

MINUTES

Regular Meeting
City Hall Council Chamber

March 6, 2023
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew L. Hopper, Sr., David Causby, Violet Arth, David White, Charles Webber, and Emilie Bullock.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Justin S. Merritt, MPA, Assistant City Manager Benjamin (Ben) Yarboro, Interim City Attorney John Kubis, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Public Information and Communications Officer Chip Nuhrah, Director of Human Resources Deborah (Deb) Jolly, Police Chief Jeffrey (Jeff) Ledford, Fire Chief William Hunt, EFO, Public Works Director Scott Black, and Jennifer H. Harrill, Social Media Manager, Blue Eyes Media Connections;

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

Mr. White led the Pledge of Allegiance.

A. Approval of agenda:

1) Motion to adopt the agenda as amended

Mayor Anthony requested Consent Item 8(d) be moved to New Business

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

B. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of February 20, 2023
- 2) Approval of a resolution approving a financing agreement authorized by North Carolina General Statute 160A-20: Resolution No. 12-2023
- 3) Approval of a resolution approving acceptance of maintenance and ownership of the sewer extension infrastructure improvements for Southridge Subdivision: Resolution No. 13-2023

- 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**
- 5) **Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 12-2023 (water and sewer taps)**
- 6) **Adoption of FY 2022-2023 Budget Ordinance Amendment: Ordinance No. 13-2023 (chemicals)**
- 7) **Adoption of budget ordinance amendment for the City of Shelby's American Rescue Plan Water and Sewer Project: Ordinance No. 14-2023**
- 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**
- 9) **Management Reports:**
 - a) **Financial Summary – January 2023**

END OF CONSENT AGENDA

C. Unfinished Business:

None

D. New Business

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

After discussion, Council decided not to take action on this item. They asked for more time to look over the Board applications that were not included in the agenda packet. This item is tabled for now and will be brought back to Council at the March 20, 2023 meeting.

ACTION TAKEN: TABLED until March 20, 2023

2) Approval of Special Event Application:

a) Uptown Shelby's Block Party, requested date: April 28, 2023

Mr. Howell introduced this item by stating that prior to the Bobby Bell Pavilion opening several years ago, there were a number of uptown events that required street closures. Mr. Howell stated these events caused extra work for our employees due to the events being scheduled after hours or on weekends; the City also received complaints from citizens due to obstruction of traffic and other concerns.

Mr. Howell continued by stating that since the Bobby Bell Pavilion opened up, the City has tried to direct events to that location due to it being a covered venue with bathrooms, parking, and allows those citizens that want to attend the events easy access but does not obstruct traffic for those citizens that do not want to attend the event.

Mr. Howell addressed Council and said the City does not currently have a formal policy on street closures for events but he would like to develop a policy so there is better decision making when these events arise.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted 4 – 2 (White and Hopper) to approve the Special Event application for the Uptown Shelby's Block Party with staff bringing a formal policy to apply going forward.

E. City Manager's Report

- Mr. Howell announced that Captain Brad Fraser has been appointed Interim Police Chief effective April 1, 2023 following the retirement of Chief Ledford. Mr. Howell continued by stating Capt. Fraser has 25 years of experience with the Shelby Police Department and is willing, able and enthusiastic about stepping into the Interim role.
- Mr. Howell stated the City Attorney search is continuing; the City has three viable candidates, and possibly a fourth, that will be

brought to town for in-person second interviews. Mr. Howell stated the three candidates are very diverse and have plenty of experience, however, none have municipal experience. Mr. Howell concluded stating there is not a timetable on hiring this position, but the sooner the better.

F. Council Announcements and Remarks:

Mayor Anthony reminded Council of these upcoming events:

- **Thursday, March 9th is the CAGO meeting in Kings Mountain**
- **Annual NCLM conference is April 25 – 27, 2023 in Concord, North Carolina – please let Rick or Carol know by the end of the week**

Ms. Arth congratulated Capt. Fraser on his appointment as Interim Chief of Police; she knows he'll do an excellent job.

Mr. Causby expressed his delight in the front-page news today that Shelby has been named the nicest micropolitan city in North Carolina.

Mr. Webber also saluted the appointment of Capt. Brad Fraser as well.

Mr. Hopper stated he's glad to be back and appreciated all the thoughts and prayers while he was out.

G. Closed Session:

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

ACTION TAKEN: Mr. White made a motion to enter a closed session pursuant to the appropriate North Carolina General Statute as cited. The Mayor invited all Council members present along with Mr. Howell, Mr. Kubis, Mrs. Williams, Mrs. Jones, Mr. Merritt, and Mr. Yarboro to attend. The motion passed unanimously, and Council moved into closed session at 6:27 p.m.

Council returned to the regular session at 6:44 p.m.

H. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 6:45 p.m.

Respectfully submitted,

**Carol Williams
City Clerk**

**O. Stanhope Anthony, III
Mayor**

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