

## 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**