

MINUTES

Regular Meeting
City Hall Council Chamber

June 19, 2023
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew L. Hopper, Sr., David Causby, David White, Violet Arth, Charles Webber, and Emilie Bullock.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Ben Yarboro, Interim City Attorney John Kubis, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Director of Finance Elizabeth (Beth) Beam, CPA, Director of Human Resources Deborah (Deb) Jolly, Fire Chief William Hunt, MPA, EFO, Interim Police Chief Brad Fraser, Director of Planning and Development Services Walter (Walt) Scharer, Public Works Director Scott Black, Director of Parks and Recreation Charlie Holtzclaw, Public Information and Communications Officer Chip Nuhrah, Water Resources Operations Manager Brian Wilson, and Jennipher 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.

Ms. Arth led the Pledge of Allegiance.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda as presented.**

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

B. Public Comment:

None

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 June 5, 2023**
- 2) Approval of a resolution adopting the City of Shelby's Compliance Policies for the American Rescue Plan Funding: Resolution No. 39-2023**

- 3) **Approval of a resolution authorizing selection of Odom Engineering based on qualifications for the design of the Riverwalk Sanitary Sewer Extension and Sewer Lift Station located on College Avenue: Resolution No. 40-2023**
- 4) **Approval of a resolution authorizing selection of McGill Associates based on qualifications for the design of a Sanitary Sewer Extension to provide service to a proposed residential development located on Earl Rd. near Industry Drive: Resolution No. 41-2023**
- 5) **Approval of a resolution authorizing selection of McGill Associates based on qualifications for professional Engineering Services for a mass grading project on Farmville Road in Shelby, NC: Resolution No. 42-2023**
- 6) **Approval of a resolution authorizing selection of Kimley-Horn and Associates, Inc. based on qualifications for the rehabilitation and replacement of water and sewer mains for Sumter Street and Lee Street: Resolution No. 43-2023**
- 7) **Adoption of FY 2022-2023 Budget Ordinance Amendment No. 10: Ordinance No. 30-2023**
- 8) **Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Foothills Commerce Center Sidewalk Project : Ordinance No. 31-2023**
- 9) **Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council – July 3, 2023**

END OF CONSENT AGENDA

D. Unfinished Business:

- 1) **24-inch Water Transmission Main Project:**
 - a) **Approval of a budget ordinance amendment for the City of Shelby's 24-inch South Tank and Forest Hills Drive Waterline Extension Project: Ordinance No. 32-2023**
 - b) **Adoption of a resolution awarding the contract for the City of Shelby South Washington Street Water Transmission Main Project to Fuller & Co. Construction, LLC: Resolution No. 44-2023**

Mr. Howell stated the South Washington Street project is a second phase portion of the Crosstown Water Project and would extend the 24-inch waterline from Marion Street at Morgan Street along Graham Street to S. Washington Street and then East to the South tank; continuing down Graham Street another line would extend to Forest Hill Drive. Mr. Howell explained to Council that this project will provide better fire flow, water pressure and water quality and consist of approximately 9,000 linear feet of the 24-inch water main. Mr. Howell continued by stating this project is funded through the American Rescue Plan funds appropriated to the City in 2021 (\$7.4 million) and 2022 (\$10.2 million). The total cost for the project, which includes design, engineering, construction, and contingencies, is \$9.52 million.

Mr. Howell presented Ordinance No. 32-2023 to Council which appropriates additional grant funding for this project; and Resolution No. 44-2023 which if approved would award the bid for construction of this project to Fuller & Co. Construction, LLC in the amount of \$8,976,174.70.

ACTION TAKEN: Upon a motion by Mr. Hopper, City Council voted unanimously to adopt Ordinance No. 32-2023 entitled, "A BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY'S 24-INCH SOUTH TANK AND FOREST HILLS DRIVE WATERLINE EXTENSION PROJECT".

ACTION TAKEN: Upon a motion by Mr. Causby, City Council voted unanimously to approve Resolution No. 44-2023 entitled, "A RESOLUTION AWARDED THE CONTRACT FOR THE CITY OF SHELBY SOUTH WASHINGTON STREET WATER TRANSMISSION MAIN PROJECT TO FULLER & CO. CONSTRUCTION, LLC".

E. New Business

- 1) Approval of a resolution awarding the contract for the City of Shelby Belvedere Avenue Sewer Replacement Project to Father and Sons Enterprises: Resolution No. 45-2023**

Mr. Howell explained this project and the following item (E-2) are smaller scale projects both funded by American Rescue Plan money; both are strategic projects and are important in these neighborhoods.

Mr. Howell presented Resolution No. 45-2023 and explained the need to replace approximately 1,070 linear feet of sewer main, along with the replacement of eleven (11) manholes in the Belvedere Avenue neighborhood. Mr. Howell stated this resolution, if approved, would award the construction bid to Father and Sons Enterprises in the amount of \$181,170.00.

ACTION TAKEN: Upon a motion by Ms. Arth, City Council voted unanimously to approve Resolution No. 45-2023 entitled, “A RESOLUTION AWARDING THE CONTRACT FOR THE CITY OF SHELBY BELVEDERE AVENUE SEWER REPLACEMENT PROJECT TO FATHER AND SONS ENTERPRISES”.

- 2) Approval of a resolution awarding the contract for the City of Shelby Ford Street Waterline Replacement Project to Two Brothers Utilities: Resolution No. 46-2023

Mr. Howell presented Resolution No. 46-2023 and explained the need to replace approximately 950 linear feet of water line down Ford Street; and 620 linear feet of water line along Hillcrest Drive. Mr. Howell stated this resolution, if approved, would award the construction bid to Two Brothers Utilities in the amount of \$247,440.60.

ACTION TAKEN: Upon a motion by Mr. White, City Council voted unanimously to approve Resolution No. 46-2023 entitled, “A RESOLUTION AWARDING THE CONTRACT FOR THE CITY OF SHELBY FORD STREET WATERLINE REPLACEMENT PROJECT TO TWO BROTHERS UTILITIES”.

- 3) Adoption of an ordinance authorizing demolition of a dwelling at 702 North Morgan Street: Ordinance No. 33-2023

Mr. Scharer explained this dilapidated dwelling is unfit for human habitation.

ACTION TAKEN: Upon a motion by Mr. Webber, City Council voted unanimously to adopt Ordinance No. 33-2023 entitled, “AN ORDINANCE AUTHORIZING DEMOLITION OF A DWELLING AT 702 NORTH MORGAN STREET”.

F. City Manager’s Report

Mr. Howell stated he will have updates on several projects at our next Council meeting. Mr. Howell also stated that as Council can tell, it’s going to be an extremely busy summer with many projects. Mr. Howell concluded by saying we are still short staffed in many departments, but staff is doing an awesome job and if Council has an opportunity to please encourage them and praise them for the good job they are doing.

G. Council Announcements and Remarks:

Mayor Anthony acknowledged some upcoming events and invited Charlie Holtzclaw, Director Parks and Recreation, to speak about upcoming events

at Shelby City Park.

Mr. Holtzclaw stated the Firework Extravaganza will be on July 3rd at 9:30 p.m. at the City Park. This is the fourth year for this event and a large crowd is expected.

Mr. Holtzclaw also mentioned the 2023 Tarheel Leagues State Softball tournament will be held July 20 – 23 with three different age divisions and over 400 players and coaches attending. Mr. Holtzclaw mentioned the teams and family members enjoy coming to Shelby because of the facilities, the customer service, and the city's hospitality.

Mr. Holtzclaw mentioned the National Carrousel Day event is in the works and he will have more information soon.

Ms. Arth mentioned the fireworks on July 3rd will be on the day her baby is due.

Mr. Hopper stated that from now on Ms. Arth can express to her baby that the City celebrated her birth with fireworks.

Closed Session:

- 1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, pursuant to North Carolina General Statute 143-318.11(a)(4).
- 2) 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: Ms. Arth made a motion to enter a closed session pursuant to the appropriate North Carolina General Statute as cited. The Mayor invited all Council members present along with Mr. Howell, Mrs. Williams, Mrs. Jones, and Mr. Yarboro to attend. The motion passed unanimously, and Council moved into closed session at 6:24 p.m.

Council returned to the regular session at 6:38 p.m.

J. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 6:39 p.m.

Respectfully submitted,

**Carol Williams
City Clerk**

**O. Stanhope Anthony, III
Mayor**

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