations of the water and sewer system to identify critical improvements needed prior to the proposed 5-year resurfacing plan.

During the previous budget year, the City received \$6.3 million from the American Rescue Plan that will allow us to move forward with several priority water resources items that have been identified, reviewed and prioritized by staff.

### **Review**

City staff has identified additional water and sewer projects from recent system evaluations in regards to the street resurfacing projects. In response to the upcoming resurfacing projects, Water Resources is recommending an additional appropriation/project(s) as outlined below:

<b>SEWERLINE PROJECTS</b>	<b>Engineering</b>	<b>Construction</b>	<b>Total</b>
	621726-42004-62880	621726-53000-62880	
Lafayette Street Sewerline Repairs		\$115,000	\$115,000
Sumter Street Sewerline Rehabilitation	\$28,500	\$190,000	\$218,500
Belvedere Sewer Rehabilitation		\$330,000	\$330,000
Lee Street Sewer	\$19,000	\$209,000	\$228,000
WWTP Influent/Entrance Paving		\$34,000	\$34,000
<b>TOTALS</b>	<b>\$47,500</b>	<b>\$878,000</b>	<b>\$925,500</b>

<b>WATERLINE PROJECTS</b>	<b>Engineering</b>	<b>Construction</b>	<b>Total</b>
	611716-42004-61842	611716-53000-61842	
Sumter Street Waterline	\$45,000	\$300,000	\$345,000
Lee St Waterline	\$18,000	\$123,000	\$141,000
Willow Estates – Waterline Upsizing		\$160,000	\$160,000
Grover Street Valve Replacement	\$6,500	\$40,000	\$46,500
Distribution Water Model Water Updates	17,100		\$17,100
Shannonhouse Waterline Curbing		\$18,000	\$18,000
<b>TOTALS</b>	<b>\$86,600</b>	<b>\$641,000</b>	<b>\$727,600</b>

<b>WATER PLANT PROJECTS</b>	<b>Engineering</b>	<b>Construction</b>	<b>Total</b>
	611716-42004-61843	611716-53000-61843	
Alum Lagoon Repairs		\$160,000	\$160,000
WTP Paving		\$19,000	19,000
<b>TOTALS</b>	<b>\$0</b>	<b>\$179,000</b>	<b>\$179,000</b>

<b>WASTEWATER PLANNING GRANTS</b>	<b>Engineering</b>	<b>Construction</b>	<b>Total</b>
	621726-42004-62881		
Collection System Flow Monitoring & Surveying	\$140,000		\$140,000
<b>TOTALS</b>	<b>\$140,000</b>	<b>\$0</b>	<b>\$140,000</b>

**Recommendation**

Water Resources staff recommends the transfer of funds from the ARP Fund (62106000-39250-62880) to the following: Engineering Sewerline project fund (621726-42004-62880) \$47,500; Sewerline Construction project fund (621726-53000-62880) \$878,000; Engineering Waterline Projects (611716-42004-61842) \$86,600;

Waterline Construction Projects (611716-53000-61842) \$641,000; Water Plant Projects Construction (611716-53000-61843) \$179,000; and Wastewater Planning Grants Engineering (621726-42004-62881) \$140,000.

These funds will allow us to complete the projects outlined above. Please let me know if additional information is needed.

ORDINANCE NO. 14-2023  
 BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S AMERICAN RESCUE  
 PLAN WATER AND SEWER PROJECT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its capital project ordinance and budgets for the City of Shelby’s American Rescue Plan Water and Sewer Project; and

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 45-2022, the City’s American Rescue Plan Water and Sewer Project, is hereby amended as follows to provide for Budget Amendment No. 3 for said project:

Section 1. Appropriating Revenues:

ARP Funds-Federal	25002000-34550	\$1,972,100
Transfer to Water Capital Projects	250550-49611	\$ 906,600
Transfer to Sewer Capital Projects	250550-49621	\$1,065,500

Section 2. The following revenues are available, and amounts are hereby appropriated:

**Water Fund Capital Projects:**

Revenues:		
Transferred from ARP Fund	61106000-39250-61842	\$727,600
Transferred from ARP Fund	61106000-39250-61843	\$179,000
Appropriation:		
Engineering	611716-42004-61842	\$ 86,600
Construction	611716-53000-61842	\$641,000
Construction	611716-53000-61843	\$179,000

**Sewer Fund Capital Projects:**

Revenues:		
Transferred from ARP Fund	62106000-39250-62880	\$925,500
Transferred from ARP Fund	62106000-39250-62881	\$140,000
Appropriation:		
Engineering	621726-42004-62881	\$140,000
Engineering	621726-42004-62880	\$ 47,500
Construction	621726-53000-62880	\$878,000

Section 2. That the revenues, expenditures, and amendments set forth in Section 1 of this ordinance are hereby summarized as follows:

**American Rescue Plan Water Projects:**

	<u>Current Budget</u>	<u>Amendment No. 3</u>
<b>Revenues</b>		
Transfer from ARP Fund	\$781,000	\$1,687,600
<b>Expenditures</b>		
Engineering	\$200,000	\$ 286,600
Construction	\$581,000	\$1,401,000

**American Rescue Plan Sewer Projects:**

	<u>Current Budget</u>	<u>Amendment No. 3</u>
<b>Revenues</b>		
Transfer from ARP Fund	\$571,750	\$1,637,250
<b>Expenditures</b>		
Engineering	\$ -0-	\$ 187,500
Construction	\$571,750	\$1,449,750

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

Section 4. This ordinance shall become effective upon its adoption and approval.

Adopted and Approved this the 6th day of March, 2023.

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O. Stanhope Anthony, III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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John Kubis  
Interim City Attorney

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

**Agenda Item: B-8**

8) Approval of Special Event Applications:

- a) Road to Hope 5K, requested date: April 29, 2023
- b) Shining in Shelby, requested date: May 11 – 14, 2023
- c) Shelby Sprint 5K, requested date: May 13, 2023
- d) Uptown Shelby’s Block Party, requested date: April 28, 2023 (One time exception)

**Consent Agenda Item: (Carol Williams, City Clerk)**

- Memorandums from Carol Williams, City Clerk to Rick Howell, City Manager
- Four Special Event Applications

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City Manager’s Recommendation / Comments

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

I do want to make Council aware that sometime this year I will be proposing a revised special event ordinance that formalizes the City’s process and more clearly spells out the City’s expectations of those submitting applications that require additional City services including the closure of streets and sidewalks. Special events require a great deal of resources often including employee work hours (Public Works, Police, Fire & Rescue and Parks and Recreation) as well as equipment. These events which provide important activities for citizens/visitors do require staff to divert from their usual duties even if only for a brief period in some cases. As you have heard me say each employee is budgeted for 2,080 hours per year. Each hour committed to special events takes away from the core purpose of that employee. I am not suggesting that the City no longer allow special events but do believe a more clear and formal policy will assist in helping us to manage our resources. Look for a recommendation in 2023.

# Memo

**To:** Rick Howell, City Manager

**From:** Carol Williams, City Clerk

**Date:** February 2, 2023

**Re:** Special Event Permit Application

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## BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Road to Hope 5K, requested date: April 29, 2023

## 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 February 20, 2023 for Council's review and approval.

## ATTACHMENT:

- A. Special Event Permit Application packet received January 9, 2023



**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:** Road to Hope 5 K

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:**

The 5k is to support Road to Hope Shelby – all registration fees go to Road to Hope -Shelby. Sponsor dollars pay for coordination, bags and tshirts.

\_\_\_\_\_  
\_\_\_\_\_

**3. LOCATION OF EVENT (ATTACH MAP):**

I am attaching a 5 K map

\_\_\_\_\_  
\_\_\_\_\_

**4. PLEASE INDICATE:**

Approximately how many people will attend the event? 5K 250 to 300  
~~Festival 150 to 200~~

Approximately how many vehicles will be present? No vehicles will be allowed in the event area

Approximately how many animals will be present? Only those brought in by attendees

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 \_\_\_\_\_

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

Name: ALWS

Address: 117-A W. Warrant St, Shelby, NC 28150

Phones: 704-466-3103  
(Daytime) (Evening)

Judy@alws.us

E-mail address

Name: Dragonfly Marketing

Address: 201 S Washington St

Phones: 704-600-6599 704-473-8248  
(Daytime) (Evening)

Kim@DragonflyMarketing.cc

E-mail address

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) April 29, 2023

Alternate day(s) and date(s) \_\_\_\_\_

Requested hours of operation, from 6:30 am to 10:00 \_\_\_\_\_ AM

Street closure for the awards area area is requested from 5:00 am to 10:30 am on April 29. *Roads to be closed Lafayette Ave St to South of Graham. Graham St West of Lafayette to the West of Morgan*

**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.

A written notice will be given to all residents and businesses in the festival area. Additionally, signage will be posted at least a week before the event stating date and times of closure. Uptown Shelby businesses will also be given a map of the festival the first week of August.

**8. SANITATION:** Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.  
Use the permanent trash cans in the 5 K area.

**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.

Announcements with megaphone

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. Once we receive approval of this permit, the process with the health department will begin.

**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. The plan is to meet with the fire department to go over the layout of the festival and provide adequate space for an onsite station.

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: Cleveland County EMS (will have at least one med station on site and during the event. \_\_\_\_\_

Address: 1333 Fallston Road, Shelby, NC 28150 \_\_\_\_\_

Phones: 911 and 980-484-4984 \_\_\_\_\_

Indicate medical services that will be provided for the event.

AMBULANCE: \_\_\_\_\_

DOCTOR (S): \_\_\_\_\_

PARAMEDICS: \_\_\_\_\_

**11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:**

(1) Shelby PD for race lead and intersection support \_\_\_\_\_

(2) City Operations for street closures \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**12. ANY ADDITIONAL COMMENTS:**

7<sup>th</sup> Inning Stretch Festival, ALWS, Dragonfly Marketing, and volunteers will be on site during the entire event, and it will be our responsibility to contact all of the department representatives prior to each event. The committee will contract for adequate portable restroom facilities.

Dragonfly Marketing team will personally advise all uptown Shelby businesses in the 5K area..

Dragonfly Marketing will meet with Chief Jeff Ledford(or designee) and designated officer to discuss Law Enforcement Support for the event.

Dragonfly Marketing will meet with Scott Black – City of Shelby Street Supervisor. Mr. Black supports the street closures requested and times. Mr. Black will provide the necessary set up and blockage of streets as needed. Dragonfly Marketing will continue to meet with City of Shelby Departments to ensure knowledge of the 5K.

Dragonfly Marketing will provide road closure information to all Emergency Response Centers that serve the festival area. Additionally, the information will be provided to local media and on social media sites prior to the event.

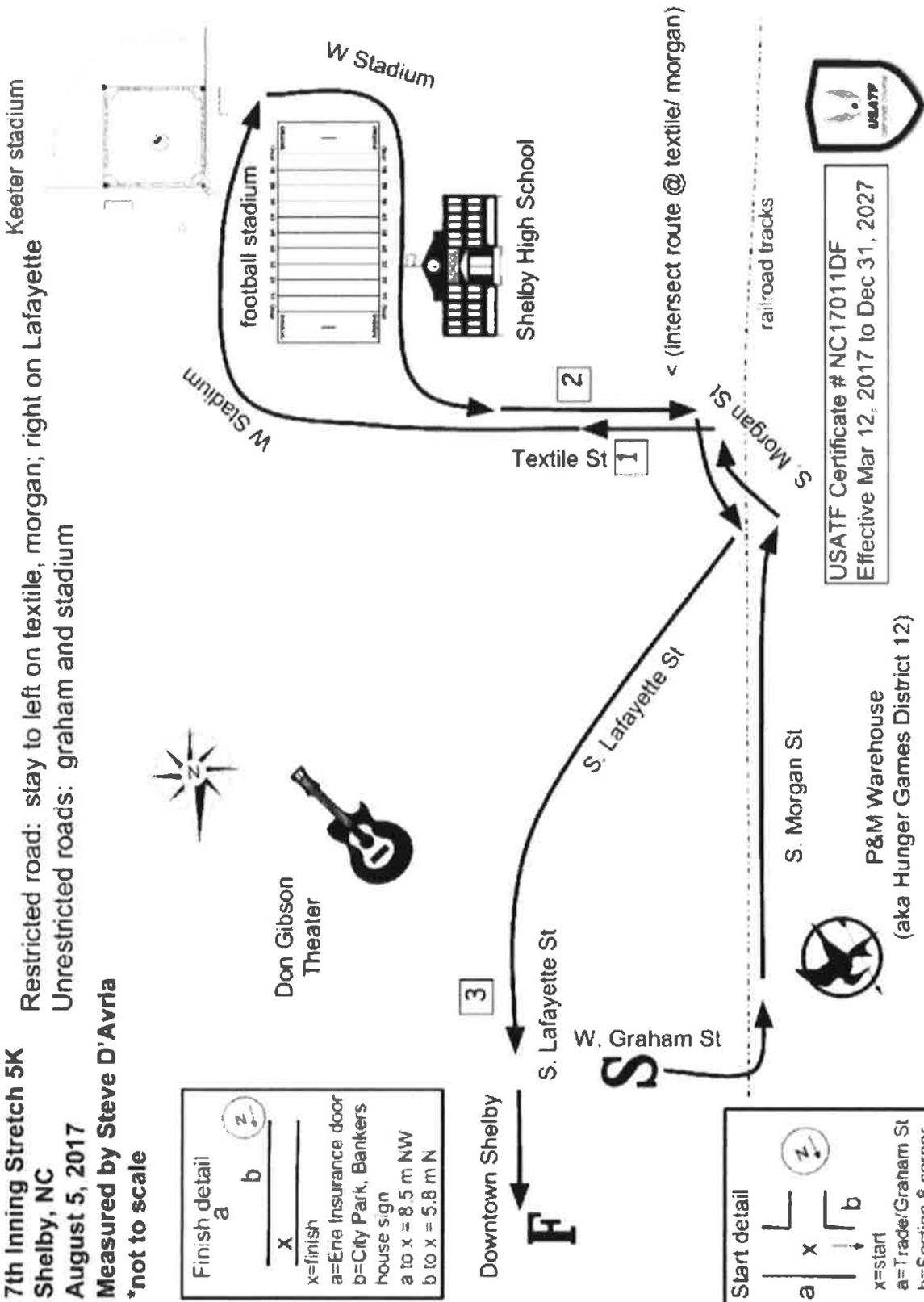
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT**

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true



**7th Inning Stretch 5K**  
**Shelby, NC**  
**August 5, 2017**  
**Measured by Steve D'Avria**  
**\*not to scale**



**Finish detail**

a \_\_\_\_\_  
 b \_\_\_\_\_  
 x \_\_\_\_\_

x=finish  
 a=Ene Insurance door  
 b=City Park, Bankers house sign  
 a to x = 8.5 m NW  
 b to x = 5.8 m N

**Start detail**

a \_\_\_\_\_  
 x \_\_\_\_\_  
 b \_\_\_\_\_

x=start  
 a=Trade/Graham St  
 b=Section 8 corner  
 a to x = 20 m SW  
 b to x = 22.5 m E

# Memo

**To:** Rick Howell, City Manager

**From:** Carol Williams, City Clerk

**Date:** February 2, 2023

**Re:** Special Event Permit Application

---

## BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Shining in Shelby 2023, requested date: May 11 - 14, 2023

## 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 February 20, 2023 for Council's review and approval.

## ATTACHMENT:

- A. Special Event Permit Application packet received September 27, 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:**

Shining in Shelby 2023

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**2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:**

A weekend long event hosting Airstreams and their owners around the square with an open house on Saturday to attract regional visitors. The Airstream visitors (approx. 60) will invest in our community all weekend.

---

**3. LOCATION OF EVENT (ATTACH MAP):**

Around the court square and a few adjacent parking spaces along LaFayette St. See attached map.

---

**4. PLEASE INDICATE:**

Approximately how many people will attend the event? 60 visitors

No more than 30 Airstreams

Approximately how many vehicles will be present? & 30 tow vehicles

Approximately how many animals will be present? 15 pet dogs

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

Single lane n.a.

All lanes in travel direction n.a.

Whole street \_\_\_\_\_

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

Name: Roger Holland

Address: 208 Deerchase Road

Phones: 704-472-4109 704-472-4109  
(Daytime) (Evening)

roger@h-harchitects.com  
E-mail address

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phones: \_\_\_\_\_  
(Daytime) (Evening)

\_\_\_\_\_  
E-mail address

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) May 11, 2023 - Hanna Park  
May 12-14, 2023 - Uptown Shelby

Alternate day(s) and date(s) \_\_\_\_\_

Requested hours of operation, from \_\_\_\_\_ AM/PM to \_\_\_\_\_ 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:**

- Use of Hanna Park overflow parking for Thursday night
- Police escort into town on Friday morning
- Parking spaces blocked off and reserved late Thursday night
- Power pedestals installed as per attached map
- "Christmas" tree lights on Friday & Saturday nights

**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: Shining in Shelby 2023

Authorize Event/Vendor Coordinator: Roger Holland

Phone No.: 704-472-4109 Mobile No.: 704-472-4109

Email: roger@h-harchitects.com

**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:

16 x \$15.00 x Number of Days 2.5 = \$ 600

Total Number of Stage Panels:

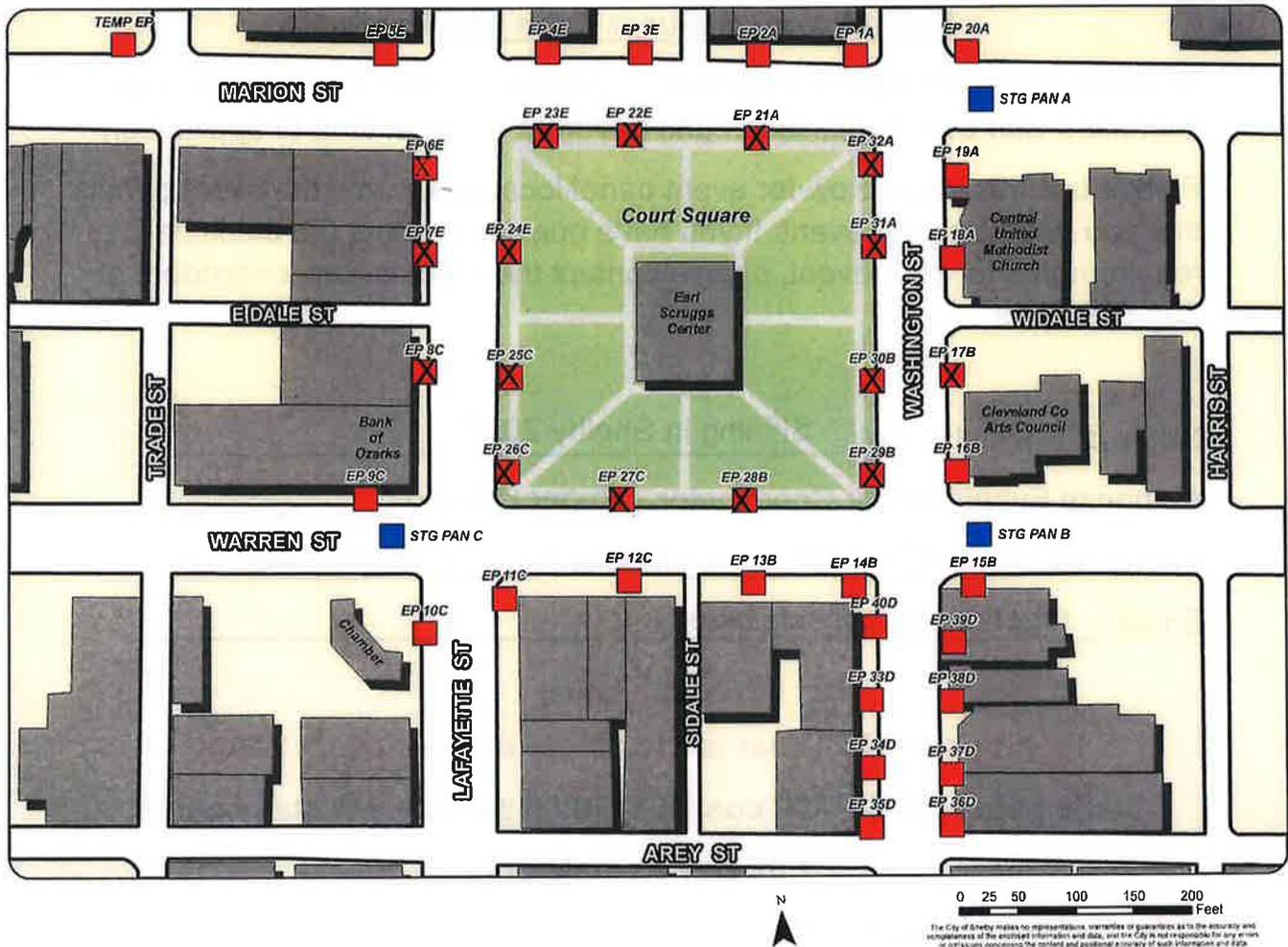
       x \$110.00 x Number of Days        = \$       

**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

Event pedestals requested marked with an "X"



## Legend

- Event Panel
- Stage Panel

**12. ANY ADDITIONAL COMMENTS:**

This event is to be identical to last year's Shining in Shelby utilizing the same parking spaces, power pedestals, schedules, etc.

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**THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT**

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

*Roger Holland*

---

SIGNATURE

Roger Holland  
APPLICANT

704-472-4109  
PHONE

208 Deerpase Road, Shelby, NC 28150  
PHYSICAL ADDRESS

roger@h-harchitects.com  
E-MAIL ADDRESS

09/27/2022  
DATE

# Memo

**To:** Rick Howell, City Manager

**From:** Carol Williams, City Clerk

**Date:** March 1, 2023

**Re:** Special Event Permit Application

---

## BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ YMCA Shelby Sprint 5K, requested date: May 13, 2023

## 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 March 6, 2023 for Council's review and approval.

## ATTACHMENT:

- A. Special Event Permit Application packet received February 9, 2023

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:**

Shelby Sprint 5K  
\_\_\_\_\_  
\_\_\_\_\_

**2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:**

To raise money for the YMCA'S We Build People Campaign.  
\_\_\_\_\_  
\_\_\_\_\_

**3. LOCATION OF EVENT (ATTACH MAP):**

Dover Foundation YMCA  
\_\_\_\_\_  
\_\_\_\_\_

**4. PLEASE INDICATE:**

Approximately how many people will attend the event? 500

Approximately how many vehicles will be present? 50

Approximately how many animals will be present? 10

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 \_\_\_\_\_

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

Name: Abby Boiling

Address: 411 Cherryville Highway Shelby, nc 28156

Phones: 704-669-3633  
(Daytime) (Evening)

Aboling@Clevcoymca.org  
E-mail address

Name: lori Paterno

Address: 411 Cherryville Highway Shelby, nc 28156

Phones: 704-650-7103  
(Daytime) (Evening)

LPaterno@Clevcoymca.org  
E-mail address

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) 5-13-23

Alternate day(s) and date(s) N/A

Requested hours of operation, from 8 AM/PM to 10 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: Atrium Rehab  
Address: 411 Cherryville Rd. Shelby, NC 28150  
Phones: 980-487-1800

Indicate medical services that will be provided for the event.

AMBULANCE: \_\_\_\_\_  
DOCTOR (S): \_\_\_\_\_  
PARAMEDICS: \_\_\_\_\_

**11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:**

2 police officers

**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 \_\_\_\_\_ = \$ \_\_\_\_\_

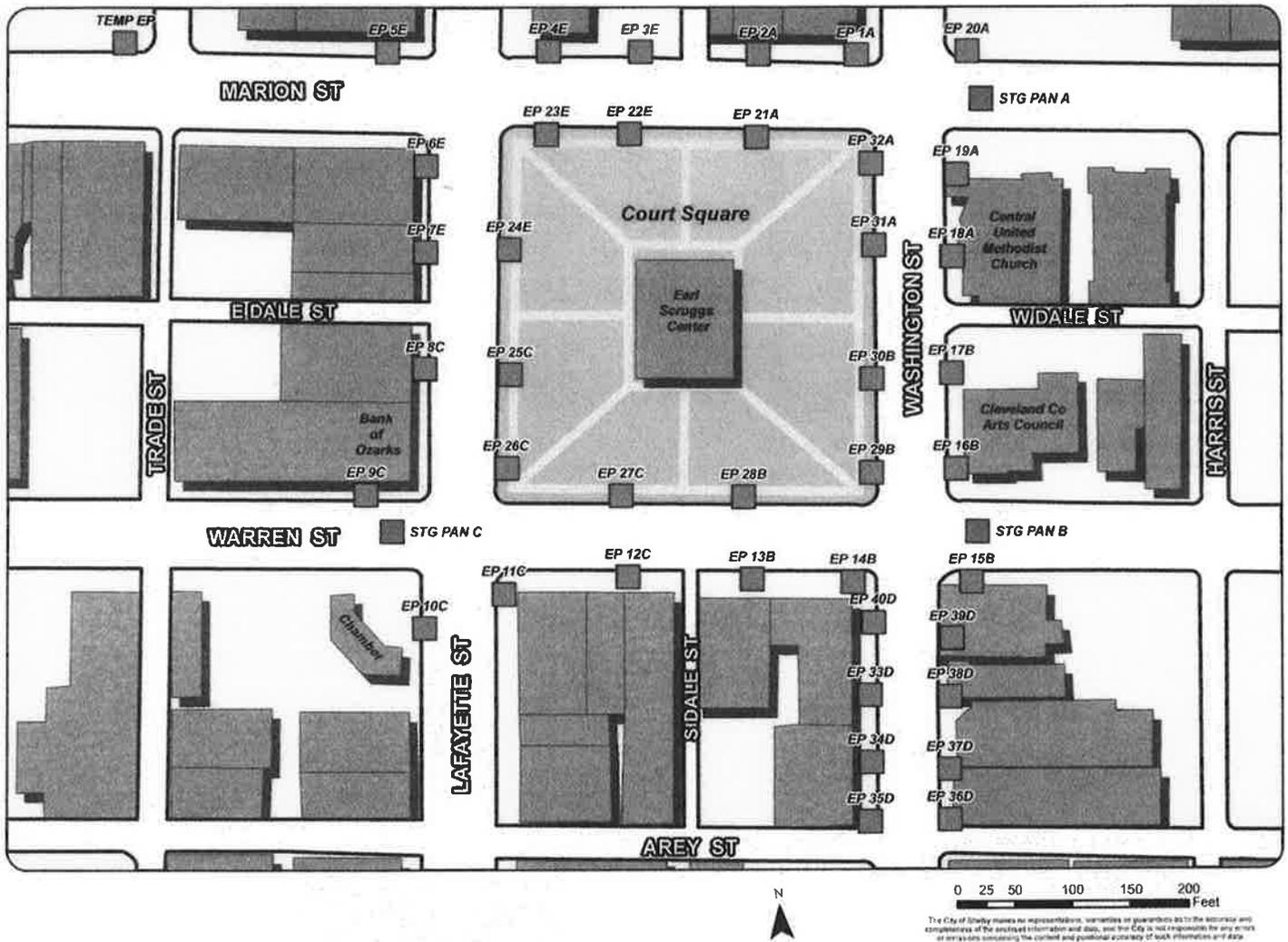
Total Number of Stage Panels:

\_\_\_\_\_ 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

**12. ANY ADDITIONAL COMMENTS:**

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**THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT**

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

*Hori Paterno*

SIGNATURE

*Hori Paterno*

APPLICANT

*704-650-7103*

PHONE

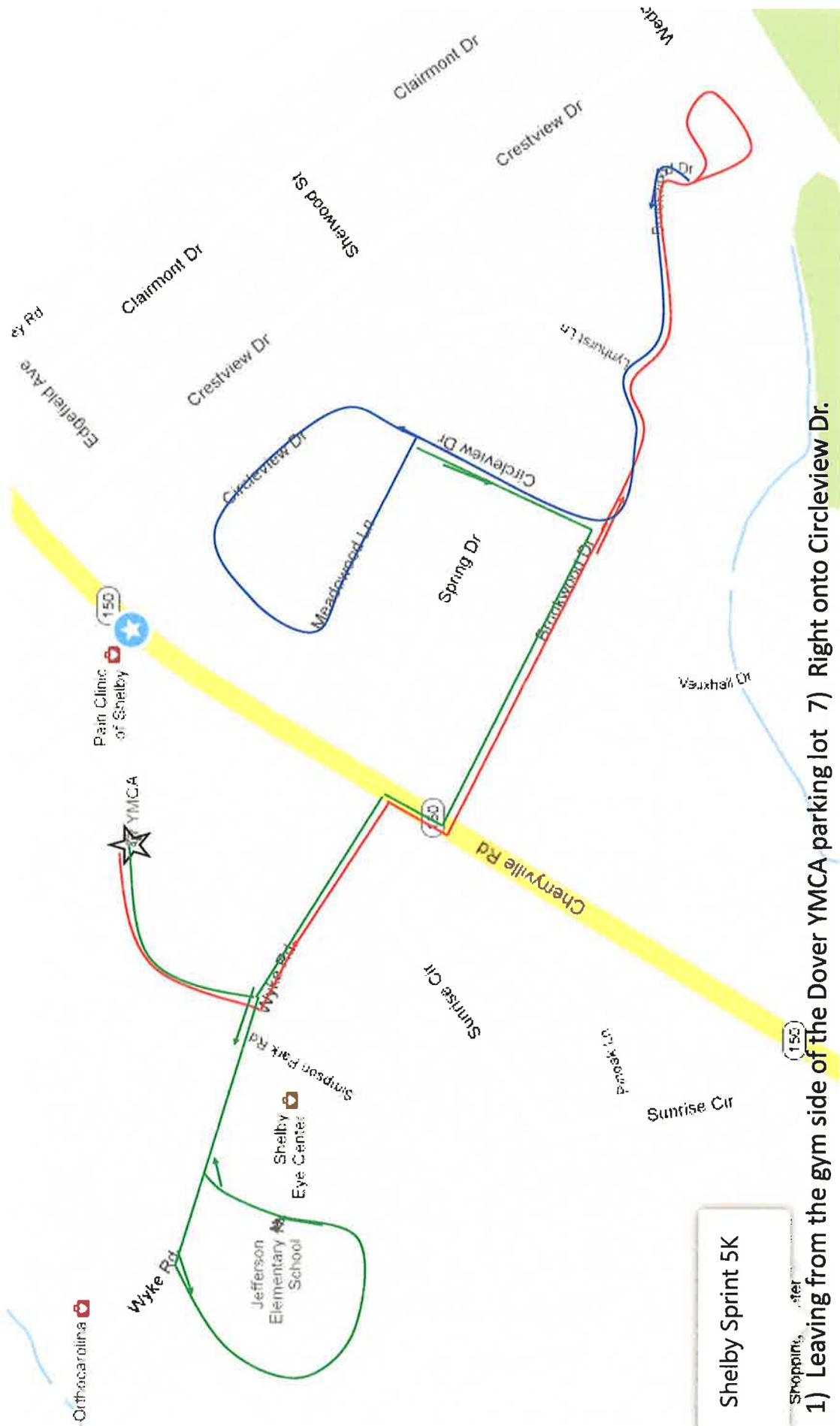
*411 Cherryville Highway, Shelby NC 28150*

PHYSICAL ADDRESS

*LPaterno@clevecoymca.org*

E-MAIL ADDRESS

DATE



### Shelby Sprint 5K

- 1) Leaving from the gym side of the Dover YMCA parking lot
- 2) Left onto Wyke Road
- 3) Cross over Cherryville Highway (HWY. 150)
- 4) Left on Brookwood Dr. (looping at the bottom of Brookwood)
- 5) Right onto Circleview Dr. (this loops around)
- 6) Left onto Meadowood Ln.
- 7) Right onto Circleview Dr.
- 8) Right onto Brookwood Dr.
- 9) Cross over Cherryville Highway (HWY. 150) at Wyke Road
- 10) Travel along Wyke Road
- 11) Left behind Jefferson Elementary (loops behind school)
- 12) Right onto Wyke Rd.
- 13) Left into the 1<sup>st</sup> entrance of the Dover Y off of Wyke Rd.

# Memo

**To:** Rick Howell, City Manager

**From:** Carol Williams, City Clerk

**Date:** March 1, 2023

**Re:** Special Event Permit Application

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## BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Uptown Block Party, requested date: April 28, 2023

## 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 March 6, 2023 for Council's review and approval.

## ATTACHMENT:

- A. Special Event Permit Application packet received February 20, 2023

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:**

Uptown Block Party

**2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:**

\* Celebrating 40 years of Ocean Blvd with a Block Party  
• a family friendly & alcohol-free music event for people who love shag + beach music; looking into concession truck

**3. LOCATION OF EVENT (ATTACH MAP):**

South Washington Street between Marion + Warren Sts.

**4. PLEASE INDICATE:**

Approximately how many people will attend the event? 500 +

Approximately how many vehicles will be present? 1 concession truck

Approximately how many animals will be present? zero

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 Street will need to be blocked @ Wash. + Marion and Wash. + Warren intersections

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

Name: Kaitlyn McNeilly (USA Community Engagement Mgr.)

Address: 211 South Trade Street, Shelby, NC 28150

Phones: 704-484-3100 (Daytime) Cell: 828-223-0929 (Evening)

kmcneilly@uptownshelby.com  
E-mail address

Name: Tim Wright (Ocean Blvd Managing Partner)

Address: 501 North Lafayette Street, Shelby, NC 28150

Phones: 704-472-1984 (Daytime) n/a (Evening)

tim@oceanblvdband.com  
E-mail address

**6. PLEASE LIST THE FOLLOWING:**

Requested day(s) and date(s) April 28<sup>th</sup>, 2023 (Friday)

Alternate day(s) and date(s) \_\_\_\_\_

Requested hours of operation, from 12:00 AM/PM to 9:30 AM/PM  
*\* event will run 6pm - 8:30 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.

\* USA will be responsible for notifying businesses in-person + via email.

**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? yes - via food truck

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services. - permit not required per Health Dept.

**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: 911  
Address: \_\_\_\_\_  
Phones: \_\_\_\_\_

Indicate medical services that will be provided for the event.

AMBULANCE: 911  
DOCTOR (S): 911  
PARAMEDICS: 911

**11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:**

- Additional trash cans requested (3-4)
- EP16B installed and ready for use day-of

**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: Uptown Block Party  
Authorize Event/Vendor Coordinator: Kaitlyn McNeilly, USA  
Phone No.: 704-484-3100 Mobile No.: 828-223-0929  
Email: kmneilly@uptownshelby.com

**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**

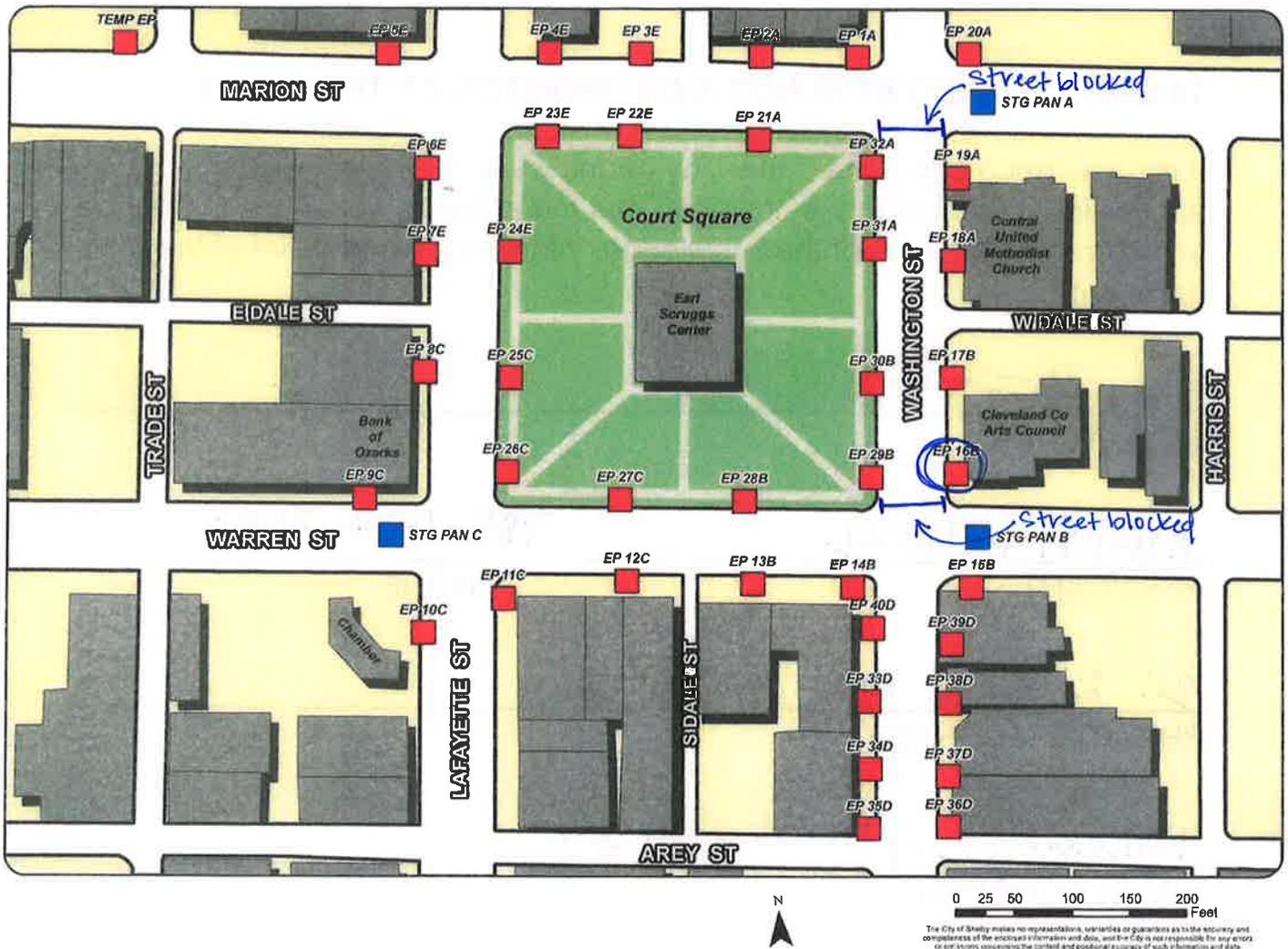
Total Number of Event Panels:  
1 x \$15.00 x Number of Days 1 = \$ 15.00

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



City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item: B-9

9) Management Reports:

a) Financial Summary – January 2023

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

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➤ Monthly Financial Summary – January 2023

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City Manager's Recommendation / Comments

The above listed report is for City Council information and is placed on the agenda to ensure documentation that it was formally presented by management during a regular meeting.

**Shelby**  
NORTH CAROLINA

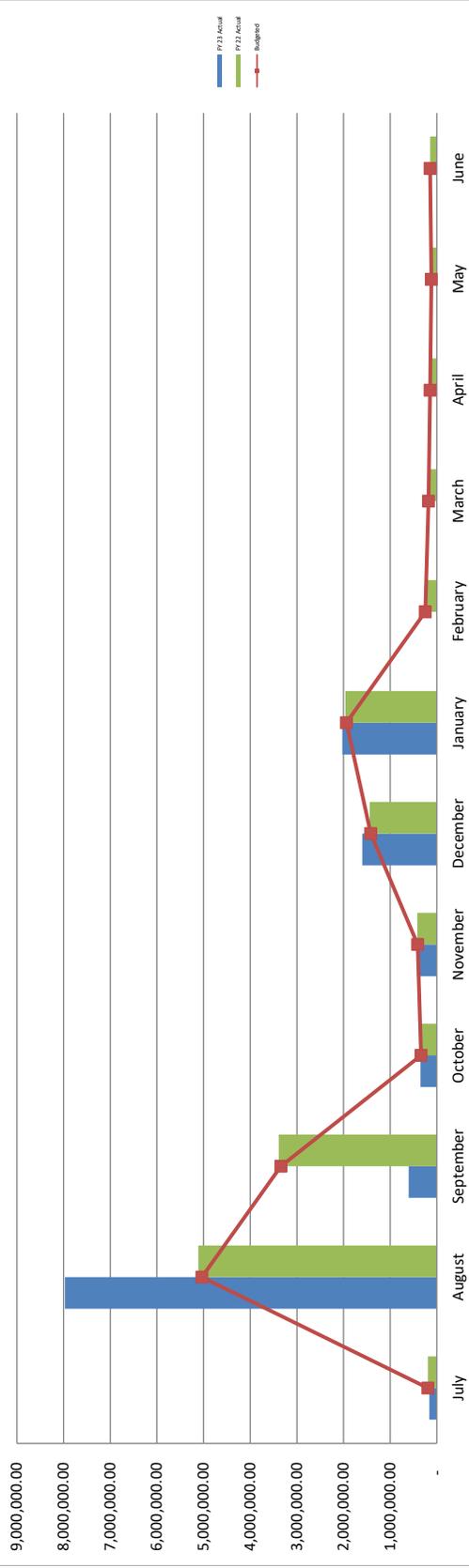


**Monthly Financial Summary  
January 2023**

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	1,935,298.46	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	605,666.14	351,335.62	419,708.27	1,595,304.78	2,028,647.24	-	-	-	-	-	13,128,914.44
% of Budget	1.18%	59.03%	4.49%	2.60%	3.11%	11.82%	15.03%	0.00%	0.00%	0.00%	0.00%	0.00%	97.25%
Variance	(30,265.17)	2,932,665.51	(2,735,474.88)	12,726.49	7,264.56	178,464.90	93,348.78	(248,568.25)	(178,522.56)	(143,157.79)	(116,609.13)	(142,958.00)	(371,085.56)

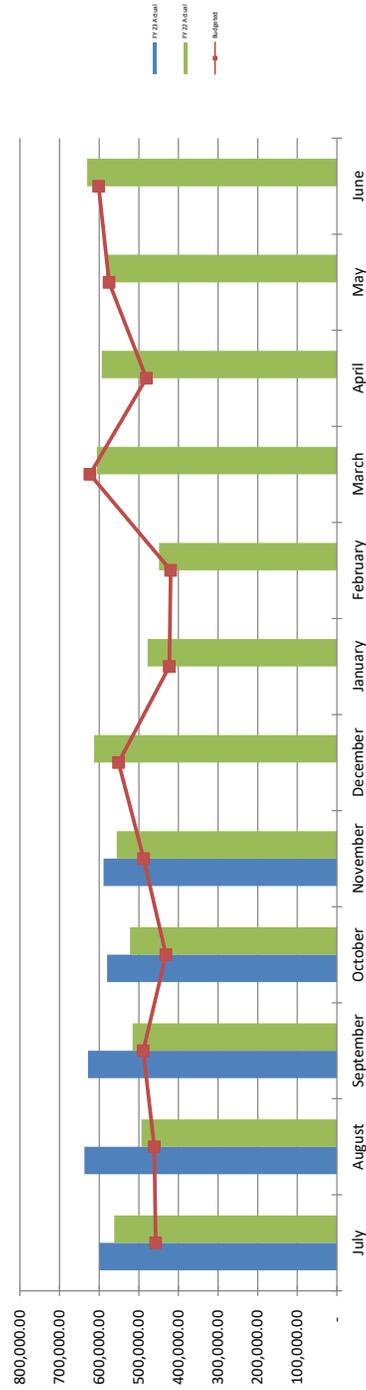
Current Property Tax Collections Budgeted and Collected



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
FY 2023	599,746.02	637,258.67	628,199.97	579,827.53	588,994.10	-	-	-	-	-	-	-	3,034,026.29
% of Budget	10.00%	10.62%	10.47%	9.66%	9.82%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	50.57%
Variance	142,526.52	176,451.38	139,382.86	148,380.22	101,287.81	(550,878.03)	(422,831.32)	(419,411.40)	(623,273.87)	(480,929.57)	(575,165.84)	(601,512.47)	(2,965,973.71)

### Sales Tax Collections Budgeted and Collected

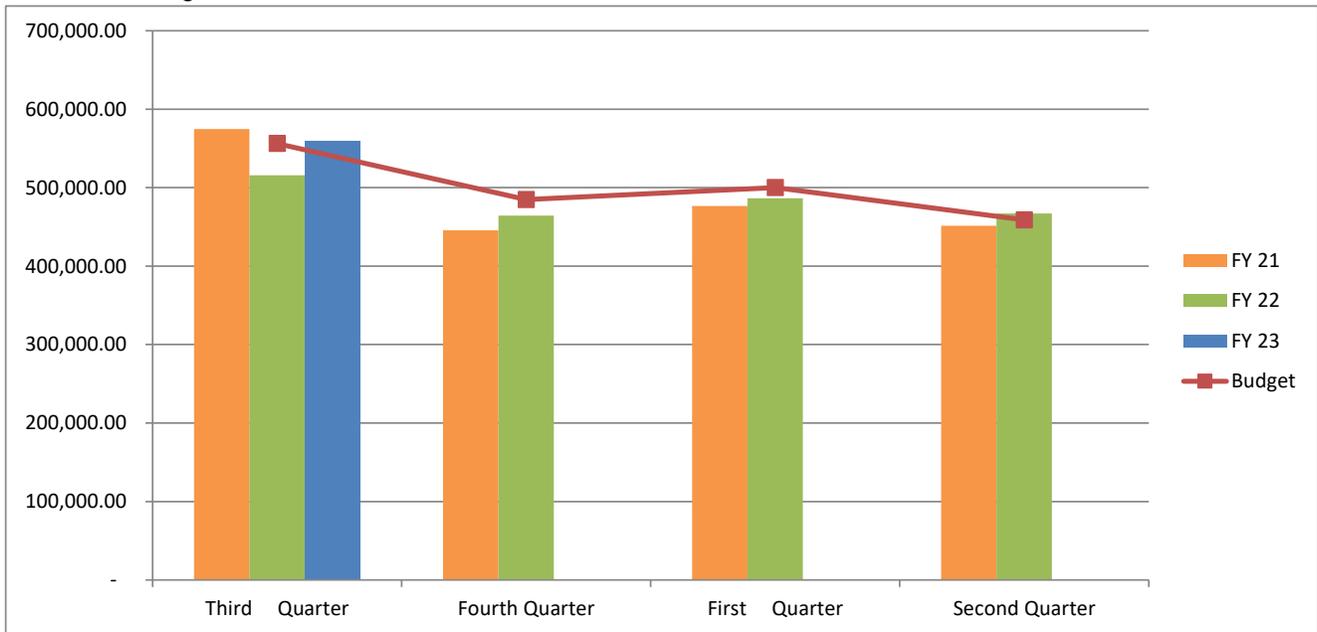


**Notes:**  
**Sales Tax Expansion to include Service Contracts:** NCGS §105-164.4(a)(1), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".  
 A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-3.pdf>

**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](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

	<b>Third Quarter</b>	<b>Fourth Quarter</b>	<b>First Quarter</b>	<b>Second Quarter</b>	<b>Totals</b>
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	559,313.87	-	-	-	559,313.87
Budget	556,178.37	484,704.73	500,184.30	458,932.60	2,000,000.00
% of Budget	27.97%	0.00%	0.00%	0.00%	27.97%



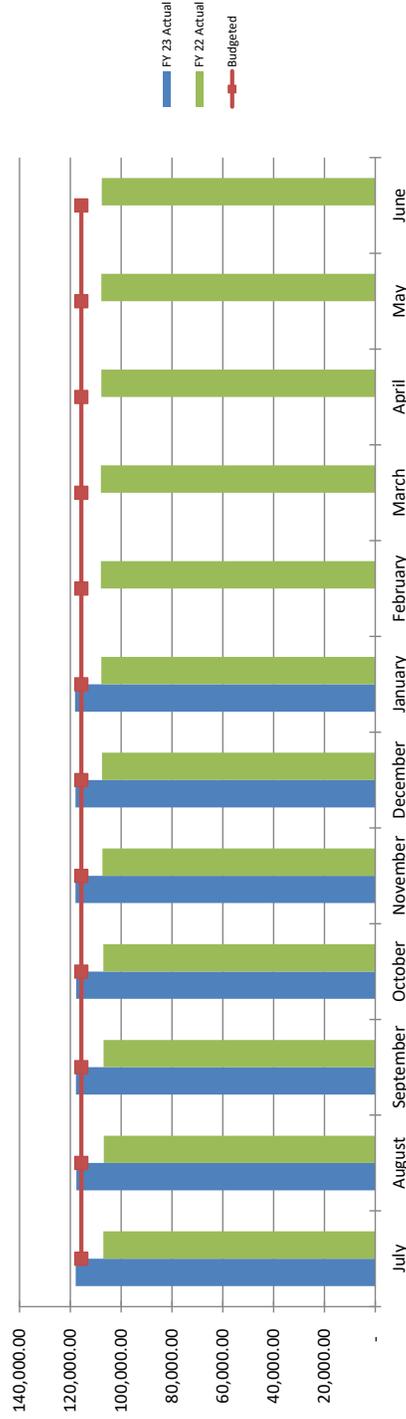
Notes:

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	117,828.07	117,733.50	118,009.65	117,968.28	118,156.30	-	-	-	-	-	825,222.40
% of Budget	8.50%	8.47%	8.49%	8.48%	8.50%	8.50%	8.51%	0.00%	0.00%	0.00%	0.00%	0.00%	59.45%
Variance	2,247.18	1,946.08	2,161.40	2,066.83	2,342.98	2,301.61	2,489.63	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(115,666.67)	(562,777.60)
Res. Accts:	7,794	7,778	7,788	7,795	7,803	7,799	7,811	-	-	-	-	-	-
Comm. Accts:	682	676	680	670	681	680	679	-	-	-	-	-	-

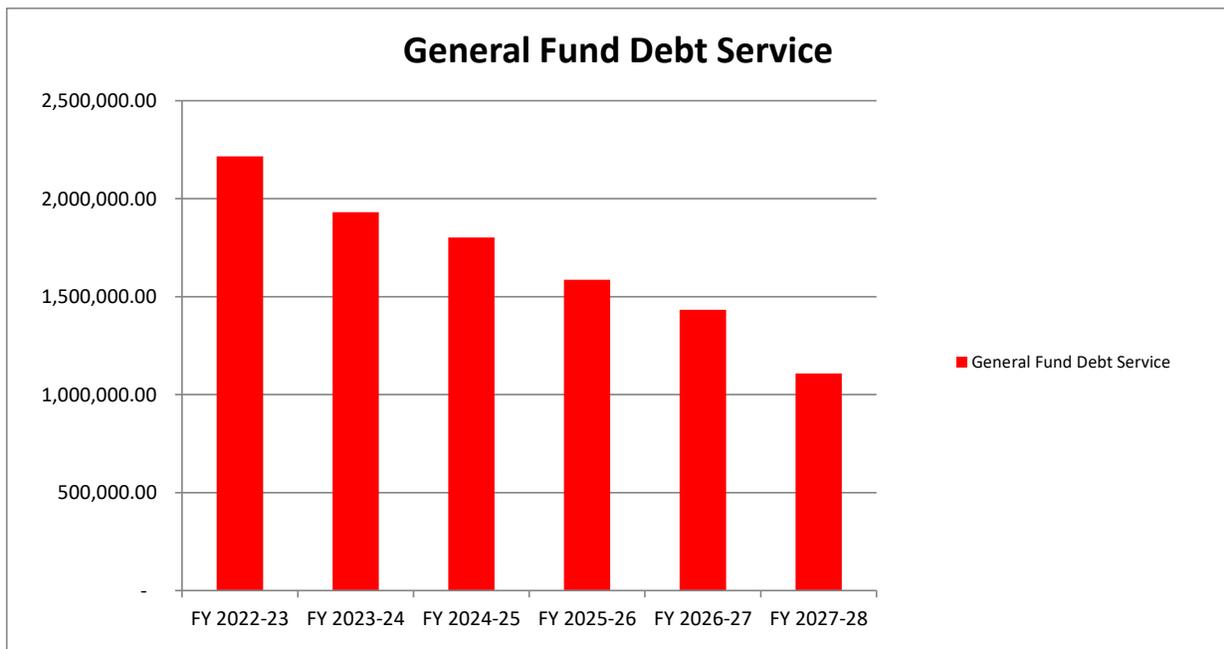
### Solid Waste Fees Budgeted and Collected



**DEBT SERVICE - GENERAL FUND**

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

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



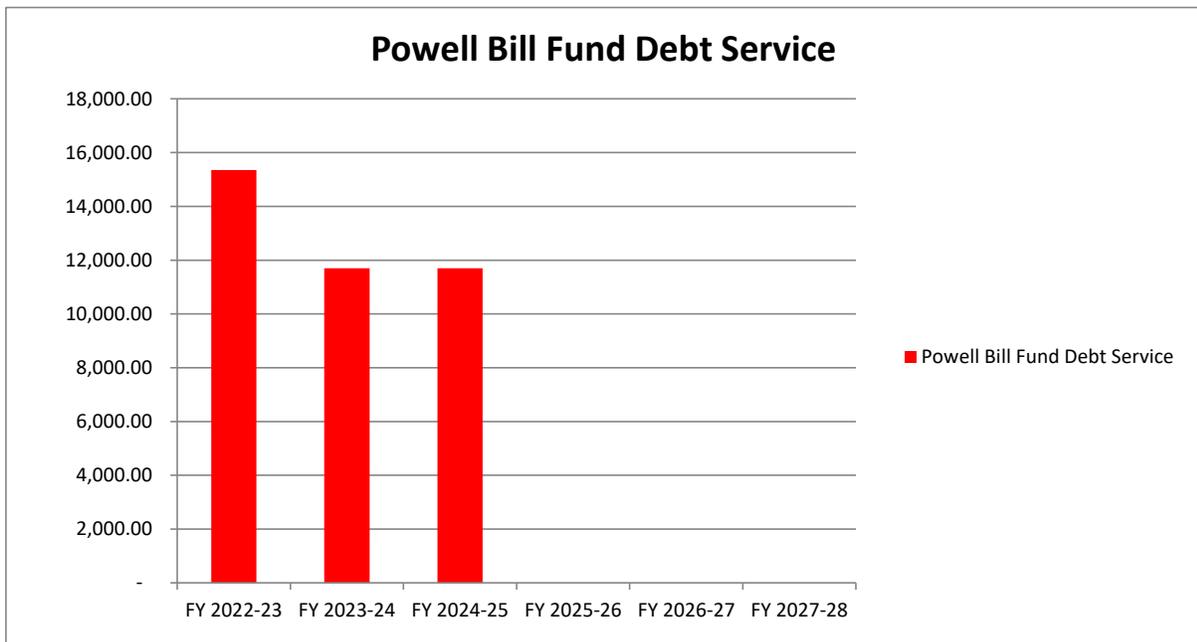
City of Shelby  
 For 2023 07 (58.34% of the Fiscal Year)  
 General Fund Expenditures by Division

DEPARTMENT	ORIGINAL APPROP	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL GOVERNING BOARD	59,104.00	59,104.00	33,691.65	536.94	24,875.41	57.90 %
TOTAL ADMINISTRATION	640,869.00	614,669.00	301,977.39	1,000.00	311,691.61	49.30 %
TOTAL FINANCE	777,398.00	761,398.00	527,655.81	0.00	233,742.19	69.30 %
TOTAL PURCHASING	81,240.00	80,240.00	37,185.36	0.00	43,054.64	46.30 %
TOTAL HUMAN RESOURCES	436,873.00	420,573.00	189,893.99	0.00	230,679.01	45.20 %
TOTAL CUSTOMER SERVICE	114,438.00	172,646.00	102,713.78	43,877.50	26,054.22	84.90 %
TOTAL INFORMATION SERVICES	610,864.00	616,451.00	460,904.93	20,990.31	134,555.33	78.20 %
TOTAL METER SERVICE	795.00	10,795.00	-42,014.02	55,566.00	-2,756.98	125.50 %
TOTAL GARAGE	571,222.00	580,422.00	380,701.22	0.00	199,720.78	65.60 %
TOTAL CITY HALL	108,450.00	108,450.00	63,231.45	4,199.50	41,019.05	62.20 %
TOTAL POLICE	8,602,300.00	9,374,830.00	5,680,591.74	61,479.76	3,632,758.68	61.20 %
TOTAL COMMUNICATION	873,400.00	852,000.00	410,766.99	0.00	441,233.01	48.20 %
TOTAL FIRE	5,519,120.00	6,857,864.00	3,507,224.07	1,007,181.78	2,343,458.15	65.80 %
TOTAL BUILDING INSPECTIONS	424,050.00	430,050.00	171,661.20	0.00	258,388.80	39.90 %
TOTAL STREETS	1,334,500.00	1,282,250.00	585,938.70	0.00	696,311.30	45.70 %
TOTAL AIRPORT	483,850.00	485,278.00	306,578.09	10,026.06	168,673.83	65.20 %
TOTAL SOLID WASTE	2,017,910.00	2,293,017.00	1,329,576.39	214,515.60	748,925.36	67.30 %
TOTAL GIS	104,003.00	103,200.00	64,207.76	217.34	38,774.90	62.40 %
TOTAL PLANNING SERVICES	573,590.00	591,517.00	308,529.31	27,783.70	255,204.14	56.90 %
TOTAL SPECIAL APPROPRIATIONS	3,024,520.00	3,024,520.00	1,037,861.13	0.00	1,986,658.87	34.30 %
TOTAL PARKS & RECREATION	1,910,050.00	2,029,609.00	1,018,984.03	167,652.67	842,972.77	58.50 %
TOTAL MAINTENANCE & CEMETERY	1,745,725.00	1,744,225.00	780,316.20	72,865.03	891,043.77	48.90 %
<b>GRAND TOTAL</b>	<b>30,014,271.00</b>	<b>32,493,108.00</b>	<b>17,258,177.17</b>	<b>1,687,892.19</b>	<b>13,547,038.84</b>	<b>58.30 %</b>

**DEBT SERVICE - POWELL BILL FUND**

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

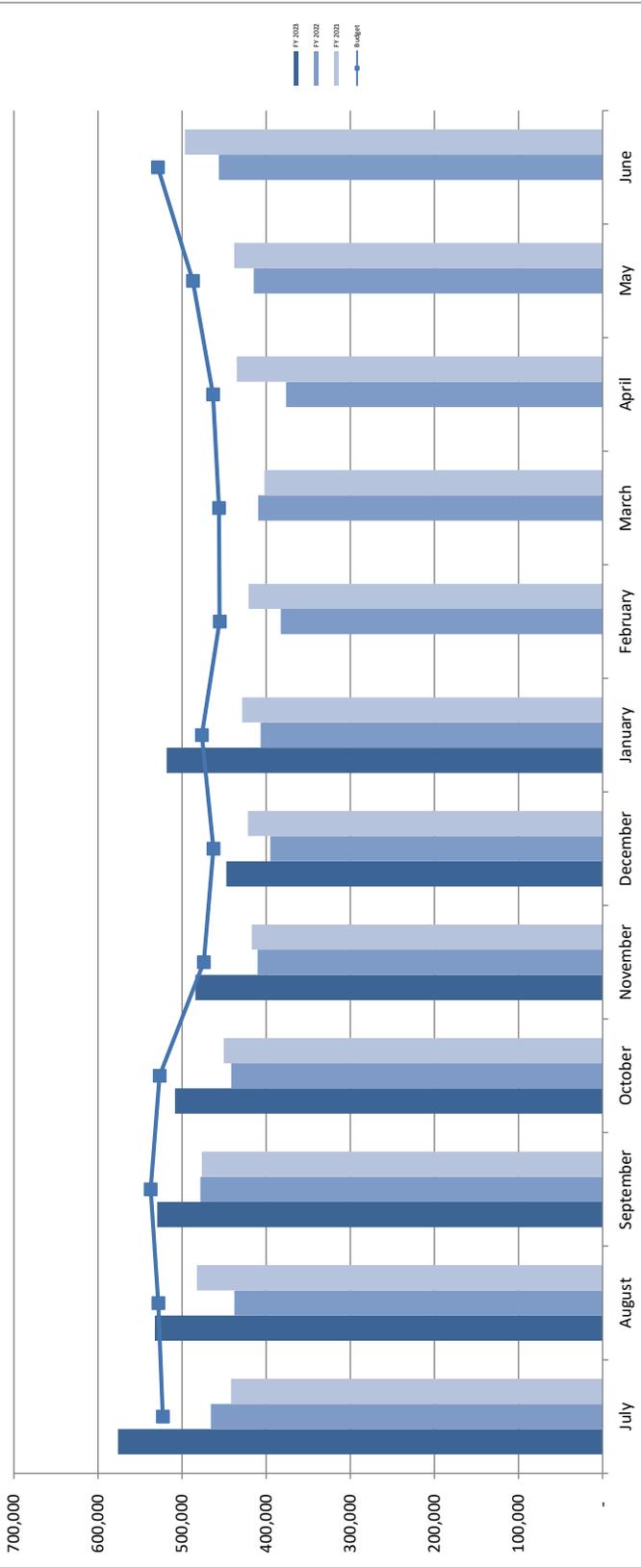
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby  
Water Revenue Budget to Actual  
FY 2023

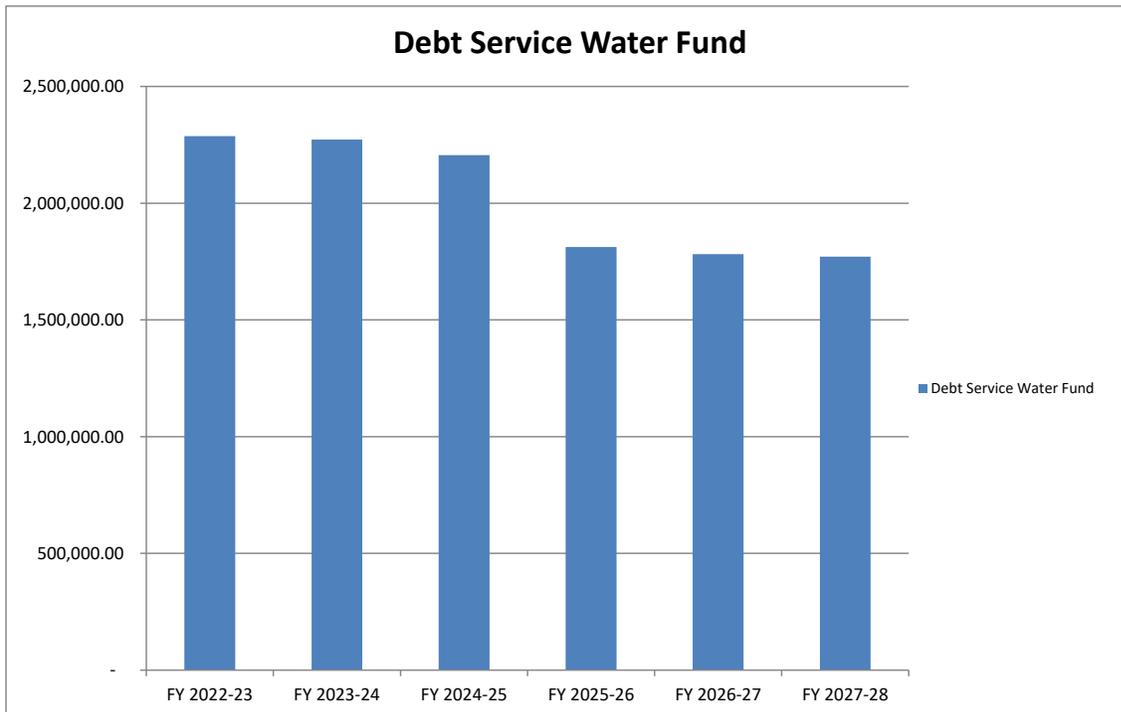
	July	August	September	October	November	December	January	February	March	April	May	June	Total
<b>FY 2023 Budget</b>													
Inside Water													
Useage	138,063	139,550	144,210	139,173	121,040	117,610	125,577	113,264	116,265	118,818	125,315	139,836	1,538,722
Dollars	465,040.09	470,762.23	475,202.60	469,758.08	423,091.79	413,152.76	427,855.03	402,525.34	409,156.84	414,298.60	433,696.01	469,818.61	5,274,357.98
Outside Water													
Useage	14,699	14,709	16,371	14,577	12,668	12,132	11,645	13,328	11,310	11,779	13,365	15,220	161,804
Dollars	57,862.84	57,589.54	62,218.37	57,170.54	51,084.22	49,639.65	48,584.98	52,968.52	46,939.85	48,963.64	53,673.96	58,945.91	645,642.02
Totals													
Useage	152,762	154,259	160,581	153,750	133,709	129,742	137,223	126,592	127,575	130,597	138,680	155,056	1,700,526
Dollars	522,902.93	528,351.78	537,420.96	526,928.61	474,176.01	462,792.41	476,440.02	455,493.86	456,096.69	463,262.24	487,369.97	528,764.52	5,920,000.00
<b>FY 2023 Actual</b>													
Inside Water													
Useage	158,071	136,239	141,404	130,756	125,159	109,162	137,560	-	-	-	-	-	938,351
Dollars	514,688	465,712	472,398	452,442	436,158	398,990	460,061	-	-	-	-	-	3,200,448.64
Outside Water													
Useage	16,117	17,694	14,489	14,140	11,521	11,774	14,555	-	-	-	-	-	100,290
Dollars	61,638	66,735	57,207	56,073	48,053	48,401	58,357	-	-	-	-	-	396,464
Totals													
Useage	174,188	153,933	155,893	144,896	136,680	120,936	152,115	-	-	-	-	-	1,038,641
Dollars	576,325	532,447	529,605	508,515	484,211	447,391	518,418	-	-	-	-	-	3,596,912.54
Variance													
Inside Water													
Useage	20,008	(3,311)	(2,806)	(8,417)	4,119	(8,448)	11,983	(113,264)	(116,265)	(118,818)	(125,315)	(139,836)	(600,371)
Dollars	49,647.47	(5,049.78)	(2,804.35)	(17,316.09)	13,066.23	(14,162.91)	32,205.49	(402,525.34)	(409,156.84)	(414,298.60)	(433,696.01)	(469,818.61)	(2,073,909.34)
Outside Water													
Useage	1,418	2,985	(1,882)	(437)	(1,147)	(358)	2,910	(13,328)	(11,310)	(11,779)	(13,365)	(15,220)	(61,514)
Dollars	3,774.71	9,145.01	(5,011.22)	(1,097.44)	(3,031.22)	(1,238.35)	9,772.27	(52,968.52)	(46,939.85)	(48,963.64)	(53,673.96)	(58,945.91)	(249,178)
Totals													
Useage	21,426	(326)	(4,688)	(8,854)	2,971	(8,806)	14,892	(126,592)	(127,575)	(130,597)	(138,680)	(155,056)	(661,885)
Dollars	53,422.18	4,095.22	(7,815.56)	(18,413.52)	10,035.01	(15,401.26)	41,977.75	(455,493.86)	(456,096.69)	(463,262.24)	(487,369.97)	(528,764.52)	(2,323,087.46)

### 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
<b><u>Revenue Bonds</u></b>						
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
<b><u>Installment Purchase</u></b>						
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	-
<b>Total Debt Service - Water Fund</b>	<b>2,286,962.32</b>	<b>2,272,424.19</b>	<b>2,205,681.27</b>	<b>1,811,879.68</b>	<b>1,782,335.99</b>	<b>1,770,634.84</b>

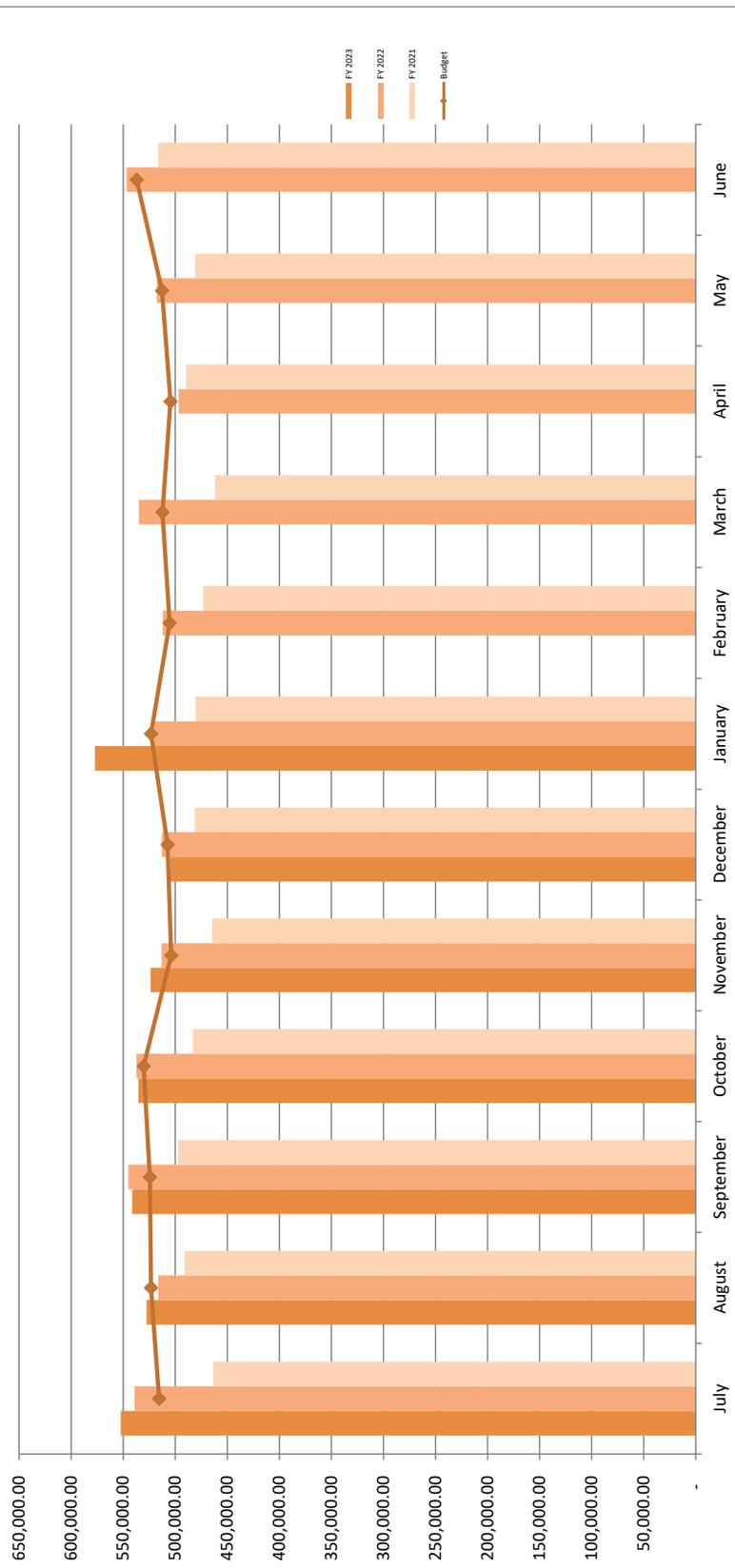
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby  
Sewer Revenue Budget to Actual  
FY 2023

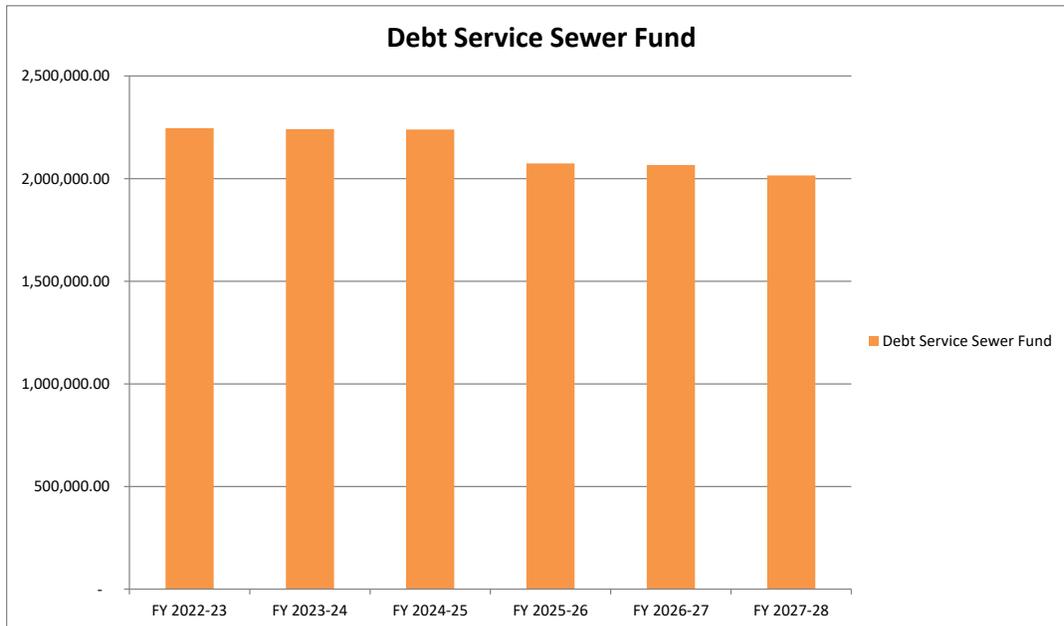
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
<b>FY 2023 Budget</b>													
Inside Sewer													
Useage	72,710	75,039	53,846	74,627	68,777	69,769	74,616	69,023	70,431	67,589	70,657	75,988	843,072
Dollars	482,406.79	491,295.85	488,188.81	492,302.58	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
<b>FY 2023 Actual</b>													
Inside Sewer													
Useage	81,458	73,261	77,185	72,789	72,415	68,042	83,306	-	-	-	-	-	528,456
Dollars	510,316.11	485,319.06	495,651.81	485,075.16	476,155.61	460,685.01	521,336.21	-	-	-	-	-	3,434,538.97
Outside Sewer													
Useage	3,035	3,073	3,574	4,204	3,817	3,373	4,930	-	-	-	-	-	26,006
Dollars	41,951.65	42,181.65	45,616.78	50,333.86	47,523.41	44,101.71	55,858.33	-	-	-	-	-	327,567.39
Totals													
Useage	84,493	76,334	80,759	76,993	76,232	71,415	88,236	-	-	-	-	-	554,462
Dollars	552,267.76	527,500.71	541,268.59	535,409.02	523,679.02	504,786.72	577,194.54	-	-	-	-	-	3,762,106.36
<b>Variance</b>													
Inside Sewer													
Useage	8,748	(1,778)	23,339	(1,838)	3,638	(1,727)	8,690	(69,023)	(70,431)	(67,589)	(70,657)	(75,988)	(314,616.33)
Dollars	27,909.32	(5,976.79)	7,463.00	(7,227.42)	10,671.85	(8,155.35)	37,751.54	(466,230.38)	(470,440.58)	(463,046.92)	(472,218.02)	(496,169.29)	(2,305,669.03)
Outside Sewer													
Useage	266	533	435	817	375	(101)	1,282	(3,561)	(3,954)	(3,482)	(3,293)	(3,350)	(14,031.67)
Dollars	8,771.54	10,308.81	9,448.93	12,268.42	9,111.39	5,681.60	16,095.58	(39,209.84)	(41,932.12)	(41,531.08)	(40,378.46)	(40,859.38)	(132,224.61)
Totals													
Useage	9,014	(1,245)	23,774	(1,021)	4,013	(1,828)	9,972	(72,584)	(74,385)	(71,071)	(73,950)	(79,338)	(328,648.00)
Dollars	36,680.86	4,332.02	16,911.93	5,041.00	19,783.24	(2,473.74)	53,847.12	(505,440.21)	(512,372.70)	(504,578.00)	(512,596.48)	(537,028.68)	(2,437,893.64)

### 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
<b><u>Revenue Bonds</u></b>						
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
<b><u>Installment Purchase</u></b>						
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	-
<b>Total Debt Service - Sewer Fund</b>	<b>2,245,515.37</b>	<b>2,241,126.54</b>	<b>2,238,961.79</b>	<b>2,074,240.17</b>	<b>2,066,329.25</b>	<b>2,015,117.35</b>

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



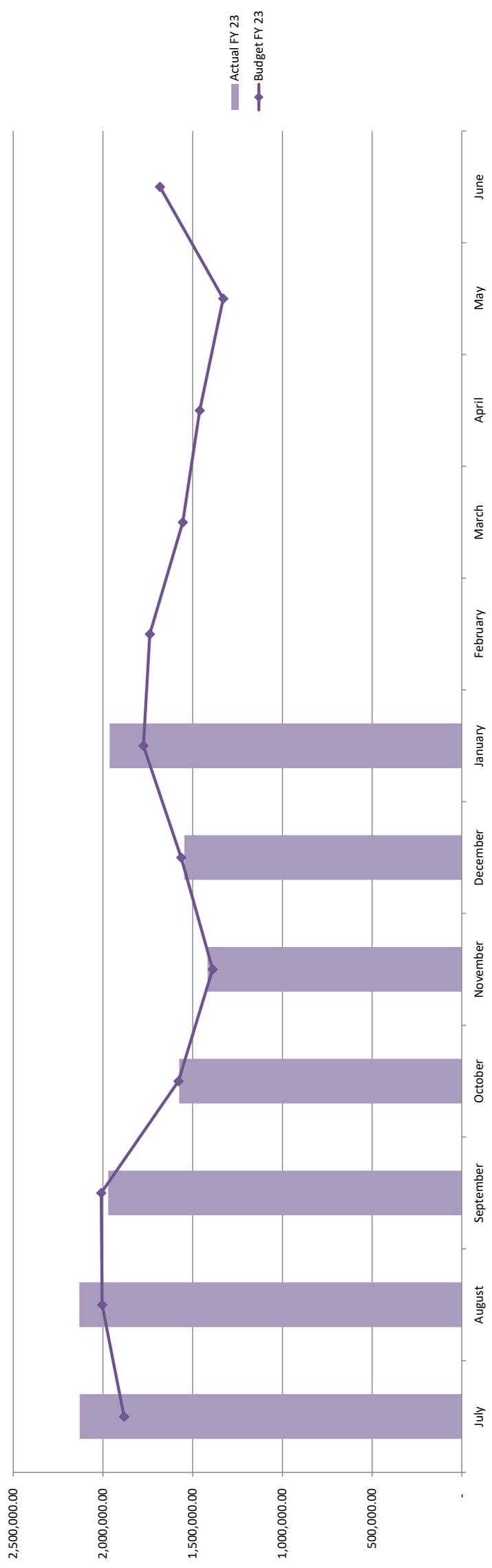
City of Shelby  
Electric Revenues Budget to Actual  
FY 2023

<b>Revenues Budget FY 23</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
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
<b>Totals</b>	<b>1,881,905.28</b>	<b>2,004,661.59</b>	<b>2,009,640.01</b>	<b>1,579,190.10</b>	<b>1,388,735.11</b>	<b>1,564,511.62</b>	<b>1,774,049.84</b>	<b>1,738,998.92</b>	<b>1,555,421.42</b>	<b>1,460,564.76</b>	<b>1,329,659.60</b>	<b>1,682,661.75</b>	<b>19,970,000.00</b>

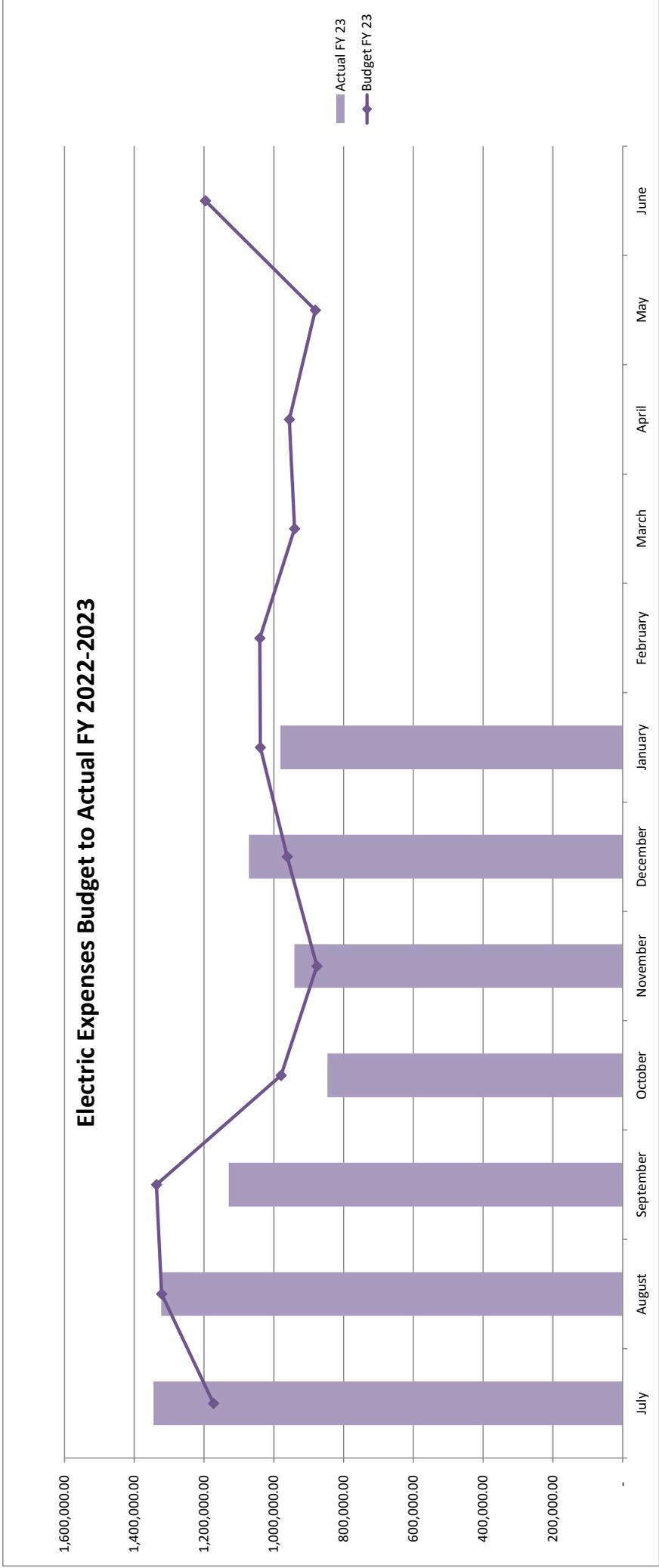
<b>Actual FY 23</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	916,780.13	904,057.27	792,698.11	595,527.72	583,605.49	718,056.31	996,536.33	-	-	-	-	-	5,507,261.37
Commercial	1,166,935.12	1,182,234.18	1,134,027.97	945,464.53	804,873.47	802,827.30	937,514.50	-	-	-	-	-	6,973,877.06
Industrial	45,836.56	44,782.64	44,101.79	33,430.94	28,779.80	25,407.42	28,389.27	-	-	-	-	-	-
<b>Totals</b>	<b>2,129,551.81</b>	<b>2,131,074.09</b>	<b>1,970,827.87</b>	<b>1,574,423.19</b>	<b>1,417,258.76</b>	<b>1,546,291.03</b>	<b>1,962,440.10</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,731,866.85</b>

<b>Revenue Variance</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	105,440.80	5,031.88	(44,414.07)	(20,185.98)	26,566.59	(23,507.47)	104,362.06	(882,027.65)	(732,971.99)	(621,214.13)	(543,160.82)	(710,834.79)	(3,336,915.59)
Commercial	119,974.12	106,548.88	(7,129.82)	2,124.64	(8,350.73)	(1,582.02)	73,116.40	(838,547.68)	(805,015.81)	(817,766.73)	(766,146.23)	(940,614.89)	(3,883,389.86)
Industrial	22,231.61	14,831.74	12,731.75	13,294.43	10,307.79	6,868.90	10,911.81	(18,423.59)	(17,433.62)	(21,583.90)	(20,352.55)	(31,212.07)	(17,827.71)
<b>Totals</b>	<b>247,646.53</b>	<b>126,412.50</b>	<b>(38,812.14)</b>	<b>(4,766.91)</b>	<b>28,523.65</b>	<b>(18,220.59)</b>	<b>188,390.26</b>	<b>(1,738,998.92)</b>	<b>(1,555,421.42)</b>	<b>(1,460,564.76)</b>	<b>(1,329,659.60)</b>	<b>(1,682,661.75)</b>	<b>(7,238,133.15)</b>

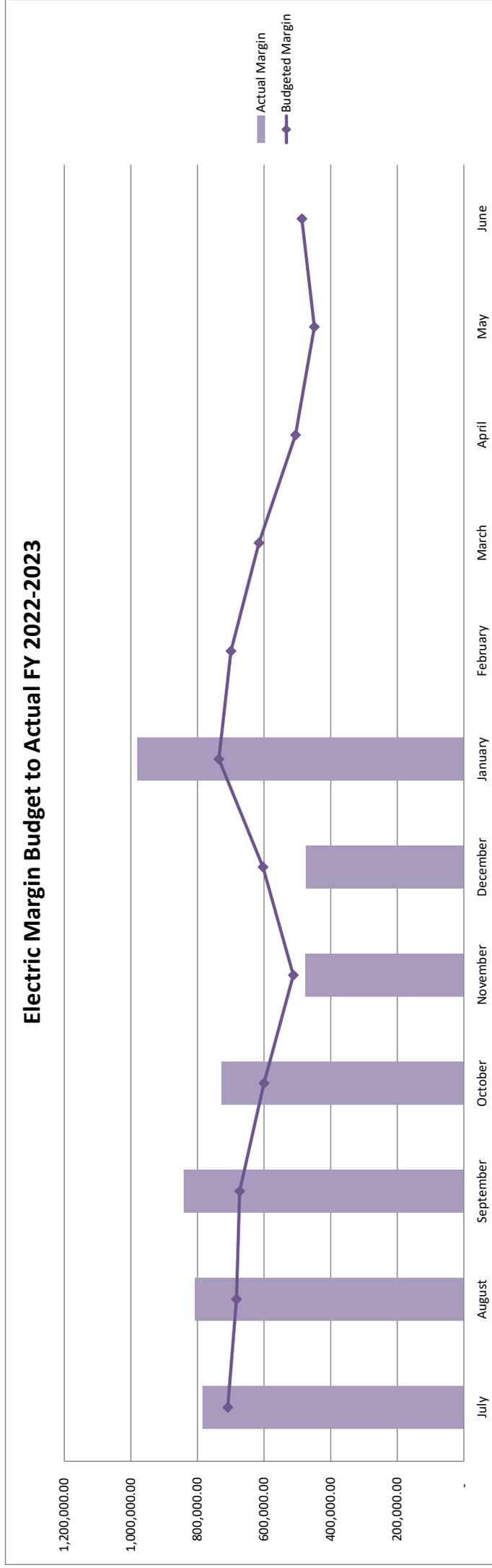
### Electric Revenues Budget to Actual FY 2022-2023



<b>Expenses</b>													
<b>Budget FY 23</b>													
	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
<b>Totals</b>	<b>1,172,859.96</b>	<b>1,321,692.43</b>	<b>1,336,390.45</b>	<b>979,049.04</b>	<b>876,513.96</b>	<b>961,374.22</b>	<b>1,038,371.63</b>	<b>1,039,818.00</b>	<b>940,307.69</b>	<b>955,253.26</b>	<b>880,713.29</b>	<b>1,196,370.05</b>	<b>12,698,714.00</b>
<b>Actual FY 23</b>													
NCMPA1	1,306,177.15	1,277,989.04	1,086,830.91	804,743.10	899,374.00	1,038,466.52	944,600.32	-	-	-	-	-	7,358,181.04
SEPA	38,582.69	44,802.70	42,321.09	41,420.46	41,320.96	32,885.40	36,728.03	-	-	-	-	-	278,061.33
<b>Totals</b>	<b>1,344,759.84</b>	<b>1,322,791.74</b>	<b>1,129,152.00</b>	<b>846,163.56</b>	<b>940,694.96</b>	<b>1,071,351.92</b>	<b>981,328.35</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>7,636,242.37</b>
<b>Expense Variance</b>													
NCMPA1	(176,280.02)	30.62	208,846.31	142,699.66	(53,502.63)	(109,510.18)	60,498.80	1,005,077.89	908,369.84	924,709.24	850,361.89	1,159,231.55	4,920,532.96
SEPA	4,380.14	(1,129.93)	(1,607.86)	(9,814.18)	(10,678.36)	(467.52)	(3,455.51)	34,740.11	31,937.85	30,544.02	30,351.40	37,138.51	141,938.67
<b>Totals</b>	<b>(171,899.88)</b>	<b>(1,099.31)</b>	<b>207,238.45</b>	<b>132,885.48</b>	<b>(64,181.00)</b>	<b>(109,977.70)</b>	<b>57,043.28</b>	<b>1,039,818.00</b>	<b>940,307.69</b>	<b>955,253.26</b>	<b>880,713.29</b>	<b>1,196,370.05</b>	<b>5,062,471.63</b>



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)
<b>Budgeted Margin</b>	<b>709,045.32</b>	<b>682,969.16</b>	<b>673,249.56</b>	<b>600,141.06</b>	<b>512,221.15</b>	<b>603,137.39</b>	<b>735,678.20</b>	<b>699,180.91</b>	<b>615,113.73</b>	<b>505,311.51</b>	<b>448,946.31</b>	<b>486,291.70</b>	<b>7,271,286.00</b>
Actual Revenues	2,129,551.81	2,131,074.09	1,970,827.87	1,574,423.19	1,417,258.76	1,546,291.03	1,962,440.10	-	-	-	-	-	12,731,866.85
Actual Expenses	(1,344,759.84)	(1,322,791.74)	(1,129,152.00)	(846,163.56)	(940,694.96)	(1,071,351.92)	(981,328.35)	-	-	-	-	-	(7,636,242.37)
<b>Actual Margin</b>	<b>784,791.97</b>	<b>808,282.35</b>	<b>841,675.87</b>	<b>728,259.63</b>	<b>476,563.80</b>	<b>474,939.11</b>	<b>981,111.75</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,095,624.48</b>
<b>Margin Variance</b>	<b>75,746.65</b>	<b>125,313.19</b>	<b>168,426.31</b>	<b>128,118.57</b>	<b>(35,657.35)</b>	<b>(128,198.28)</b>	<b>245,433.55</b>	<b>(699,180.91)</b>	<b>(615,113.73)</b>	<b>(505,311.51)</b>	<b>(448,946.31)</b>	<b>(486,291.70)</b>	<b>(2,175,661.52)</b>



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

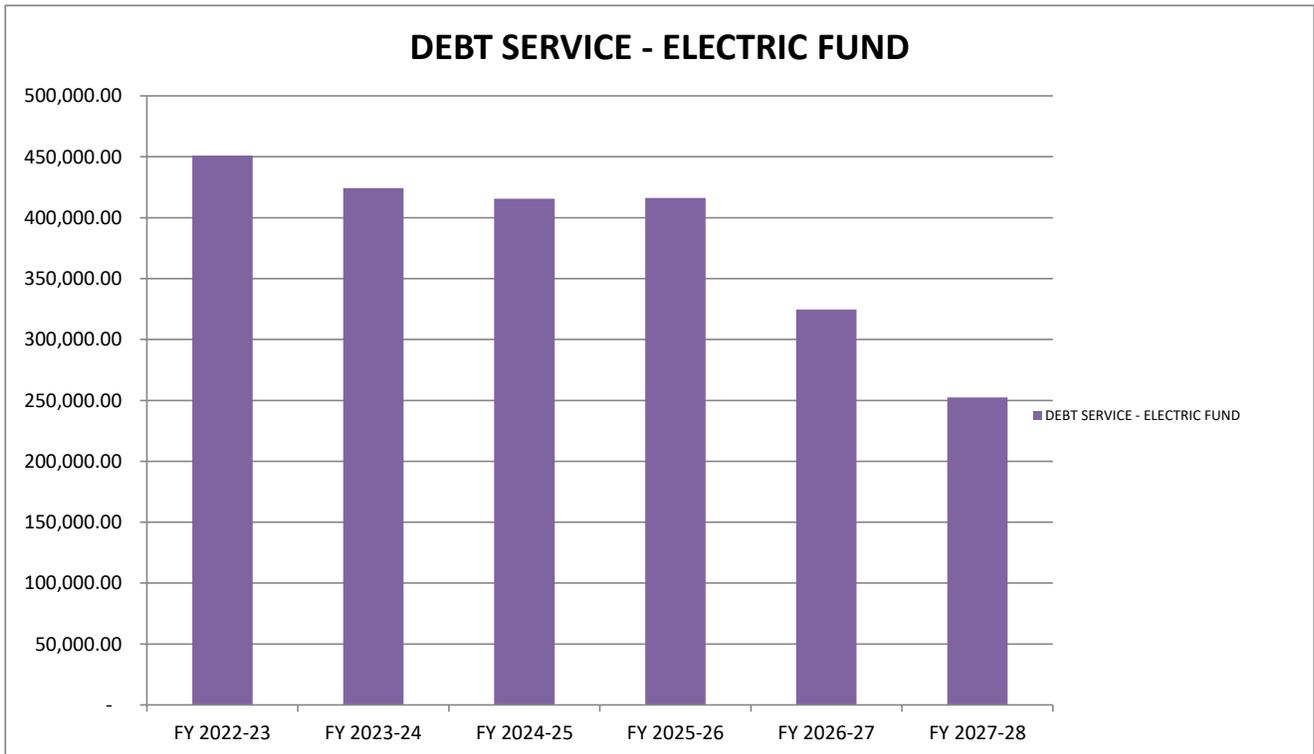
**Revenue Bonds**

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

**Installment Purchase Contracts**

<b>FY 18 Installment Purchase</b>						
<b>Debt Retired In 2023</b>	25,727.86	-	-	-	-	-
<b>FY 19 Installment Purchase</b>						
<b>Debt Retired In 2024</b>	8,921.99	8,921.99	-	-	-	-
<b>FY 21 Installment Purchase</b>						
<b>Debt Retired In 2026</b>	89,952.50	89,952.50	89,952.50	89,952.50	-	-
<b>FY 22 Installment Purchase</b>						
<b>Debt Retired In 2027</b>	74,312.73	74,312.73	74,312.73	74,312.73	74,312.73	-
<b>Total</b>	<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>

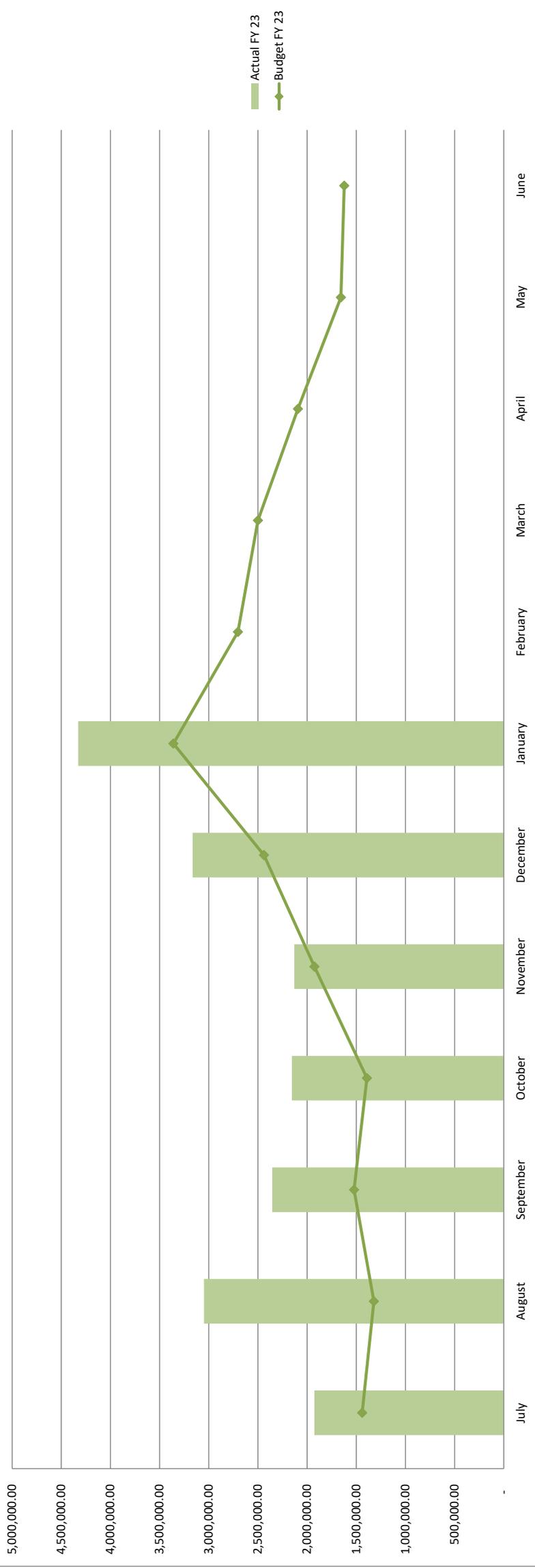
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby  
Gas Revenues Budget to Actual  
FY 2023

<b>Revenues Budget FY 23</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
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
<b>Totals</b>	<b>1,440,303.35</b>	<b>1,320,914.08</b>	<b>1,522,390.51</b>	<b>1,392,430.66</b>	<b>1,926,493.51</b>	<b>2,438,784.29</b>	<b>3,359,885.09</b>	<b>2,703,280.39</b>	<b>2,500,419.34</b>	<b>2,094,362.42</b>	<b>1,655,737.64</b>	<b>1,622,745.73</b>	<b>23,977,747.00</b>
<b>Actual FY 23</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	147,256.99	155,189.28	162,150.49	229,574.73	380,302.68	692,648.49	1,113,727.43	-	-	-	-	-	2,880,850.09
Commercial	193,205.83	219,617.44	259,867.71	285,133.08	381,758.61	651,670.57	1,042,703.20	-	-	-	-	-	3,033,956.44
High Load Factor	31,013.69	39,924.05	40,543.33	28,989.83	26,750.14	26,289.91	32,141.92	-	-	-	-	-	225,652.87
Interruptibles	134,132.14	153,994.49	196,955.07	157,785.17	90,024.79	147,219.68	133,261.41	-	-	-	-	-	1,013,372.75
Special Ind Class	1,420,593.19	2,480,346.62	1,695,408.06	1,453,416.88	1,252,516.53	1,646,355.88	2,006,377.49	-	-	-	-	-	11,955,014.65
<b>Totals</b>	<b>1,926,201.84</b>	<b>3,049,071.88</b>	<b>2,354,924.66</b>	<b>2,154,899.69</b>	<b>2,131,352.75</b>	<b>3,164,184.53</b>	<b>4,328,211.45</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>19,108,846.80</b>
<b>Revenue Variance</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	3,439.40	15,274.72	19,845.51	77,306.12	91,704.96	5,186.49	184,970.10	(748,191.99)	(591,409.01)	(431,313.34)	(216,256.53)	(164,836.16)	(1,754,279.73)
Commercial	5,730.40	16,011.28	37,378.26	53,190.97	51,242.24	(14,185.83)	80,687.42	(770,671.13)	(620,889.05)	(498,047.94)	(236,695.57)	(209,937.55)	(2,106,186.50)
High Load Factor	2,690.93	16,875.35	22,917.83	14,914.86	(32,576.67)	(40,088.72)	(37,232.42)	(76,048.27)	(67,121.17)	(71,591.86)	(67,426.34)	(67,400.06)	(402,086.53)
Interruptibles	47,526.23	66,600.06	113,708.40	76,902.36	(14,696.34)	57,100.71	47,072.92	(123,336.75)	(84,862.03)	(88,152.61)	(82,399.34)	(87,737.00)	(72,273.38)
Special Ind Class	426,511.53	1,613,396.39	638,684.16	540,154.72	109,185.05	717,387.59	692,828.34	(985,032.25)	(1,136,138.08)	(1,005,256.67)	(1,052,959.85)	(1,092,834.96)	(534,074.05)
<b>Totals</b>	<b>485,898.49</b>	<b>1,728,157.80</b>	<b>832,534.15</b>	<b>762,469.03</b>	<b>204,859.24</b>	<b>725,400.24</b>	<b>968,326.36</b>	<b>(2,703,280.39)</b>	<b>(2,500,419.34)</b>	<b>(2,094,362.42)</b>	<b>(1,655,737.64)</b>	<b>(1,622,745.73)</b>	<b>(4,868,900.20)</b>

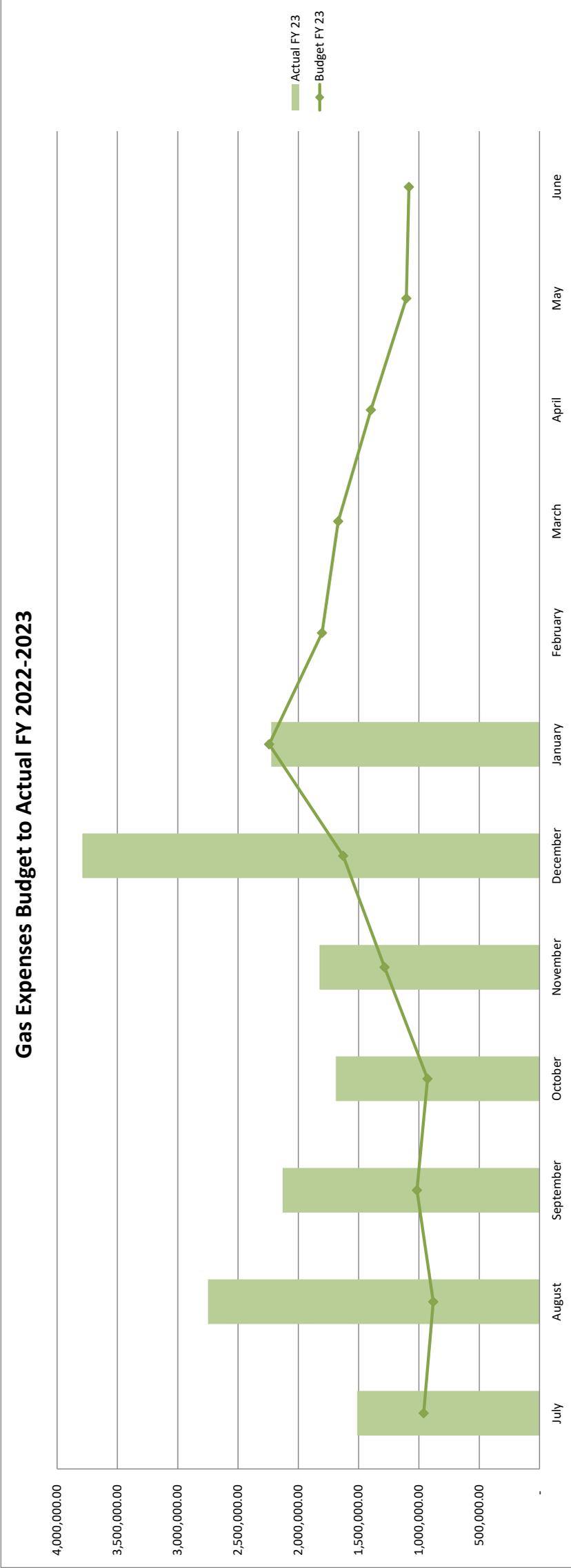
### Gas Revenues Budget to Actual FY 2022-2023



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

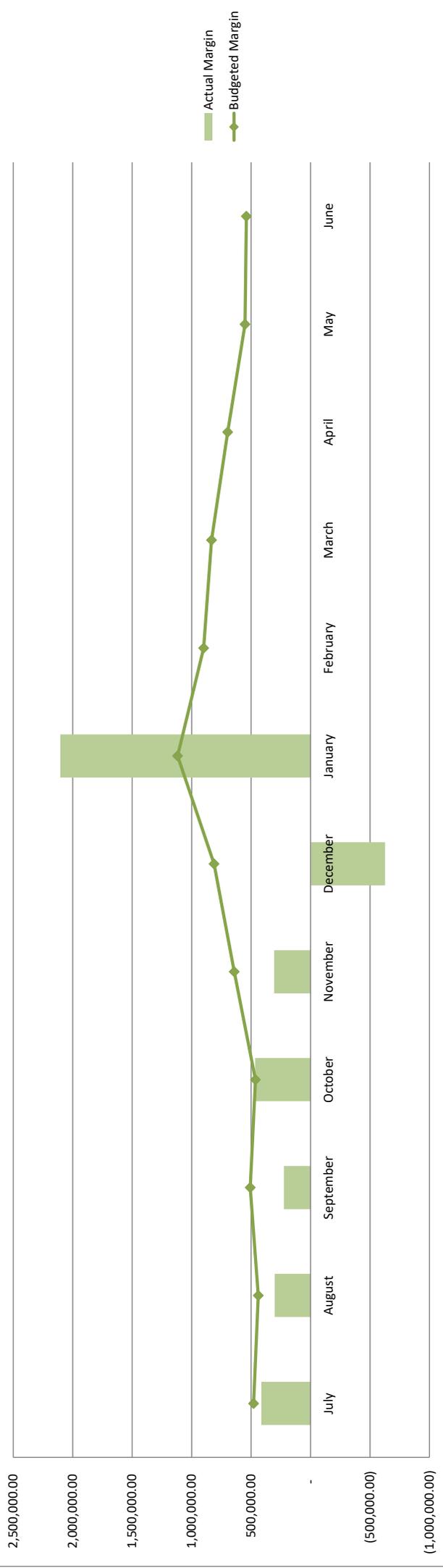
<b>Actual FY 23</b>	1,512,881.58	2,747,763.73	2,130,815.63	1,689,287.21	1,824,855.55	3,790,075.50	2,224,132.80	-	-	-	-	-	15,919,812.00
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<b>Expense Variance</b>	(551,788.21)	(1,866,337.08)	(1,114,946.70)	(760,138.59)	(539,334.60)	(2,162,710.40)	17,869.40	1,803,859.48	1,668,493.26	1,397,537.42	1,104,849.52	1,082,834.50	80,188.00
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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	2,354,924.66	2,154,899.69	2,131,352.75	3,164,184.53	4,328,211.45	-	-	-	-	-	19,108,846.80
Actual Expenses	1,512,881.58	2,747,763.73	2,130,815.63	1,689,287.21	1,824,855.55	3,790,075.50	2,224,132.80	-	-	-	-	-	15,919,812.00
Actual Margin	413,320.26	301,308.15	224,109.03	465,612.48	306,497.20	(625,890.97)	2,104,078.65	-	-	-	-	-	3,189,034.80
Margin Variance	(65,889.72)	(138,179.28)	(282,412.55)	2,330.44	(334,475.36)	(1,437,310.16)	986,195.76	(899,420.91)	(831,926.07)	(696,825.00)	(550,888.12)	(539,911.23)	(4,788,712.20)

**Gas Margin Budget to Actual FY 2022-2023**



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

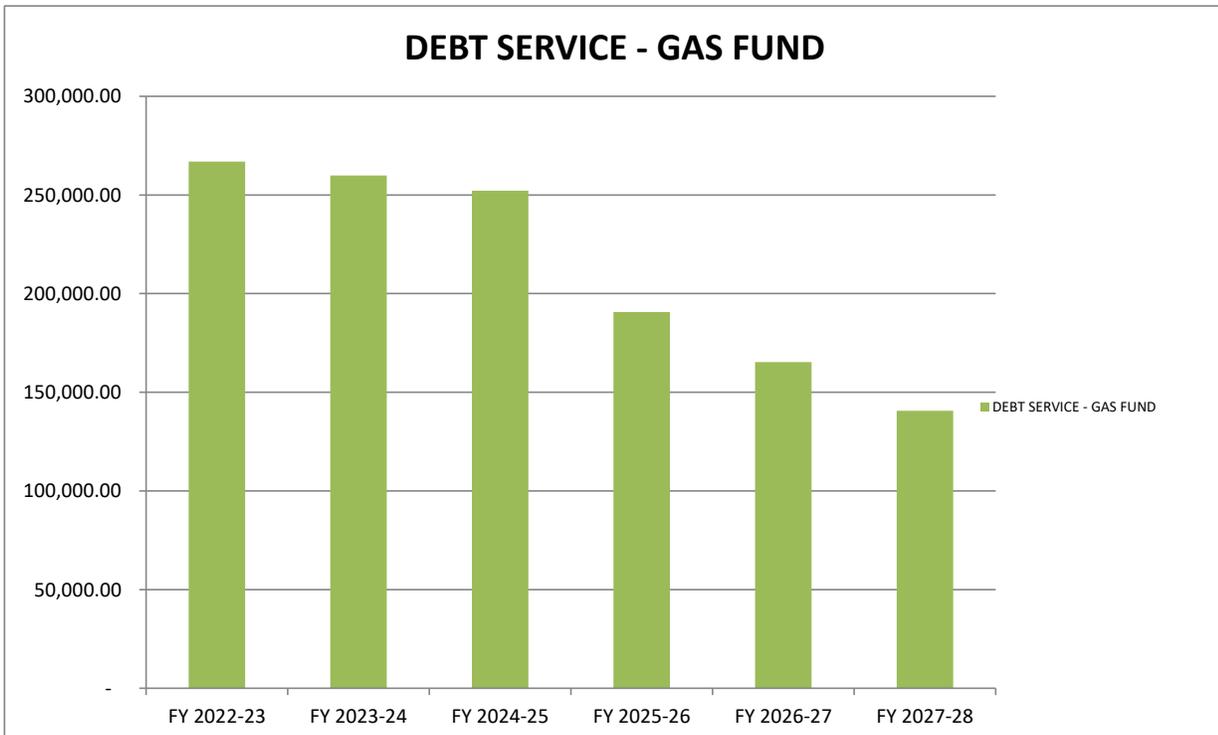
**Revenue Bonds**

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

**Installment Purchase Contracts**

<b>FY 18 Installment Purchase</b>						
<b>Debt Retired In 2023</b>	6,424.24	-	-	-	-	-
<b>FY 19 Installment Purchase</b>						
<b>Debt Retired In 2024</b>	7,621.62	7,621.62	-	-	-	-
<b>FY 20 Installment Purchase</b>						
<b>Debt Retired In 2025</b>	18,518.00	18,518.00	18,518.00	-	-	-
<b>FY 21 Installment Purchase</b>						
<b>Debt Retired In 2026</b>	24,392.50	24,392.50	24,392.50	24,392.50	-	-
<b>FY 22 Installment Purchase</b>						
<b>Debt Retired In 2027</b>	25,105.65	25,105.65	25,105.65	25,105.65	25,105.65	-
<b>Total Debt Service - Gas Fund</b>	<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 07 (58.34% of the Fiscal Year)  
 Utility Funds Expenditures by Department

	ORIGINAL APPROP	TRANFRS ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
TOTAL WATER ADMINISTRATION	3,205,592.00	33,015.00	3,238,607.00	1,312,330.27	9,404.85	1,916,871.73	40.8 %
TOTAL WATER LINES OPERATIONS	1,003,420.00	14,508.00	1,017,928.00	472,596.29	37,595.68	507,736.03	50.1 %
TOTAL WATER PLANT OPERATIONS	2,161,505.00	98,745.00	2,260,250.00	1,274,924.87	150,117.33	835,207.30	63.0 %
<b>TOTAL WATER</b>	<b>6,370,517.00</b>	<b>146,268.00</b>	<b>6,516,785.00</b>	<b>3,059,851.43</b>	<b>197,117.86</b>	<b>3,259,815.06</b>	<b>50.0 %</b>
TOTAL SEWER ADMINISTRATION	2,990,308.00	44,015.00	3,034,323.00	761,131.03	4,904.85	2,268,286.97	25.2 %
TOTAL SEWER LINES OPERATIONS	1,187,660.00	18,148.00	1,205,808.00	511,829.16	104,063.81	589,914.99	51.1 %
TOTAL SEWER PLANT OPERATIONS	2,443,132.00	135,776.00	2,578,908.00	1,435,629.92	254,514.64	888,763.28	65.5 %
<b>TOTAL SEWER</b>	<b>6,621,100.00</b>	<b>197,939.00</b>	<b>6,819,039.00</b>	<b>2,708,590.11</b>	<b>363,483.30</b>	<b>3,746,965.24</b>	<b>45.1 %</b>
TOTAL ELECTRIC ADMINISTRATION	2,854,131.00	4,015.00	2,858,146.00	1,398,851.43	33,604.85	1,425,689.57	50.1 %
TOTAL ELECTRIC PURCHASE	14,125,474.00	0.00	14,125,474.00	8,428,481.90	0.00	5,696,992.10	59.7 %
TOTAL ELECTRIC LINES	3,826,395.00	585,398.00	4,411,793.00	1,712,234.07	974,712.34	1,724,846.30	60.9 %
<b>TOTAL ELECTRIC</b>	<b>20,806,000.00</b>	<b>589,413.00</b>	<b>21,395,413.00</b>	<b>11,539,567.40</b>	<b>1,008,317.19</b>	<b>8,847,527.97</b>	<b>58.6 %</b>
TOTAL NATURAL GAS ADMINISTRATION	4,487,212.00	2,549,595.00	7,036,807.00	4,798,429.90	55,307.60	2,183,069.35	69.0 %
TOTAL NATURAL GAS PURCHASE	17,010,000.00	0.00	17,010,000.00	14,196,447.47	0.00	2,813,552.53	83.5 %
TOTAL NATURAL GAS LINES	2,657,535.00	203,514.00	2,861,049.00	1,034,222.82	449,108.96	1,377,717.25	51.8 %
<b>TOTAL NATURAL GAS</b>	<b>24,154,747.00</b>	<b>2,753,109.00</b>	<b>26,907,856.00</b>	<b>20,029,100.19</b>	<b>504,416.56</b>	<b>6,374,339.13</b>	<b>76.3 %</b>

City of Shelby  
Weather Variances  
Fiscal Year to Date at January 31, 2023

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	3.80	-	256	218	-38	5	23	18
October	3.80	2.50	(1.30)	109	6	-103	129	205	76
November	3.40	6.70	3.30	0	23	23	460	358	-102
December	4.00	5.40	1.40	1	0	-1	564	704	140
January	3.90	7.40	3.50	0	0	0	810	537	-273
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
<b>Totals</b>	<b>48.20</b>	<b>36.60</b>	<b>(11.60)</b>	<b>1,817</b>	<b>1,197</b>	<b>(620)</b>	<b>3,292</b>	<b>1,827</b>	<b>(1,465)</b>

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](http://www.weather.com)

\*\* Source [www.climate.fizber.com](http://www.climate.fizber.com)

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

C. Unfinished Business

None

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

D. New Business

Agenda Item: D-1

- 1) Consideration of appointments to City advisory boards and commissions:
  - a) Keep Shelby Beautiful

**New Business Item: (Rick Howell, City Manager)**

Summary of Available Information:

- Memorandum from Carol Williams, City Clerk to Rick Howell, City Manager
- Keep Shelby Beautiful (KSB) Commission Roster 2022

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City Manager's Recommendation / Comments

Volunteers are an essential part of the work the City performs each year. As always this is just a reminder that we all should work to recruit qualified and quality people to serve whenever possible. Solicitation of both qualified and interested citizens to serve on these important advisory boards remains a priority for 2023. I would challenge each of you to recruit viable candidates that possess the knowledge and willingness to serve during the coming months.

I cannot emphasize enough the importance of appointing quality people to these very important citizen boards and commissions. It is incumbent upon Council as the appointing authority to ensure members are responsible members of the community who will make decisions that reflect the established and recognized values of the City. These appointees after all reflect upon Council as the appointing authority as well as the City as they conduct business month to month.

**OFFICE OF THE  
CITY CLERK**



**Memo**

To: Rick Howell, City Manager  
From: Carol Williams, City Clerk  
Date: March 1, 2023  
Re: Appointments to City Advisory Boards

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**BOARD REVIEW: KEEP SHELBY BEAUTIFUL COMMISSION –**

The terms of five incumbents, Linda Bridges, Modestenia Bush, Chris Carter, Charles Hamrick, and Laurie Hendrick concluded January 2023.

Incumbent Wiley Smith's term ends in January 2024; however, Mr. Smith has moved away from Shelby, so his term needs to be filled.

**Two incumbents wish to continue their service - Charles Hamrick (Ward 3), Modestenia Bush (Ward 4)**

2023 terms – Linda Bridges, Laurie Hendrick, and Chris Carter will not be reappointed due to their desire to step down, or lack of attendance

2024 term – Wiley Smith will not be reappointed due to moving away from Shelby

There are four applications on file in the Clerk's Office –

- **Claire Mangione (Ward 1)**
- **Angela Bell (Ward 4)**
- **Marie Jackson (Ward 6)**
- **Benjamin Cabaniss (Ward 2)**

**POSSIBLE ACTION:**

Council can begin the nominating process or take appointive action for five new terms concluding January 2026, and one term concluding January 2024.

**Attachment:**

- A. KSB Advisory Board Roster 2022

**KEEP SHELBY BEAUTIFUL (KSB) COMMISSION ROSTER 2022**

<b>MEMBERS</b>	<b>ADDRESS</b>	<b>TERM EXPIRATION</b>	<b>PHONE NUMBER</b>
Carly Bostic <a href="mailto:cbostic@uptownshelby.com">cbostic@uptownshelby.com</a>	211 South Trade Street Shelby, NC 28150	USA Representative	W: 704 484-3100
Linda G. Bridges <a href="mailto:Kbridges3@carolina.rr.com">Kbridges3@carolina.rr.com</a>	1204 Brookwood Drive Shelby, NC 28150	January 2023	704 482-3722
Charles Hamrick <a href="mailto:Mrcharles911@gmail.com">Mrcharles911@gmail.com</a>	PO Box 1356 Shelby, NC 28151	January 2023	704 996-3114
Laurie Hendrick <a href="mailto:laurieh@carolina.rr.com">laurieh@carolina.rr.com</a>	926 Elizabeth Road Shelby, NC 28150	January 2023	H: 704 487-5103 C: 704 418-4984
Modestenia Bush <a href="mailto:Modesteniabush71@yahoo.com">Modesteniabush71@yahoo.com</a>	1338 N. Lafayette St. Shelby, NC 28150	January 2023	H: 704 471-9702 C: 704 472-6556
A. Patrick McMurry <a href="mailto:apmcmurry@gmail.com">apmcmurry@gmail.com</a>	600 Peach Street Shelby, NC 28150	January 2024	704 692-1819
Wiley Smith Jr. <a href="mailto:Wileysmith29@gmail.com">Wileysmith29@gmail.com</a>	861 West Marion St. Shelby, NC 28150	January 2024	C: 704 418-5070
Don Costner <a href="mailto:Don.costner@allentate.com">Don.costner@allentate.com</a>	814 East Marion St. Shelby, NC 28152	January 2024	H: 704 480- 1989 W: 704 472-8052
Patti Ellis McMurry <a href="mailto:Patti.mcmurry@hospicecares.cc">Patti.mcmurry@hospicecares.cc</a>	905 Elizabeth Road Shelby, NC 28150	January 2024	H: 980 522-1340 W: 704 487-4677
Dana Hamilton <a href="mailto:danawhite@hotmail.com">danawhite@hotmail.com</a>	1707 Country Garden Dr. Shelby, NC 28150	January 2024	H: 704 487-1757 W: 704 487-8627
Joe Linton Suttle IV <a href="mailto:Joesuttle4@gmail.com">Joesuttle4@gmail.com</a>	909 Elizabeth Road Shelby, NC 28150	January 2025	H: 704 300-1516 W: 704 484-6295
Kellie Ledford <a href="mailto:Kellie.j.ledford@gmail.com">Kellie.j.ledford@gmail.com</a>	109 Hillside Drive Shelby, NC 28150	January 2025	704 473-6676
Linda Price <a href="mailto:Lp044404@gmail.com">Lp044404@gmail.com</a>	427 Windsor Drive Shelby, NC 28150	January 2025	H: 704 487-666
Richard F. (Dick) Baker Jr. <a href="mailto:Rbaker51@carolina.rr.com">Rbaker51@carolina.rr.com</a>	1810 Country Garden Drive Shelby, NC 28150	January 2025	W: 980 487-3787 C: 704 574-1443
Chris Carter	1342 Harvest Moon Drive Shelby, NC 28150	January 2023	W: 704 482-4341 C: 704 692-9437

**Meetings held on the 1<sup>st</sup> Wednesday of each month;** 11:45 – 1:00pm; Don Gibson Theatre, 318 S. Washington Street Shelby, NC 28150

**City Council Liaison:** David Causby; 613 South Washington Street, Shelby, NC 28150; 704 477-9565; email: [david.causby@cityofshelby.com](mailto:david.causby@cityofshelby.com)

**Advisor:** Fred Blackley. 504 S. Dekalb St. Shelby, NC 28150 W: 704 484-1731; [fred504@bellsouth.net](mailto:fred504@bellsouth.net)

**Staffed by Planning and Development Services Department (704 484-6829):** Walt Scharer, Director and KSB Coordinator, [walt.scharer@cityofshelby.com](mailto:walt.scharer@cityofshelby.com)

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

Agenda Item E

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.

Agenda Item: F

Council Announcements and Remarks

City of Shelby  
Agenda Item Summary  
March 6, 2023  
Council Chambers

**G. Closed Session:**

- 1) 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).

**H. 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