

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.

B. Public Comment:

1

In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.

C. Public Hearing:

- | | |
|--|---------|
| 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina at 1305 Linton Barnett Sr. Drive: Ordinance No. 45-2023 | 2 - 20 |
| 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina on Earl Road: Ordinance No. 46-2023 | 21 - 38 |

D. 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.

- | | |
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| 1) Approval of the Minutes of the Regular Meeting of October 2, 2023 | 39 - 43 |
|--|---------|

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|--|---------|
| 2) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Thread Trail Project: Ordinance No. 47-2023 | 44 - 47 |
| 3) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Depot Project: Ordinance No. 48-2023 | 48 - 51 |
| 4) Adoption of a budget ordinance amendment for the City of Shelby's Depot Park Project: Ordinance No. 49-2023 | 52 - 57 |
| 5) Adoption of a budget ordinance amendment for the City of Shelby's Palisades at Hickory Creek Underground Electric Installation: Ordinance No. 50-2023 | 58 - 61 |
| 6) Management Reports: | 62 - 90 |
| a) Monthly Financial Summary, dated August 2023 | |
| E. Unfinished Business: | 91 |
| None | |
| F. New Business: | 91 |
| None | |
| G. City Manager's Report | 91 |
| H. Council Announcements and Remarks | 91 |
| I. Adjournment: | 91 |
| <i>To adjourn a meeting of City Council, a majority of the Council Members must vote for a motion to adjourn.</i> | |
| 1) Motion to adjourn | |

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

B. Public Comment:

In accordance with City Council's policy, public comment is only taken at the second regular meeting each month. Any citizen who wishes to address Council must register with the City Clerk prior to 6:00 p.m. on the meeting night. The Mayor will call upon each individual during this portion of the meeting and will allow three (3) minutes to speak.

A reminder that it has been past practice of City Council to only listen to public comment without reply except to refer citizens with requests and concerns to the Office of the City Manager so that they may be addressed in a timely fashion or included on a future agenda for consideration by Council. If this is warranted and directed by City Council.

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

C. Public Hearings:

Agenda Item: C-1 **Legislative**

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina at 1305 Linton Barnett Sr. Drive: Ordinance No. 45-2023

Presenting: (Walter Scharer, Planning Director)

Summary of Available Information:

- Memorandum dated October 10, 2023, from Walter Scharer, Planning Director to Rick Howell, City Manager
 - General Application
 - Supporting Documents
 - Staff Report
 - Location Map, Zoning Map, and Future Land Use Map
 - Planning and Zoning Board Minutes
 - Certified Recommendation from the Planning and Zoning Board
 - Notice of Public Hearing
 - Ordinance No. 45-2023
-

City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. Following the conclusion of the hearing the Council may act on the item under consideration. A certified recommendations from the Planning and Zoning Board is included as part of the packet. I would call attention to Mr. Scharer's memorandum noting that the zoning map amendment is **inconsistent** with the City's current land use plan, however it is consistent with development patterns in the area. I would further note that the recommendation of the Planning and Zoning Board is advisory in nature only and that as a legislative matter Council has broad discretion to take action it believes is in the best interests of the City. City Council has adopted plans and established an advisory board for the purpose of providing reasonable guidance in the decision-making process.

The following excerpt from the NC General Statutes is provided as a reminder as to the statutory guidance provided to Council when considering changes in zoning and development regulations.

See Next Page

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

§ 160D-605. Governing board statement.

(a) Plan Consistency. – When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(b) Additional Reasonableness Statement for Rezoning. – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

(c) Single Statement Permissible. – The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).

After the conclusion of the public hearing City Council may act upon Ordinance No. 45-2023

Possible actions:

Motion to approve Ordinance No. 45-2023 as presented.

OR

Motion to deny approval of Ordinance No. 45-2023 as presented.



Memorandum

To: Rick Howell – City Manager

From: Walter Scharer – Planning Director

Date: October 10, 2023

Subject: Requested conditional zoning map amendment from R20 to RO-CZ at 1305
600 Linton Barnett Sr. Drive

Executive Summary of Issue – Background

The applicant, Ken Howell, is proposing a conditional zoning map change on this property. The proposed conditions include limiting the permitted uses to a Day Care Facility. In addition, there will be buffering provided on the Northern property line. Please refer to Appendix A of the application for details about what the applicant has proposed to allow in the conditional zoning district.

Review and Comments

The property is currently zoned R20. The structure on the property is currently vacant and at one time housed a Day Care Facility. The Comprehensive Land Use Plan for this area designates the property as being in a Medium Density Residential area. Please refer to the staff report for detailed information.

Recommendation

This proposed zoning map amendment is inconsistent with the Comprehensive Land Use Plan. The Planning and Zoning Board recommends this proposed zoning amendment due to the existing uses in the area such as James Love School and a Senior Center.

Please schedule a legislative public hearing for this proposed zoning amendment at the next City Council meeting on October 16, 2023.

Attachments: Application, Staff Report, Zoning Map, Location Map, Future Land Use Map, Notice of Public Hearing, Planning and Zoning Board September 21, 2023 minutes, Certified P&Z Recommendation, and Ordinance



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

1305 Linton Barnett Sr Dr Shelby N.C. 28152

Applicant(s) Name: Kenneth Ray Howell
Address: 404 S. Washington St
Shelby Nc 28150
Email: georgiatechken@bellsouth.net
Phone: 704 300 3419

Owner(s) Name: Kenneth Ray Howell
Email: georgiatechken@bellsouth.net
Phone: 704 300 3419

Relationship to Property: Owner Developer, Contractor, etc. Other: _____

Request for (Check all that apply):

- Annexation (Contiguous & Satellite)
- Change in Tenant/Building Use
- Site Plan Review & Zoning Permit
- Street Name Change
- Street/ROW Closing
- Conditional Use Permit or Special Use Permit
- UDO Text Amendment
- Zoning Map Amendment
- Conditional Use Map Amendment
- Zoning Permit or Home Occupation Permit

Project Information (Fill in applicable information):

Parcel Number: 57805
Proposed Zoning: daycare over 5 kids
Proposed Land Use: _____
Previous Use: clubhouse
Approx. Building Sq. Ft.: 2700
Approx. Project Acreage: 1.9 ±
Business Name: Little Bosses Learning Academy LLC
Construction Sq. Ft.: 2700
Valuation: 50k

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary.

Renovate existing structure. See attached

Oath: By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the City Council to revoke the permit.

Kay Howell
Signature of Applicant

8 7 2023
Date

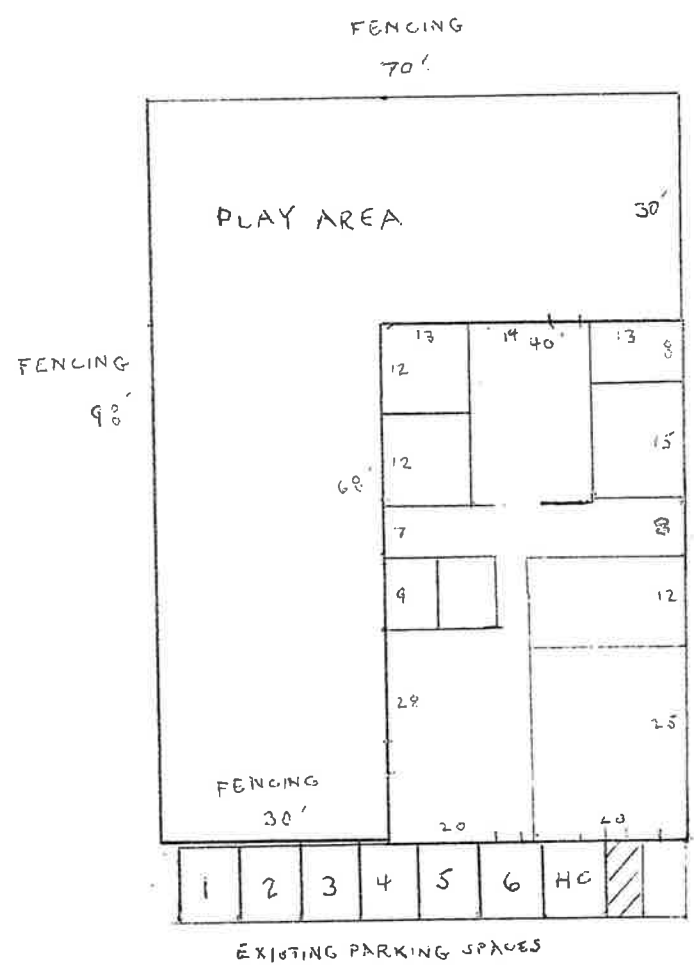
Received by: _____

Date _____

- 1) I will keep existing footprint of the building intact with no additions
- 2) I will keep existing seven parking spaces including handicapped accessible spot that are already marked and paved.
- 3) I will install new gutters along entire roofline on the east and west sides of the building.
- 4) I will install code approved 6 feet fencing from the N/E corner of the building thirty feet east, then ninety eight feet south, then thirty five feet west with chain link fencing, continuing thirty five feet west with opaque 6 feet fencing, then thirty feet north to the S/W corner of the building with opaque fencing as a buffer for neighboring residence and not interfering with neighbors current septic drain field. Will replace worn existing fence at the front of the property with matching opaque fencing to continue the buffer to the property line at the road.
- 5) I will install new vinyl plank flooring throughout the entire facility.
- 6) I will repaint the entire interior of the facility as well as all exterior doors and trim.
- 7) I have already met with and been approved by the Cleveland County Health Department inspector to install a new septic tank to accommodate the needs of the number of students (fifty to sixty) that the state day care authorities allow following their inspection. I will clear about a half an acre of trees and growth on the east side of the building towards Charles Road to make way for the necessary drain lines that the county requires.
- 8) I will install a code approved sized sign on the N/E corner of the property along Charles Road.
- 9) As per regulations in residential zoning districts, the use shall not be operated between the hours of 7pm and 5am.

- 1) I will keep existing footprint of the building intact with no additions
- 2) I will keep existing seven parking spaces including handicapped accessible spot that are already marked and paved.
- 3) I will install new gutters along entire roofline on the east and west sides of the building.
- 4) I will install code approved fencing from the N/E corner of the building thirty feet east, then ninety eight feet south, then seventy feet west, then thirty feet north to the S/W corner of the building.
- 5) I will install new vinyl plank flooring throughout the entire facility.
- 6) I will repaint the entire interior of the facility as well as all exterior doors and trim.
- 7) I have already met with and been approved by the Cleveland County Health Department inspector to install a new septic tank to accommodate the needs of the number of students (fifty to sixty) that the state day care authorities allow following their inspection. I will clear about a half an acre of trees and growth on the east side of the building towards Charles Road to make way for the necessary drain lines that the county requires.
- 8) I will install a code approved sized sign on the N/E corner of the property along Charles Road.

238'
 TO
 PROPERTY
 LINE
 FROM
 REAR OF
 BLDG



Staff Report



To: Shelby Planning & Zoning Board
From: Walter Scharer
Planning Director

Date: September 11, 2023
Meeting: September 21, 2023
File: #1188

OWNER: Ken Howell

APPLICANT: Ken Howell

LOCATION: 1305 Linton Barnett Sr. Drive

PARCEL ID #: 57805

PRESENT ZONING: R20

REQUESTED ZONING: RO-CZ

SURROUNDING ZONING: R20 **UTILITIES:** **Water:** Yes **Sewer:** No **Floodplain:** No **Watershed:** No

ANALYSIS: The subject property is located at 1305 Linton Barnett Sr. Drive. The subject property is approximately 2 acres in size and is currently zoned R20. The applicant is proposing to rezone the parcel to RO-CZ with the only use being a daycare facility. This site was originally a Single Family Dwelling. It later became a daycare facility and then later became a private club house.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO residential-office district is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

The conditional zoning districts are established to allow the City of Shelby City Council to consider proposed uses and tailor the zoning to accommodate those uses and promote innovative design while addressing anticipated problems that may arise from the establishment of the proposed uses. The conditional zoning district approval process allows the City Council to approve a proposal for a specific use with reasonable conditions to assure the compatibility of the use with surrounding properties. This is a voluntary procedure intended for firm development proposals. Uses that may be proposed and considered for a conditional zoning district shall be restricted to those uses permitted in the underlying general zoning district.

STAFF COMMENTS: The Comprehensive Land Use Plan identifies this property as being in a Medium Density Residential area. This proposal is inconsistent with the Comprehensive Future Land Use Plan.

The proposed use is a daycare facility. For other proposed conditions, see the appendix to the application.

Location

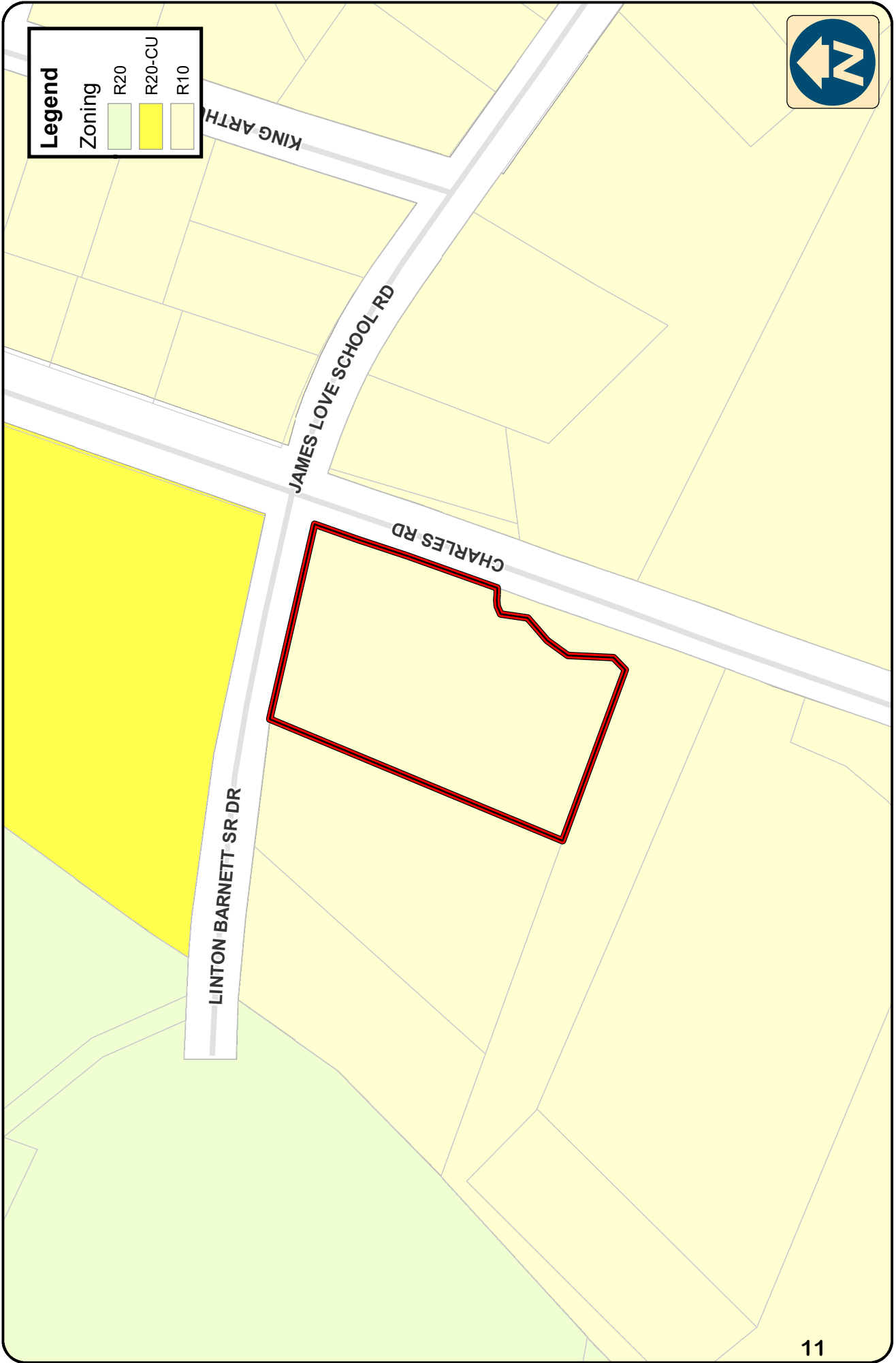
1305 Linton Barnett Sr Drive





Zoning Map

1305 Linton Barnett Sr Drive



| Legend | |
|--------|--------|
| Zoning | R20 |
| | R20-CU |
| | R10 |

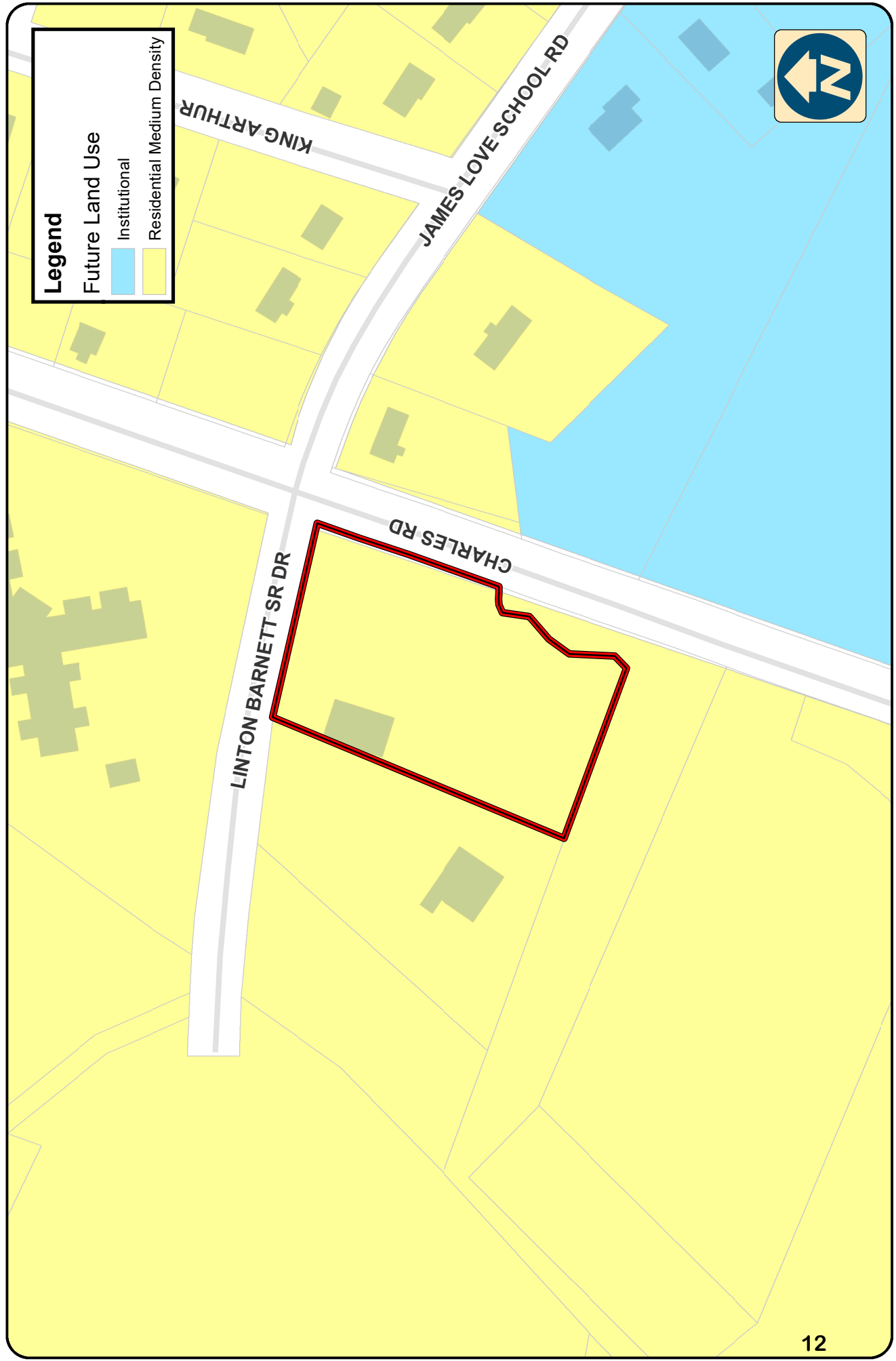
Date: 9/1/2023



Scale 1:1,800 1 inch = 150 feet



Future Land Use 1305 Linton Barnett Sr Drive





CITY OF SHELBY PLANNING AND ZONING BOARD MINUTES
September 21, 2023
Shelby City Hall

Item 1. **Opening**

Vice - Chair Royster called the meeting to order at 12:15 PM and noted that a quorum was present.

Board Present: Bob Cabaniss, Charles Hamrick, Karla Haynes, Emanuel Hunt Jr., Becca Schweppe, Greg Taylor, Rick Washburn; and David Causby, City Council liaison

Staff Present: Walter Scharer, Planning Director; Audrey Godfrey, Senior Planner

Item 2. **Approval of August 17, 2023 Minutes**

Motion: Mr. Washburn made the motion to approve the August 2023 minutes with no changes.

Second: Mr. Cabaniss

Action: The motion passed by a unanimous vote.

Item 3a **Linton Barnett Sr. Drive — Zoning Map Amendment**

Mr. Scharer gave this presentation. The subject property is located on Linton Barnett Sr. Drive, at the intersection of Charles Road and James Love School Road. The applicant is proposing to rezone the parcel to RO-CZ with the only use being a daycare facility. This site was originally a Single Family Dwelling. It later became a daycare facility and then later became a private club house.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO residential-office district is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

The Comprehensive Land Use Plan identifies this property as being in a Medium Density Residential area. This proposal is inconsistent with the Comprehensive Future Land Use Plan. Staff recommended this proposed zoning change.

Motion: Mr. Cabaniss made the motion to recommend approval of the proposed Zoning Map Amendment from R20 to RO-CZ on the basis that the change would be consistent with other development in the area.

Second: Ms. Schweppe
Action: The motion passed by a unanimous vote.

Item 3b. Earl Road Near Industry Drive — Conditional Zoning Map Amendment

Mr. Scharer gave this presentation. The subject property is located on Earl Road near the intersection with South Post Road. The site is currently vacant and is has an area of approximately 33 acres. The applicant is proposing to rezone the site from a combination of R20, RO, and R6 to entirely R6-CZ to accommodate a Single Family Subdivision with 45 foot wide lots. A total of 128 proposed single family dwelling units. Sidewalks are required for the internal street network as well as on Earl Road.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO Residential-Office District is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

STAFF COMMENTS: The Comprehensive Land Use Plan identifies this property as being in a High Density Residential. This proposal is consistent with the Comprehensive Future Land Use Plan. Staff recommends this proposed Zoning Map Amendment.

Motion: Mr. Tayler made the motion to recommend approval of the proposed Zoning Map Amendment from R6-CZ on the basis that the change would be consistent with the Comprehensive Land Use Plan.

Second: Mr. Hunt
Action: The motion passed by a unanimous vote.

Item 3c. Thrift Road/Nancy Drive— Conditional Zoning Map Amendment

Mr. Scharer gave this presentation. The subject property off of Borders Road near the Mall with direct access the Nancy Drive in the Rucker Downs Subdivision and Thrift Road. The site is

currently vacant and has an area of approximately 80 acres. The applicant is proposing to rezone the site to R6-CZ to accommodate a Single Family Subdivision with some lots being 41 feet wide. A total of 213 proposed single family dwelling units. Sidewalks are required for the internal street. A very small portion of this site is currently zoned R-20. The remainder of this site is in the Cleveland County zoning jurisdiction. The applicant will have to annex this property to have access to City sewer in order to accommodate these small lot sizes.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

The cluster subdivision proposal provides a residential density at that of the R-10 zoning district. The Comprehensive Land Use Plan identifies this property as being in a Medium Density Residential area. This proposal is consistent with the Comprehensive Future Land Use Plan. Staff recommends this proposed Zoning Map Amendment provided the property is annexed into the corporate limits of the City of Shelby.

Motion: Mr. Washburn made the motion to recommend approval of the proposed Zoning Map Amendment from R6-CZ on the basis that the change would be consistent with the Comprehensive Land Use Plan.

Second: Mr. Taylor

Action: The motion passed by a unanimous vote.

Item 4.

Pines at Edgewater – Preliminary Plat

Mr. Scharer gave this presentation. The 18.99 acre property is currently undeveloped. Land uses in the area include residential (single family) and the right-of-way for the new highway 74 bypass. These parcels are in the WSIV watershed protection area, which covers the areas that feed into the water intake for Shelby.

The R20 residential district is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 district are approximately two dwelling units per gross acre for single-family and two-family dwellings.

This proposed major subdivision is for 11 lots. There is no new right-of-way. The density is less than one unit per acre. The proposed lots meet the dimensional requirements of the City's zoning and watershed ordinances; the minimum proposed single family lot size is one acre.

This project does not have access to City of Shelby sewer or water. The applicant has secured Cleveland County septic permits for each proposed lot and is working with Cleveland County Water on a water extension. A low-density stormwater permit will likely be required by NCDEQ. This proposal does not include construction of new roads or sidewalks. The applicant is coordinating with NCDOT to maintain the existing roads once the roads are resurfaced and the minimum housing density is met. Staff Recommends approving this preliminary plat.

Motion: Mr. Cabaniss made the motion to approve the Preliminary Plat for the Pines at Edgewater Subdivision.

Second: Mr. Taylor

Action: The motion passed by a unanimous vote.

Item 5.

Announcements

Mr. Scharer announced that the next phase of the Carolina Harmony Trail is scheduled to be completed in October 2023.

Item 6.

Motion to Adjourn

Motion: Mr. Taylor made the motion to adjourn.

Second: Mr. Cabaniss

Action: The motion passed by a unanimous vote. Chair Carter adjourned the meeting at 12:47 PM.

Walter Scharer

Respectfully Submitted
Walter Scharer, Planning Director



Certified Recommendation

City of Shelby Planning & Zoning Board

Case File: #1188

Amendment: A Zoning Map Amendment for property located at 1305 Linton Barnett Sr. Drive, PIN#: 57805 from Residential 20 (R20) zoning districts to Residential Office Conditional Zoning District (RO-CZ).

Recommendation: The Planning and Zoning Board recommends approval of the proposed zoning map amendment for property located at 1305 Linton Barnett Sr. Drive, PIN#: 57805 from Residential 20 (R20) zoning districts to Residential Office Conditional Zoning District (RO-CZ).

Findings &

Reasons: 1. The proposed zoning map amendment is consistent with the existing uses in the area.

Motion: Mr. Cabaniss made the motion to approve the proposed Conditional Zoning Map Amendment for 1305 Linton Barnett Sr. Drive.

Second: Ms. Schweppe.

Action: This motion passed unanimously.

Signatures: Walter Scharer
Planning and Development Director

Date: 9/22/2023

Mark Carter
Planning and Zoning Board Chair

Date: 9/26/2023

NOTICE OF PUBLIC HEARING ZONING MAP AMENDMENT

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, October 16, 2023, at 300 South Washington Street. City Council will consider a proposed zoning map amendment from Residential 20 (R20) to Residential Office Conditional Zoning (RO-CZ) for property located at 1305 Linton Barnett Senior Drive with the Cleveland County Parcel Number 57805.

A more detailed description and map of this property are available for public inspection in the Planning and Development Services Department located at 315 South Lafayette Street, Shelby, North Carolina, during regular business hours, 8:00 AM until 5:00 PM. Also, you can call (704) 484-6829 for more information.

The City Council may change the existing zoning classification of the entire area covered by the petition or any part thereof, without the withdrawal or modification of the petition or further publication of notice.

Persons interested in being heard on this matter are invited to comment on the proposed rezoning at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

Carol Williams
City Clerk

The Shelby Star:

Please publish this notice as a legal line ad on Thursday October 5, 2023 and again on Wednesday, October 11, 2023 in The Shelby Star.

Mail invoices with affidavits to Audrey Whetten Godfrey, City of Shelby, PO Box 207, Shelby, NC 28151. Thank you.

ORDINANCE NO. 45-2023

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP
OF THE CITY OF SHELBY, NORTH CAROLINA AT
1305 LINTON BARNETT SR. DRIVE**

WHEREAS, the City of Shelby has received an application requesting the rezoning of property at 1305 Linton Barnett Sr. Drive located within the City or its Area of Extraterritorial Jurisdiction; and,

WHEREAS, the Shelby Planning and Zoning Board has reviewed said application for a zoning change and has recommended to City Council approval of the application; and,

WHEREAS, the Shelby Planning and Zoning Board found that the zoning change is inconsistent with the Comprehensive Land Use Plan; and,

WHEREAS, in accordance with GS 160D-602, a public hearing on this proposed rezoning was held by City Council on October 16th after due publication of said hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning and Zoning Board, City Council now desires to act on this matter.

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

Section 1. This zoning change is inconsistent with the City of Shelby Comprehensive Land Use Plan.

Section 2. This zoning change is reasonable and in the public interest based on being consistent with the built environment.

Section 3. In accordance with Chapter 160D, Article 6 and Article 7 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code), 1305 Linton Barnett Sr. Drive is hereby amended from R20 Zoning District to Residential Office Conditional Zoning District (RO-CZ). Said area of zoning is more fully described as the parcel listed by the Cleveland County Tax Office as Parcel Identification Number 57805.

Section 4. The City Clerk of the City of Shelby is hereby authorized and directed to cause the provisions of Section 2 of this ordinance to be properly codified, and the City Clerk is further authorized and directed to cause her official records and the Official Zoning Map of the City of Shelby to be properly amended to reflect the approved zoning changes.

Section 5. This ordinance shall become effective upon its adoption and approval.

ADOPTED AND APPROVED this the 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: C-2 **Legislative**

- 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina on Earl Road: Ordinance No. 46-2023

Presenting: (Walter Scharer, Planning Director)

Summary of Available Information:

- Memorandum dated October 10, 2023, from Walter Scharer, Planning Director to Rick Howell, City Manager
 - General Application
 - Conditional Use Plan
 - Location Map, Zoning Map, and Future Land Use Map
 - Certified Recommendation from the Planning and Zoning Board
 - Notice of Public Hearing
 - Planning and Zoning Board Minutes
 - Ordinance No. 46-2023
-

City Manager's Recommendation / Comments

This time is scheduled on the agenda for City Council to conduct the required public hearing in accordance with the NC General Statutes. Following the conclusion of the hearing the Council may act on the item under consideration. A certified recommendations from the Planning and Zoning Board is included as part of the packet. I would call attention to Mr. Scharer's memorandum noting that the zoning map amendment is **consistent** with the City's current land use plan and is consistent with development patterns in the area. I would further note that the recommendation of the Planning and Zoning Board is advisory in nature only and that as a legislative matter Council has broad discretion to take action it believes is in the best interests of the City. City Council has adopted plans and established an advisory board for the purposes of providing reasonable guidance in the decision-making process.

The following excerpt from the NC General Statutes is provided as a reminder as to the statutory guidance provided to Council when considering changes in zoning and development regulations.

See Next Page

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

§ 160D-605. Governing board statement.

(a) Plan Consistency. – When adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan. The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan. If a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment shall have the effect of also amending any future land-use map in the approved plan, and no additional request or application for a plan amendment shall be required. A plan amendment and a zoning amendment may be considered concurrently. The plan consistency statement is not subject to judicial review. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement describing plan consistency may address the overall rezoning and describe how the analysis and policies in the relevant adopted plans were considered in the action taken.

(b) Additional Reasonableness Statement for Rezoning. – When adopting or rejecting any petition for a zoning map amendment, a statement analyzing the reasonableness of the proposed rezoning shall be approved by the governing board. This statement of reasonableness may consider, among other factors, (i) the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment. If a zoning map amendment qualifies as a "large-scale rezoning" under G.S. 160D-602(b), the governing board statement on reasonableness may address the overall rezoning.

(c) Single Statement Permissible. – The statement of reasonableness and the plan consistency statement required by this section may be approved as a single statement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d)).

After the conclusion of the public hearing City Council may act upon Ordinance No. 46-2023

Possible actions:

Motion to approve Ordinance No. 46-2023 as presented.

OR

Motion to deny approval of Ordinance No. 46-2023 as presented.



Memorandum

To: Rick Howell - City Manager
From: Walter Scharer – Planning Director
Date: October 10, 2023
Subject: Requested zoning map amendment on Earl Road

Executive Summary of Issue – Background

Applicant, Carolina Homes Co. Inc., is proposing a zoning change on this property to allow for a cluster single-family development.

Review and Comments

The property is currently zoned R20, RO and R6 and the applicant has proposed an amendment to zone the entire property R6-CZ to allow for a cluster single-family dwelling subdivision. The Comprehensive Land Use Plan for this area designates the site as a High Density Residential Area.

Recommendation

This proposed zoning map amendment is consistent with the Comprehensive Land Use Plan and the proposed zoning map amendment is consistent with development patterns in the area. The Planning and Zoning Board recommends this proposed zoning amendment.

Please schedule a legislative public hearing for this proposed zoning amendment at the next City Council meeting on October 16, 2023.

Attachments: Application, Preliminary Subdivision Plat, Staff Report, Zoning Map, Location Map, Future Land Use Map, Notice of Public Hearing, Planning and Zoning Board September 21, 2023 minutes, Certified P&Z Recommendation, and Ordinance



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

Parcel 5450 32.99 Acres on Earl Rd

Applicant(s) Name:

Carolina Home Co, Inc.

Address:

711 E. Main St
Cherryville, NC 28021

Email:

Rjohnson-johnsonrealestategroup@gmail.com

Phone:

704-460-5087

Owner(s) Name:

South Post, LLC

Email:

john@whateys.com

Phone:

704-487-8176

Relationship to Property:

Owner



Developer, Contractor, etc.

Other:

Request for (Check all that apply):

- Annexation (Contiguous & Satellite)
- Change in Tenant/Building Use
- Site Plan Review & Zoning Permit
- Street Name Change
- Street/ROW Closing
- Conditional Use Permit or Special Use Permit
- UDO Text Amendment
- Zoning Map Amendment
- Conditional Use Map Amendment
- Zoning Permit or Home Occupation Permit

Project Information (Fill in applicable information):

Parcel Number: 5450
 Proposed Zoning: R-6
 Proposed Land Use: Residential
 Previous Use: Farmland
 Approx. Building Sq. Ft.: 0
 Approx. Project Acreage: 32.99 AC
 Business Name: N/A
 Construction Sq. Ft.: N/A
 Valuation: N/A

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary.

Residential SF subdivision - See Attached

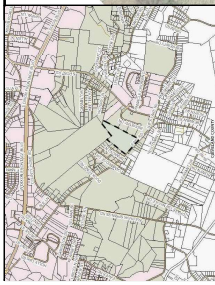
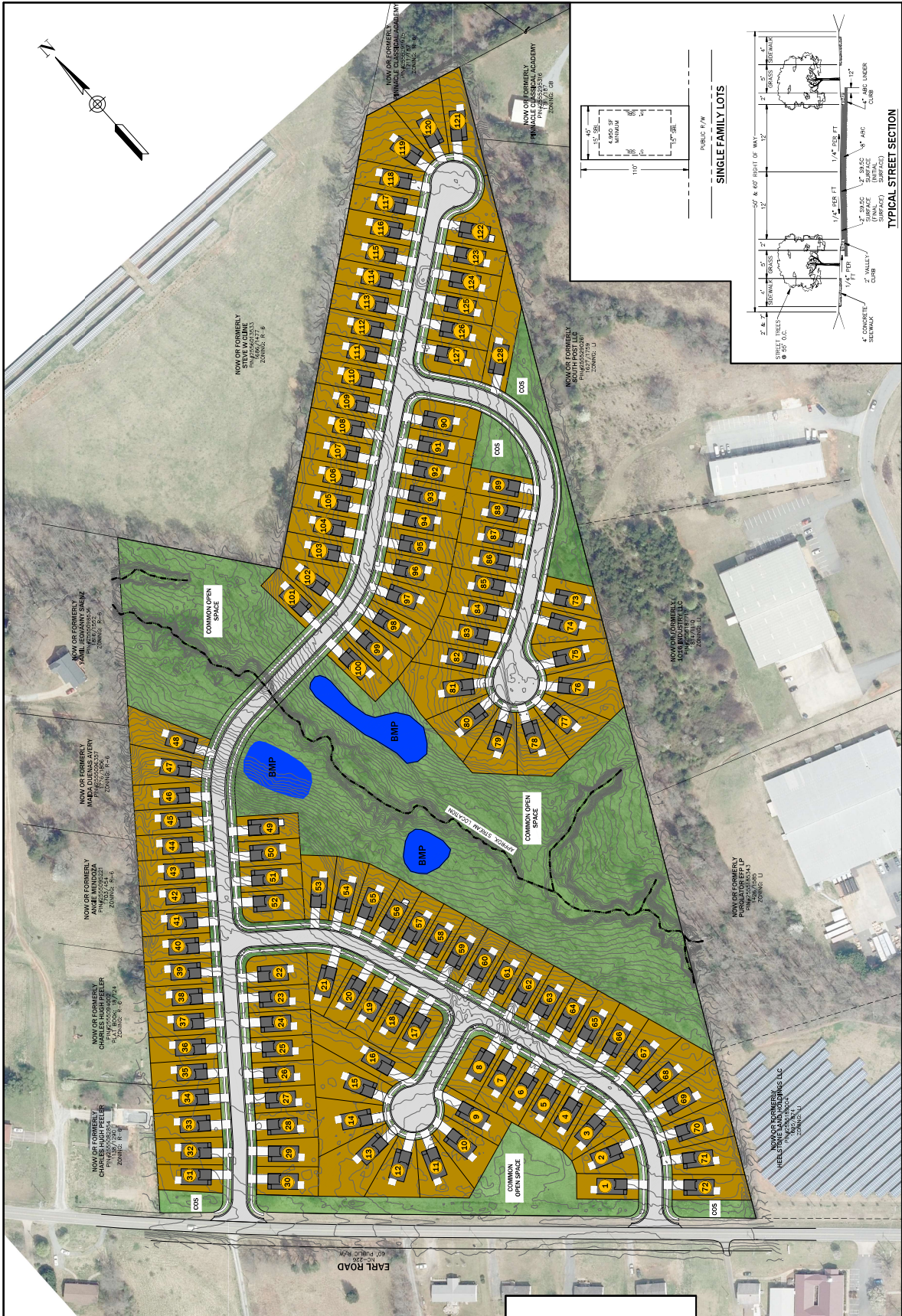
Oath: By signing, I hereby certify that all information that I have provided in this application is correct and complete to the best of my knowledge. I understand that providing false or incomplete information may be grounds for denial of my request or may result in future action by the City Council to revoke the permit.

Robert Johnson
Signature of Applicant

8/19/2023
Date

Received by:

Date



VICINITY MAP

EARL ROAD
67' PUBLIC R/W

GENERAL NOTES:
 1) PLAN NO. 25010100074
 2) SEE BOOK 6327/216
 3) TOTAL SITE AREA: 22.09 ACRES
 4) PROPOSED USE: SINGLE FAMILY RESIDENTIAL
 5) PROPOSED DENSITY: 3.38 UNITS/ACRE
 6) MINIMUM LOT WIDTH: 30.00 FT
 7) PROPOSED LOT WIDTHS: 30.00 FT
 8) PROPOSED LOT DEPTHS: 157' TO 177'
 9) MAXIMUM BUILDING HEIGHT: 2 STORES
 10) PROPOSED UNITS: 202 UNITS
 11) APPLICANT: CAROLINA HOME CO., INC.
 12) PROJECT ADDRESS: 117 E. MAIN STREET, CHERRYVILLE, NC 28021

DEVELOPMENT STANDARDS:
 1) THE STANDARDS SHOWN ON THIS PLAN ARE A PORTION OF THE STANDARDS FOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT AS ADOPTED BY THE BOARD OF ZONING ADJUSTMENT, CLEVELAND COUNTY, NC, FOR THE YEAR 2011.
 2) THE STANDARDS SHOWN ON THIS PLAN ARE THE CITY OF SHELLEY STANDARDS.
 3) THE CITY OF SHELLEY STANDARDS SHOWN ON THIS PLAN ARE TAKEN FROM THE CITY OF SHELLEY ZONING ORDINANCE, CHAPTER 150, ARTICLE 10, SECTION 10.010.
 4) THE CITY OF SHELLEY STANDARDS SHOWN ON THIS PLAN ARE TAKEN FROM THE CITY OF SHELLEY ZONING ORDINANCE, CHAPTER 150, ARTICLE 10, SECTION 10.010.
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| DESIGNED | DATE | BY |
| DRAWN | | |
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| PROJECT MANAGER | | |
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| 25 | | |
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| BY | | |

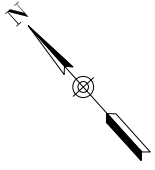
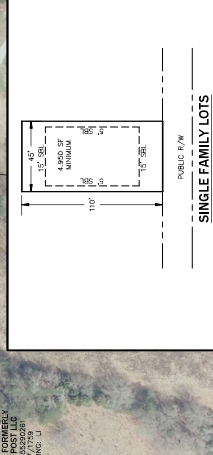
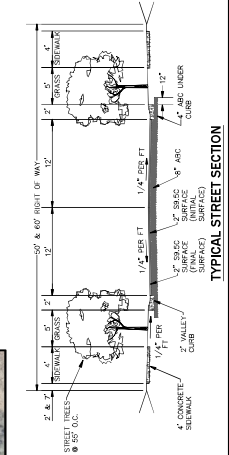


WRIGHT & ASSOCIATES
 ARCHITECTS & SURVEYORS
 LICENSE # C-4653
 309 1ST AVE SOUTH
 CONOVER, NC 28613
 828) 465-2205

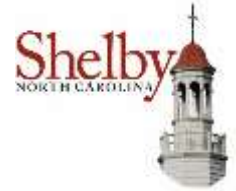
Earl Road
 CAROLINA HOME CO., INC.
 117 E. MAIN STREET
 CHERRYVILLE, NC 28021
 CITY OF SHELLEY
 NORTH CAROLINA

DATE: JUNE 17, 2023
 JOB NO.: 19-013
 DRAWING NO.:
 SHEET

CONDITIONAL USE PLAN



Staff Report



To: Shelby Planning & Zoning Board
From: Walter Scharer
Planning Director

Date: September 1, 2023
Meeting: September 21, 2023
File: #1190

OWNER: South Post, LLC

APPLICANT: Carolina Home Company, Inc

LOCATION: Earl Road

PARCEL ID #s: 5450

PRESENT ZONING: R20, R6, and RO

REQUESTED ZONING: R6-CZ

SURROUNDING ZONING: Industrial and Residential

UTILITIES: Water: Yes Sewer: Yes Floodplain: No Watershed: No

ANALYSIS: The subject property is located on Earl Road near the intersection with South Post Road. The site is currently vacant and has an area of approximately 33 acres. The applicant is proposing to rezone the site to R6 to accommodate a Single Family Subdivision with 45 foot wide lots. A total of 128 proposed single family dwelling units. Sidewalks are required for the internal street network as well as on Earl Road.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO Residential-Office District is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

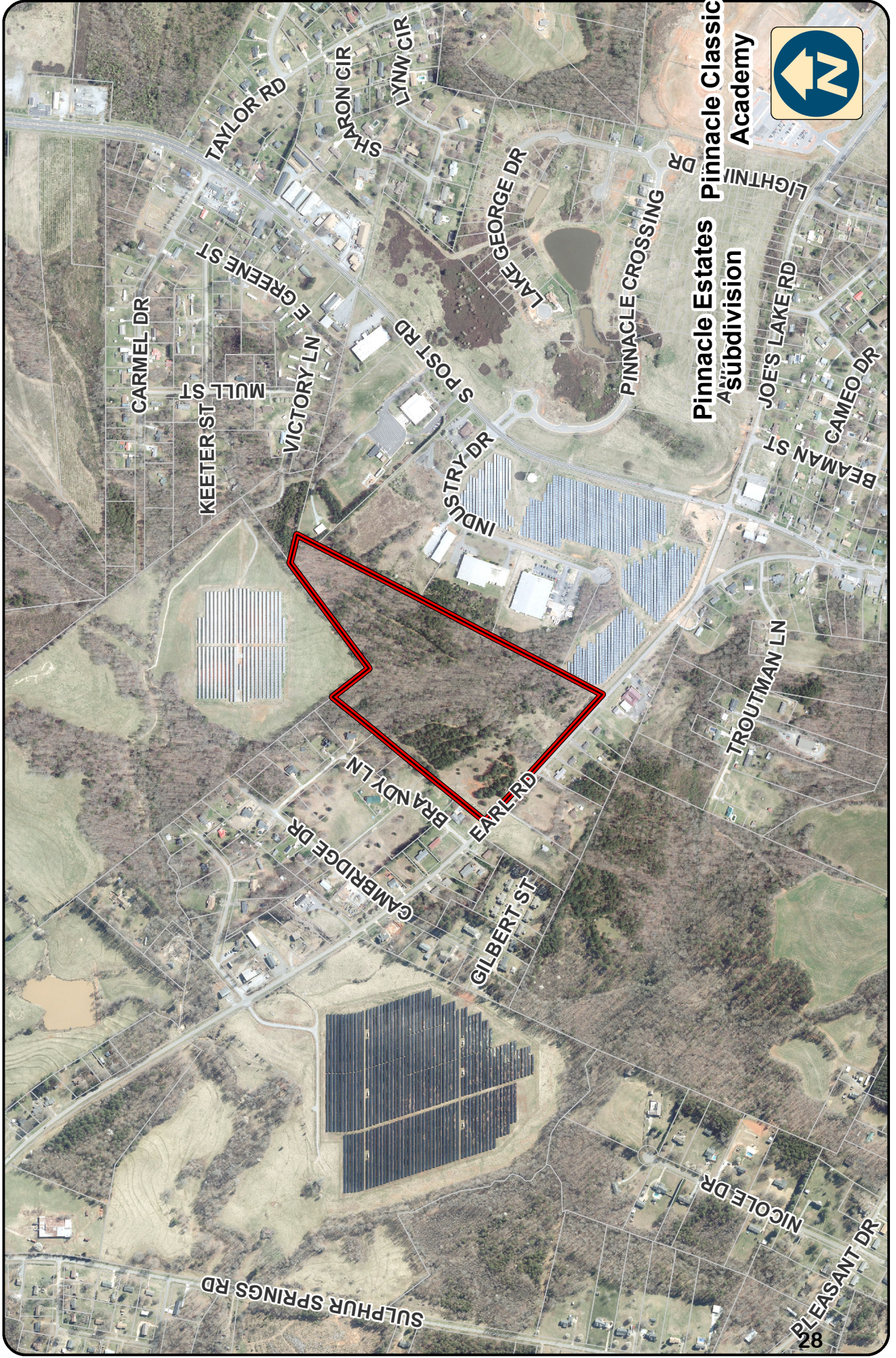
The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

STAFF COMMENTS: The Comprehensive Land Use Plan identifies this property as being in a High Density Residential. This proposal is consistent with the Comprehensive Future Land Use Plan. Staff

recommends this proposed Zoning Map Amendment.



Location Parcel 5450 - Earl Rd

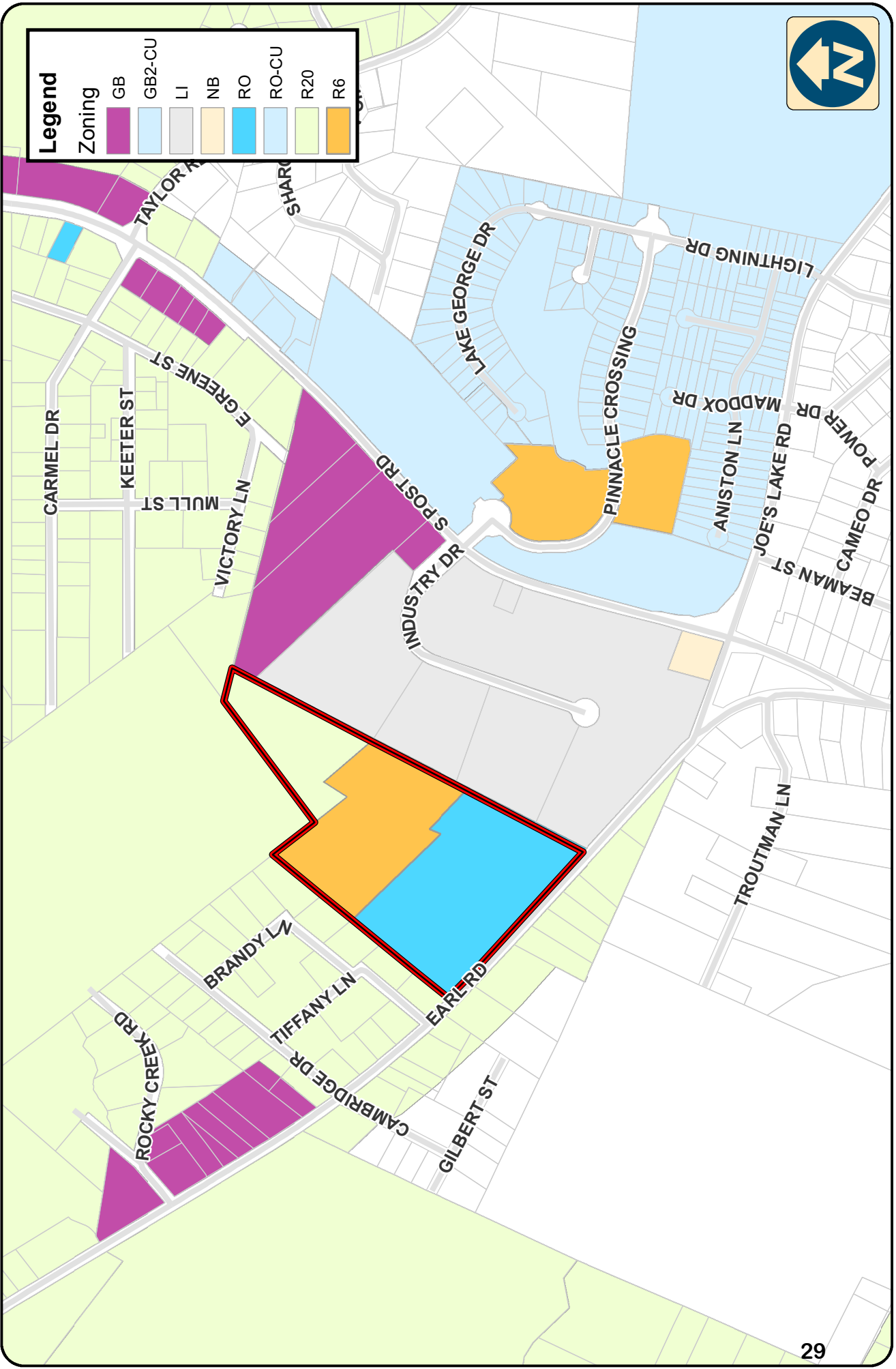


Scale 1:9,600 1 inch = 800 feet

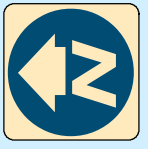
Date: 9/18/2023



Zoning Map Parcel 5450 - Earl Rd



| Legend | |
|--------|-------------|
| Zoning | Color |
| GB | Purple |
| GB2-CU | Light Blue |
| LI | Grey |
| NB | Yellow |
| RO | Light Blue |
| RO-CU | Light Blue |
| R20 | Light Green |
| R6 | Orange |

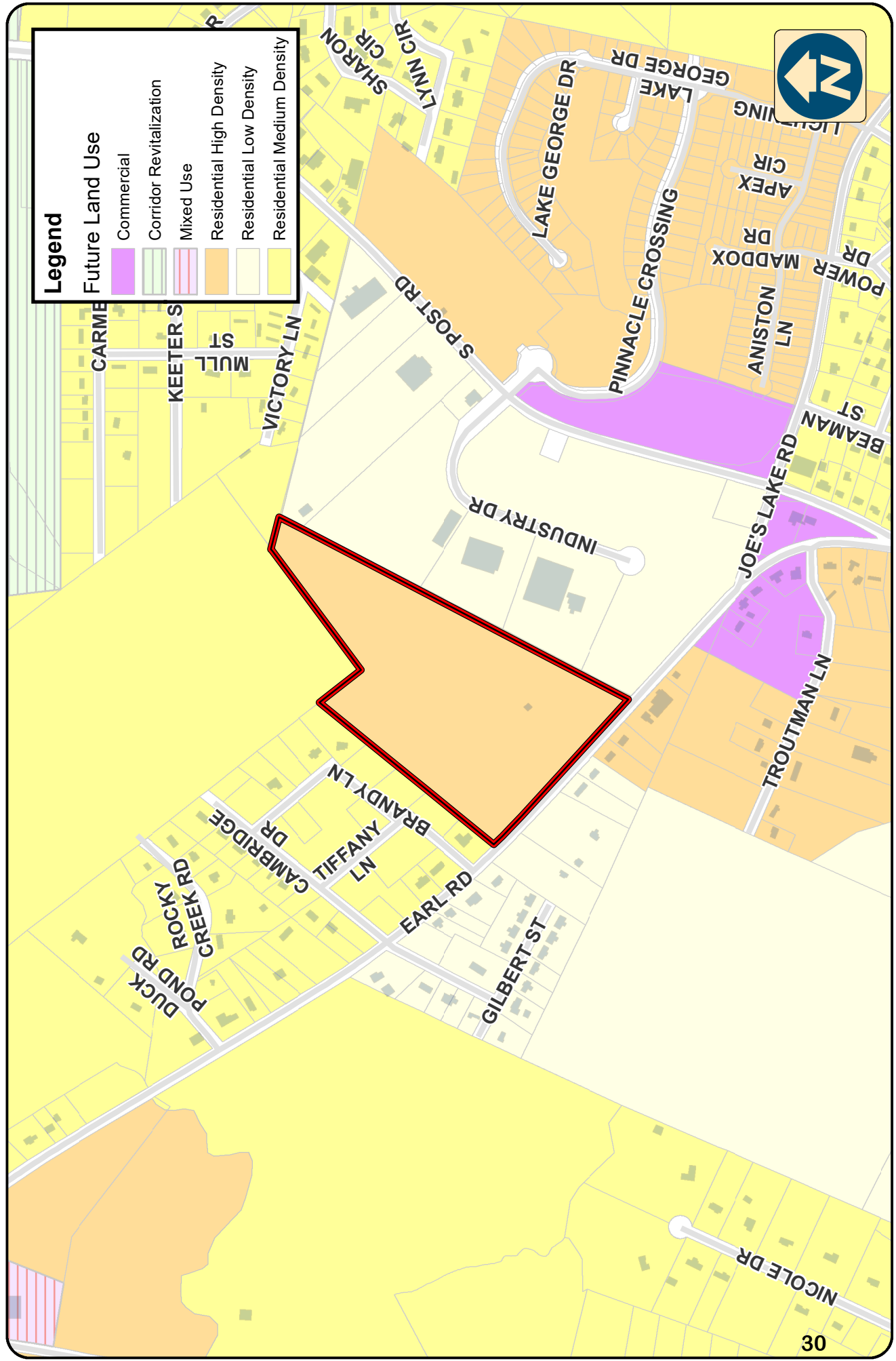


Scale 1:8,400 1 inch = 700 feet

Date: 9/18/2023



Future Land Use Parcel 5450 - Earl Rd



Legend

| | |
|----------------------------|-------------------------|
| Future Land Use | Commercial |
| Corridor Revitalization | Mixed Use |
| Residential High Density | Residential Low Density |
| Residential Medium Density | |



Scale 1:8,400 1 inch = 700 feet

Date: 9/18/2023



Certified Recommendation

City of Shelby Planning & Zoning Board

Case File: #1190

Amendment: A Zoning Map Amendment for property located on Earl Road , PIN#: 5450 from Residential 20 (R20) and Residential Office (RO) and Residential 6 (R6) zoning districts to Residential 6 - Conditional Zoning District (R6-CZ).

Recommendation: The Planning and Zoning Board recommends approval of the proposed zoning map amendment for property located on Earl Road , PIN#: 5450 from Residential 20 (R20) and Residential Office (RO) and Residential 6 (R6) zoning districts to Residential 6 - Conditional Zoning District (R6-CZ)..

Findings &

Reasons: 1. The proposed zoning map amendment is consistent with the existing uses in the area.

Motion: Mr. Taylor made the motion to approve the proposed Conditional Zoning Map Amendment for Earl Road with Tax Parcel number 5450.

Second: Mr. Hunt.

Action: This motion passed unanimously.

Signatures: Walter Scharer
Planning and Development Director

Date: 9/22/2023

Mark Carter
Planning and Zoning Board Chair

Date: 9/26/2023

NOTICE OF PUBLIC HEARING ZONING MAP AMENDMENT

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, October 16, 2023, at 300 South Washington Street. City Council will consider a proposed zoning map amendment from Residential Office (RO), Residential 6 (R6), and Residential 20 (R20) to Residential 6 Conditional Zoning (R6-CZ) for property located on Earl Road with the Cleveland County Parcel Number 5450.

A more detailed description and map of this property are available for public inspection in the Planning and Development Services Department located at 315 South Lafayette Street, Shelby, North Carolina, during regular business hours, 8:00 AM until 5:00 PM. Also, you can call (704) 484-6829 for more information.

The City Council may change the existing zoning classification of the entire area covered by the petition or any part thereof, without the withdrawal or modification of the petition or further publication of notice.

Persons interested in being heard on this matter are invited to comment on the proposed rezoning at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

Members of the public with special needs wishing to attend this meeting should call the City Clerk (704 484-6800) at least 24 hours prior to the meeting to request assistance.

Carol Williams
City Clerk

The Shelby Star:

Please publish this notice as a legal line ad on Friday, October 6, 2023 or as soon after is possible, and again on Saturday, October 14, 2023 in The Shelby Star.

Mail invoices with affidavits to Audrey Whetten Godfrey, City of Shelby, PO Box 207, Shelby, NC 28151. Thank you.



CITY OF SHELBY PLANNING AND ZONING BOARD MINUTES
September 21, 2023
Shelby City Hall

Item 1. **Opening**

Vice - Chair Royster called the meeting to order at 12:15 PM and noted that a quorum was present.

Board Present: Bob Cabaniss, Charles Hamrick, Karla Haynes, Emanuel Hunt Jr., Becca Schweppe, Greg Taylor, Rick Washburn; and David Causby, City Council liaison

Staff Present: Walter Scharer, Planning Director; Audrey Godfrey, Senior Planner

Item 2. **Approval of August 17, 2023 Minutes**

Motion: Mr. Washburn made the motion to approve the August 2023 minutes with no changes.

Second: Mr. Cabaniss

Action: The motion passed by a unanimous vote.

Item 3a **Linton Barnett Sr. Drive — Zoning Map Amendment**

Mr. Scharer gave this presentation. The subject property is located on Linton Barnett Sr. Drive, at the intersection of Charles Road and James Love School Road. The applicant is proposing to rezone the parcel to RO-CZ with the only use being a daycare facility. This site was originally a Single Family Dwelling. It later became a daycare facility and then later became a private club house.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO residential-office district is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

The Comprehensive Land Use Plan identifies this property as being in a Medium Density Residential area. This proposal is inconsistent with the Comprehensive Future Land Use Plan. Staff recommended this proposed zoning change.

Motion: Mr. Cabaniss made the motion to recommend approval of the proposed Zoning Map Amendment from R20 to RO-CZ on the basis that the change would be consistent with other development in the area.

Second: Ms. Schweppe
Action: The motion passed by a unanimous vote.

Item 3b. Earl Road Near Industry Drive — Conditional Zoning Map Amendment

Mr. Scharer gave this presentation. The subject property is located on Earl Road near the intersection with South Post Road. The site is currently vacant and is has an area of approximately 33 acres. The applicant is proposing to rezone the site from a combination of R20, RO, and R6 to entirely R6-CZ to accommodate a Single Family Subdivision with 45 foot wide lots. A total of 128 proposed single family dwelling units. Sidewalks are required for the internal street network as well as on Earl Road.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The RO Residential-Office District is primarily intended to accommodate high density multifamily residences; offices; public and institutional; business, professional, and personal services; and limited support retail businesses. Permitted residential uses include single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Public water and sewer service is generally available in areas zoned as RO. One of the objectives of this district is to encourage land uses that serve as an adequate buffer between intensive nonresidential uses and residential uses.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

STAFF COMMENTS: The Comprehensive Land Use Plan identifies this property as being in a High Density Residential. This proposal is consistent with the Comprehensive Future Land Use Plan. Staff recommends this proposed Zoning Map Amendment.

Motion: Mr. Tayler made the motion to recommend approval of the proposed Zoning Map Amendment from R6-CZ on the basis that the change would be consistent with the Comprehensive Land Use Plan.

Second: Mr. Hunt
Action: The motion passed by a unanimous vote.

Item 3c. Thrift Road/Nancy Drive— Conditional Zoning Map Amendment

Mr. Scharer gave this presentation. The subject property off of Borders Road near the Mall with direct access the Nancy Drive in the Rucker Downs Subdivision and Thrift Road. The site is

currently vacant and has an area of approximately 80 acres. The applicant is proposing to rezone the site to R6-CZ to accommodate a Single Family Subdivision with some lots being 41 feet wide. A total of 213 proposed single family dwelling units. Sidewalks are required for the internal street. A very small portion of this site is currently zoned R-20. The remainder of this site is in the Cleveland County zoning jurisdiction. The applicant will have to annex this property to have access to City sewer in order to accommodate these small lot sizes.

The R20 Residential District is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 District are approximately 2 dwelling units per gross acre for single-family and two-family dwellings. Manufactured home parks are permitted within the R20 District by conditional use permit. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the low density residential character of the R20 District.

The R6 Residential District is primarily intended to accommodate a variety of high density single-family detached dwellings, modular homes, apartments, townhomes, and condominiums. Maximum densities within the R6 District range from approximately 7 dwelling units per gross acre for single-family detached dwellings to over 19 dwellings per gross acre for multifamily dwellings. Public water and sewer service is generally available in areas zoned as R6. Nonresidential uses permitted within this district include customary accessory, recreational, educational, and institutional land uses that are compatible with the high density residential character of the R6 District.

The cluster subdivision proposal provides a residential density at that of the R-10 zoning district. The Comprehensive Land Use Plan identifies this property as being in a Medium Density Residential area. This proposal is consistent with the Comprehensive Future Land Use Plan. Staff recommends this proposed Zoning Map Amendment provided the property is annexed into the corporate limits of the City of Shelby.

Motion: Mr. Washburn made the motion to recommend approval of the proposed Zoning Map Amendment from R6-CZ on the basis that the change would be consistent with the Comprehensive Land Use Plan.

Second: Mr. Taylor

Action: The motion passed by a unanimous vote.

Item 4.

Pines at Edgewater – Preliminary Plat

Mr. Scharer gave this presentation. The 18.99 acre property is currently undeveloped. Land uses in the area include residential (single family) and the right-of-way for the new highway 74 bypass. These parcels are in the WSIV watershed protection area, which covers the areas that feed into the water intake for Shelby.

The R20 residential district is primarily intended to accommodate very low density single-family detached dwellings, modular homes, two-family dwellings, and manufactured homes on individual lots in areas that generally do not have access to public water supplies and are dependent upon septic tanks for sewage disposal. Maximum densities within the R20 district are approximately two dwelling units per gross acre for single-family and two-family dwellings.

This proposed major subdivision is for 11 lots. There is no new right-of-way. The density is less than one unit per acre. The proposed lots meet the dimensional requirements of the City's zoning and watershed ordinances; the minimum proposed single family lot size is one acre.

This project does not have access to City of Shelby sewer or water. The applicant has secured Cleveland County septic permits for each proposed lot and is working with Cleveland County Water on a water extension. A low-density stormwater permit will likely be required by NCDEQ. This proposal does not include construction of new roads or sidewalks. The applicant is coordinating with NCDOT to maintain the existing roads once the roads are resurfaced and the minimum housing density is met. Staff Recommends approving this preliminary plat.

Motion: Mr. Cabaniss made the motion to approve the Preliminary Plat for the Pines at Edgewater Subdivision.

Second: Mr. Taylor

Action: The motion passed by a unanimous vote.

Item 5.

Announcements

Mr. Scharer announced that the next phase of the Carolina Harmony Trail is scheduled to be completed in October 2023.

Item 6.

Motion to Adjourn

Motion: Mr. Taylor made the motion to adjourn.

Second: Mr. Cabaniss

Action: The motion passed by a unanimous vote. Chair Carter adjourned the meeting at 12:47 PM.

Walter Scharer

Respectfully Submitted
Walter Scharer, Planning Director

ORDINANCE NO. 46-2023

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF SHELBY, NORTH CAROLINA ON EARL ROAD**

WHEREAS, the City of Shelby has received an application requesting the rezoning of property on Earl Road with Cleveland County Tax Parcel Number 5450 located within the City or its Area of Extraterritorial Jurisdiction; and,

WHEREAS, the Shelby Planning and Zoning Board has reviewed said application for a zoning change and has recommended to City Council approval of the application; and,

WHEREAS, the Shelby Planning and Zoning Board found that the zoning change is consistent with the Comprehensive Land Use Plan; and,

WHEREAS, in accordance with GS 160D-602, a public hearing on this proposed rezoning was held by City Council on October 16th after due publication of said hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning and Zoning Board, City Council now desires to act on this matter.

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

Section 1. This zoning change is consistent with the City of Shelby Comprehensive Land Use Plan.

Section 2. This zoning change is reasonable and in the public interest based on being consistent with the built environment.

Section 3. In accordance with Chapter 160D, Article 6 and Article 7 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code), Earl Road with Cleveland County Tax Parcel Number 5450 is hereby amended to Residential 6 Conditional Zoning District (R6-CZ). Said area of zoning is more fully described as the parcel listed by the Cleveland County Tax Office as Parcel Identification Number 5450.

Section 4. The City Clerk of the City of Shelby is hereby authorized and directed to cause the provisions of Section 3 of this ordinance to be properly codified, and the City Clerk is further authorized and directed to cause her official records and the Official Zoning Map of the City of Shelby to be properly amended to reflect the approved zoning changes.

Section 5. This ordinance shall become effective upon its adoption and approval.

ADOPTED AND APPROVED this the 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

D. Consent Agenda:

Agenda Item: D-1

- 1) Approval of the Minutes of the Regular Meeting of October 2, 2023

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of October 2, 2023

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

October 2, 2023
Monday, 6:00 p.m.

Present: Mayor Pro Tempore Andrew L. Hopper, Sr. presiding; Council Members Violet Arth, David Causby, Charles Webber, and Emilie Bullock; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Benjamin (Ben) Yarboro, Assistant City Manager Justin E. Longino, 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, Director of Finance Elizabeth (Beth) Beam, Police Chief Brad Fraser, Fire Chief William Hunt, EFO, Public Works Director Scott Black, Director of Planning and Development Services Walter (Walt) Scharer, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Absent: Mayor O. Stanhope Anthony, III, and Council Member David White

Mayor Pro Tem Hopper called the meeting to order at 6:00 p.m. and Mr. Webber delivered the invocation.

Ms. Arth led the Pledge of Allegiance.

A. Approval of agenda:

- 1) Motion to adopt the agenda as presented

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

B. Special Presentations:

- 1) Recognition of Stephanie Herndon on the occasion of her retirement from employment: Resolution No. 60-2023

Mayor Pro Tem Hopper presented a framed resolution, lapel pin, and key to the City to Ms. Herndon who humbly thanked Council, her former coworkers, and staff for honoring her 28 years of employment. Ms. Herndon recognized her daughters and family that were in attendance.

2) Recognition of Public Power Week: October 1 – 7, 2023

Mayor Pro Tem Hopper recognized the Electric Department staff that were in attendance and presented a Proclamation recognizing Public Power Week which is October 1st – 7th, 2023.

C. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of September 18, 2023
- 2) Approval of a resolution for the acceptance of the American Rescue Plan grant offer for the 24-inch Transmission Main Waterline from the South tank to Forest Hill Drive Project: Resolution No. 69-2023
- 3) Approval of a resolution for the acceptance of the American Rescue Plan grant offer for the Hickory Creek Sewer Outfall Replacement Project – Windsor Drive to Highway 74: Resolution No. 70-2023
- 4) Approval of a resolution appointing a City Attorney for the City of Shelby: Resolution No. 71-2023
- 5) Approval of Special Event Applications:
 - a) Mush, Music and Mutts Festival, requested date: October 21, 2023
 - b) Veteran’s Day Parade: requested date: Saturday, November 11, 2023
 - c) Lighting the Way - Luminaries on the Courthouse, requested date: December 8, 2023

END OF CONSENT AGENDA

D. Unfinished Business:

None

E. New Business

None

F. City Manager's Report

Mr. Howell updated Council on the following project:

- **Regarding Rail Trail Phase 1A – The ribbon cutting will be on October 21st during the Livermush Festival and the NC Year of the Trail – Great State Trail Day; good progress is being made with landscaping, some concrete poured, and pavers placed this week.**

G. Council Announcements and Remarks:

Council members wished Mr. Webber a Happy Birthday today and recognized scouts from Boy Scout Troop 104 at Central United Methodist Church who are working on their Communication merit badge.

H. Closed Session:

- 1) **To consult with an attorney in order to preserve the attorney client privilege pursuant to N.C.G.S.143-318.11(a)(3) regarding Allen v. City of Shelby**

ACTION TAKEN: Mr. Webber made a motion to enter a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Pro Tem Hopper invited all Council members present along with Mr. Howell, Mr. Kubis, Mrs. Williams, Mrs. Jones, Mr. Longino, and Mr. Scharer to attend, as well as Attorney Natalia Isenberg remotely. The motion passed unanimously, and Council moved into closed session at 6:17 p.m.

Ms. Isenberg departed the Closed Session at 6:45 p.m.

Mr. Causby made a motion for City Council to return to the regular session at 6:46 p.m.

- 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: Mr. Causby made a motion to enter a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Pro Tem Hopper invited all Council members present along with Mr. Howell, Mr. Kubis, Mrs. Williams, Mrs. Jones, Mr. Longino, and Mr. Scharer to attend. The motion passed unanimously, and Council moved into closed session at 6:47 p.m.

Mrs. Bullock made a motion for City Council to return to the regular session at 6:57 p.m.

I. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 7:03 p.m.

Respectfully submitted,

Carol Williams
City Clerk

Andrew L. Hopper, Sr.
Mayor Pro Tempore

Minutes of October 2, 2023

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: D-2

- 2) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Thread Trail Project: Ordinance No. 47-2023

Consent Agenda Item: (Rick Howell, City Manager and Beth B. Beam, Director of Finance)

Summary of Available Information:

- Memorandum dated September 28, 2023, from Beth B. Beam, Director of Finance to Rick Howell, City Manager
- Ordinance No. 47-2023

City Manager's Recommendation / Comments

Ordinance No. 47-2023 is presented for City Council consideration at this time via the Consent Agenda. This amendment recognizes additional grant revenue in the amount from the Carolina Thread Trail in the amount of \$60,948 that was previously received but not accounted for in the budget ordinance for this project. It also appropriates \$64,519 in General Fund (fund balance) that was not previously authorized by City Council. This amendment is necessary to be in compliance with the NC Budget and Fiscal Control Act. Failure by management to include this amendment will result in an audit finding for FY 22-23.

Management has taken corrective action to ensure that it will not happen again by requiring a review and sign off by both the City Manager and Finance Director on projects entered into the purchase order system for projects of this size. This is a situation that was an oversight by management.

The specific project is the rebuilding of the suspension bridge after the winter 2020 flood event on the First Broad River washed out the original bridge. The City received grant funding from the Carolina Thread Trail to rebuild the bridge. However, this funding was not sufficient to cover the higher cost of moving the bridge supports outside the flood plain. This caused the actual suspension bridge to be much longer and more costly.

It is my recommendation that Ordinance No. 47-2023 be adopted and approved by City Council via the Consent Agenda.



To: Rick Howell, City Manager
From: Beth B. Beam, Director of Finance
Date: September 28, 2023
Subject: Carolina Thread Trail Project Budget Amendment

Background:

In November, 2020, the City contracted with Blue Ridge Trail Works, Inc. to replace the suspension bridge and make trail repairs on the First Broad River Trail. Funding for the project was budgeted through transfer from the General Fund and from grants from various sources.

Review:

Upon financial review of the project, there is additional grant revenue that needs to be recorded as well as an additional transfer to cover the costs of the completed project.

Recommendation:

It is recommended that the City Council adopt the project budget amendment for the Thread Trail project.

ORDINANCE NO. 47-2023

BUDGET ORDINANCE AMENDMENT FOR THE
CITY OF SHELBY’S CAROLINA THREAD TRAIL 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 Carolina Thread Trail 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. 05-2012, the City’s Carolina Thread Trail Project, is hereby amended as follows to provide for Budget Amendment No. 8 for said project:

Carolina Thread Trail Project

(1) Appropriating General Fund Balance:

| | | |
|-----------------------------------|----------------|-----------|
| Fund Balance Appropriated | 11001000-39900 | \$ 64,519 |
| Transfer to General Cap. Projects | 110495-49111 | \$ 64,519 |

(2) The following General Fund Cap. Project Revenues are amended by the City:

| | | |
|----------------------------|----------------------|-----------|
| Transfer from General Fund | 11108000-39110-THDTR | \$ 64,519 |
| Trail Grant Revenue | 11108000-34602-THDTR | \$ 60,948 |

(3) The following General Fund Cap. Project Expenditures are amended by the City:

| | | |
|--------------|--------------------|-------------|
| Land | 111493-52000-THDTR | \$ (22,835) |
| Construction | 111493-53000-THDTR | \$ 148,302 |

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. 8</u> |
|---|-----------------------|------------------------|
| <u>Carolina Thread Trail Project</u> | | |
| Revenues | | |
| Trail Grant Revenue | \$ 333,200 | \$ 394,148 |
| Transferred from General Fund | \$ 312,250 | \$ 376,769 |
| Expenditures | | |
| Land | \$ 75,000 | \$ 52,165 |
| Construction | \$ 570,450 | \$ 718,752 |

Ordinance No. 47-2023
October 16, 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 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: D-3

- 3) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Depot Project: Ordinance No. 48-2023

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

Summary of Available Information:

- Memorandum dated October 4, 2023, from Beth B. Beam, Director of Finance to Rick Howell, City Manager
- Ordinance No. 48-2023

City Manager's Recommendation / Comments

Ordinance No. 48-2023 is presented for City Council consideration and approval via the Consent Agenda. If approved this ordinance would establish separate budget for the Depot Park project and for the Depot building project. This separation is necessary because both projects have specific and restricted funding sources that do not allow for overlap or shared costs. In order for the City to segregate and appropriately account for these costs it is recommended by the Finance Director that they be adopted as individual ordinances.

It is my recommendation that Ordinance No. 48-2023 be adopted and approved via the Consent Agenda.



To: Rick Howell, City Manager
From: Beth B. Beam, Director of Finance
Date: October 4, 2023
Subject: Depot Project Budget Ordinance

Background:

In December, 2022, City Council approved Ordinance No. 63-2022 establishing budgets for the Depot Park Project. At that time, the costs for the Depot Park project and the Depot structure were combined together.

Review:

Upon financial review of the project, it is appropriate to separate the Depot Project from the Depot Park Project. Grant revenue needs to be recorded as well as budgets for the expenditures for the Depot Project.

Recommendation:

It is recommended that the City Council adopt the project budget ordinance for the Depot project.

ORDINANCE NO. 48-2023

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE
AND BUDGETS FOR THE CITY OF SHELBY’S DEPOT 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 Depot 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 park and recreation facilities, 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 renovate a current Depot structure to enhance the quality of life and economic prosperity of the City of Shelby. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. The following revenues are available, and amounts are hereby appropriated:

| | | |
|------------------------|----------------------|-----------|
| Revenues: | | |
| Cleveland County Grant | 11101000-33500-DEPOT | \$168,450 |
| State Grant | 11101000-34507-DEPOT | \$100,000 |
| Power Agency Grant | 11101000-38803-DEPOT | \$ 10,000 |
| Commerce Grant | 11101000-34717-DEPOT | \$750,000 |
| Appropriation: | | |
| Engineering | 111612-42004-DEPOT | \$220,000 |
| Construction | 111612-53000-DEPOT | \$808,450 |

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.

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

Ordinance No. 48-2023
October 16, 2023
Page 2

Adopted and Approved this the 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: D-4

- 4) Adoption of a budget ordinance amendment for the City of Shelby's Depot Park
Project: Ordinance No. 49-2023

Consent Agenda Item: (Rick Howell, City Manager, and Beth B. Beam, Director of Finance)

Summary of Available Information:

- Memorandum dated October 4, 2023, from Beth B. Beam, Director of Finance to Rick Howell, City Manager
- Memorandum dated November 30, 2022, from Ben Yarboro, Assistant City Manager to Justin Merritt, (previous) Assistant City Manager
- Ordinance No. 49-2023

City Manager's Recommendation / Comments

Ordinance No. 49-2023 is presented for City Council consideration and approval via the Consent Agenda. If approved this ordinance would establish separate budget for the Depot Park project and for the Depot building project. This separation is necessary because both projects have specific and restricted funding sources that do not allow for overlap or shared costs. In order for the City to segregate and appropriately account for these costs it is recommended by the Finance Director that they be adopted as individual ordinances.

It is my recommendation that Ordinance No. 49-2023 be adopted and approved by City Council at this time via the Consent Agenda.



To: Rick Howell, City Manager
From: Beth B. Beam, Director of Finance
Date: October 4, 2023
Subject: Depot Park Project Budget Amendment

Background:

In December, 2022, City Council approved Ordinance No. 63-2022 establishing budgets for the Depot Park Project.

Review:

Upon financial review of the project, there is additional grant revenue that needs to be recorded as well as amendment to expenditures for the Depot Park Project.

Recommendation:

It is recommended that the City Council adopt the project budget amendment for the Depot Park project.

Memorandum

To: Justin Merritt, Assistant City Manager

From: Ben Yarboro, Assistant City Manager

RE: Shelby Depot Park – Project Budget Ordinance for the Design, Engineering, Permitting, and Bidding Contract

Date: November 30, 2022

Background

The Shelby Depot Park project is located on approximately four (4) acres of land between W. Graham Street, S. Morgan St., Gardner St. and S. Market St. (see enclosed vicinity map). These project limits fall within an old Norfolk Southern rail corridor that was recently purchased by the City and includes an old NS train depot building. This park will ultimately serve as a hub for trail users and catalyst for further downtown revitalization.

On April 14, 2022, the City advertised a request for qualifications for professional engineering services for Shelby Depot Park Design, Bidding, and Construction Administration. The City receive five (5) responses to this advertisement prior to the May 12, 2022, deadline. Responses were received from the following firms (listed in alphabetical order.)

- Design Workshop
- Destination by Design
- Land Design
- Robinson & Sawyer, Inc.
- Summit Design and Engineering Services

City Staff recommended that the Shelby City Council approve the resolution selecting Destination By Design as the firm to perform engineering services for Shelby Depot Park design, bidding, and construction administration. On June 20, 2022, the Shelby City Council Approved Resolution 48-2022 authorizing the selection of Destination By Design based on qualifications for professional engineering services for Shelby Depot Park design, bidding, and construction administration. With this selection, City Staff worked with Destination by Design to establish a scope of work and contract.

Review

Upon selection, City staff has worked with Destination By Design to obtain a contract for the following professional services for the Shelby Depot Park project:

design, engineering, permitting, and bidding. Destination By Design has proposed the following fees for the City’s requested scope of work:

| | |
|---|--------------------|
| • Schematic Design & Preliminary Engineering | \$230,000 |
| ○ Preliminary Site Plan | |
| ○ Depot Restaurant: Discovery Analysis and Schematic Design | |
| ○ Environmental Permitting Assessment | |
| • Site and Civil Construction Documents | \$165,000 |
| • Depot Restaurant Design Development Phase | \$153,000 |
| • Final Construction Document Phase | \$404,742 |
| • Permitting | \$28,000 |
| • <u>Bidding</u> | \$14,000 |
| TOTAL CONTRACT | = \$994,742 |

The professional services detailed above have a total contract amount of **\$994,742**. The duration for this professional services contract is 12 months.

This scope of work will provides design plan and specifications for aspects of the park such as:

- Concrete Multi-Use Trail
- Splash Pad
- Adventure Playground
- Shelters & Restrooms
- Streetscape
- Shade Structures/Open Space with Sod
- Performance Stage
- Visitor Orientation Plaza
- Sculptures
- Mist Arbors
- Custom Swinging Benches
- Landscape and hardscape
- Furnishings & Signage
- Lighting

Recommendation

City Staff recommends that the Shelby City Council approve the Budget Ordinance to fund the contract proposal that has been negotiated with Destination By Design to perform professional services for the Shelby Depot Park project. These professional services include design, engineering, permitting, and bidding for the aforementioned infrastructure. Approval of this ordinance will establish a project budget and authorize the City Manager to enter into the contract with Destination By Design for their services related to the Shelby Depot Park project.

Please advise if you have any questions or need additional information.

ORDINANCE NO. 49-2023

BUDGET ORDINANCE AMENDMENT FOR THE
CITY OF SHELBY’S DEPOT PARK 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 Depot Park 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. 63-2022, the City’s Depot Park Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

| | | |
|----------------|----------------------|-------------|
| Revenues: | | |
| State Grant | 11101000-34507-DPOPK | \$1,150,000 |
| Appropriation: | | |
| Construction | 111612-53000-DPOPK | \$1,150,000 |

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

General Fund Capital Projects:

| | <u>Current Budget</u> | |
|------------------------|-----------------------|-------------|
| <u>Amendment No. 1</u> | | |
| Revenues: | | |
| Community Grant | \$1,000,000 | \$1,000,000 |
| State Grant | \$ - | \$1,150,000 |
| Appropriation: | | |
| Engineering | \$1,000,000 | \$1,000,000 |
| Construction | \$ - | \$1,150,000 |

Ordinance No. 49-2023
October 16, 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 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: D-5

- 5) Adoption of a budget ordinance amendment for the City of Shelby's Palisades at Hickory Creek Underground Electric Installation: Ordinance No. 50-2023

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

Summary of Available Information:

- Memorandum dated October 10, 2023, from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager and Beth B. Beam, Director of Finance
- Ordinance No. 50-2023

City Manager's Recommendation / Comments

Ordinance No. 50-2023 is presented for City Council consideration at this time via the Consent Agenda. If approved this ordinance would amend the current project budget ordinance by appropriating an additional \$7,629 toward the cost of construction of the underground electric system to serve the new apartment complex on S. Dekalb Street known as the Palisades. The owner of this project selected the City to serve as its electric provider. This project will add load to the City's system

It is recommended that Ordinance No. 50-2023 be adopted and approved at this time via the Consent Agenda.

Memorandum

To: Rick Howell, City Manager
Beth Beam, Director of Finance

From: Ben Yarboro, Assistant City Manager

RE: Palisades at Hickory Creek Underground Electric Installation
– Project Budget Ordinance Amendment

Date: October 10, 2023

Background

On March 15th, 2022, Southwood Realty Company received its approval for the development of a 312-unit apartment complex on South Dekalb Street and South Morgan Street in the City of Shelby. This apartment complex was named Palisades at Hickory Creek.

With Southwood Realty Company selecting the City of Shelby to provide its electric service, the City of Shelby Electric Department contracted with Progressive Engineering, a professional engineering services firm, to design the electric system for Palisades at Hickory Creek. This project generally consisted of the following:

- 16,000 feet of 1/0 primary underground wire
- 24,000 feet of 3" conduit
- 13 transformers

Review

The Shelby City Council awarded the construction contract for the underground electric installation for the Palisades at Hickory Creek project to the low bidder, Williams Electric Co. for the lump sum bid for the scope of work in the amount of \$237,100.00. During the construction of this project, the contractor encountered additional directional boring that was not included in the original bid. This additional boring was due to minor variations between the plans and the actual field conditions. The total of this additional boring was \$7,629.00.

Recommendation

City Staff recommends that a Project Budget Amendment be completed increasing the initial PBO for this project from \$237,100.00 by \$7,629 to a total amount of \$244,729.00.

Please advise if you have any questions or need additional information.

ORDINANCE NO. 50-2023

BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S PALISADES
AT HICKORY CREEK UNDERGROUND ELECTRIC 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 Palisades at Hickory Creek Underground Electric 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. 18-2023, the City’s Palisades at Hickory Creek Underground Electric Project, is hereby amended as follows to provide for Budget Amendment No. 1 for said project:

Appropriating Fund Balance:

| | | |
|------------------------------------|----------------|----------|
| Fund Balance Appropriated | 63006000-39900 | \$ 7,629 |
| Transfer to Electric Cap. Projects | 630731-49631 | \$ 7,629 |

Electric Fund Capital Projects:

| | | |
|-----------------------------|----------------------|----------|
| Transfer from Electric Fund | 63106000-39630-63878 | \$ 7,629 |
| Construction | 631736-53000-63878 | \$ 7,629 |

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

Electric Fund Capital Projects:

| | <u>Current Budget</u> | <u>Amendment No. 1</u> |
|--------------------------------|-----------------------|------------------------|
| Revenues: | | |
| Transferred from Electric Fund | \$237,100 | \$244,729 |
| Appropriation: | | |
| Construction | \$237,100 | \$244,729 |

Ordinance No. 50-2023
October 16, 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 16th day of October, 2023.

O. Stanhope Anthony III
Mayor

ATTEST:

Breanna Jones
Deputy City Clerk

APPROVED AS TO FORM:

Julie Hooten
Interim City Attorney

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: D-6

6) Management Reports:

- a) Monthly Financial Summary, dated August 2023

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

Summary of Available Information:

- Monthly Financial Summary – August 2023

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.

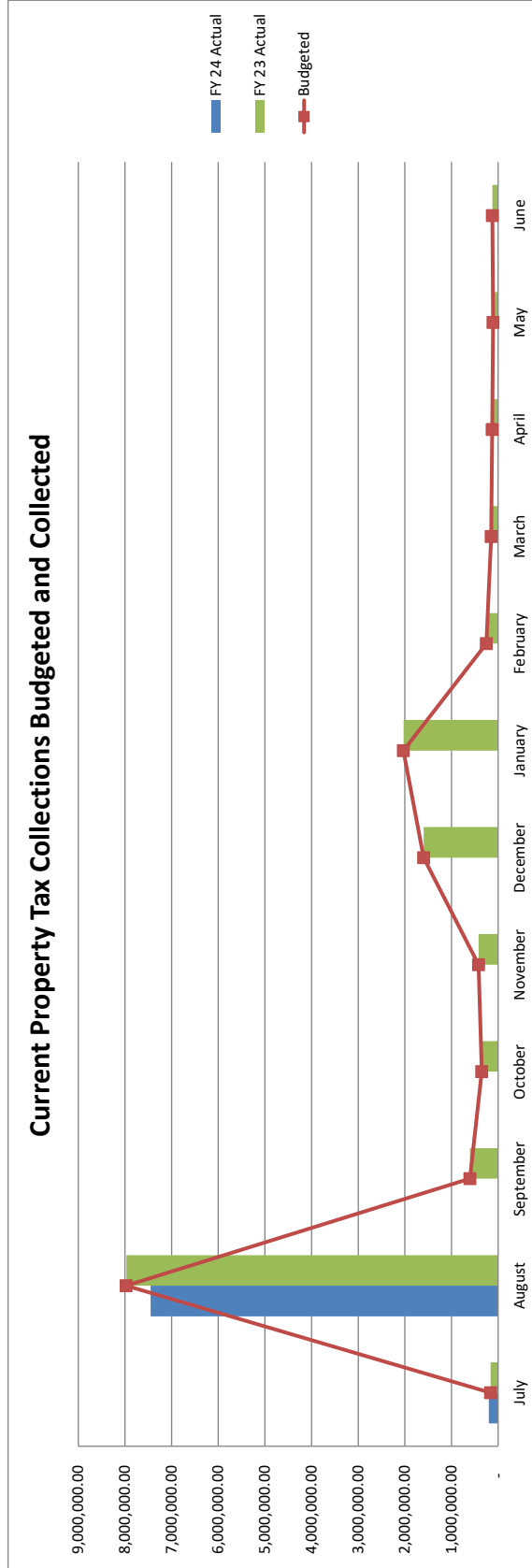
Shelby
NORTH CAROLINA



**Monthly Financial Summary
August 2023**

City of Shelby
 Current Property Tax Collections
 FY 2024

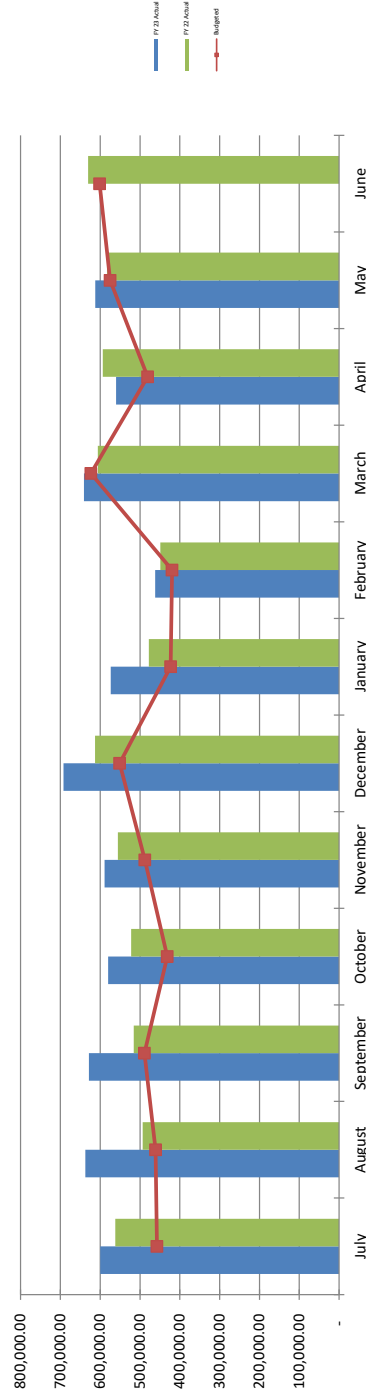
| | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-------------|------------|--------------|--------------|--------------|--------------|----------------|----------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Budget | 159,933.38 | 7,975,543.92 | 606,204.49 | 351,647.91 | 420,081.33 | 1,596,722.79 | 2,030,450.43 | 252,495.36 | 149,439.68 | 127,820.47 | 108,378.28 | 121,281.94 | 13,900,000.00 |
| 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 | 252,271.13 | 149,306.97 | 127,706.96 | 108,282.03 | 121,174.23 | 13,887,655.76 |
| FY 2024 | 201,701.74 | 7,448,265.31 | | | | | | | | | | | |
| % of Budget | -1.45% | 53.58% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 55.04% |
| Variance | 41,768.36 | (527,278.61) | (606,204.49) | (351,647.91) | (420,081.33) | (1,596,722.79) | (2,030,450.43) | (252,495.36) | (149,439.68) | (127,820.47) | (108,378.28) | (121,281.94) | (6,250,032.95) |



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 | 691,881.93 | 573,374.28 | 461,766.04 | 640,874.83 | 560,282.24 | 612,400.86 | - | 6,574,606.47 |
| % of Budget | 10.00% | 10.62% | 10.47% | 9.66% | 9.82% | 11.53% | 9.56% | 7.70% | 10.68% | 9.34% | 10.21% | 0.00% | 109.58% |
| Variance | 142,526.52 | 176,451.38 | 139,382.86 | 148,380.22 | 101,287.81 | 141,003.90 | 150,542.96 | 42,354.64 | 17,600.96 | 79,352.67 | 37,235.02 | (601,512.47) | 574,606.47 |

Sales Tax Collections Budgeted and Collected



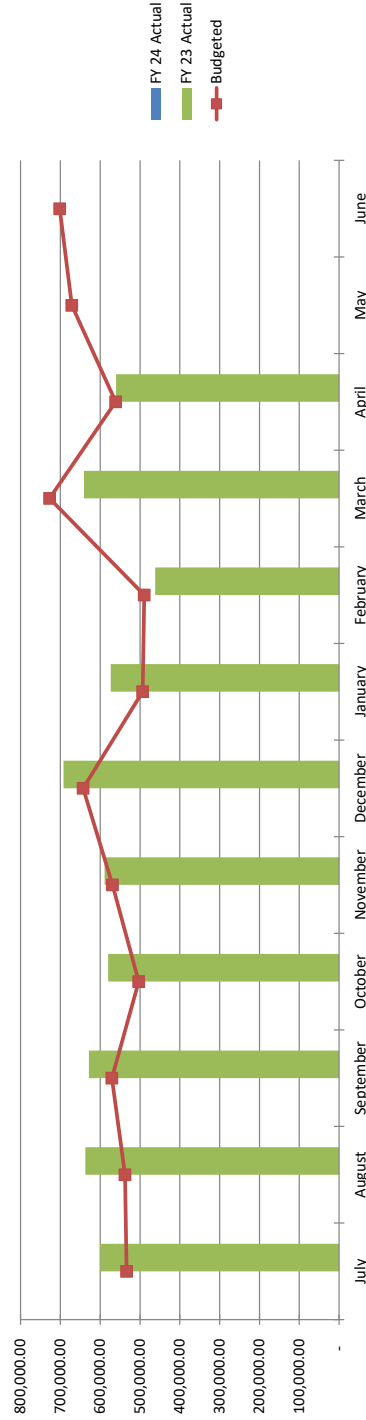
Notes:
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-5.pdf>

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

City of Shelby
Sales Tax Collections
FY 2024

| | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-------------|-------------|-------------|-------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Budget | 533,422.75 | 537,608.51 | 570,286.63 | 503,355.20 | 568,990.67 | 642,691.03 | 493,303.21 | 489,313.30 | 727,152.85 | 561,084.49 | 671,026.81 | 701,764.55 | 7,000,000.00 |
| FY 2023 | 599,746.02 | 637,258.67 | 628,199.97 | 579,827.53 | 588,994.10 | 691,881.93 | 573,374.28 | 461,766.04 | 640,874.83 | 560,282.24 | - | - | 5,962,205.61 |
| % of Budget | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% |
| Variance | (53,422.75) | (37,608.51) | (70,286.63) | (503,355.20) | (568,990.67) | (642,691.03) | (493,303.21) | (489,313.30) | (727,152.85) | (561,084.49) | (671,026.81) | (701,764.55) | (7,000,000.00) |

Sales Tax Collections Budgeted and Collected

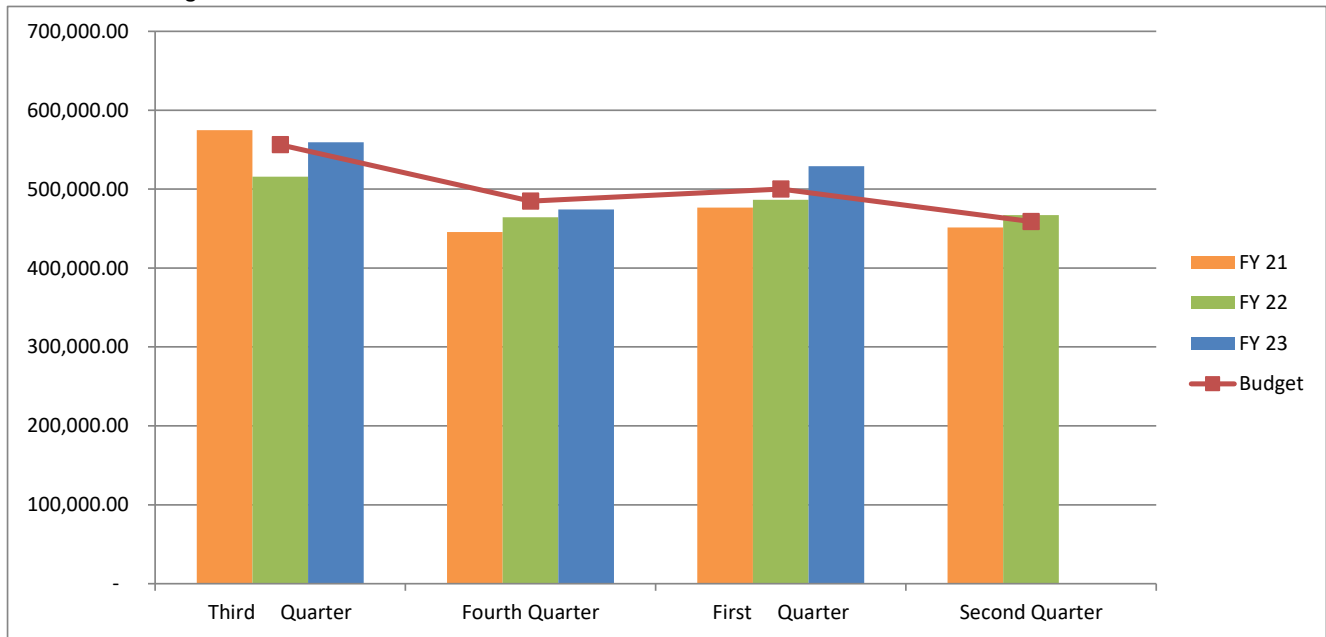


Notes:
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-3.pdf>

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

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

| | Third Quarter | Fourth Quarter | First Quarter | Second Quarter | Totals |
|--------------------|--------------------------|---------------------------|--------------------------|---------------------------|---------------|
| Collection Period: | (July-Sept.) | (Oct.-Dec.) | (Jan.-Mar.) | (Apr.-June) | |
| Received in: | December | March | June | September | |
| FY 21 | 574,782.27 | 445,666.24 | 476,587.12 | 451,433.94 | 1,948,469.57 |
| FY 22 | 515,722.31 | 464,401.65 | 486,627.19 | 466,918.19 | 1,933,669.34 |
| FY 23 | 559,313.87 | 474,142.33 | 529,125.92 | - | 1,562,582.12 |
| Budget | 556,178.37 | 484,704.73 | 500,184.30 | 458,932.60 | 2,000,000.00 |
| % of Budget | 27.97% | 23.71% | 26.46% | 0.00% | 78.13% |



Notes:

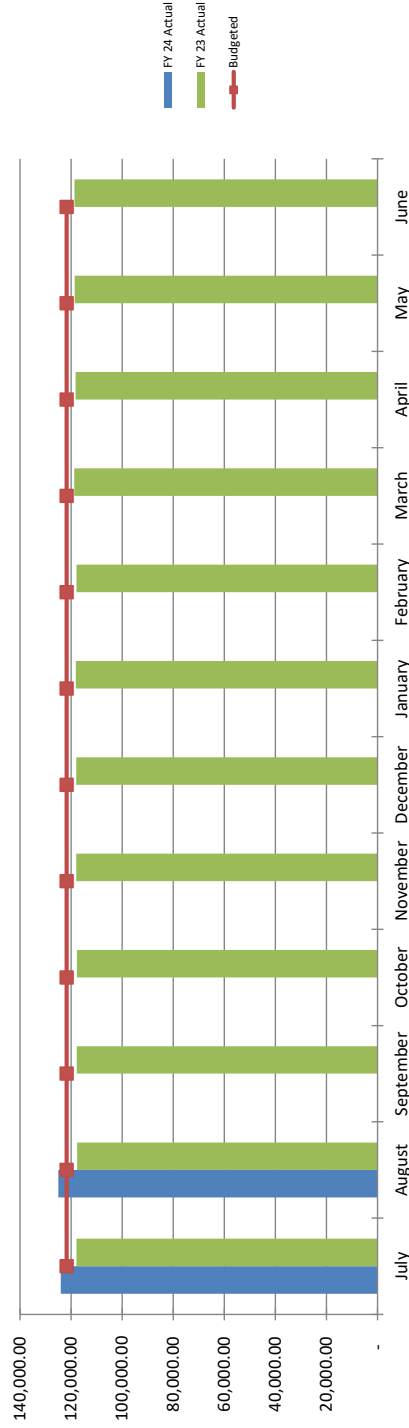
Effective July 2014, utility franchise tax was eliminated on sales of electricity and piped natural gas. A "hold harmless" provision will keep local distribution levels at the amounts received during the 2013-14 Fiscal Year.

City of Shelby
Solid Waste Fees
FY 2024

| | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-------------|------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Budget | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 121,750.00 | 1,461,000.00 |
| FY 2023 | 117,913.85 | 117,612.75 | 117,828.07 | 117,733.50 | 118,009.65 | 117,968.28 | 118,156.30 | 117,897.94 | 118,773.55 | 118,224.04 | 118,590.37 | 118,670.51 | 1,417,378.81 |
| FY 2024 | 124,060.37 | 124,970.54 | | | | | | | | | | | |
| % of Budget | 8.49% | 8.55% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 17.05% |
| Variance | 2,310.37 | 3,220.54 | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (121,750.00) | (1,211,969.09) |

Res. Accts: 7,782
Comm. Accts: 680

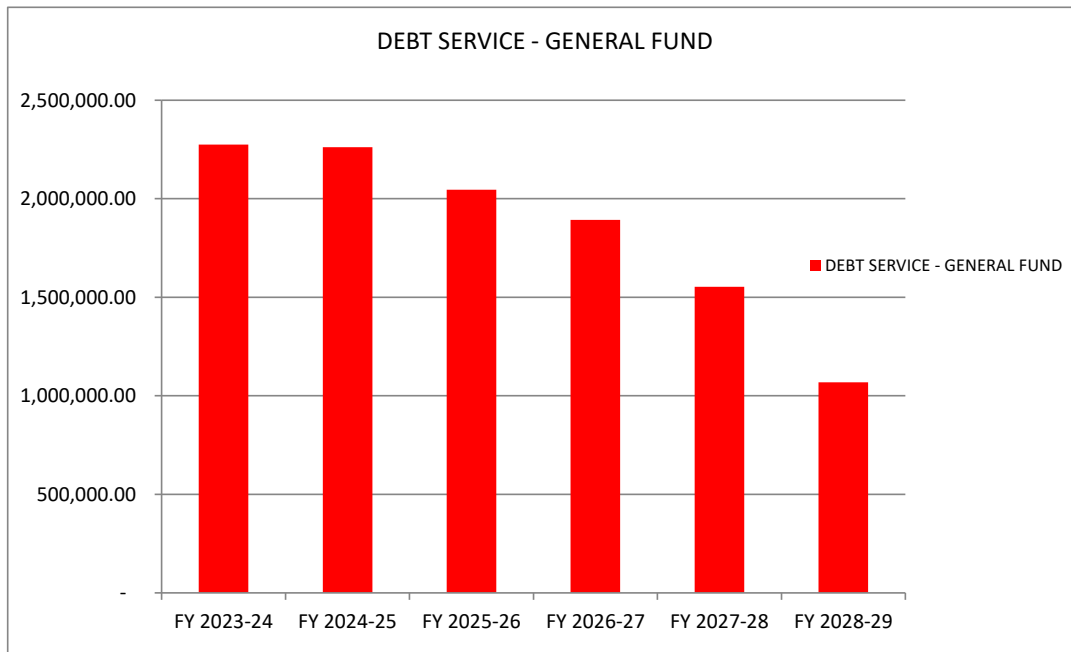
Solid Waste Fees Budgeted and Collected



DEBT SERVICE - GENERAL FUND

| | FY 2023-24 | FY 2024-25 | FY 2025-26 | FY 2026-27 | FY 2027-28 | FY 2028-29 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <u>General Obligation Bonds</u> | | | | | | |
| Street & Sidewalk GO Bond (\$6mm) Debt Retired In 2037 | 551,200.00 | 540,400.00 | 529,600.00 | 518,800.00 | 508,000.00 | 497,200.00 |
| <u>Installment Purchase Contracts</u> | | | | | | |
| Hanna Park Recreation Complex Debt Retired In 2032 | 644,079.33 | 629,552.00 | 615,024.66 | 600,497.33 | 585,970.00 | 571,442.66 |
| FY 19 Installment Purchase Debt Retired In 2024 | 104,354.77 | - | - | - | - | - |
| FY 20 Installment Purchase Debt Retired In 2025 | 189,692.00 | 189,692.00 | - | - | - | - |
| FY 21 Installment Purchase Debt Retired In 2026 | 128,617.50 | 128,617.50 | 128,617.50 | - | - | - |
| FY 22 Installment Purchase Debt Retired In 2027 | 313,175.08 | 313,175.08 | 313,175.08 | 313,175.08 | - | - |
| FY 23 Installment Purchase - Radios Debt Retired in 2028 | 158,235.00 | 274,873.35 | 274,873.35 | 274,873.35 | 274,873.35 | - |
| FY 23 Installment Purchase Debt Retired in 2028 | 185,002.10 | 185,002.10 | 185,002.10 | 185,002.10 | 185,002.08 | - |
| Total Debt Service - General Fund | 2,274,355.78 | 2,261,312.03 | 2,046,292.69 | 1,892,347.86 | 1,553,845.43 | 1,068,642.66 |

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



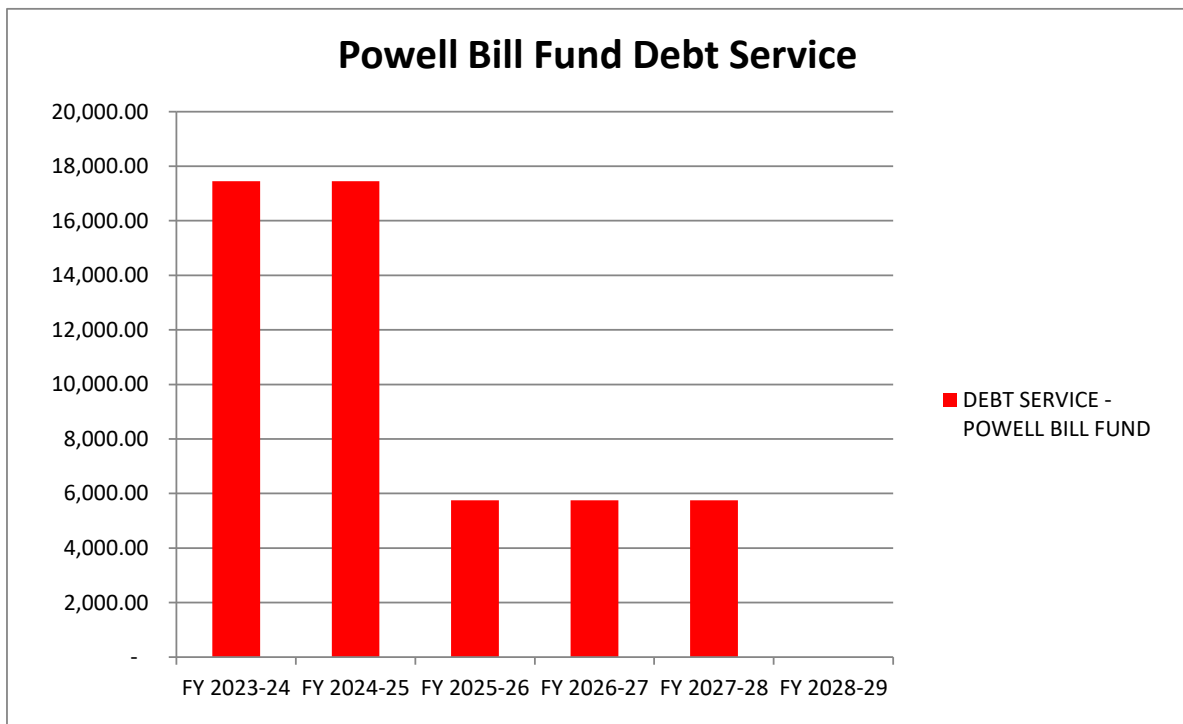
City of Shelby
 For FY23 - August 2023 (16.66% of Fiscal Year)
 General Fund Expenditures by Division

| ACCOUNT DESCRIPTION | ORIG APPROP | REV BUDGET | YTD ACTUAL | ENCUMB | AVAIL BUDGET | % USED |
|-------------------------------------|--------------------|-------------------|---------------------|-------------------|---------------------|---------------|
| Total 110411 GOVERNING BOARD | 81,200 | 81,200 | 26,197.48 | 0.00 | 55,003 | 32.30 % |
| Total 110412 ADMINISTRATION | 793,199 | 793,199 | 80,866.61 | 0.00 | 712,332 | 10.20 % |
| Total 110413 FINANCE | 838,107 | 838,107 | 334,966.57 | 0.00 | 503,140 | 40.00 % |
| Total 110414 PURCHASING | 124,387 | 124,387 | 15,906.43 | 0.00 | 108,481 | 12.80 % |
| Total 110416 HUMAN RESOURCES | 466,973 | 466,973 | 51,961.79 | 0.00 | 415,011 | 11.10 % |
| Total 110419 CUSTOMER SERVICE | 83,044 | 83,044 | 64,771.70 | -2,441.66 | 20,714 | 75.10 % |
| Total 110420 INFORMATION SERVICES | 516,007 | 516,007 | 153,135.78 | 25,517.89 | 337,353 | 34.60 % |
| Total 110421 METER SERVICE | 921 | 921 | 252.79 | 0.00 | 668 | 27.40 % |
| Total 110425 GARAGE | 924,726 | 924,726 | 100,526.67 | 0.00 | 824,199 | 10.90 % |
| Total 110427 CITY HALL | 113,000 | 113,000 | 30,538.62 | -9,399.50 | 91,861 | 18.70 % |
| Total 110431 POLICE | 9,103,400 | 9,103,400 | 1,736,197.52 | -136,254.53 | 7,503,457 | 17.60 % |
| Total 110433 COMMUNICATION | 964,800 | 964,800 | 137,375.09 | 3,002.00 | 824,423 | 14.50 % |
| Total 110434 FIRE | 7,563,440 | 5,459,740 | 1,147,899.81 | -88,376.66 | 4,400,217 | 19.40 % |
| Total 110435 BUILDING INSPECTIONS | 543,850 | 543,850 | 110,621.85 | 0.00 | 433,228 | 20.30 % |
| Total 110451 STREETS | 1,447,150 | 1,447,150 | 207,747.82 | 744.85 | 1,238,657 | 14.40 % |
| Total 110453 AIRPORT | 517,225 | 517,225 | 92,975.06 | 8,249.25 | 416,001 | 19.60 % |
| Total 110471 SOLID WASTE | 2,232,160 | 2,232,160 | 486,431.76 | 128,191.72 | 1,617,537 | 27.50 % |
| Total 110491 GIS | 127,089 | 127,089 | 47,766.96 | 0.00 | 79,322 | 37.60 % |
| Total 110493 PLANNING SERVICES | 629,050 | 629,050 | 112,054.47 | 0.00 | 516,996 | 17.80 % |
| Total 110495 SPECIAL APPROPRIATIONS | 3,725,800 | 3,960,800 | 390,538.14 | 0.00 | 3,570,262 | 9.90 % |
| Total 110612 PARKS & RECREATION | 2,185,025 | 2,185,025 | 573,600.99 | -1,591.07 | 1,613,015 | 26.20 % |
| Total 110613 MAINTENANCE GROUNDS & | 1,784,200 | 1,784,200 | 286,307.18 | 3,692.99 | 1,494,200 | 16.30 % |
| Total 110 GENERAL FUND | 34,764,753 | 32,896,053 | 6,188,641.09 | -68,664.72 | 26,776,077 | 19% |

DEBT SERVICE - POWELL BILL FUND

| | FY 2023-24 | FY 2024-25 | FY 2025-26 | FY 2026-27 | FY 2027-28 | FY 2028-29 |
|--|------------------|------------------|-----------------|-----------------|-----------------|------------|
| <u>Installment Purchase Contracts</u> | | | | | | |
| FY 20 Installment Purchase Debt Retired in 2025 | 11,703.00 | 11,703.00 | - | - | - | |
| FY 23 Installment Purchase Debt Retired in 2028 | 5,748.09 | 5,748.09 | 5,748.09 | 5,748.09 | 5,748.09 | |
| Total Debt Service - Powell Bill Fund | 17,451.09 | 17,451.09 | 5,748.09 | 5,748.09 | 5,748.09 | - |

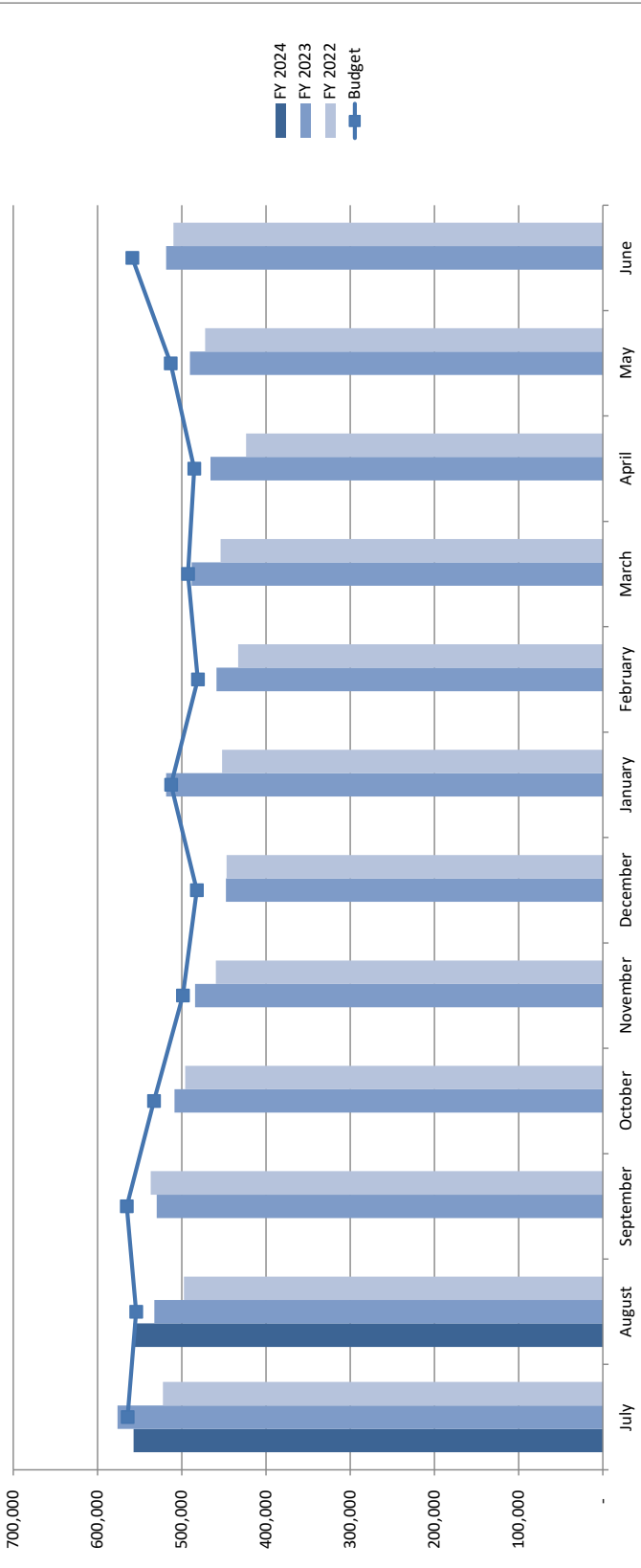
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Water Revenue Budget to Actual
FY 2024

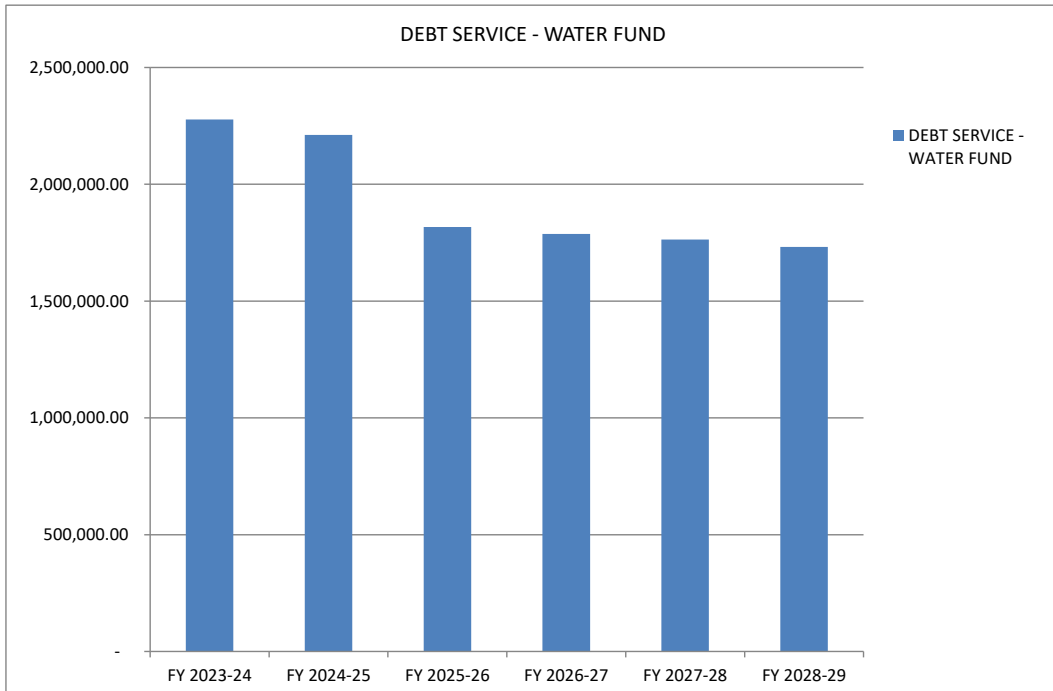
| | July | August | September | October | November | December | January | February | March | April | May | June | Total |
|------------------------------|-----------------------|-----------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|-------------------------------|
| FY 2024 Budget | | | | | | | | | | | | | |
| Inside Water Useage Dollars | 142,976 502,957.37 | 137,789 489,948.04 | 146,252 502,991.50 | 131,451 474,886.45 | 121,474 446,554.24 | 115,259 429,674.28 | 129,051 458,920.10 | 114,816 427,215.95 | 121,810 442,656.03 | 117,773 433,077.07 | 124,644 454,475.65 | 142,718 497,967.23 | 1,546,015 5,561,323.91 |
| Outside Water Useage Dollars | 14,993 61,370.21 | 15,882 64,049.81 | 15,391 62,203.41 | 14,046 58,057.27 | 12,213 52,049.02 | 12,317 52,397.84 | 12,360 53,641.82 | 12,797 53,735.83 | 11,486 49,806.90 | 12,263 52,038.62 | 14,146 58,623.69 | 14,898 60,701.67 | 162,792 678,676.09 |
| Totals Useage Dollars | 157,969 564,327.57 | 153,671 553,997.85 | 161,643 565,194.91 | 145,497 532,943.72 | 133,687 498,603.26 | 127,577 482,072.12 | 141,411 512,561.92 | 127,613 480,951.78 | 133,296 492,462.93 | 130,036 485,115.69 | 138,790 513,099.35 | 157,616 558,668.90 | 1,708,807 6,240,000.00 |
| FY 2024 Actual | | | | | | | | | | | | | |
| Inside Water Useage Dollars | 141,317 495,811 | 139,654 493,700 | - | - | - | - | - | - | - | - | - | - | 280,971 989,511.70 |
| Outside Water Useage Dollars | 15,021 61,249 | 15,899 63,405 | - | - | - | - | - | - | - | - | - | - | 30,920 124,653 |
| Totals Useage Dollars | 156,338 557,060 | 155,553 557,105 | - | - | - | - | - | - | - | - | - | - | 311,891 1,114,165.09 |
| Variance | | | | | | | | | | | | | |
| Inside Water Useage Dollars | (1,659) (7,146.10) | 1,865 3,752.39 | (146,252) (502,991.50) | (131,451) (474,886.45) | (121,474) (446,554.24) | (115,259) (429,674.28) | (129,051) (458,920.10) | (114,816) (427,215.95) | (121,810) (442,656.03) | (117,773) (433,077.07) | (124,644) (454,475.65) | (142,718) (497,967.23) | (1,265,044) (4,571,812.21) |
| Outside Water Useage Dollars | 28 (121.69) | 17 (644.94) | (15,391) (62,203.41) | (14,046) (58,057.27) | (12,213) (52,049.02) | (12,317) (52,397.84) | (12,360) (53,641.82) | (12,797) (53,735.83) | (11,486) (49,806.90) | (12,263) (52,038.62) | (14,146) (58,623.69) | (14,898) (60,701.67) | (131,872) (554,023) |
| Totals Useage Dollars | (1,631) (7,267.78) | 1,882 3,107.45 | (161,643) (565,194.91) | (145,497) (532,943.72) | (133,687) (498,603.26) | (127,577) (482,072.12) | (141,411) (512,561.92) | (127,613) (480,951.78) | (133,296) (492,462.93) | (130,036) (485,115.69) | (138,790) (513,099.35) | (157,616) (558,668.90) | (1,396,916) (5,125,834.91) |

Water Sales In Dollars - Budget to Actual FY 2023 - 2024



| DEBT SERVICE - WATER FUND | FY 2023-24 | FY 2024-25 | FY 2025-26 | FY 2026-27 | FY 2027-28 | FY 2028-29 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <u>Revenue Bonds</u> | | | | | | |
| Series 2021 Refunding Revenue Bonds Debt Retired In 2031 | 878,082.07 | 878,287.26 | 499,614.47 | 497,103.08 | 500,082.77 | 499,031.49 |
| Series 2016 Revenue Bonds-Grover/Morgan 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-WTP Debt Retired In 2040 | 1,035,036.68 | 1,022,469.38 | 1,009,902.08 | 997,334.78 | 984,767.46 | 972,200.16 |
| <u>Installment Purchase</u> | | | | | | |
| Uptown Infrastructure - Electric Fund Loan Debt Retired In 2038 | 27,250.00 | 27,250.00 | 27,250.00 | 27,250.00 | 27,250.00 | 27,250.00 |
| FY 19 Installment Purchase Debt Retired In 2024 | 54,380.79 | - | - | - | - | - |
| FY 20 Installment Purchase Debt Retired In 2025 | 2,561.50 | 2,561.50 | - | - | - | - |
| FY 21 Installment Purchase Debt Retired In 2026 | 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 | - | - |
| FY 23 Installment Purchase Debt Retired in 2028 | 17,676.21 | 17,676.21 | 17,676.21 | 17,676.21 | 17,676.19 | - |
| Total Debt Service - Water Fund | 2,277,533.08 | 2,210,790.18 | 1,816,988.59 | 1,787,444.90 | 1,763,176.42 | 1,731,881.65 |

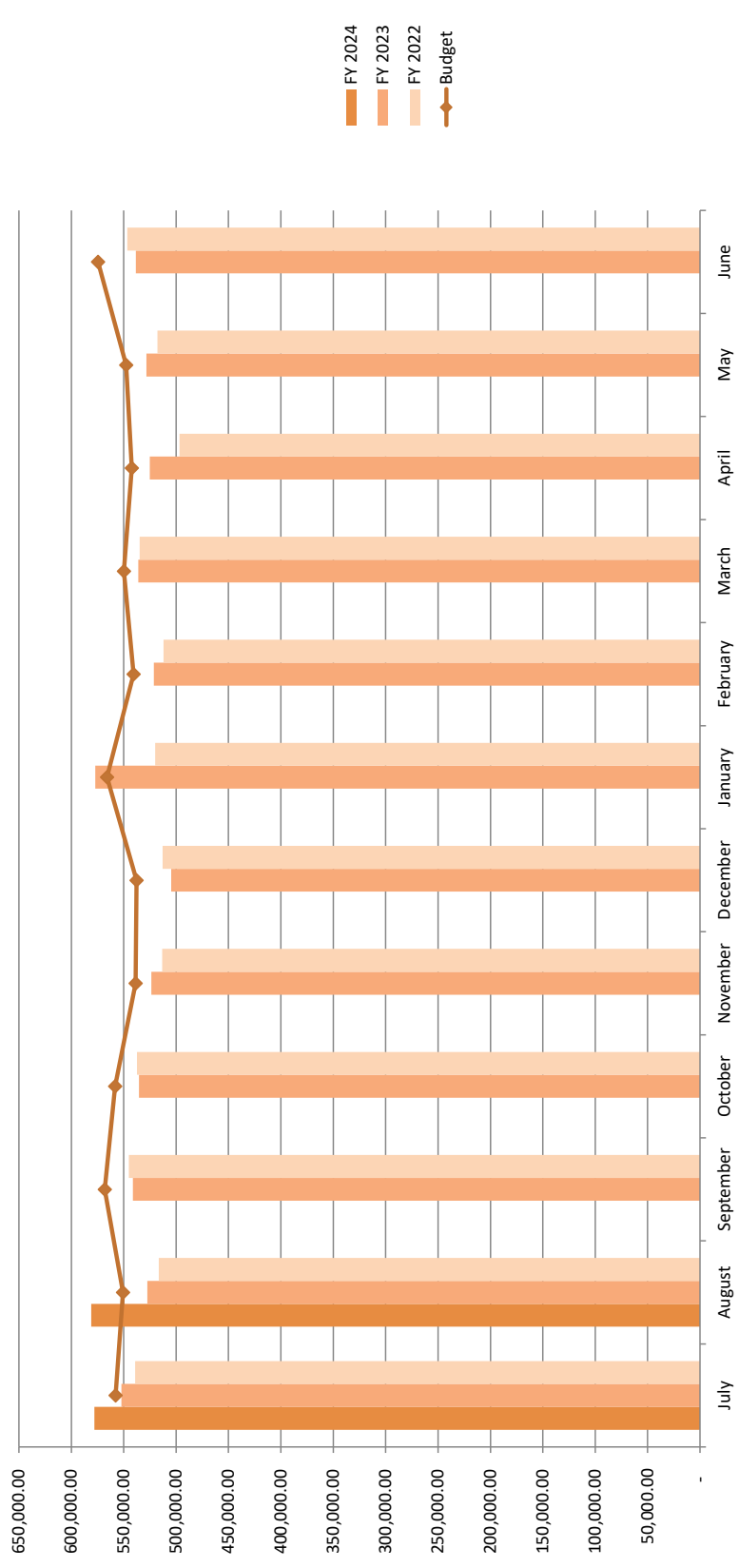
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby
Sewer Revenue Budget to Actual
FY 2024

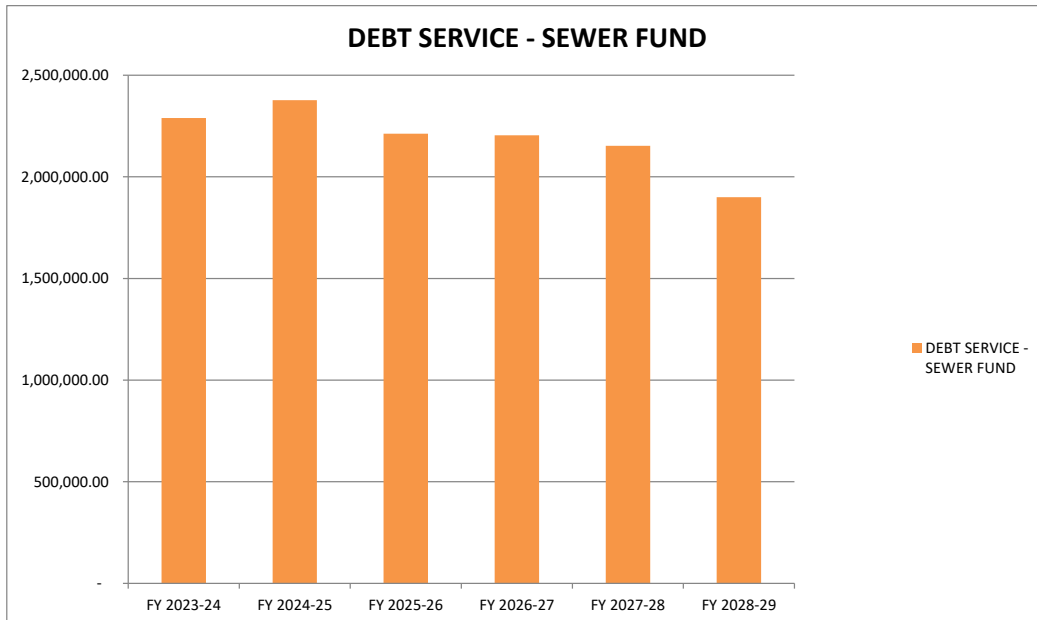
| | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-----------------------|------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|
| FY 2024 Budget | | | | | | | | | | | | | |
| Inside Sewer | | | | | | | | | | | | | |
| Useage | 74,985 | 73,529 | 53,846 | 72,732 | 69,675 | 68,967 | 76,473 | 69,621 | 72,374 | 68,969 | 70,110 | 77,240 | 848,522 |
| Dollars | 519,453.28 | 512,329.41 | 525,830.10 | 513,414.01 | 494,883.42 | 493,310.48 | 520,087.93 | 495,415.06 | 503,970.41 | 493,522.38 | 499,802.31 | 527,410.04 | 6,099,428.81 |
| Outside Sewer | | | | | | | | | | | | | |
| Useage | 2,711 | 2,672 | 3,205 | 3,524 | 3,405 | 3,525 | 3,652 | 3,563 | 3,662 | 3,648 | 3,527 | 3,406 | 40,500 |
| Dollars | 38,354.51 | 38,280.19 | 42,242.38 | 44,771.59 | 43,767.83 | 44,441.15 | 45,832.64 | 45,076.15 | 45,894.00 | 48,675.97 | 47,929.54 | 47,074.23 | 532,340.19 |
| Totals | | | | | | | | | | | | | |
| Useage | 77,696 | 76,201 | 57,051 | 76,257 | 73,080 | 72,492 | 80,125 | 73,184 | 76,036 | 72,617 | 73,637 | 80,646 | 889,022 |
| Dollars | 557,807.79 | 550,609.60 | 568,072.48 | 558,185.60 | 538,651.25 | 537,751.63 | 565,920.57 | 540,491.21 | 549,864.41 | 542,198.35 | 547,731.85 | 574,484.26 | 6,631,769.00 |
| FY 2024 Actual | | | | | | | | | | | | | |
| Inside Sewer | | | | | | | | | | | | | |
| Useage | 78,990 | 79,272 | - | - | - | - | - | - | - | - | - | - | 158,262 |
| Dollars | 531,231.82 | 535,281.67 | - | - | - | - | - | - | - | - | - | - | 1,066,513.49 |
| Outside Sewer | | | | | | | | | | | | | |
| Useage | 3,420 | 3,245 | - | - | - | - | - | - | - | - | - | - | 6,665 |
| Dollars | 46,729.65 | 45,780.22 | - | - | - | - | - | - | - | - | - | - | 92,509.87 |
| Totals | | | | | | | | | | | | | |
| Useage | 82,410 | 82,517 | - | - | - | - | - | - | - | - | - | - | 164,927 |
| Dollars | 577,961.47 | 581,061.89 | - | - | - | - | - | - | - | - | - | - | 1,159,023.36 |
| Variance | | | | | | | | | | | | | |
| Inside Sewer | | | | | | | | | | | | | |
| Useage | 4,005 | 5,743 | (53,846) | (72,732) | (69,675) | (68,967) | (76,473) | (69,621) | (72,374) | (68,969) | (70,110) | (77,240) | (690,260.00) |
| Dollars | 11,778.54 | 22,952.26 | (525,830.10) | (513,414.01) | (494,883.42) | (493,310.48) | (520,087.93) | (495,415.06) | (503,970.41) | (493,522.38) | (499,802.31) | (527,410.04) | (5,032,915.32) |
| Outside Sewer | | | | | | | | | | | | | |
| Useage | 709 | 573 | (3,205) | (3,524) | (3,405) | (3,525) | (3,652) | (3,563) | (3,662) | (3,648) | (3,527) | (3,406) | (33,835.00) |
| Dollars | 8,375.14 | 7,500.03 | (42,242.38) | (44,771.59) | (43,767.83) | (44,441.15) | (45,832.64) | (45,076.15) | (45,894.00) | (48,675.97) | (47,929.54) | (47,074.23) | (439,830.32) |
| Totals | | | | | | | | | | | | | |
| Useage | 4,714 | 6,316 | (57,051) | (76,257) | (73,080) | (72,492) | (80,125) | (73,184) | (76,036) | (72,617) | (73,637) | (80,646) | (724,095.00) |
| Dollars | 20,153.68 | 30,452.29 | (568,072.48) | (558,185.60) | (538,651.25) | (537,751.63) | (565,920.57) | (540,491.21) | (549,864.41) | (542,198.35) | (547,731.85) | (574,484.26) | (5,472,745.64) |

Sewer Sales in Dollars - Budget to Actual FY 2023 - 2024



| DEBT SERVICE - SEWER FUND | FY 2023-24 | FY 2024-25 | FY 2025-26 | FY 2026-27 | FY 2027-28 | FY 2028-29 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <u>Revenue Bonds</u> | | | | | | |
| Series 2021 Refunding Revenue Bonds Debt Retired In 2031 | 442,773.79 | 442,017.77 | 289,821.66 | 288,125.74 | 287,842.46 | 97,832.70 |
| NC DENR-DWI SRF Loan-Mall Lift Station 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-Outfall Project 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-WWTP Upgrades Debt Retired in 2036 | 469,832.90 | 469,832.90 | 469,832.90 | 469,832.90 | 469,832.90 | 469,832.90 |
| NC DENR-DWI SRF Loan-Biosolids Debt Retired in 2041 | 967,046.85 | 967,046.85 | 967,046.85 | 967,046.85 | 967,046.85 | 967,046.85 |
| <u>Installment Purchase</u> | | | | | | |
| 2010 - Loan from Natural Gas Fund Debt Retired in 2064 | 10,000.00 | 100,000.00 | 100,000.00 | 100,000.00 | 100,000.00 | 100,000.00 |
| 2019 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 19 Installment Purchase Debt Retired In 2024 | 1,408.74 | - | - | - | - | - |
| FY 20 Installment Purchase Debt Retired In 2025 | 12,525.50 | 12,525.50 | - | - | - | - |
| FY 21 Installment Purchase Debt Retired In 2026 | 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 | - | - |
| FY 23 Installment Purchase Debt Retired in 2028 | 62,697.37 | 62,697.37 | 62,697.37 | 62,697.37 | 62,697.37 | - |
| Total Debt Service - Sewer Fund | 2,289,000.75 | 2,376,836.00 | 2,212,114.39 | 2,204,203.47 | 2,152,991.58 | 1,900,284.45 |

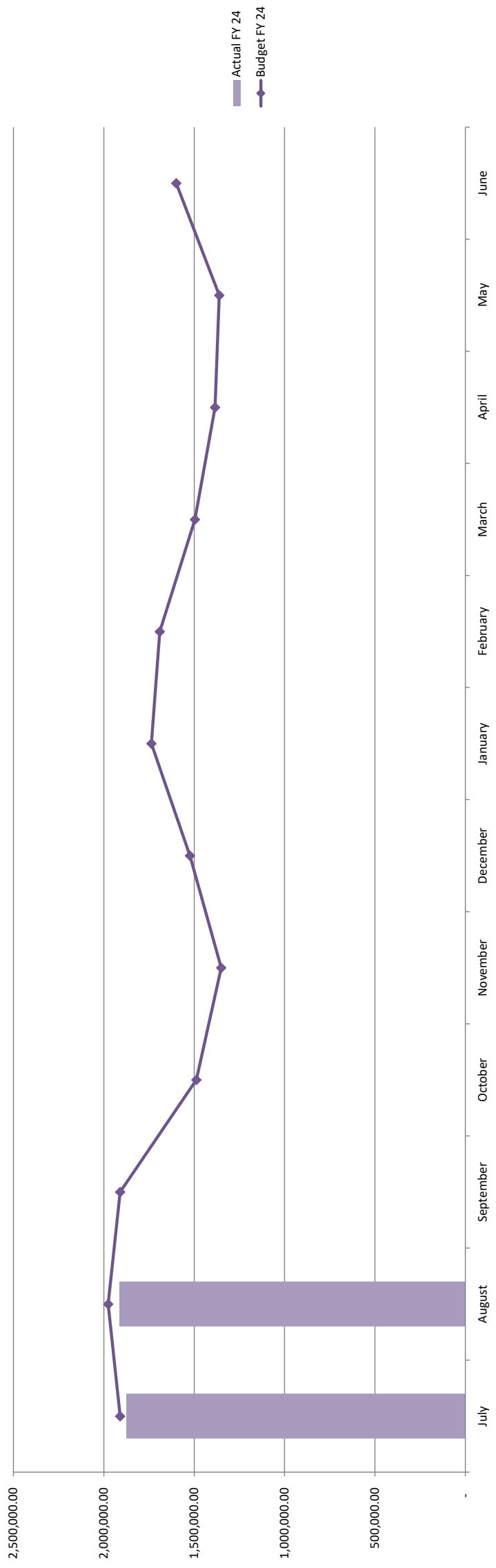
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



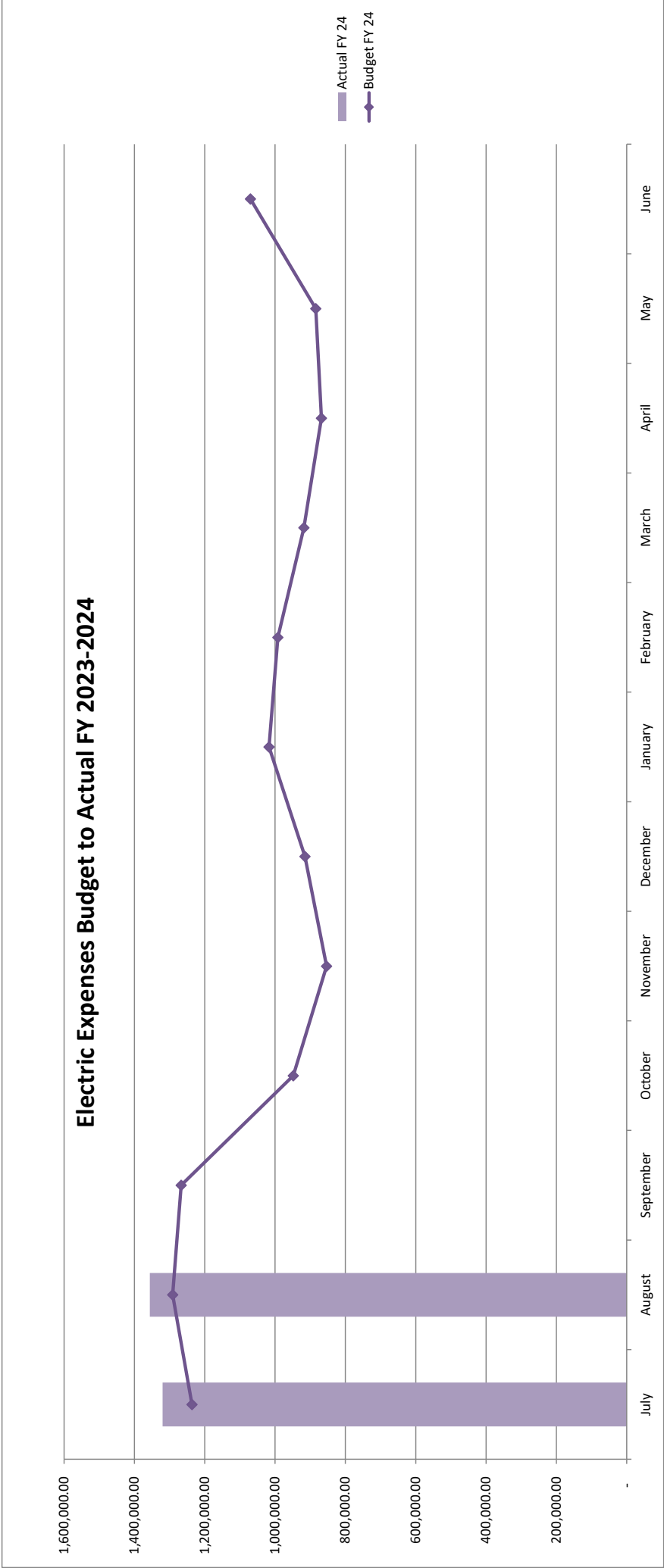
City of Shelby
Electric Revenues Budget to Actual
FY 2024

| Revenues Budget FY 24 | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|----------------------------------|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|
| Residential | 829,227.70 | 866,313.51 | 791,706.78 | 569,923.67 | 552,629.57 | 719,791.80 | 876,304.88 | 855,655.09 | 682,324.61 | 583,065.41 | 544,188.82 | 669,742.72 | 8,540,874.57 |
| Commercial/Industrial | 1,080,230.90 | 1,109,615.15 | 1,118,103.43 | 917,680.91 | 797,858.83 | 804,318.62 | 860,318.30 | 834,580.37 | 813,338.81 | 801,817.48 | 816,822.53 | 929,440.11 | 10,884,125.43 |
| Totals | 1,909,458.60 | 1,975,928.66 | 1,909,810.20 | 1,487,604.58 | 1,350,488.40 | 1,524,110.43 | 1,736,623.17 | 1,690,235.46 | 1,495,663.42 | 1,384,882.90 | 1,361,011.35 | 1,599,182.84 | 19,425,000.00 |
| Actual FY 24 | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
| Residential | 803,530.65 | 806,904.38 | | | | | | | | | | | 1,610,435.03 |
| Commercial/Industrial | 1,072,635.83 | 1,107,224.95 | | | | | | | | | | | 2,179,860.78 |
| Totals | 1,876,166.48 | 1,914,129.33 | - | - | - | - | - | - | - | - | - | - | 3,790,295.81 |
| Revenue Variance | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
| Residential | (25,697.05) | (59,409.13) | (791,706.78) | (569,923.67) | (552,629.57) | (719,791.80) | (876,304.88) | (855,655.09) | (682,324.61) | (583,065.41) | (544,188.82) | (669,742.72) | (6,930,439.54) |
| Commercial/Industrial | (7,595.07) | (2,390.20) | (1,118,103.43) | (917,680.91) | (797,858.83) | (804,318.62) | (860,318.30) | (834,580.37) | (813,338.81) | (801,817.48) | (816,822.53) | (929,440.11) | (8,704,264.65) |
| Totals | (33,292.12) | (61,799.33) | (1,909,810.20) | (1,487,604.58) | (1,350,488.40) | (1,524,110.43) | (1,736,623.17) | (1,690,235.46) | (1,495,663.42) | (1,384,882.90) | (1,361,011.35) | (1,599,182.84) | (15,634,704.19) |

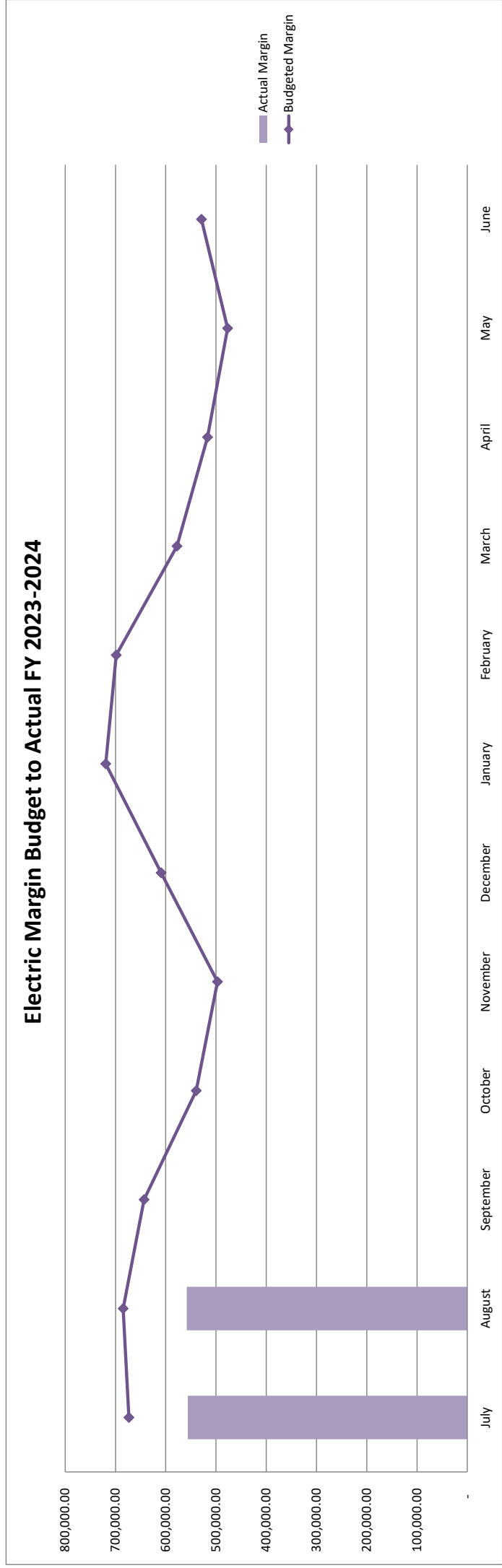
Electric Revenues Budget to Actual FY 2023-2024



| Expenses | | | | | | | | | | | | | |
|-------------------------|---------------------|---------------------|---------------------|-------------------|-------------------|-------------------|---------------------|-------------------|-------------------|-------------------|-------------------|---------------------|----------------------|
| Budget FY 24 | | | | | | | | | | | | | |
| | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
| NCMPA1 | 1,191,139.10 | 1,245,505.88 | 1,224,200.69 | 915,026.39 | 821,469.73 | 881,011.79 | 982,318.56 | 955,439.13 | 884,629.07 | 836,167.62 | 852,299.22 | 1,031,347.81 | 11,820,555.00 |
| SEPA | 45,008.68 | 45,752.43 | 42,651.96 | 33,111.34 | 32,101.77 | 33,961.59 | 34,856.92 | 36,394.40 | 33,458.70 | 31,998.50 | 31,796.70 | 38,907.01 | 440,000.00 |
| Totals | 1,236,147.78 | 1,291,258.31 | 1,266,852.65 | 948,137.73 | 853,571.50 | 914,973.38 | 1,017,175.48 | 991,833.53 | 918,087.78 | 868,166.12 | 884,095.92 | 1,070,254.81 | 12,260,555.00 |
| Actual FY 24 | | | | | | | | | | | | | |
| NCMPA1 | 1,285,497.02 | 1,319,307.36 | | | | | | | | | | | 2,604,804.38 |
| SEPA | 34,382.93 | 36,781.34 | | | | | | | | | | | 71,164.27 |
| Totals | 1,319,879.95 | 1,356,088.70 | - | - | - | - | - | - | - | - | - | - | 2,675,968.65 |
| Expense Variance | | | | | | | | | | | | | |
| NCMPA1 | (94,357.92) | (73,801.48) | 1,224,200.69 | 915,026.39 | 821,469.73 | 881,011.79 | 982,318.56 | 955,439.13 | 884,629.07 | 836,167.62 | 852,299.22 | 1,031,347.81 | 9,215,750.62 |
| SEPA | 10,625.75 | 8,971.09 | 42,651.96 | 33,111.34 | 32,101.77 | 33,961.59 | 34,856.92 | 36,394.40 | 33,458.70 | 31,998.50 | 31,796.70 | 38,907.01 | 368,835.73 |
| Totals | (83,732.17) | (64,830.39) | 1,266,852.65 | 948,137.73 | 853,571.50 | 914,973.38 | 1,017,175.48 | 991,833.53 | 918,087.78 | 868,166.12 | 884,095.92 | 1,070,254.81 | 9,584,586.35 |



| Margin | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|-----------------------|
| Budgeted Revenues | 1,909,458.60 | 1,975,928.66 | 1,909,810.20 | 1,487,604.58 | 1,350,488.40 | 1,524,110.43 | 1,736,623.17 | 1,690,235.46 | 1,495,663.42 | 1,384,882.90 | 1,361,011.35 | 1,599,182.84 | 19,425,000.00 |
| Budgeted Expenses | (1,236,147.78) | (1,291,258.31) | (1,266,852.65) | (948,137.73) | (853,571.50) | (914,973.38) | (1,017,175.48) | (991,833.53) | (918,087.78) | (868,166.12) | (884,095.92) | (1,070,254.81) | (12,260,555.00) |
| Budgeted Margin | 673,310.82 | 684,670.34 | 642,957.56 | 539,466.85 | 496,916.90 | 609,137.05 | 719,447.69 | 698,401.93 | 577,575.64 | 516,716.78 | 476,915.43 | 528,928.02 | 7,164,445.00 |
| Actual Revenues | 1,876,166.48 | 1,914,129.33 | - | - | - | - | - | - | - | - | - | - | 3,790,295.81 |
| Actual Expenses | (1,319,879.95) | (1,356,088.70) | - | - | - | - | - | - | - | - | - | - | (2,675,968.65) |
| Actual Margin | 556,286.53 | 558,040.63 | - | - | - | - | - | - | - | - | - | - | 1,114,327.16 |
| Margin Variance | (117,024.29) | (126,629.71) | (642,957.56) | (539,466.85) | (496,916.90) | (609,137.05) | (719,447.69) | (698,401.93) | (577,575.64) | (516,716.78) | (476,915.43) | (528,928.02) | (6,050,117.84) |



DEBT SERVICE - ELECTRIC FUND **FY 2023-24** **FY 2024-25** **FY 2025-26** **FY 2026-27** **FY 2027-28** **FY 2028-29** **FY 2029-30** **FY 2030-31**

Revenue Bonds

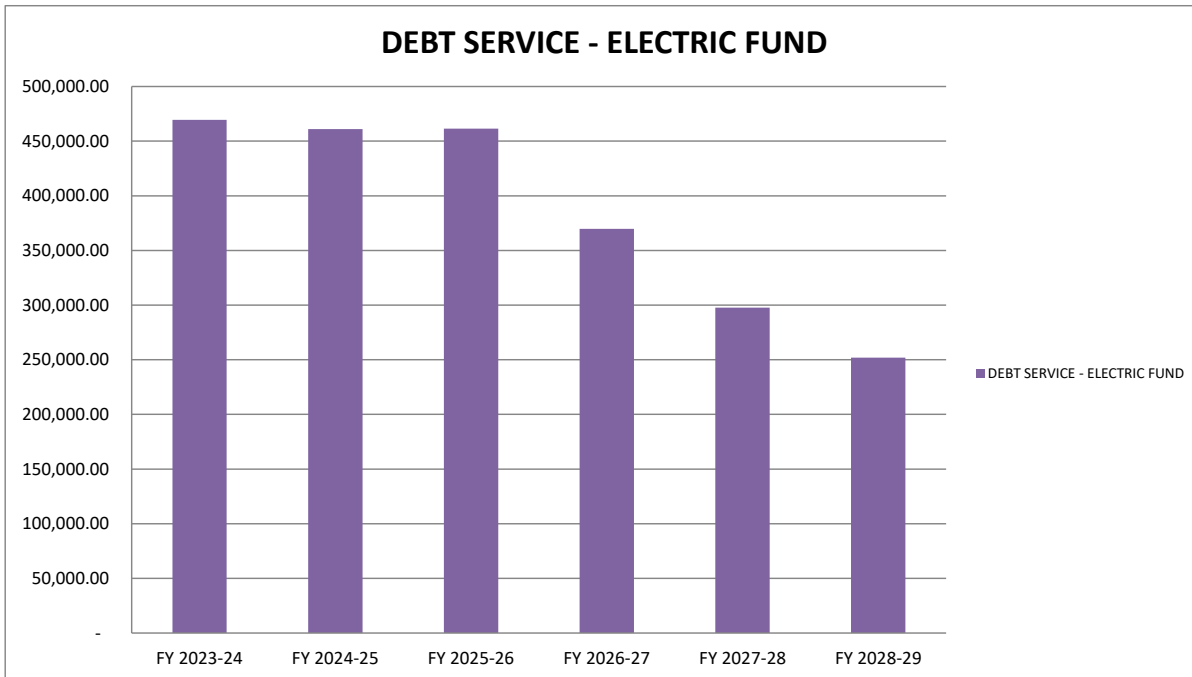
Series 2021 Refunding Revenue Bonds

| | | | | | | |
|-----------------------------|------------|------------|------------|------------|------------|------------|
| Debt Retired In 2031 | 251,061.16 | 251,537.07 | 251,958.35 | 250,301.68 | 252,338.26 | 251,933.93 |
|-----------------------------|------------|------------|------------|------------|------------|------------|

Installment Purchase Contracts

| | | | | | | |
|-----------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| FY 19 Installment Purchase | | | | | | |
| Debt Retired In 2024 | 8,921.99 | | | | | |
| FY 21 Installment Purchase | | | | | | |
| Debt Retired In 2026 | 89,952.50 | 89,952.50 | 89,952.50 | | | |
| FY 22 Installment Purchase | | | | | | |
| Debt Retired In 2027 | 74,312.73 | 74,312.73 | 74,312.73 | 74,312.73 | | |
| FY 23 Installment Purchase | | | | | | |
| Debt Retired in 2028 | 45,253.75 | 45,253.75 | 45,253.75 | 45,253.75 | 45,253.73 | |
| Total | 469,502.13 | 461,056.05 | 461,477.33 | 369,868.16 | 297,591.99 | 251,933.93 |

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



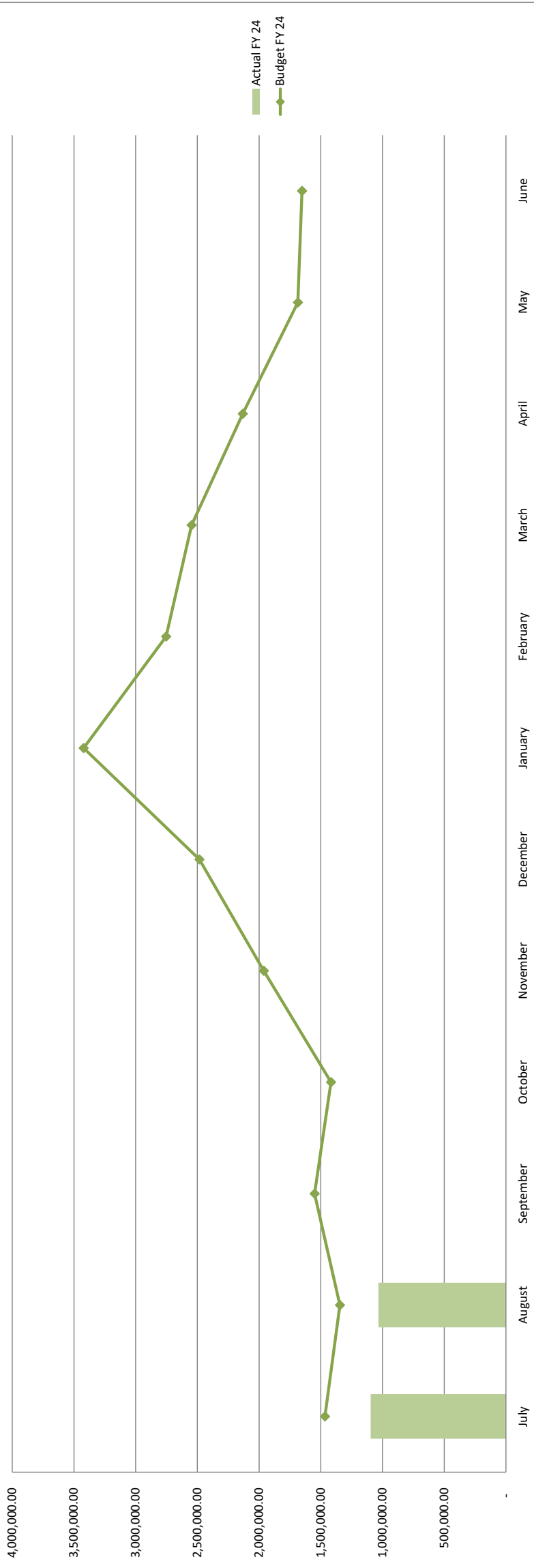
City of Shelby
Gas Revenues Budget to Actual
FY 2024

| Revenues Budget FY 24 | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|----------------------|
| Residential | 146,451.99 | 142,477.46 | 144,911.67 | 155,057.81 | 293,884.14 | 700,054.66 | 945,769.94 | 761,897.08 | 602,242.21 | 439,213.97 | 220,217.83 | 167,855.56 | 4,720,034.31 |
| Commercial | 190,909.53 | 207,335.74 | 226,564.93 | 236,190.73 | 336,570.64 | 678,053.30 | 979,637.61 | 784,787.99 | 632,262.25 | 507,170.99 | 241,031.27 | 213,783.10 | 5,234,298.07 |
| High Load Factor | 28,841.56 | 23,470.89 | 17,948.35 | 14,332.79 | 60,413.53 | 67,594.53 | 70,645.11 | 77,441.29 | 68,350.67 | 72,903.25 | 68,661.43 | 68,634.66 | 639,238.09 |
| Interruptibles | 88,192.32 | 88,995.29 | 84,771.55 | 82,364.39 | 106,639.37 | 91,769.73 | 87,767.26 | 125,595.98 | 86,416.49 | 89,767.36 | 83,908.70 | 89,344.14 | 1,105,532.58 |
| Special lnd Class | 1,012,290.86 | 882,830.69 | 1,076,080.56 | 929,990.94 | 1,164,274.58 | 945,984.77 | 1,337,610.23 | 1,003,075.69 | 1,156,949.41 | 1,023,670.57 | 1,072,247.56 | 1,112,853.09 | 12,717,858.95 |
| Totals | 1,466,686.27 | 1,345,110.07 | 1,550,277.06 | 1,417,936.66 | 1,961,782.26 | 2,483,456.98 | 3,421,430.15 | 2,752,798.02 | 2,546,221.04 | 2,132,726.13 | 1,686,066.79 | 1,652,470.55 | 24,416,962.00 |

| Actual FY 24 | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|---------------------|---------------------|---------------------|------------------|----------------|-----------------|-----------------|----------------|-----------------|--------------|--------------|------------|-------------|---------------------|
| Residential | 129,689.00 | 123,830.82 | | | | | | | | | | | 253,519.82 |
| Commercial | 152,810.73 | 153,701.31 | | | | | | | | | | | 306,512.04 |
| High Load Factor | 17,530.83 | 18,138.51 | | | | | | | | | | | 35,669.34 |
| Interruptibles | 58,154.26 | 51,703.03 | | | | | | | | | | | 109,857.29 |
| Special lnd Class | 738,224.05 | 685,662.08 | | | | | | | | | | | 1,423,886.13 |
| Totals | 1,096,408.87 | 1,033,035.75 | - | - | - | - | - | - | - | - | - | - | 2,129,444.62 |

| Revenue Variance | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-------------------------|---------------------|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|
| Residential | (16,762.99) | (18,646.64) | (144,911.67) | (155,057.81) | (293,884.14) | (700,054.66) | (945,769.94) | (761,897.08) | (602,242.21) | (439,213.97) | (220,217.83) | (167,855.56) | (4,466,514.49) |
| Commercial | (38,098.80) | (53,634.43) | (226,564.93) | (236,190.73) | (336,570.64) | (678,053.30) | (979,637.61) | (784,787.99) | (632,262.25) | (507,170.99) | (241,031.27) | (213,783.10) | (4,927,786.03) |
| High Load Factor | (11,310.73) | (5,332.38) | (17,948.35) | (14,332.79) | (60,413.53) | (67,594.53) | (70,645.11) | (77,441.29) | (68,350.67) | (72,903.25) | (68,661.43) | (68,634.66) | (603,568.75) |
| Interruptibles | (30,038.06) | (37,292.26) | (84,771.55) | (82,364.39) | (106,639.37) | (91,769.73) | (87,767.26) | (125,595.98) | (86,416.49) | (89,767.36) | (83,908.70) | (89,344.14) | (995,675.29) |
| Special lnd Class | (274,066.81) | (197,168.61) | (1,076,080.56) | (929,990.94) | (1,164,274.58) | (945,984.77) | (1,337,610.23) | (1,003,075.69) | (1,156,949.41) | (1,023,670.57) | (1,072,247.56) | (1,112,853.09) | (11,293,972.82) |
| Totals | (370,277.40) | (312,074.32) | (1,550,277.06) | (1,417,936.66) | (1,961,782.26) | (2,483,456.98) | (3,421,430.15) | (2,752,798.02) | (2,546,221.04) | (2,132,726.13) | (1,686,066.79) | (1,652,470.55) | (22,287,517.38) |

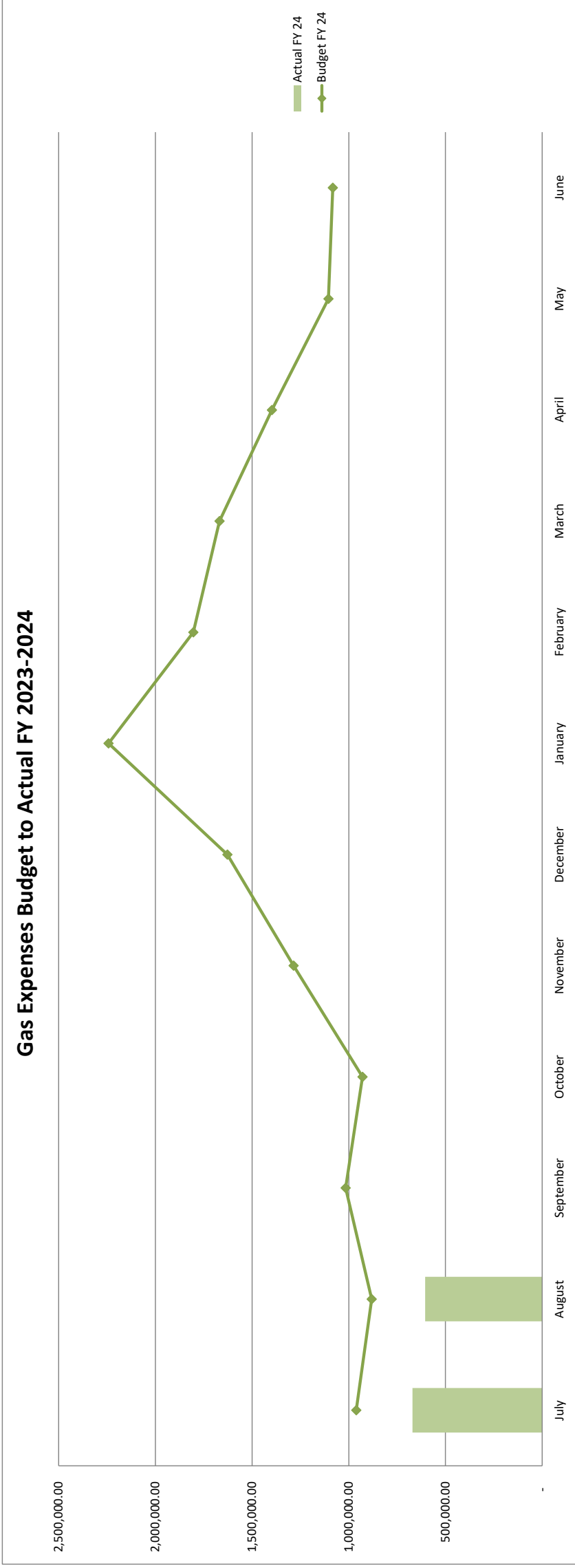
Gas Revenues Budget to Actual FY 2023-2024



| Expenses Budget FY 24 | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-----------------------|------------|------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| | 961,093.37 | 881,426.65 | 1,015,868.93 | 929,148.62 | 1,285,520.95 | 1,627,365.10 | 2,242,002.20 | 1,803,859.48 | 1,668,493.26 | 1,397,537.42 | 1,104,849.52 | 1,082,834.50 | 16,000,000.00 |

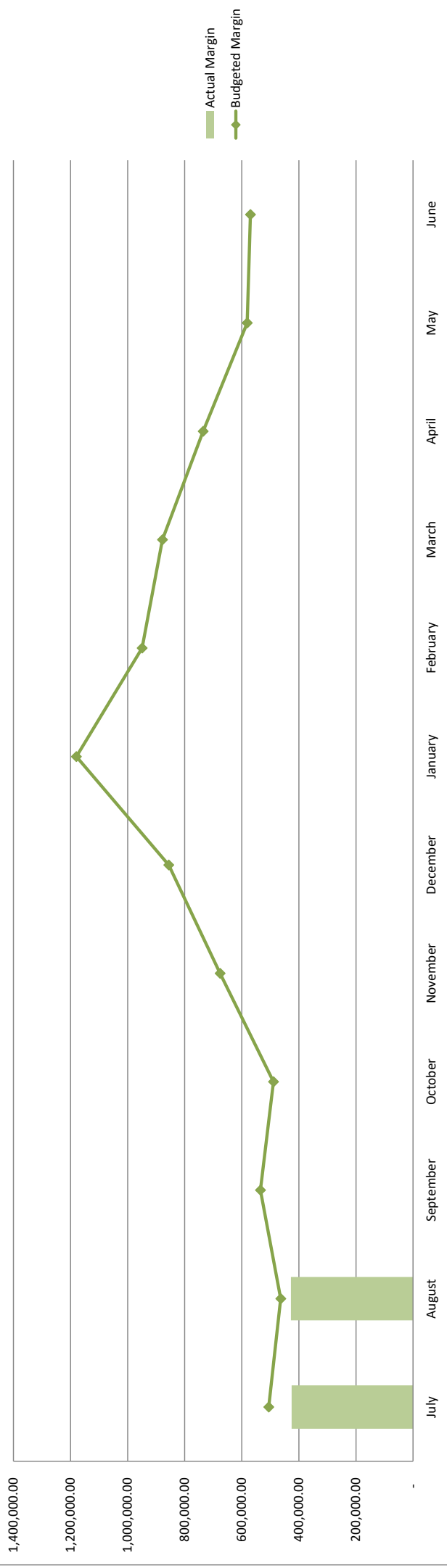
Actual FY 24 670,914.51 605,246.61 1,276,161.12

| Expense Variance | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|------------------|------------|------------|--------------|------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| | 290,178.86 | 276,180.04 | 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 | 14,723,838.88 |



| Margin | July | August | September | October | November | December | January | February | March | April | May | June | Totals |
|-------------------|--------------|--------------|--------------|--------------|--------------|--------------|----------------|--------------|--------------|--------------|--------------|--------------|----------------|
| Budgeted Revenues | 1,466,686.27 | 1,345,110.07 | 1,550,277.06 | 1,417,936.66 | 1,961,782.26 | 2,483,456.98 | 3,421,430.15 | 2,752,798.02 | 2,546,221.04 | 2,132,726.13 | 1,686,066.79 | 1,652,470.55 | 24,416,962.00 |
| 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 | 505,592.90 | 463,683.42 | 534,408.14 | 488,788.04 | 676,261.31 | 856,091.89 | 1,179,427.96 | 948,938.54 | 877,727.78 | 735,188.71 | 581,217.28 | 569,636.05 | 8,416,962.00 |
| Actual Revenues | 1,096,408.87 | 1,033,035.75 | - | - | - | - | - | - | - | - | - | - | 2,129,444.62 |
| Actual Expenses | 670,914.51 | 605,246.61 | - | - | - | - | - | - | - | - | - | - | 1,276,161.12 |
| Actual Margin | 425,494.36 | 427,789.14 | - | - | - | - | - | - | - | - | - | - | 853,283.50 |
| Margin Variance | (80,098.54) | (35,894.28) | (534,408.14) | (488,788.04) | (676,261.31) | (856,091.89) | (1,179,427.96) | (948,938.54) | (877,727.78) | (735,188.71) | (581,217.28) | (569,636.05) | (7,563,678.50) |

Gas Margin Budget to Actual FY 2023-2024



DEBT SERVICE - GAS FUND **FY 2023-24** **FY 2024-25** **FY 2025-26** **FY 2026-27** **FY 2027-28** **FY 2028-29**

Revenue Bonds

Series 2021 Refunding Revenue Bonds

| | | | | | | |
|-----------------------------|------------|------------|------------|------------|------------|-----------|
| Debt Retired In 2031 | 184,264.98 | 184,141.90 | 141,085.52 | 140,220.50 | 140,576.51 | 83,732.88 |
|-----------------------------|------------|------------|------------|------------|------------|-----------|

Installment Purchase Contracts

**FY 19 Installment Purchase
Debt Retired In 2024**

| |
|----------|
| 7,621.62 |
|----------|

**FY 20 Installment Purchase
Debt Retired In 2025**

| | |
|-----------|-----------|
| 18,518.00 | 18,518.00 |
|-----------|-----------|

**FY 21 Installment Purchase
Debt Retired In 2026**

| | | |
|-----------|-----------|-----------|
| 24,392.50 | 24,392.50 | 24,392.50 |
|-----------|-----------|-----------|

**FY 22 Installment Purchase
Debt Retired In 2027**

| | | | |
|-----------|-----------|-----------|-----------|
| 25,105.65 | 25,105.65 | 25,105.65 | 25,105.65 |
|-----------|-----------|-----------|-----------|

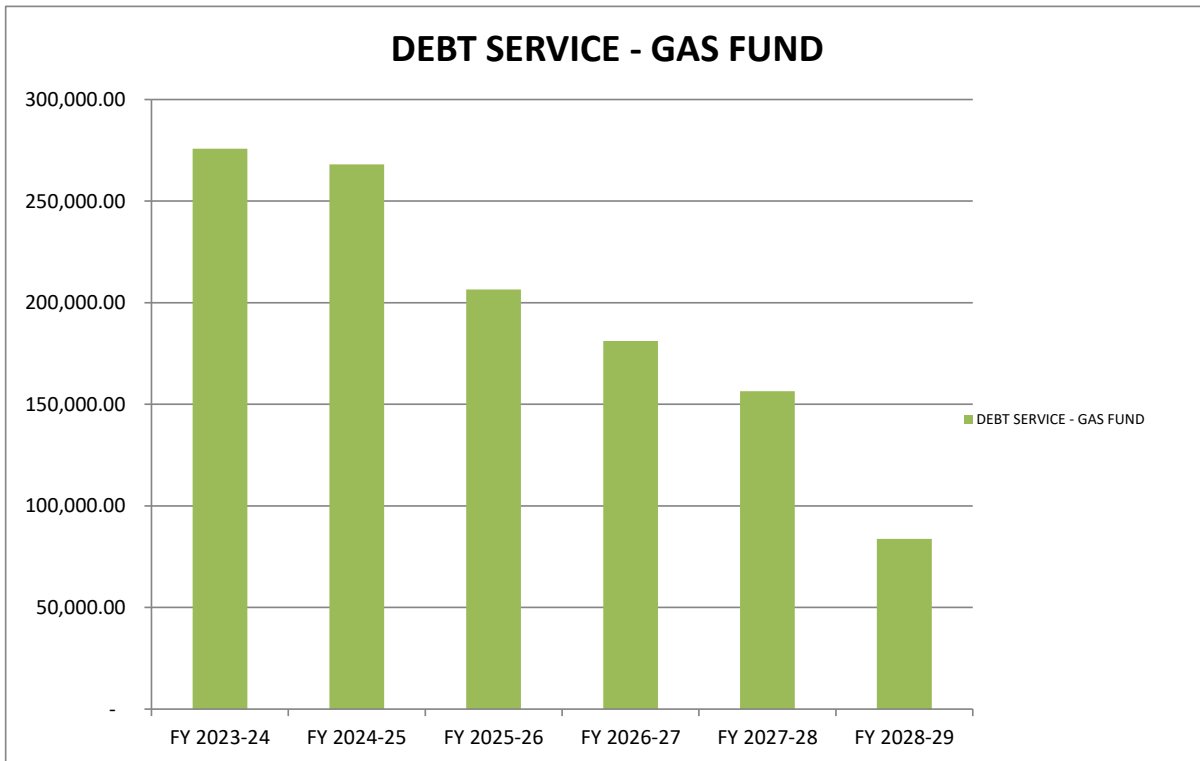
**FY 23 Installment Purchase
Debt Retired In 2028**

| | | | | |
|-----------|-----------|-----------|-----------|-----------|
| 15,882.00 | 15,882.00 | 15,882.00 | 15,882.00 | 15,882.02 |
|-----------|-----------|-----------|-----------|-----------|

Total Debt Service - Gas Fund

| | | | | | |
|------------|------------|------------|------------|------------|-----------|
| 275,784.76 | 268,040.06 | 206,465.68 | 181,208.16 | 156,458.53 | 83,732.88 |
|------------|------------|------------|------------|------------|-----------|

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



City of Shelby
 For FY 2024 - August 2023 (16.66% of Fiscal Year)
 Enterprist Funds Expenditures by Division

| ACCOUNT DESCRIPTION | ORIG APPROP | REV BUDGET | YTD ACTUAL | ENCUMB | AVAIL BUDGET | % USED |
|-------------------------------------|-------------------|-------------------|---------------------|-------------------|-------------------|--------------|
| Total 610711 WATER ADMINSTRATION | 3,376,526 | 3,376,526 | 202,641.40 | 2,251.50 | 3,171,633 | 6.10 % |
| Total 610713 WATER LINES OPERATIONS | 937,390 | 937,390 | 175,639.45 | -1,241.87 | 762,992 | 18.60 % |
| Total 610714 WATER PLANT OPERATIONS | 2,342,416 | 2,342,416 | 462,397.02 | 300,597.50 | 1,579,421 | 32.60 % |
| Total 610 WATER FUND | 6,656,332 | 6,656,332 | 840,677.87 | 301,607.13 | 5,514,047 | 17.2% |
| Total 620721 SEWER ADMINISTRATION | 3,121,474 | 3,121,474 | 207,609.41 | 2,251.50 | 2,911,613 | 6.70 % |
| Total 620723 SEWER LINES OPERATIONS | 1,108,930 | 1,108,930 | 125,111.96 | 52,981.20 | 930,837 | 16.10 % |
| Total 620724 SEWER PLANT OPERATIONS | 2,758,365 | 2,758,365 | 491,556.33 | 214,056.31 | 2,052,752 | 25.60 % |
| Total 620 SEWER FUND | 6,988,769 | 6,988,769 | 824,277.70 | 269,289.01 | 5,895,202 | 15.6% |
| Total 630731 ELECTRIC ADMINISTRATIO | 3,918,825 | 6,177,551 | 2,605,219.85 | 2,251.50 | 3,570,080 | 42.20 % |
| Total 630732 ELECTRIC PURCHASE | 13,760,555 | 13,760,555 | 4,064,919.09 | 0.00 | 9,695,636 | 29.50 % |
| Total 630733 ELECTRIC LINES | 3,582,620 | 3,582,620 | 788,973.42 | 431,169.16 | 2,362,477 | 34.10 % |
| Total 630 ELECTRIC FUND | 21,262,000 | 23,520,726 | 7,459,112.36 | 433,420.66 | 15,628,193 | 33.6% |
| Total 640741 NATURAL GAS ADMINISTRA | 5,135,252 | 5,319,621 | 864,893.52 | -7,158.00 | 4,461,885 | 16.10 % |
| Total 640742 NATUTRAL GAS PURCHASE | 17,010,000 | 17,010,000 | 1,271,471.16 | 0.00 | 15,738,529 | 7.50 % |
| Total 640743 NATURAL GAS LINES | 2,999,210 | 2,999,210 | 573,874.57 | -42,586.05 | 2,467,921 | 17.70 % |
| Total 640 NATURAL GAS FUND | 25,144,462 | 25,328,831 | 2,710,239.25 | -49,744.05 | 22,668,336 | 10.5% |
| Total 650751 STORMWATER ADMINISTRAT | 919,527 | 919,527 | 89,410.13 | 25,217.00 | 804,900 | 12.50 % |
| Total 650 STORMWATER FUND | 919,527 | 919,527 | 89,410.13 | 25,217.00 | 804,900 | 12.5% |

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

| Month | Average Rain* | Actual Rain | Variance | Average CDD** | Actual CDD | Variance | Average HDD** | Actual HDD | Variance |
|---------------|---------------|-------------|----------------|---------------|------------|--------------|---------------|------------|----------------|
| July | 4.30 | 5.10 | 0.80 | 388 | 484 | 96 | 0 | 0 | 0 |
| August | 4.40 | 4.70 | 0.30 | 563 | 436 | -127 | 0 | 0 | 0 |
| September | 3.80 | 0.00 | (3.80) | 256 | 0 | -256 | 5 | 0 | -5 |
| October | 3.80 | 0.00 | (3.80) | 109 | 0 | -109 | 129 | 0 | -129 |
| November | 3.40 | 0.00 | (3.40) | 0 | 0 | 0 | 460 | 0 | -460 |
| December | 4.00 | 0.00 | (4.00) | 1 | 0 | -1 | 564 | 0 | -564 |
| January | 3.90 | 0.00 | (3.90) | 0 | 0 | 0 | 810 | 0 | -810 |
| February | 3.90 | 0.00 | (3.90) | 0 | 0 | 0 | 586 | 0 | -586 |
| March | 4.70 | 0.00 | (4.70) | 24 | 0 | -24 | 464 | 0 | -464 |
| April | 3.30 | 0.00 | (3.30) | 23 | 0 | -23 | 223 | 0 | -223 |
| May | 4.40 | 0.00 | (4.40) | 116 | 0 | -116 | 51 | 0 | -51 |
| June | 4.30 | 0.00 | (4.30) | 337 | 0 | -337 | 0 | 0 | 0 |
| Totals | 48.20 | 9.80 | (38.40) | 1,817 | 920 | (897) | 3,292 | - | (3,292) |

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

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

* Source www.weather.com

** Source www.climate.fizber.com

City of Shelby
Agenda Item Summary
October 16, 2023
City Hall Council Chamber

Agenda Item: E

Unfinished Business

None

Agenda Item: F

New Business

None

Agenda Item: G

City Manager's Report

I will report to Mayor and Council about 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: H

Council Announcements and Remarks

I. Adjournment:

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

- 1) Motion to adjourn