

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

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

Welcome and Call to Order by Mayor O. Stanhope Anthony, III

*Invocation*

*Pledge of Allegiance*

**A. Approval of Agenda**

*Discussion and revision of the proposed agenda, including consent agenda; adoption of an agenda.*

- 1) Motion to adopt the agenda as proposed or amended

**B. Special Presentation:**

- 1) Presentation from Development Finance Initiative, UNC School of Government – Sara VanLear 1 - 13
- 2) Presentation from Uptown Shelby Association Executive Director, Carly Bostic, regarding Social District 14 - 19

**C. Consent Agenda:**

*Prior to approval and adoption of the agenda, a Council Member may move an item from the Consent Agenda to the regular agenda. Items remaining on the Consent Agenda will be considered collectively through a single motion and vote.*

- 1) Approval of the Minutes of the Regular Meeting of October 16, 2023 20 - 27
- 2) Approval of a resolution authorizing Solicitation of Development Partners for the redevelopment of the Charles Hotel: Resolution No. 72-2023 28 - 29
- 3) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from True Homes, LLC: Resolution No. 73-2023 30 - 39

4) Approval of a resolution authorizing selection of McGill Associates based on qualifications for Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan: Resolution No. 74-2023	40 - 52
5) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Seattle Crossing Underground Electric Project: Ordinance No. 51-2023	53 - 63
6) Electric Material Purchase for the 2023 Residential Development Projects	64 - 82
a) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Underground Electric Projects FY24: Ordinance No. 52-2023	
b) Approval of a resolution awarding the contracts for the purchase of the underground electric materials for the 2023 Residential Development Projects: Resolution No. 75-2023	
7) Management Reports:	83 - 111
a) Financial Report – September, 2023	
D. Unfinished Business:	112
None	
E. New Business:	112
None	
F. City Manager's Report	112

G. Council Announcements and Remarks 113

H. Closed Session 113

- 1) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged regarding Allen v. City of Shelby pursuant to North Carolina General Statute 143-318.11 (a)(3).
- 2) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session pursuant to North Carolina General Statute 143-318.11(a)(4).
- 3) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract pursuant to North Carolina General Statute 143-318.11(a)(5).

I. Adjournment: 113

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

- 1) Motion to adjourn

## B. Special Presentations:

### Agenda Item B-1

- 1) Presentation from Development Finance Initiative, UNC School of Government – Sara VanLear

### **Presenting: (Rick Howell, City Manager)**

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- Presentation slides

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### City Manager's Recommendation / Comments

Sara VanLear, Project Manager and Eric Thomas from the Development Finance Initiative at UNC CH School of Government are scheduled to make a formal public presentation of the finalized Solicitation of Development Partner Proposals for the Hotel Charles Project. This is the next step in the process of identifying a private development partner for this project. This presentation is intended to inform Council and give you the opportunity to ask questions and give approval before the City moves forward.

Resolution No. 72-2023 which would authorize the Solicitation of Development Partners for the redevelopment of the Charles Hotel appears on the Consent Agenda.

As background you will recall that the City applied for and received a grant in the amount of \$75,000 from the Opportunity Appalachia program through the Appalachian Regional Commission. The purpose of the grant was to undertake a scope of work to determine the market viability for reuse of the Hotel Charles as a private development. They have completed their work and submitted their findings and will present those this evening. The ultimate goal is to identify a private developer who will, in accordance with the market analysis, redevelop the property. The City has worked closely with BankOZK the current owner of the bank to move this project forward.

Sara and Eric will walk you through the process and go over solicitation of development partners. This is an important point in this process. There are certainly hurdles that still must be overcome but this puts the project on the right path with good market information and a solid team behind identification and recruitment of a qualified owner/developer.

I anticipate the presentation to take about 20 minutes

City of Shelby

November 6, 2023

# Hotel Charles Solicitation for Development Partner(s)

Overview of expected solicitation timeline and process



## Meeting Goals

- Review the Solicitation for Development Partner(s)
- Discuss the expected solicitation timeline and process, including DFI's outreach strategy



# Guiding public interests for the Hotel Charles, endorsed by City Council on August 21, 2023:

## The redevelopment of the Hotel Charles should...

1. Add accommodations in Uptown that will support current arts, culture, and visitor travel activity.
2. Preserve and reflect Shelby's history.
3. Efficiently leverage public investment to maximize private investment.

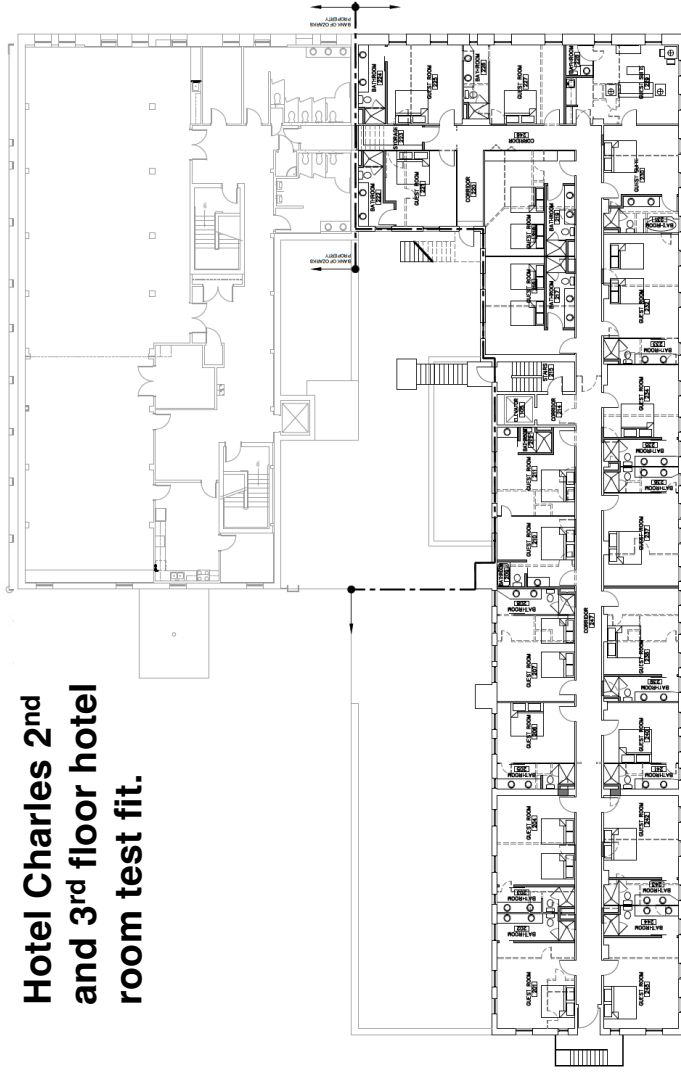


# Historic Boutique Hotel Development Program

## Projected Development Program

Building Square Feet (sq ft)	32,000 sq ft
Estimated # of Hotel Rooms	38
First Floor: Food and Beverage	5,000 sq ft
Street Level: Retail Opportunity	3,100 sq ft

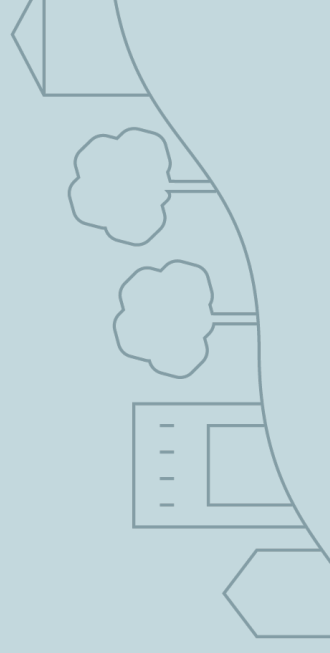
Hotel Charles 2<sup>nd</sup> and 3<sup>rd</sup> floor hotel and room test fit.



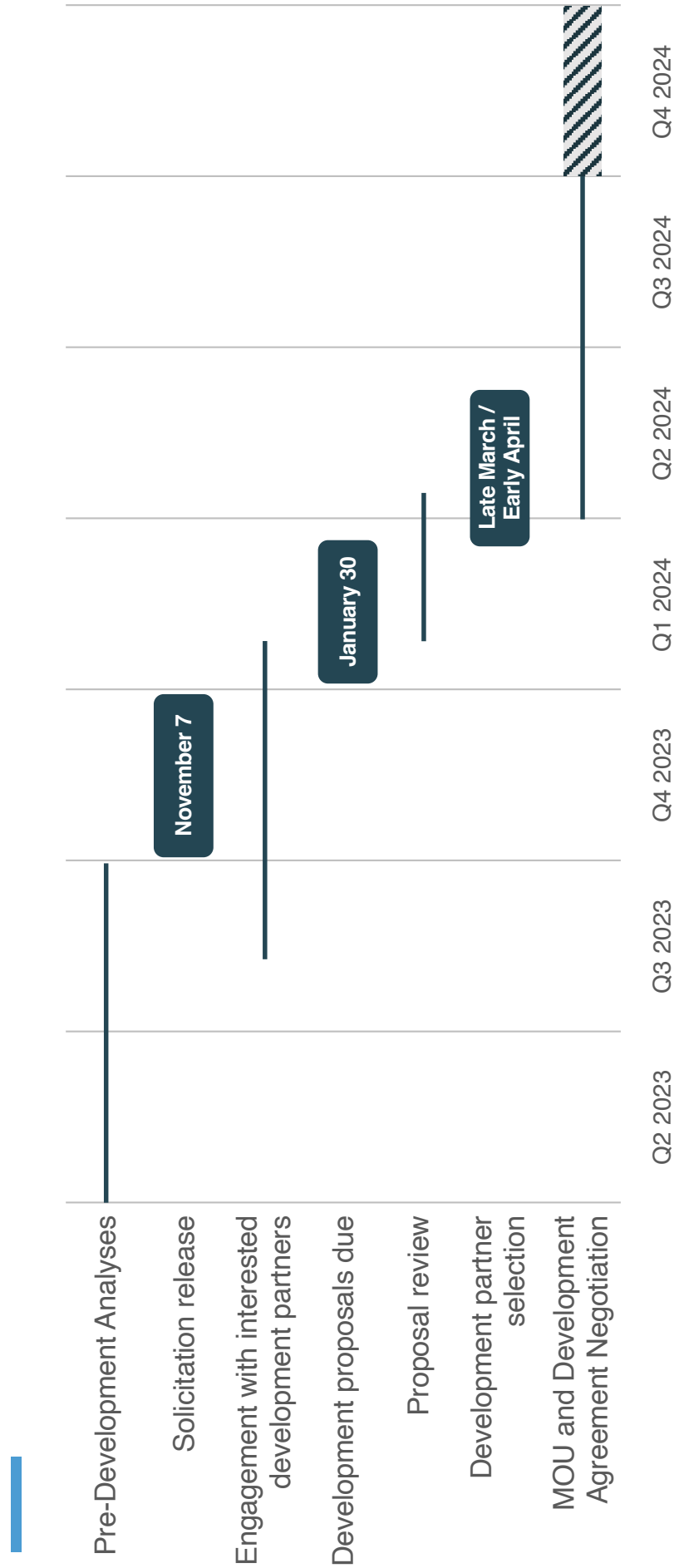


# Solicitation for Development Partners (SDP)

Timeline and Process



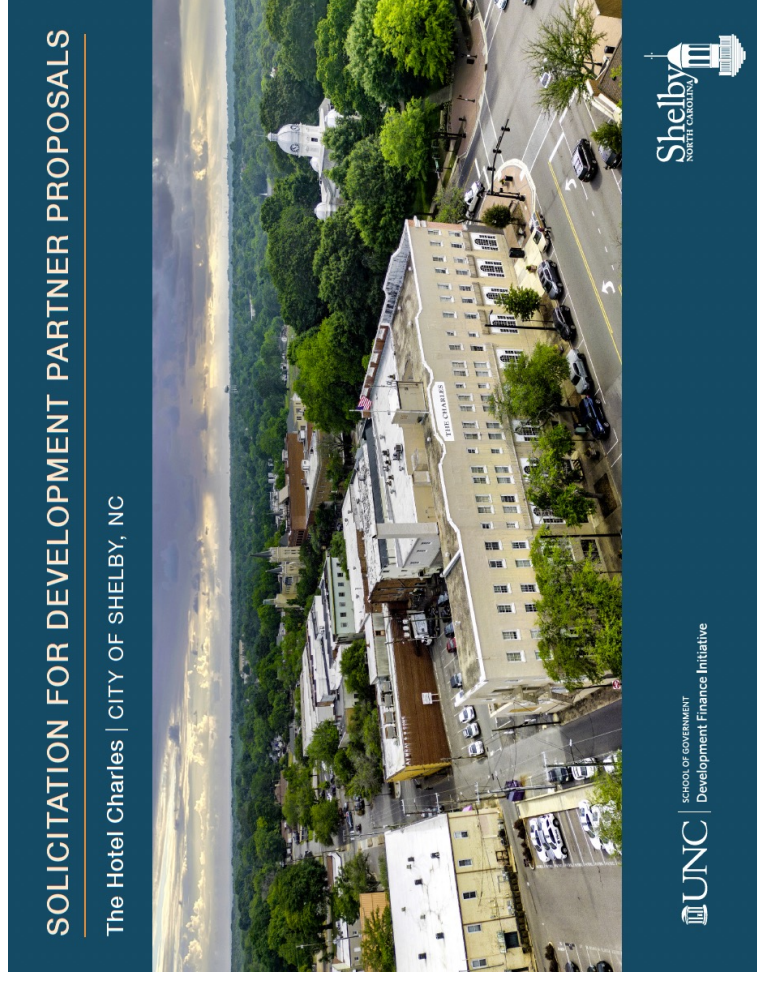
# Estimated solicitation and development agreement timeline.



*Note: the timeline is estimated and may change based on solicitation responses, council decision making, and development agreement negotiations.*

# The SDP includes the following key elements.

- Detailed description of the Hotel Charles redevelopment opportunity, including the project's guiding public interests;
- Overview of DFI's market analysis, including key hospitality and retail indicators;
- Overview of the Hotel Charles development program;
- Summary of the project financial feasibility;
- Summary of potential public-private partnership opportunities; and
- Detailed description of the SDP evaluation criteria and selection process.



# Development partner outreach strategy.

DFI has developed a targeted list of groups that have experience in developing historic properties for hospitality programs. The list includes:

- private developers,
- architectural and engineering firms,
- investor groups,
- financing institutions, and
- boutique hotel management firms.

The SDP will also be posted on the City of Shelby's website, DFI's website, and circulated via several regional media outlets.

**Hotel Charles first floor lobby.**



# The solicitation includes several expectations of developer proposals.

Developer proposals are due **January 30, 2024**.

The expected elements of all submissions include detailed summaries of the following:

1. Development and site plans
2. Project financial assumptions, and evidence of firm financial stability
3. Development timeline
4. Selection process for (1) hotel operator, (2) food and beverage partner, and (3) retail tenants
5. Development team and experience
6. References

Arched windows in Hotel Charles ballroom.



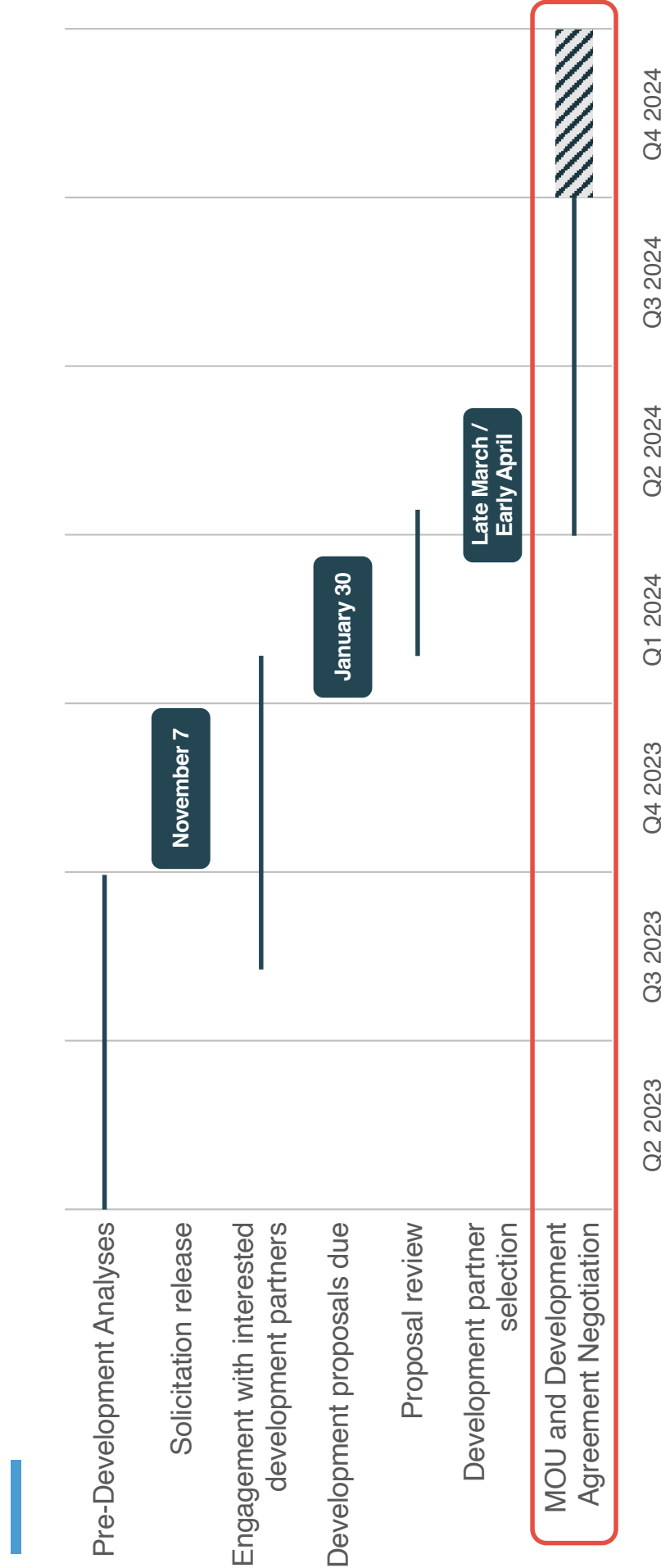
# City staff and DFI will review all submissions to inform Council's selection.



The following core criteria will be used to assess all responses:

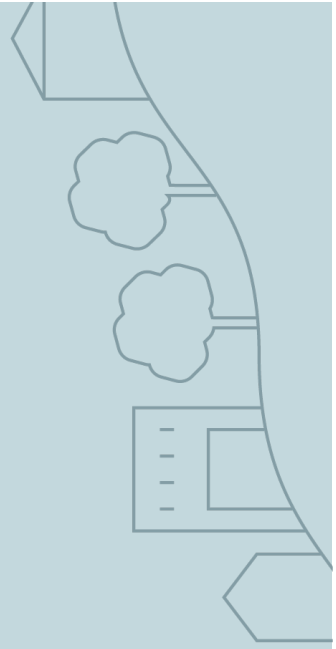
1. **Qualifications and experience** (primarily historic, boutique hotel redevelopment experience).
2. **Integration of guiding public interests** in proposed development plan.
3. **Quality and success** of prior development projects and public-private partnerships (including projects of similar scale and complexity).
4. **References**, including those from previous local government partners.
5. Ability to complete the project within the **City's proposed timeline**.

# Estimated solicitation and development agreement timeline.



Note: the timeline is estimated and may change based on solicitation responses, council decision making, and development agreement negotiations.

# Questions





## Agenda Item B-2

- 2) Presentation from Uptown Shelby Association Executive Director, Carly Bostic, regarding Social District

### **Presenting: (Rick Howell, City Manager)**

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- NC General Statute 18B-300.1 (Social District statute)
- Social District 101

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### City Manager's Recommendation / Comments

This time is scheduled on City Council agenda to allow for a special presentation by Carly Bostic, Executive Director of the Uptown Shelby Association. The intent of the presentation is merely to educate City Council on the provisions of NC General Statute 18B-300.1 which authorizes City Council to create a "social district" that allows individuals over the age of 21 to purchase alcoholic beverages from licensed establishments and consume to-go drinks within a city designated common area and at businesses that voluntarily choose to participate. No action is expected at this time.

If Council wishes to direct the City Manager to pursue further action, it may do so in its sole discretion.

**§ 18B-300.1. Authorization and regulation of social districts.**

(a) Policy. - The intent of this section is to regulate open containers of alcoholic beverages that customers of a permittee take from the permittee's licensed premises into another area where consumption of the alcoholic beverages is allowed. This section shall not in any way limit the consumption or possession of alcoholic beverages otherwise allowed under this Chapter.

(b) Definitions. - The following definitions apply in this section:

- (1) Customer. - A person who purchases an alcoholic beverage from a permittee that is in a social district.
- (2) Non-permittee business. - A business that is located in a social district and does not hold any ABC permit.
- (3) Permittee. - An establishment holding any of the following permits issued by the Commission:
  - a. An on-premises malt beverage permit issued pursuant to G.S. 18B-1001(1).
  - b. An on-premises unfortified wine permit issued pursuant to G.S. 18B-1001(3).
  - c. An on-premises fortified wine permit issued pursuant to G.S. 18B-1001(5).
  - d. A mixed beverages permit issued pursuant to G.S. 18B-1001(10).
  - e. A wine shop permit issued pursuant to G.S. 18B-1001(16).
  - f. A distillery permit issued pursuant to G.S. 18B-1100(5).
- (4) Social district. - A defined area in which a person may consume alcoholic beverages sold by a permittee. A social district may include both indoor and outdoor areas of businesses within or contiguous to the defined area during the days and hours set by the local government by ordinance pursuant to subsection (d) of this section. A social district may include privately owned property, including permittees and non-permittee businesses, and multi-tenant establishments, as defined in G.S. 18B-1001.5, and public streets, crosswalks, or parking areas whether or not the streets or parking areas are closed to vehicle traffic.

(c) Local Ordinances Authorized. - Pursuant to G.S. 153A-145.9, a county may adopt an ordinance designating one or more social districts in the parts of the county outside any city. Pursuant to G.S. 160A-205.4, a city may adopt an ordinance designating one or more social districts.

(d) Requirements for Designation. - A social district designated under this section shall meet all of the following requirements:

- (1) The social district shall be clearly defined with signs posted in a conspicuous location indicating which area is included in the social district, the days and hours during which alcoholic beverages may be consumed in the social district, the telephone number for the ALE Division and the local law enforcement agency with jurisdiction over the area comprising the social district, and a clear statement that an alcoholic beverage purchased from a permittee for consumption in a social district shall (i) only be consumed in the social district and (ii) be disposed of before the person in possession of the alcoholic beverage exits the social district. The hours set by a city or county during which customer-purchased alcoholic beverages may be consumed in a social district shall be in accordance with G.S. 18B-1004.
- (2) The city or county, or the city's or county's designee, shall establish or approve management and maintenance plans for the social district and post these plans, along with a rendering of the boundaries of the social district and days and hours during which alcoholic beverages may be consumed in the social district, on the website for the city or county. The city's or county's designee may include a private entity, including a property owner or property owner's association. Any plan established under this subdivision shall be approved by the governing body of the city or county. The social district shall be maintained in a manner that protects the health and safety of the general public. The city or county may establish guidelines in the ordinance establishing the social district or in its management and maintenance plan to allow for

suspension of regular days and hours of alcohol consumption in all or part of a social district during events requiring other permits pursuant to subsection (j) of this section.

- (3) Before allowing consumption of alcoholic beverages in a social district, the city or county shall submit to the Commission a detailed map of the social district with the boundaries of the social district clearly marked, and the days and hours during which alcoholic beverages may be consumed in the social district. The city or county shall only be required to submit a revised map to the Commission if the city or county amends the geographic footprint of a social district. A permittee may be included in the social district even if it chooses to exclude open containers of alcoholic beverages purchased from other permittees in the social district.
- (4) The city or county, or the city's or county's designee, shall develop or approve uniform signs indicating that a non-permittee business is included in the social district and allows alcoholic beverages on its premises when the social district is active and distribute the signs to non-permittee businesses that are included in the social district. The city's or county's designee may include a private entity, including a property owner or property owner's association. The signs may be in the form of a sticker, placard, or other format as deemed appropriate by the city or county. A participating non-permittee business shall display the uniform sign at all times during the times when the social district is active. A customer may not bring an alcoholic beverage into a non-permittee business that does not display the uniform sign. No non-permittee business shall be required to participate or be included in a social district or to allow customers to bring alcohol onto its premises.

(e) Open Containers Sold by Permittees. - A permittee located in a social district may sell open containers of alcoholic beverages and allow customers to exit its licensed premises to the social district in accordance with the following requirements:

- (1) The permittee shall only sell and serve alcoholic beverages on its licensed premises.
- (2) The permittee shall only sell an open container of an alcoholic beverage for consumption in the social district and off the premises of the permittee in a container that meets all of the following requirements:
  - a. The container clearly identifies the permittee from which the alcoholic beverage was purchased.
  - b. The container clearly displays a logo or some other mark that is unique to the social district in which it will be consumed.
  - c. The container is not comprised of glass.
  - d. The container displays, in no less than 12-point font, the statement, "Drink Responsibly - Be 21."
  - e. The container shall not hold more than 16 fluid ounces.
- (3) Nothing in this subsection shall be construed to authorize the sale and delivery of alcoholic beverage drinks in excess of the limitation set forth in G.S. 18B-1010.

(f) Limitations on Open Containers. - Except where otherwise allowed by local ordinance, the possession and consumption of an open container of an alcoholic beverage in a social district is subject to all of the following requirements:

- (1) A customer may only possess and consume open containers of alcoholic beverages that were purchased from a permittee located in the social district.
- (2) Customer-purchased open containers of alcoholic beverages in the social district shall only be in containers meeting the requirements set forth in subsection (e) of this section, except for open containers sold by a permittee for consumption on the permittee's premises.
- (3) A customer may only possess and consume open containers of alcoholic beverages in the social district during the days and hours set by the city or county in accordance

with subsection (b) of this section, not to exceed the hours for consumption authorized pursuant to G.S. 18B-1004.

- (4) A customer shall not possess at one time open containers of alcoholic beverages in the social district in excess of the number of alcoholic beverages that may be sold and delivered by a retail permittee as set forth in G.S. 18B-1010.
- (5) A customer shall dispose of any open container of an alcoholic beverage purchased from a permittee in the customer's possession prior to exiting the social district unless the customer is reentering the licensed premises of the permittee where the customer purchased the alcoholic beverage.
- (6) Notwithstanding G.S. 18B-300 and G.S. 18B-301, a permittee or non-permittee business may allow a customer to possess and consume on the business's premises alcoholic beverages purchased from a permittee in the social district.

(g) **Limitations on Closed Containers.** - A person, including a customer who is in possession of an open container of an alcoholic beverage authorized under this section, may possess alcoholic beverages in closed containers in a social district to the extent allowed by law.

(h) **Responsibilities of Non-Permittee Businesses.** - A non-permittee business that is part of a social district and that allows customers to bring alcoholic beverages onto its premises shall not be responsible for enforcement of this Chapter. All non-permittee businesses that are part of a social district and that allow customers to bring alcoholic beverages onto their premises shall clearly post signage on any exits that do not open to the social district indicating that alcoholic beverages may not be taken past that point. During the days and hours when the social district is active, a non-permittee business that allows customers to bring alcoholic beverages onto its premises shall allow law enforcement officers access to the areas of the premises accessible by customers.

(i) **Multi-Tenant Establishments Located in a Social District.** - Permittees and non-permittee businesses in a multi-tenant establishment located within a social district may participate in the social district regardless of whether the multi-tenant establishment has a common area entertainment permit.

(j) **Interaction with Other Permits.** - The Commission shall issue permits for special events occurring partially or entirely within the boundaries of a social district as follows:

- (1) The Commission may issue special one-time permits pursuant to G.S. 18B-1002(a)(2) or (a)(5) for events occurring on premises located partially or entirely within the boundaries of a social district. If the event is scheduled to occur during hours when alcoholic beverages may be consumed in the social district, the event permittee shall, in addition to obtaining such signed law enforcement notification as may be required under the Commission's rules, include in such notification a statement that the event is to occur in a social district during days and hours designated for consumption of alcoholic beverages.
- (2) A permittee holding a winery special event permit, malt beverage special event permit, or spirituous liquor special event permit pursuant to G.S. 18B-1114.1, 18B-1114.5, and 18B-1114.7, respectively, may sell and serve products at special events taking place in a social district.
- (3) A permittee holding a mixed beverages catering permit pursuant to G.S. 18B-1001(12) may serve spirituous liquor to guests at events taking place in a social district. (2022-49, s. 3(f).)

# Social District IOI

## What is a social district?

- The North Carolina General Assembly passed Session Law 2021-150 in 2021, allowing cities to create “social districts” where individuals over 21 can buy an alcoholic beverage from licensed establishments (i.e., bars, breweries, restaurants) and consume to-go drinks within a designated common area and participating businesses.

## The benefits of a social district:

- Uptown Shelby offers the most distinctive and vibrant town experience in the Cleveland County region, setting us apart from the surrounding communities. Many nearby communities have already implemented or are exploring establishing a social district. Our Uptown is known presently for setting the bar for innovative strategies for recruiting and marketing our businesses in NC, and this initiative will ensure our ability to stay relevant.
- The implementation of the USSD district will give Shelby a unique opportunity to market **Uptown Shelby as a premier entertainment destination**, as well as provide another layer to how we can economically stimulate our individually owned small businesses.
- The USSD will be able to promote new options that will bring regional and out-of-town visitors to Uptown Shelby due to the diversity of offerings, as there are a variety of happenings for all types of visitors to enjoy.

## Rules of a social district:

- A person can only possess and consume beverages purchased from an ABC permittee located in the social district. A person cannot bring their own personal alcoholic beverage into the social district for consumption.
- Any beverages consumed in the social district must be consumed from a specially marked cup which is provided by the ABC-permitted business. In other words, a person cannot pour their wine or beer into a solo cup or any type of container other than the one meeting all the requirements for social districts. Alcoholic beverages shall only be possessed and consumed in the social district during the days and times approved.

# NC Social District communities

1. Albemarle	11. Garner	21. Madison	31. Salisbury
2. Asheboro	12. Gastonia	22. Monroe	32. Selma
3. Asheville	13. Greensboro	23. Mooresville	33. Statesville
4. Cary	14. Greenville	24. Mount Airy	34. Sylva
5. Charlotte	15. Hickory	25. Newton	35. Tarboro
6. Cornelius	16. High Point	26. Norwood	36. Washington
7. Durham	17. Huntersville	27. Oxford	37. Wendell
8. Elon	18. Kannapolis	28. Pilot Mountain	38. Whiteville
9. Fayetteville	19. Laurinburg	29. Raleigh	39. Wilson
10. Franklinton	20. Lenoir	30. Rutherfordton	40. Youngsville

## Quotes from Business North Carolina magazine from current social districts:

- “For many towns and cities that have established these social districts, helping restaurants and other businesses thrive after a tough few years due to the pandemic was a driving factor. But more than an increase in foot traffic, social districts seem to provide an incentive for businesses looking to open in cities that have them established. Each city and town interviewed listed several businesses opening within their social district in the next 12 to 18 months.” – Business North Carolina magazine
- “We are in negotiations with three new businesses that are all interested in Norwood because of the social district,” said Robin Davis, president of the Stanly County town’s Central Business District Group. (Norwood)
- “It has been a wonderful addition to what we can offer downtown,” Keller says. The social district has encouraged businesses to create programming such as running clubs and local meet-ups. The social district gave us another tool in the toolbox to promote revitalization in downtown,” she says. (Kannapolis)
- “In Hickory, new restaurants and retail are opening in the downtown due to the success of the social district.” – Dave Leonetti (City of Hickory Business Development Committee)

C. Consent Agenda:

Agenda Item: C-1

- 1) Approval of the Minutes of the Regular Meeting of October 16, 2023

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

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Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of October 16, 2023

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City Manager's Recommendation / Comments

**Approve the minutes as presented or as amended by the Mayor and City Council via the Consent Agenda.**

## MINUTES

Regular Meeting  
City Hall Council Chamber

October 16, 2023  
Monday, 6:00 p.m.

**Present:** Mayor O. Stanhope Anthony, III, presiding; Council Members David Causby, David White, Andrew L. Hopper, Sr., Violet Arth, Charles Webber, and Emilie Bullock.; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Justin E. Longino, MBA, Assistant City Manager Ben Yarboro, Interim City Attorney Julie Hooten, Deputy City Clerk Breanna Jones, Public Information and Communication Officer Chip Nuhrah, Fire Chief William Hunt, EFO, Police Chief Bradley (Brad) Fraser, Director of Planning and Development Services Walter (Walt) Scharer, Public Works Director Scott Black, Director of Water Resources Brian Wilson, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

**Absent:** City Clerk Carol Williams

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

Mrs. Bullock led the Pledge of Allegiance.

### A. Approval of agenda:

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

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

### B. Public Comment:

Bob Cabaniss who resides at 371 Magness Road, Shelby, North Carolina addressed Council about the required 50-foot buffer area between new homes being built. He explained that two parallel parking places uptown side by side are roughly 48-49 feet. He reminded Council that they are the only ones with the authority to change this regulation. He asked that Council consider making it 55 feet or at least strictly enforce the 50 feet between houses. Mr. Cabaniss pointed out that the Planning Board has sent 4-5 new large developments to Council for approval. He encouraged Council to keep in mind this is the City of Pleasant Living, and he would like to continue living pleasantly.



Jimmy Hall who resides at 1442 Fredrick Street, Shelby, North Carolina is with WPCS Shelby Podcast, where they promote community success. He gave a brief description of the purpose of the podcast. He explained that they highlight individuals in and around Shelby, North Carolina that are doing positive things. He came before the Council to present an award to the Mayor, who had been a guest on the podcast.

Richard Hooker who resides at 1520 King Arthur Court, Shelby, North Carolina addressed Council by acknowledging and thanking them for their support of the Minority Enterprise Development (MEG) week over the past years. He asked that they continue their support for MEG week 2023. He pointed out that next week they will kick off the 24<sup>th</sup> Annual MEG Week Celebration here in Cleveland County. He shared that MEG is a National service that recognizes and celebrates minority business successes. This year they are recognizing business owners who are under 40 years old. The kickoff for the event is Saturday, October 21<sup>st</sup> with a community conversation and will have a representative from the State Department of Information and Technology there to talk about broadband expansion, the digital economy, and funding opportunities. MEG Week will conclude on Thursday October 26<sup>th</sup> with an Award's Ceremony. Mr. Hooker is looking for Council support and attendance for both events. He recognized that Council member Charles Webber participated in last year's event as the emcee.

#### 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

Mr. Scharer presented this property located at 1305 Linton Barnett Sr. Drive. Mr. Scharer stated it is currently zoned R10. Mr. Scharer stated the applicant wishes to have the entire property zoned as RO-CZ. Mr. Scharer concluded by stating the proposed zoning change is consistent with the Comprehensive Land Use Plan and the Planning and Zoning Board recommends this zoning amendment.

Mayor Anthony opened the public hearing at 6:15 p.m. and invited comments from the public.

Scott Patterson who resides at 1309 Linton Barnett Sr. Drive Shelby, North Carolina, spoke against the zoning amendment. Mr. Patterson is concerned that traffic will impose a problem. He pointed out that the property was previously rezoned as R10 because at that time it was consistent with the Comprehensive Land Use. He stated he is not sure why that has now

changed. Mr. Patterson shared that the HVAC system at 1309 Linton Barnett Sr. Drive crosses the property line to the adjoining property.

Daniel Sherman who resides at 1570 Linton Barnett Sr. Drive Shelby, North Carolina, spoke against the zoning amendment. Mr. Sherman is very concerned with the traffic issues this rezoning could cause on their dead-end neighborhood street. He pointed out that this request states the daycare intends to allow 50-60 children to attend the daycare, which would mean 50-60 vehicles using the road twice a day for five days a week. Mr. Sherman pointed out that there are only seven parking spaces at the daycare, one being handicap. He stated that he feels staff will use most or all of the seven parking spaces, leaving minimal spots for the parents dropping off their children. Mr. Sherman reminded Council that children of this age will likely be restrained in a child safety seat, which will require the parent to park, exit the vehicle, remove the child, and enter the building. He feels that this will cause a major problem on the street with the parking area filling up and cars not able to get in or out. He is concerned that parents will have to drive to the dead end of the road and turn around on their property. Mr. Sherman shared that his family also operates a small family farm and frequently brings in and out large farm equipment. He is concerned that the heavy traffic could cause safety issues with the traffic on Charles Road as there is a blind hill that could cause drivers to not see the farm equipment waiting to turn on Linton Barnett. Mr. Sherman pointed out that this could cause him to be rear ended in the farm equipment. He stated that this intersection is already very congested in the morning and in the afternoon from the school traffic. Mr. Sherman pointed out that the nursing home across from the daycare also causes traffic when people enter and exit.

Mookesh Patel who resides at 1307 Linton Barnett Sr. Drive Shelby, North Carolina, spoke against the zoning amendment. Mr. Patel pointed out that he is the owner of the property next to the proposed daycare. He shared that he moved from Charlotte with his family and purchased the property in 2020. Mr. Patel stated that his son and daughter-in-law own and operate a food truck that they keep parked at his property. His primary concern is the additional traffic the daycare will bring to their street. He stated that the edge of the building at 1305 Linton Barnett Sr. Drive is over his property line. Mr. Patel pointed out that certain events that his son and daughter-in-law participate in with the food truck could be at peak traffic times with the daycare. He is concerned that this could affect their livelihood and income.

Ken Howell who resides at 404 S. Washington Street Shelby, North Carolina, spoke in favor of the zoning amendment. Mr. Howell thanked all the neighbors for coming out and sharing their concerns. He stated that he is happy to answer any questions they may have. Mr. Howell also pointed out that the property was previously a motorcycle clubhouse, and his intentions are to bring a positive atmosphere back to the property with the laughter of

children. He shared that the property is designed to be a daycare and he intends to revitalize it so that it can operate as such. Mr. Howell stated that 58% of all families will need daycare and there is a waiting list at most daycares in Cleveland County right now. He shared that his wife has worked as a nurse in an elementary school previously and has gone back to school to receive a degree in childcare development to operate a daycare. He hopes to provide the City with a valuable service. Mr. Howell shared that he could add additional parking spaces to address one of the concerns of the neighbors and Council. He pointed out that current amount of parking is up to code.

Mayor Anthony closed the public hearing at 6:30 p.m.

**ACTION TAKEN:** Upon a motion made by Mr. White, City Council voted 5-1 to approve (Causby voted against) Ordinance No. 45-2023 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA AT 1305 LINTON BARNETT SR DRIVE."

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

Mr. Scharer presented this rezoning proposal located on Earl Road, which is currently zoned R20, RO, and R6. Mr. Scharer stated the applicant wishes to have the property zoned R6-CZ to allow for a cluster single-family dwelling subdivision. Mr. Scharer further stated the proposed 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.

Mayor Anthony opened the public hearing at 6:44 p.m.

Charles Peeler who resides at 1309 Earl Road, Shelby, North Carolina, spoke against the zoning amendment. Mr. Peeler would like to know what the distance between the houses will be from the proposed development. He explained that he does not have any knowledge of what the houses will look like, but the development would be very close to his property on Earl Road. Mr. Peeler wanted to know how close the houses will be to his yard.

Bryan Johnson who resides at 1305 Earl Road, Shelby, North Carolina, spoke against the zoning amendment. Mr. Johnson provided Council with copies of a traffic/accident analysis from the North Carolina Department of Transportation. He pointed out the high amount of traffic in the area as well as accidents that occur as a result of the high traffic. Mr. Johnson shared his concern for the additional vehicles traveling on this road and intersection with the proposed development.

Mayor Anthony closed the public hearing at 7:00 p.m.

**ACTION TAKEN:** Upon a motion made by Ms. Arth, City Council voted unanimously to deny Ordinance No. 46-2023 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA ON EARL ROAD."

**C. Consent Agenda:**

Mayor Anthony 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 October 2, 2023
- 2) Adoption of a budget ordinance amendment for the City of Shelby's Carolina Thread Trail Project: Ordinance No. 47-2023
- 3) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Depot Project: Ordinance No. 48-2023
- 4) Adoption of a budget ordinance amendment for the City of Shelby's Depot Park Project: Ordinance No. 49-2023
- 5) Adoption of a budget ordinance amendment for the City of Shelby's Palisades at Hickory Creek Underground Electric Installation: Ordinance No. 50-2023
- 6) Management Reports:
  - a) Monthly Financial Summary, dated August 2023

**END OF CONSENT AGENDA**

**D. Unfinished Business:**

None

**E. New Business**

None

**F. City Manager's Report**

- **Mr. Howell introduced the new City Attorney, Jason Lunsford.**
- **Mr. Howell notified Council that on the November 6, 2023 meeting, they will hear presentations from Sara VanLear, Project Manager from the UNC School of Government about the Hotel Charles project, and from Carly Bostic, Executive Director of the Uptown Shelby Association about the proposed social district.**
- **The November 6, 2023 meeting will also have the required Public Hearing for Project Sunrise.**
- **Mr. Howell explained that the Cleveland County Commissioners will have their Public Hearing on November 7, 2023 and the project may be announced by the Governor on November 8, 2023.**
- **Mr. Howell reminded Council of the Ribbon Cutting for Phase 1 of the Carolina Harmony Trail on October 21, 2023.**
- **There will be an audit presentation on the November 20, 2023 Council Meeting.**

**G. Council Announcements and Remarks:**

**Mayor Anthony highlighted the upcoming Shelby Trail Days events and thanked Chip Nuhrah, Public Information Officer, for his hard work and dedication to this event. He also pointed out that his band, the Dancing Fleas will be taking the stage to perform prior to the Ribbon Cutting.**

**Council members welcomed Jason Lunsford, City Attorney, and his family to Shelby.**

**H. Adjournment:**

- 1) **Motion to adjourn**

**ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 7:18 p.m.**

**Respectfully submitted,**

**Breanna Jones  
Deputy City Clerk**

**O. Stanhope Anthony, III  
Mayor**

**Minutes of October 16, 2023**

**DRAFT**

Agenda Item: C-2

- 2) Approval of a resolution authorizing Solicitation of Development Partners for the redevelopment of the Charles Hotel: Resolution No. 72-2023

**Consent Agenda Item: (Rick Howell, City Manager)**

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- Resolution No. 72-2023

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City Manager's Recommendation / Comments

Resolution No. 72-2023 is presented for City Council consideration at this time as a routine matter via the Consent Agenda. If approved this resolution would formally authorize the Development Finance Initiative at UNC Chapel School of Government to issue the Solicitation of Development Partners Proposals document for the redevelopment of the Hotel Charles.

**It is my recommendation that Resolution No. 72-2023 be adopted and approved by City Council via the Consent Agenda.**

RESOLUTION NO. 72-2023

A RESOLUTION AUTHORIZING SOLICITATION OF DEVELOPMENT PARTNERS  
FOR THE REDEVELOPMENT OF THE CHARLES HOTEL

WHEREAS, the City of Shelby, North Carolina is authorized by NC General Statute 160A-209(c)15 to undertake historic preservation projects and programs; and,

WHEREAS, the City Council for the City of Shelby has determined that redevelopment and preservation of the Hotel Charles located at 106 S. Lafayette Street is important in preserving the history of Shelby and the economic viability of the central business district; and,

WHEREAS, the City Council of the City of Shelby has endorsed and adopted the following guiding public interests for the Hotel Charles on August 21, 2023, stating that the Hotel Charles redevelopment should:

- 1) add accommodations in Uptown Shelby that will support current arts, culture, and visitor travel activity,
- 2) preserve and reflect Shelby's history and
- 3) efficiently leverage public investment to maximize private investment; and,

WHEREAS, the City of Shelby has entered into an agreement with the Development Finance Initiative of the UNC Chapel Hill School of Government to assist in achieving the redevelopment of this property; and,

WHEREAS, it is the intent of the City Council to select a development partner(s) and to negotiate one or more development services agreements pursuant to NC General Statute 158-7.1 and other relevant authorities.

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

SECTION 1. The City Council does authorize the City Manager in cooperation with the Development Finance Initiative (DFI) to publicly release the Solicitation for Development Partners document for the redevelopment of the Hotel Charles.

SECTION 2. This resolution shall become effective upon its adoption and approval.

Adopted and approved this 6th day of November 2023.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Carol Williams  
City Clerk



Agenda Item: C-3

- 3) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from True Homes, LLC: Resolution No. 73-2023

**Consent Agenda Item: (Walter Scharer, Planning Director)**

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- Memorandum dated September 22, 2023, from Walter Scharer, Planning Director to Rick Howell, City Manager
- Location Map
- Petition for Annexation
- Parcel Maps and 2023 Tax Cards
- Annexation Plat
- Resolution No. 73-2023

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City Manager's Recommendation / Comments

It is my recommendation that Resolution No. 73-2023 be adopted and approved by City Council via the Consent Agenda at this time. The City Clerk will report her finding to you at your regular meeting to be held November 20, 2023 and the required public hearing would be held December 4, 2023 assuming the petition is determined to be sufficient.

**It is my recommendation that Resolution No. 73-2023 be adopted and approved by City Council via the Consent Agenda.**



## **Memorandum**

To: Rick Howell - City Manager

From: Walter Scharer – Planning Director

Date: September 22, 2023

Subject: Annexation – Thrift Road and Nancy Drive

### **Executive Summary of issue – Background**

True Homes, LLC , has submitted an annexation petition to annex property at the end of Thrift Road and having access to Nancy Drive in Rucker Downs subdivision. The property is currently owned by William and James Rucker.

### **Review and Comments**

This annexation site has an area of approximately 78 acres. The applicant intends to subdivide these properties and build single family dwellings. This site is contiguous to the current corporate limits of the City of Shelby.

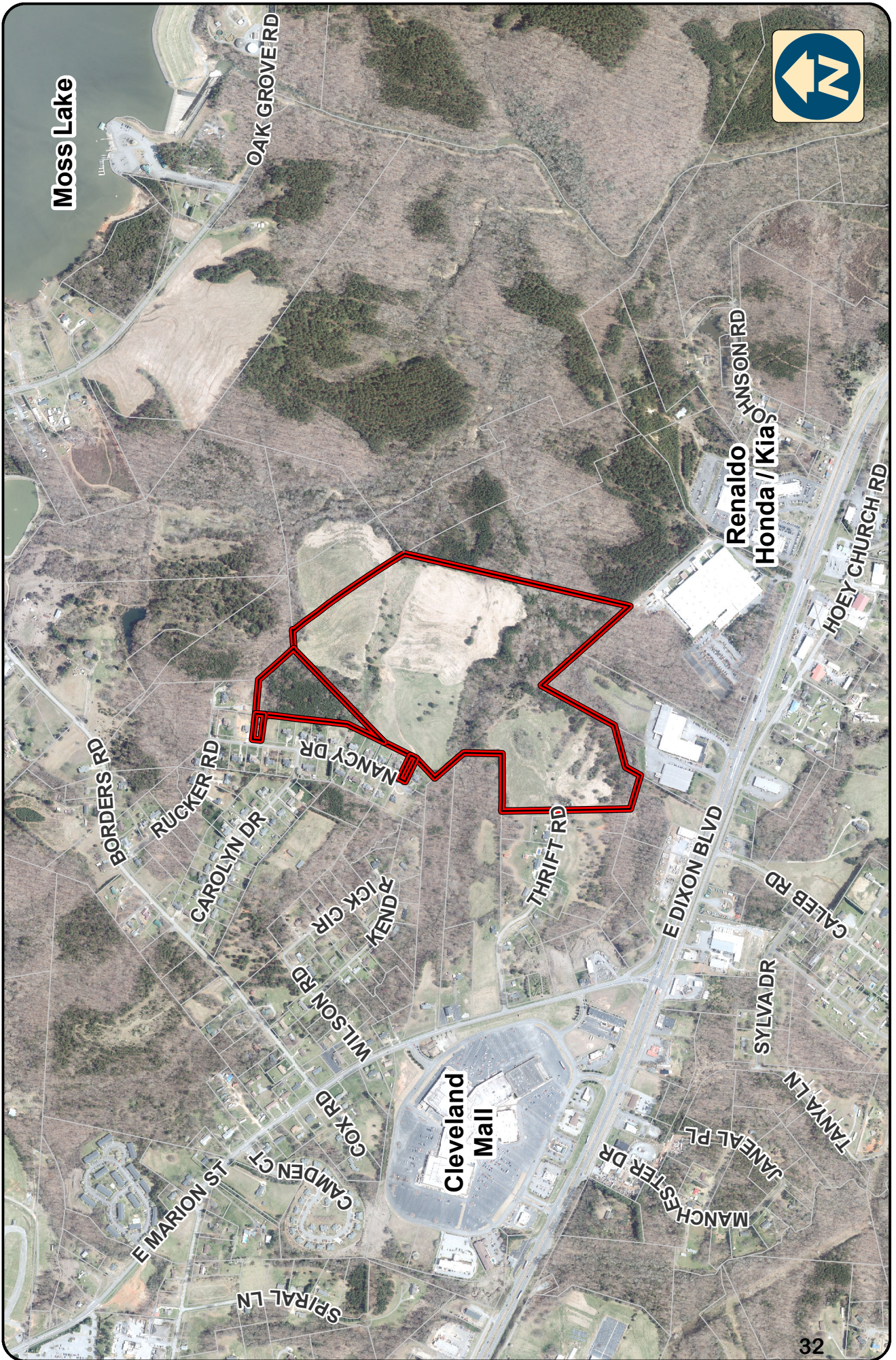
North Carolina General Stature 160A-58.2 states that upon receipt of a petition for annexation the City Council shall cause the city clerk to investigate the petition, and certify the results of the investigation. If the clerk certifies that the petition appears to be valid, the council shall set a date for a public hearing on the annexation.

Staff recommends proceeding with the annexation process for this property. Please place this item on the agenda for the November 6, 2023 City Council meeting.

**Attachments: NCGS 160A-58.2, Annexation Petition, Location Map, Resolution**



# Location Nancy Drive & Thrift Road



Moss Lake

OAK GROVE RD



Renaldo  
Honda / Kia  
ANSON RD

HOEY CHURCH RD

BORDERS RD

RUCKER RD

CAROLYN DR

NANCY DR

WILSON RD

ICK CIR

KENDR

THRIFT RD

E DIXON BLVD

CALEB RD

SYLVADR

Cleveland  
Mall

EMARION ST

CAMDEN CT

COX RD

MANCHESTER DR

JANEAL PL

TANYA LN

SPIRAL LN

Date: 8/31/2023

Scale 1:12,000 1 inch = 1,000 feet

0 500 1,000 2,000 Feet



City of Shelby
Planning and Development Services Department

Petition for Annexation
(Satellite or Contiguous)

The undersigned Petitioner(s) requests annexation of the property described in accordance with the provision of NCGS 160A-58 (Satellite Annexations) or NCGS 160A-29 (Contiguous Annexations):

Address of Subject Property: No address available

Applicant(s) Name: Shaun Gasparini - True Homes, LLC
Address: 2649 Brekonridge Centre Drive, Suite 104
Monroe, NC 28110
Email: sgasparini@truehomesusa.com
Phone: 704-779-4126

Owner(s) Name: William G + James W Rucker, PO Box 776, Shelby, NC 28151-0776
Email: wgrucker2854@gmail.com
Phone: 704-472-2854

\* If more than one individual owner, attach additional pages with owners' information. \*

Provide a brief description of the subject property. Attach additional pages or documentation if necessary.
Parcel 21879 is +73.896 acres and part of a larger assemblage for a proposed single family development.
Parcels 21879 and 22277 are +78.37 acres and part of a larger assemblage for a proposed single-family development.

Signature of Owners:

Signatures of all Individual Property Owner(s) and Spouses, if any

Signature of Owner (William G. Rucker)

Signature of Owner (Victoria D. Rucker)

If Owner is a Partnership, signature(s) of at least one General Partner

Signature of Owner (James W. Rucker)

Signature of Owner (James W. Rucker)

If Owner is a Corporation:

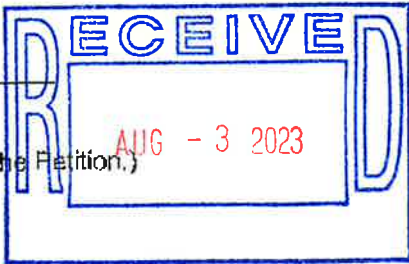
Registered Name of Corporation

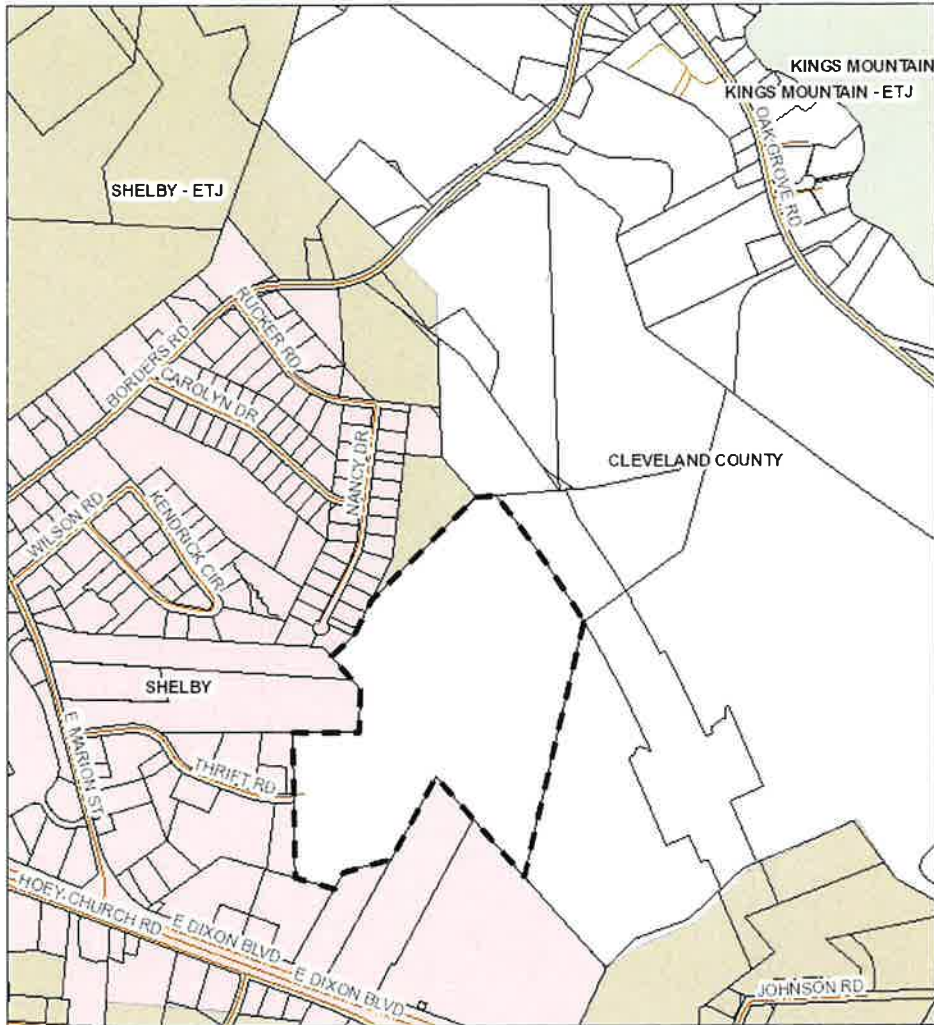
(Corp. Seal)

Signature of President/Vice President

Attested by: Signature of Secretary/Assistant Secretary

(If additional signatures are necessary, continue on separate sheet and attach to the Petition.)





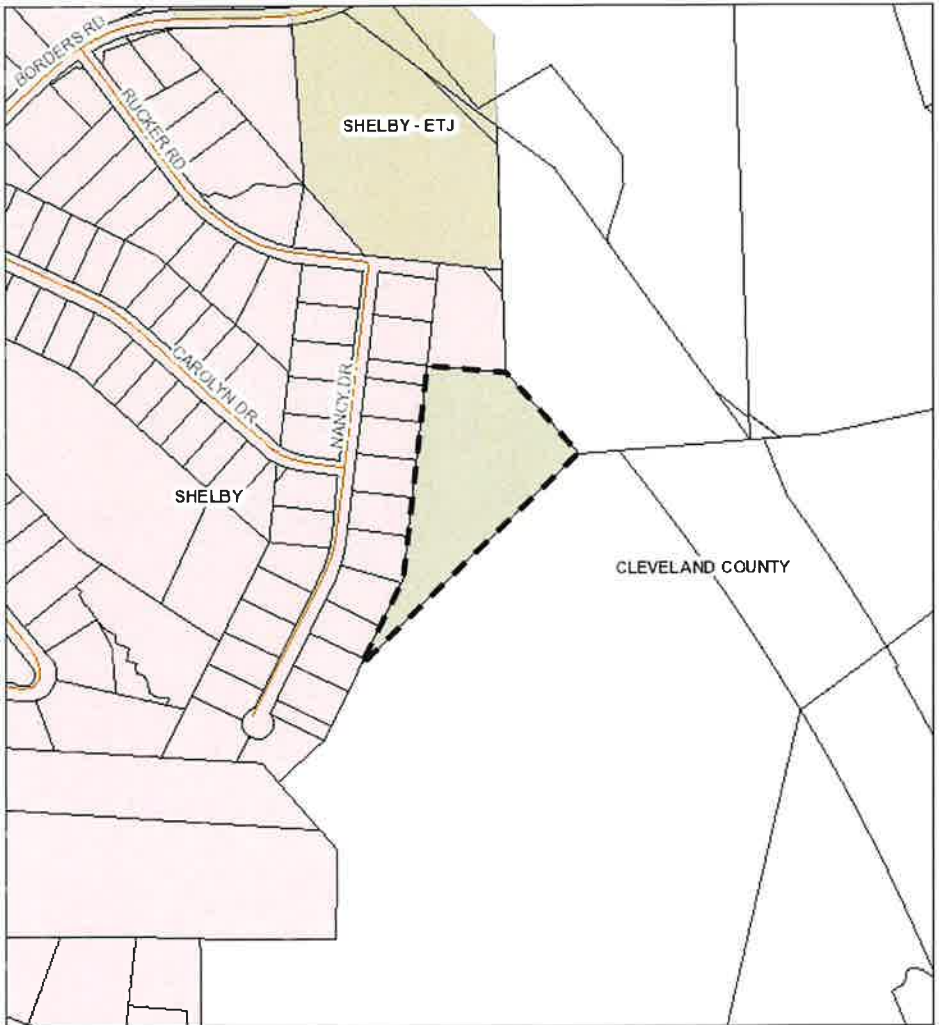
**Disclaimer:** The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.



**Layer: Parcels**

**SEQNUM:** 21879  
**Owner1:** RUCKER WILLIAM G  
**Owner2:** RUCKER JAMES WEBB  
**PIN:** 2566224219  
**ParcelNo:** 21879  
**OwnerName1:** RUCKER WILLIAM G  
**OwnerName2:** RUCKER JAMES WEBB  
**OwnerAddr1:** PO BOX 776  
**OwnerAddr2:** SHELBY NC 28151-0776  
**OwnerCity:** SHELBY  
**OwnerState:** NC  
**OwnerZip:** 28151-0776  
**ParcelAddr:** BORDERS RD  
**DeedBook:** 1473  
**DeedPage:** 2223  
**MapNo:** 6- 2  
**Block:** 1  
**Lot:** 2U  
**LandArea:** 73.096  
**LandValue:** 180325  
**AdjValue:** 180325  
**TaxYear:** 2023  
**TaxCode2:** R  
**ParRdName:** BORDERS  
**ParRdType:** RD  
**NeighCode:** 31  
**Use\_Code:** R  
**Tax\_District:** 51  
**DeedBook\_Page:** 1473 2223  
**Deeded\_Acres:** 83.04  
**SUM\_Calculated\_Acres:** 72.75970432

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<b>ZoneType:</b> R
<b>Municipality:</b> Cleveland County
<b>Layer: 2000 Census Tracts</b>
<b>Census Tract:</b> 950700
<b>Layer: NC House and Senate Districts</b>
<b>Senate:</b> 44th
<b>Layer: Cleveland County School Districts</b>
<b>Elementary:</b> ELIZABETH ELEMENTARY
<b>Middle:</b> SHELBY MIDDLE SCHOOL
<b>High:</b> SHELBY HIGH SCHOOL
<b>Layer: Flood Zones</b>
<b>GRID:</b> 2566
<b>PANEL :</b> 3710256600J
<b>Layer: Voting Precincts</b>
<b>Precinct:</b> Shelby 5
<b>Voting Site:</b> WALLS MEMORIAL BAPTIST CHRUCH
<b>Layer: Fire Districts</b>
<b>DISTRICT:</b> Gardner
<b>Layer: Watersheds</b>
<b>ZONE:</b> NONE
<b>Layer: Jurisdictional Limits</b>
<b>Name:</b> CLEVELAND COUNTY



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**Layer: Parcels**

**SEQNUM:** 22277  
**Owner1:** RUCKER WILLIAM G  
**Owner2:** RUCKER JAMES WEBB  
**PIN:** 2566232670  
**ParcelNo:** 22277  
**OwnerName1:** RUCKER WILLIAM G  
**OwnerName2:** RUCKER JAMES WEBB  
**OwnerAddr1:** PO BOX 776  
**OwnerAddr2:** SHELBY NC 28151-0776  
**OwnerCity:** SHELBY  
**OwnerState:** NC  
**OwnerZip:** 28151-0776  
**ParcelAddr:** CAROLYN DR  
**DeedBook:** 1563  
**DeedPage:** 1577  
**MapNo:** 6- 9  
**Block:** 1  
**Lot:** 115  
**LandArea:** 6.263  
**LandValue:** 15202  
**AdjValue:** 15202  
**TaxYear:** 2023  
**TaxCode2:** R  
**ParRdName:** CAROLYN  
**ParRdType:** DR  
**NeighCode:** 28  
**Use\_Code:** R  
**Tax\_District:** 51  
**TAZ:** 4036  
**DeedBook\_Page:** 1563-1577  
**Deeded\_Acres:** 6.263  
**SUM\_Calculated\_Acres:** 6.20019792

<b>Layer: Shelby Zoning</b> <b>ZoneType:</b> R20 <b>Municipality:</b> City of Shelby
<b>Layer: 2000 Census Tracts</b> <b>Census Tract:</b> 950700
<b>Layer: NC House and Senate Districts</b> <b>Senate:</b> 44th
<b>Layer: Cleveland County School Districts</b> <b>Elementary:</b> ELIZABETH ELEMENTARY <b>Middle:</b> SHELBY MIDDLE SCHOOL <b>High:</b> SHELBY HIGH SCHOOL
<b>Layer: Flood Zones</b> <b>GRID:</b> 2566 <b>PANEL :</b> 3710256600J
<b>Layer: Voting Precincts</b> <b>Precinct:</b> Shelby 5 <b>Voting Site:</b> WALLS MEMORIAL BAPTIST CHRUCH
<b>Layer: Fire Districts</b> <b>DISTRICT:</b> Gardner
<b>Layer: Watersheds</b> <b>ZONE:</b> NONE
<b>Layer: Jurisdictional Limits</b> <b>Name:</b> SHELBY - ETJ

DATE 7/14/23  
 TIME 14:50:44  
 USER SHERRYL

CLEVELAND COUNTY  
 PROPERTY CARD  
 FOR YEAR 2023

PAGE 1  
 PROG# AS2006

RUCKER WILLIAM G  
 RUCKER JAMES WEBB  
 PO BOX 776

PARCEL ID.. 21879  
 LOCATION... BORDERS RD  
 DEED YEAR/BOOK/PAGE.. 2022 1473 2223  
 PLAT BOOK/PAGE..  
 LEGAL DESC:73.096 AC OFF RD 2047

PIN... 6- 2 1 2U  
 ASSESSMENT NONE .00 .00 .00  
 OWNER ID.. 1222686  
 DISTRICT.. 51 COUNTY SCH DIST (WATER)

SHELBY  
 DESCRIPTION

TOWNSHIP... 6 SHELBY  
 NC 28151-0776

NBRHOOD... 31 6-2 6-3 6-8A #06  
 RESIDENTIAL

MAINTAINED.. 11/18/2022 BY MAGALYR VALUED.. 11/18/2022 BY MAGALYR  
 VISITED..... 11/18/2022 BY BP TYPE OF REVIEW  
 PARCEL STATUS... ACTIVE

ROUTING#..  
 CATEGORY.. GROUP 100

SALES HISTORY

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
1473 2223	8/02/2022	PARENT PARCEL	SPLIT/NO SALE			RUCKER WILLIAM G & JAMES WEBB
1473 2223	7/15/2022	PARENT PARCEL	SPLIT/NO SALE			RUCKER WILLIAM G & JAMES WEBB
1473 2223	12/30/2005	DEED	ADDITION PARCEL			RUCKER WILLIAM G & JAMES WEBB
1158 0286	2/22/1995	DEED	QUALIFIED			RUCKER PHILLIP R & W/CAROLYN
1144 0820	4/07/1994	DEED	MINERAL OR TIMB			CLEVELAND CONTRACTORS INC
13W 304	1/01/1971	SALE	QUALIFIED		25.00	

LAND SEGMENTS

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV
1		13	AC OPEN	58.133	5,400.00	.00	.00	.00	60.00	.00	80.00	48.00	150,680
		LUV..	LU A4	58.133	645.00							.00	37,495
2		13	AC WOODS	10.556	5,400.00	.00	.00	.00	60.00	.00	80.00	48.00	27,361
		LUV..	LU A4	10.556	645.00							.00	6,808
3		13	AC OPEN	4.407	5,400.00	.00	.00	.00	60.00	.00	80.00	9.60	2,284
		LUV..	LU A4	4.407	645.00			OTHER ADJ...	.00	.00	20.00	.00	2,842
												.00	
													180,325
													47,145
													180,325
													58,629
													152,581

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE	2022 VALUE
FMV.....	180,325		0		180,325	211,210
APV.....	47,145		0		47,145	58,629
DEFERRED.	133,180		0		133,180	152,581

DATE 7/14/23  
 TIME 14:50:44  
 USER SHERRYL

CLEVELAND COUNTY  
 PROPERTY CARD  
 FOR YEAR 2023

PAGE 1  
 PROG# AS2006

RUCKER WILLIAM G  
 RUCKER JAMES WEBB  
 PO BOX 776

PARCEL ID.. 22277  
 LOCATION... CAROLYN DR  
 DEED YEAR/BOOK/PAGE.. 2008 1563 1577  
 PLAT BOOK/PAGE..  
 LEGAL DESC:6.263AC OFF RD 2635 NANCY  
 DR  
 TOWNSHIP... 6 SHELBY  
 NC 28151-0776

PIN... 6- 9 1 115  
 ASSESSMENT NONE .00 .00 .00  
 OWNER ID.. 1222686  
 DISTRICT.. 51 COUNTY SCH DIST (WATER)

SHELBY  
 DESCRIPTION

NBRHOOD... 28 RUCKER DOWNS #06  
 RESIDENTIAL

MAINTAINED.. 7/27/2022 BY SHERRYL VALUED.. 7/21/2021 BY MAYES  
 VISITED..... 4/29/2021 BY DB TYPE OF REVIEW  
 PARCEL STATUS... ACTIVE

ROUTING#..  
 CATEGORY.. GROUP 100

----- SALES HISTORY -----

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
1563 1577	10/22/2008	QUIT CLAIM DEE				RUCKER WILLIAM G & JAMES WEBB
17J 409	7/31/2006	DEED				RUCKER PHILLIP R
17J 409	9/30/2002	PARENT PARCEL				RUCKER PHILLIP R & W/CAROLYN
17J 409	12/31/1999	PARENT PARCEL				RUCKER PHILLIP R & W/CAROLYN
0000 0000	10/03/1994	PARENT PARCEL				RUCKER PHILLIP R & W/ CAROLYN
14K 389	1/01/1973	SALE			16.50	

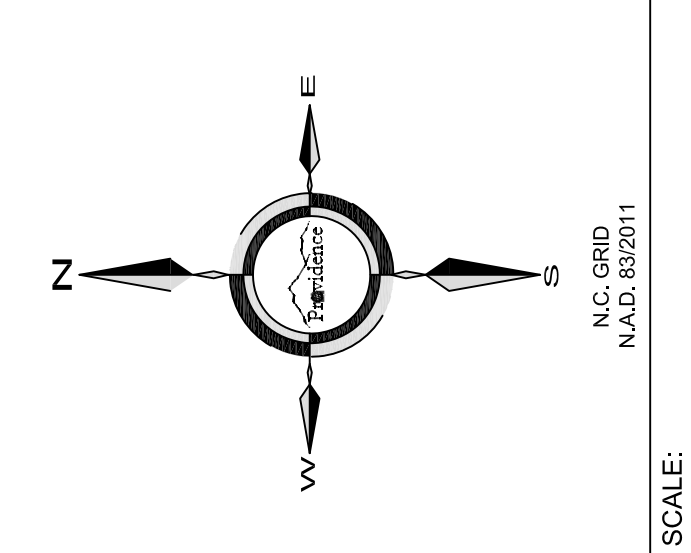
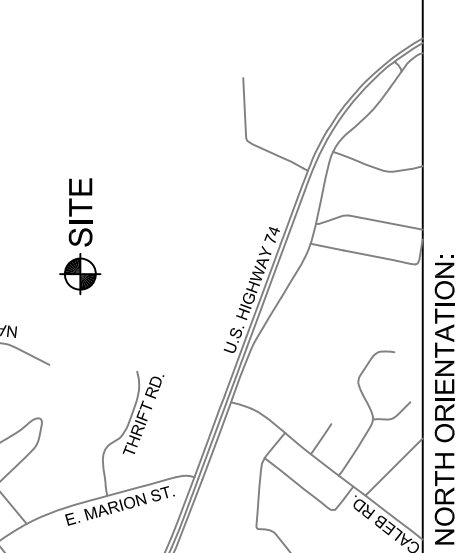
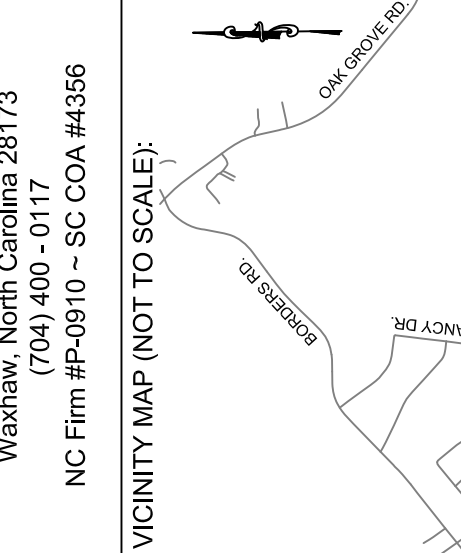
----- LAND SEGMENTS -----

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV
1		12	AC WOODS	6.263	6,200.00	.00	.00	.00	87.00	60.00	75.00	39.15	15,202
	TOTAL ACRES..			6.263								TOTAL LAND FMV..	15,202

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE	2022 VALUE
FMV.....	15,202		0		15,202	15,202
APV.....	15,202		0		15,202	15,202



**SURVEYOR:**  
**Providence**  
 Providence Land Group, PLLC  
 1044 Newberry Road  
 Waxhams, NC 28387  
 (704) 400-0117  
 NC Firm #P-0810 - SC COA #4336



**PROJECT:**  
 ANNEXATION PLAT FOR  
**THE CITY OF SHELBY**  
 CONCERNING THE PARCELS OF  
**WILLIAM G. RUCKER**  
 AND **JAMES WEBB RUCKER**

TOWNSHIP NO. 6  
 CLEVELAND COUNTY  
 NORTH CAROLINA  
 PARCEL NO. 21879  
 AND 22277

DEED BOOK 1473, PAGE 2223  
 DEED BOOK 1563, PAGE 1577

**OWNER AT TIME OF SURVEY:**  
 WILLIAM G. RUCKER  
 AND JAMES WEBB RUCKER  
 P.O. BOX 776  
 SHELBY, NC 28151

**LEGEND:**  
 AC - ACRES  
 CIA - CONTROLLED ACCESS  
 DB - DEED BOOK  
 (H.G.) - HORIZONTAL GROUND  
 N.A.D. - NORTH AMERICAN DATUM  
 N.A.V.D. - NORTH AMERICAN VERTICAL DATUM  
 N.C.D.O.T. - NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
 N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY  
 P.B. - PLAT BOOK  
 P.N. - PARCEL NUMBER  
 PROJ. - PROJECT  
 RW - RIGHT-OF-WAY  
 SQ.FT. - SQUARE FEET  
 (T) - TOTAL

**REVISIONS:**  
 DATE ISSUED FOR REV

DATE: AUGUST 2, 2023  
 DRAWN BY: J.S.  
 PROJ. NUMBER: 23042  
 SHEET NUMBER: 1 of 1  
 DRAWING FILE: 23042-ANNEXATION  
 P.L.R. 1/2/23

**CURVE TABLE**

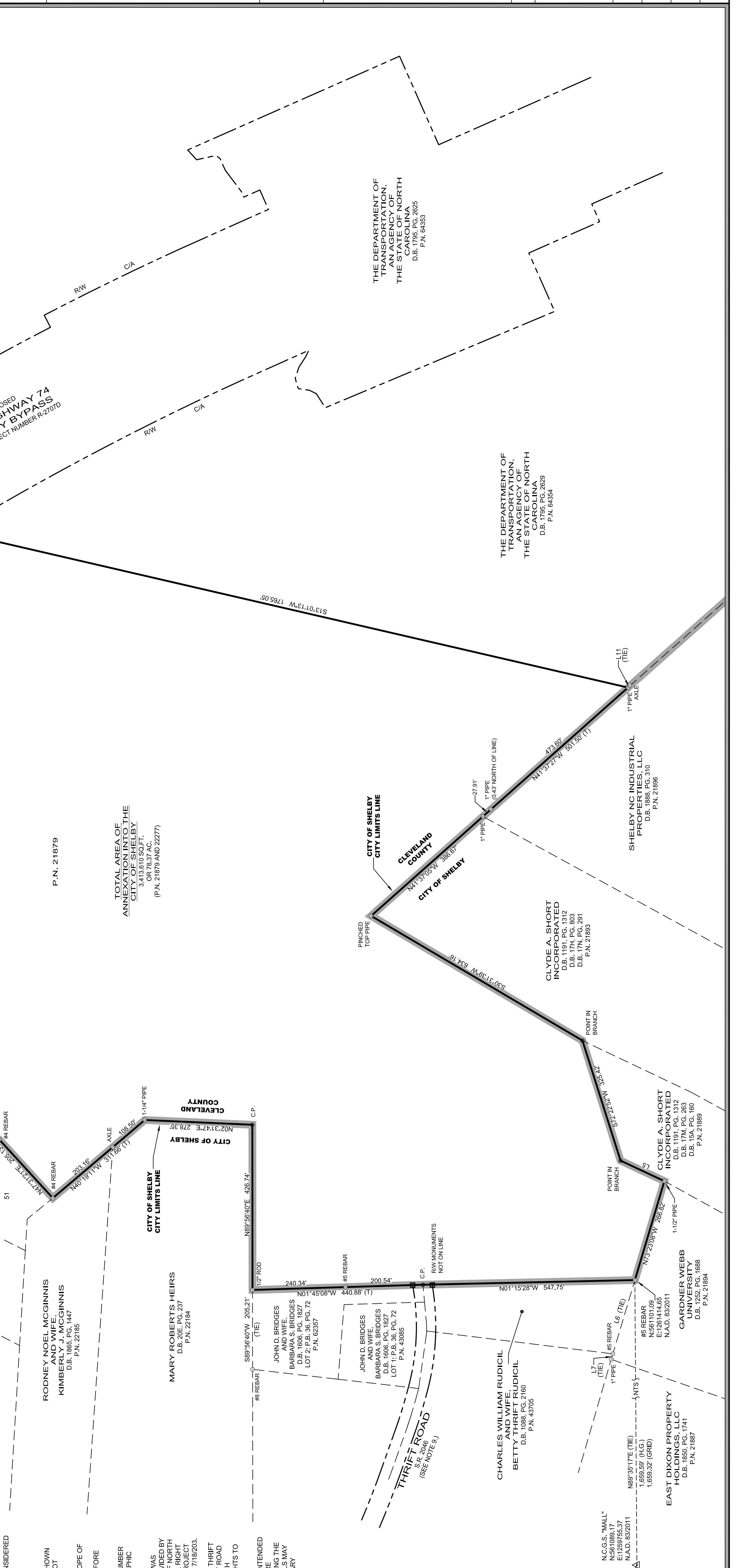
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C2	185.04	7439.71	S39°08'17"E	185.04
C3	311.57	7439.71	S39°08'17"E	311.54
C4	133.27	7439.71	S31°20'02"E	133.27

**LINE TABLE**

LINE	LENGTH	DIRECTION
L1 (T)	173.37	N27°08'35"E
L2	59.96	N07°02'50"E
L3	36.92	S51°19'35"W
L4	15.17	S66°11'24"W
L5	123.00	S25°01'52"W
L6	198.90	N73°23'08"W
L7	14.80	N73°23'08"W
L8	198.99	N63°05'51"W
L9	200.00	N62°59'54"W
L10	13.11	N51°19'35"E
L11	7.53	S53°31'16"E

**PURPOSE STATEMENT:**  
 THE PURPOSE OF THIS PLAT IS TO ANNEX THE SUBJECT PARCELS INTO THE CITY OF SHELBY. THIS MAP IS NOT A BOUNDARY SURVEY OF THESE PARCELS AND IS NOT TO BE USED FOR SALES AND CONVEYANCES.

**LEGEND:**  
 N.C.G.S. MONUMENT  
 SURVEY MONUMENT FOUND - AS DESCRIBED  
 CALCULATED POINT  
 N.C.D.O.T. DISC FOUND  
 CONCRETE RW MONUMENT FOUND  
 TREE  
 ANNEXATION LINE  
 ADJACENT OWNER LINE (UNSURVEYED UNLESS DIMENSIONED)  
 TIE LINE  
 RW LINE  
 CITY LIMITS (AT TIME OF SURVEY)  
 NOT TO SCALE



**SURVEYOR CERTIFICATE**  
 STATE OF NORTH CAROLINA, CLEVELAND COUNTY  
 I, MATTHEW J. STIKELMEYER, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME (REFERENCES NOTED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS NOTED; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000; AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30. AS AMENDED;

**GPS CERTIFICATE**  
 I, MATTHEW J. STIKELMEYER, CERTIFY THAT THIS PROJECT WAS SURVEYED USING GPS SURVEYING FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION, AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:  
 (1) CLASS OF SURVEY: "A"  
 (2) DATE OF SURVEY: 08/01/2023  
 (3) TYPE OF GPS FIELD PROCEDURE: NETWORK RTK USING THE N.C.G.S. REAL-TIME NETWORK  
 (4) DATE OF SURVEY: 08/01/2023  
 (5) FIXED CONTROL USED: N.C.G.S. "WALL" AND "KEETER"  
 (6) GEOID MODEL: G1808  
 (7) UNITS: U.S. SURVEY FEET  
 (8) DATUM: N.A.V.D.  
 (9) ELEVATION: 1029.20  
 (10) THE INITIAL STATE PLANE COORDINATES WERE SCALED FROM GRID TO GROUND (LOCALIZED) USING THE INVERSE OF COMBINED GRID FACTOR 8092.20, N.A.V.D. 88.

**FLOOD NOTE**  
 PARCELS IN ZONE "X" (AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO THE NATION FLOOD INSURANCE PROGRAM F.I.R.M. MAP NUMBER: 371025600L, MAP REVISED: 2/20/2008.

**NOTES:**  
 1. ALL DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES AND ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF AND ALL COORDINATES SHOWN ARE STATE PLANE (GRID) COORDINATES, UNLESS OTHERWISE NOTED.  
 2. THIS MAP WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE EXAMINATION BY AN ATTORNEY AND MAY BE SUBJECT TO EASEMENTS, COVENANTS, RESTRICTIONS AND OTHER MATTERS EITHER RECORDED OR UNRECORDED.  
 3. INFORMATION CONCERNING NEIGHBORING PARCEL LINES AND OWNERSHIP WAS DERIVED FROM THE CLEVELAND COUNTY GEOGRAPHIC INFORMATION SYSTEM. THE LOCATION OF NEIGHBORING PARCEL LINES ARE TO BE CONSIDERED AS BEING LOCATED AS SHOWN ON THE GIS AND THE OWNERSHIP INFORMATION IS TO BE CONSIDERED AS BEING NOW OR FORMERLY.  
 4. AREA COMPUTED BY THE COORDINATE GEOMETRY METHOD.  
 5. ROAD RIGHT-OF-WAY OTHER THAN SHOWN ON THE SUBJECT PARCEL IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY, AND ITS EXISTENCE AND LOCATION IS NOT CERTIFIED TO BY THE UNDERSIGNED.  
 6. NO UNDERGROUND UTILITIES WERE LOCATED AND MAPPED UNDER THE SCORE OF WORK FOR THIS SURVEY. IT IS THE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES BEFORE BEGINNING ANY CONSTRUCTION OR DIGGING.  
 7. PARCEL NUMBER 21879 IS ZONED "R" (CLEVELAND COUNTY) AND PARCEL NUMBER 22277 IS ZONED R20 (CITY OF SHELBY) PER THE CLEVELAND COUNTY GEOGRAPHIC INFORMATION SYSTEM.  
 8. INFORMATION CONCERNING PROPOSED U.S. HIGHWAY 74 SHELBY BYPASS WAS DERIVED FROM THE DEEDS ARE REFERENCED HEREON AND PER PLANS PROVIDED BY THE CLEVELAND COUNTY DEPARTMENT OF TRANSPORTATION. THE RIGHT-OF-WAY, EASEMENTS AND PROPERTY TIES, CLEVELAND COUNTY, WITH TIP PROJECT NUMBER R-2707, RIGHT OF WAY DATE: JANUARY 10, 2019 AND LETTING DATE: 7/18/2020.  
 9. NO WRITTEN CONVEYANCE OF PUBLIC RIGHT-OF-WAY MONUMENTS CONCERNING THRIFT ROAD, CONCRETE RIGHT-OF-WAY MONUMENTS FOUND AT THE END OF THRIFT ROAD MAY INDICATE THE POSSIBILITY OF A 50' RIGHT-OF-WAY. HOWEVER, THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION MAY CLAIM MAINTENANCE RIGHTS TO ALL PORTIONS OF THE ROADWAY THAT THEY MAINTAIN.  
 10. THIS PLAT IS NOT A BOUNDARY SURVEY OF THE PARCELS SHOWN AND IS INTENDED TO BE USED FOR RECORDING PURPOSES ONLY. THE NEIGHBORING PARCEL LINES SHOWN ON THIS PLAT ARE FOR RECORDING PURPOSES ONLY. THE BOUNDARY LINES OF THE PARCELS MAY DIFFER FROM THE ANNEXATION LINES THROUGH THE FINDINGS OF A BOUNDARY SURVEY.

**REVIEW OFFICER:**  
 STATE OF NORTH CAROLINA  
 COUNTY OF CLEVELAND  
 COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

**REVIEW OFFICER:**  
 DATE

**REVIEW OFFICER:**  
 DATE

**REVIEW OFFICER:**  
 DATE

**REVIEW OFFICER:**  
 DATE

**RESOLUTION NO. 73-2023**

**A RESOLUTION DIRECTING THE CITY CLERK TO DETERMINE  
SUFFICIENCY OF A VOLUNTARY ANNEXATION PETITION FROM  
TRUE HOMES, LLC**

**WHEREAS**, the City of Shelby has received a petition for voluntary annexation from True Homes, LLC; and,

**WHEREAS**, North Carolina General Statute 160A-31 set forth standards allowing for contiguous annexation; and,

**WHEREAS**, the subject property, at the end of Thrift Road and has a connection to Nancy Drive, as identified within the petition meets the standards set forth in the above referenced statute; and,

**WHEREAS**, North Carolina General Statute 160A-58.2 set forth standards allowing for a public hearing to annex contiguous property; and,

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

Section 1. The City Clerk is hereby directed to investigate this petition and to certify the results of such investigation in writing to City Council at the regular meeting on November 20, 2023.

Section 2. That upon receipt of a favorable report as to the sufficiency of the petition from the City Clerk a public hearing is hereby scheduled to receive public comment on said petition in accordance to GS 160A-58.2 on December 4, 2023.

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

Adopted and approved this the 6th day of November 2023.

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O. Stanhope Anthony  
Mayor

ATTEST:

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Carol Williams  
City Clerk

Agenda Item: C-4

- 4) Approval of a resolution authorizing selection of McGill Associates based on qualifications for Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan:  
Resolution No. 74-2023

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

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- Memorandum dated November 1, 2023 from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Memorandum dated October 30, 2023 from Justin Wright, Civil Engineer to Ben Yarboro, Assistant City Manager
- Copy of Resolution No. 68-2023
- RFQ dated September 15, 2023
- Stormwater System map
- Resolution No. 74-2023

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City Manager's Recommendation / Comments

Resolution No. 74-2023 is presented for City Council consideration at this time. If approved this resolution would authorize selection of McGill Associates as the firm to perform professional engineering services for a citywide stormwater modeling, infrastructure assessment and master plan. This project is funded by a \$330,000 state grant aimed at assisting communities with stormwater system planning. Work is expected to be completed in 12-18 months.

**It is my recommendation that Resolution No. 74-2023 be adopted and approved by City Council via the Consent Agenda.**



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## *Memorandum*

**To:** Rick Howell, City Manager

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

**RE:** Recommendation for the Selection of McGill Associates for the Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan

**Date:** November 1, 2023

### **Background**

As noted in the attached memo from Justin Wright, Civil Engineer, in August of 2023 the City of Shelby received a funding award offer letter from the NC Division of Water Infrastructure for a \$330,000 grant for Stormwater Planning.

This grant award was based on an application that City Staff submitted in September of 2022. The anticipated scope of the project includes the following:

- Inventory and Assessment of Stormwater Collection Systems Citywide
- Hydrologic and Hydraulic Model & System Evaluation
- Evaluating Alternative Solutions to alleviate the deficiencies (Implement nature-based solutions to eliminate erosion and sedimentation)
- Evaluating System Upgrades
- Public Meeting, Education & Engagement
- Stormwater Masterplan

In compliance with NC General Statutes, City staff has recently completed the Request for Qualifications process for Professional Civil Engineering Services related to this stormwater planning project. This process complies with the Mini-Brooks Act and is a qualification based selection. After reviewing the five (5) statements of qualifications that were received, City staff determined that McGill Associates was the most qualified firm to perform the professional engineering tasks required for this project.

### **Recommendation**

City staff recommends that the Shelby City Council approve the resolution selecting McGill Associates as the firm to perform the Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master

Plan. This resolution will authorize the City Manager to negotiate an agreement that establishes the scope of work and fees associated with the professional civil engineering services that are to be completed.

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

## *Memorandum*

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

**From:** Justin Wright, Civil Engineer

**RE:** Recommendation to Award Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan

**Date:** October 30, 2023

### **Background**

The North Carolina General Assembly appropriated \$82 million from the state's allocation of the American Rescue Plan Act (ARPA) funding for stormwater projects. Utilizing this funding, NC established the Local Assistance for Stormwater Infrastructure Investments (LASII) fund. These funds were made available to municipalities and counties through a competitive grant process managed by NCDEQ. The purpose of this newly allocated funding is for construction and planning projects that will improve or create infrastructure for controlling stormwater quantity and quality.

In September of 2022, City staff contracted with a consultant to submit an application to the Division of Water Infrastructure with the intention of funding a modeling project that will aid in future planning for stormwater collection systems for the City of Shelby. The project submitted consists of the following:

- Inventory and Assessment of Stormwater Collection Systems Citywide
- Hydrologic and Hydraulic Model & System Evaluation
- Evaluating Alternative Solutions to alleviate the deficiencies (Implement nature-based solutions to eliminate erosion and sedimentation)
- Evaluating System Upgrades
- Public Meeting, Education & Engagement
- Stormwater Masterplan

In August of 2023, the City of Shelby received a funding award offer letter from the Division of Water Infrastructure (DWI) to fund this project. In September of 2023, City Council approved a resolution accepting the \$330,000 Stormwater Planning Grant offer from DWI.

## **Review**

On September 15, 2023, City staff advertised an RFQ for Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan. The City received five (5) responses to this advertisement prior to the October 6, 2023 deadline. Responses were received from the following firms (listed in alphabetical order):

- GEI Consultants of North Carolina – Cary, NC
- Kimley-Horn and Associates – Charlotte, NC
- McGill Associates – Asheville, NC
- Seamon Whiteside – Charlotte, NC
- Thomas & Hutton – Charlotte, NC

A review committee consisting of three (3) City staff members was established to complete independent reviews and score the five (5) responses that were received. After scoring was completed, the review committee discussed the results and determined that McGill Associates was the most qualified firm to perform the Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan.

## **Recommendation**

City staff recommends that the Shelby City Council approve the resolution selecting McGill Associates as the firm to perform the Professional Civil Engineering Services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan. This resolution will authorize the City Manager to negotiate an agreement that establishes the scope of work and fees associated with the professional civil engineering services that are to be completed.

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

Attachments:

- Resolution 68-2023
- RFQ Advertisement
- RFQ Scoring Sheets

**RESOLUTION NO. 68-2023**

**A RESOLUTION FOR THE ACCEPTANCE OF THE LOCAL ASSISTANCE FOR STORMWATER INFRASTRUCTURE INVESTMENTS (LASII) FUNDING GRANT OFFER FOR CITYWIDE STORMWATER MODELING, INFRASTRUCTURE ASSESSMENT, AND MASTER PLAN**

**WHEREAS**, the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs; and,

**WHEREAS**, the North Carolina Department of Environmental Quality has offered Local Assistance for Stormwater Infrastructure Investments (LASII) ARPA funding in the amount of \$330,000 to perform the work detailed in the submitted application; and,

**WHEREAS**, the City of Shelby intends to perform said project in accordance with the agreed scope of work.

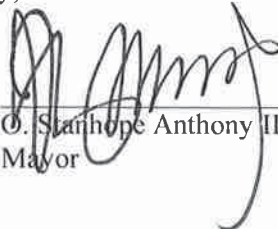
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:**

Section 1. That the City of Shelby does hereby accept the ARPA grant offer of \$330,000.

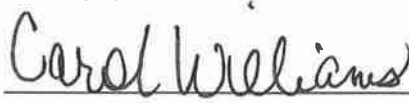
Section 2. That the City of Shelby does hereby give assurance to the North Carolina Department of Environmental Quality (NCDEQ) that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto.

Section 3. That Rick Howell, City Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this the 18<sup>th</sup> day of September 2023 at Shelby, North Carolina.

  
O. Starhope Anthony III  
Mayor

ATTEST:

  
\_\_\_\_\_  
Carol Williams  
City Clerk



**REQUEST FOR QUALIFICATIONS STATEMENT FOR PROFESSIONAL CIVIL  
ENGINEERING SERVICES FOR CITYWIDE STORMWATER MODELING,  
INFRASTRUCTURE ASSESSMENT, AND MASTERPLAN IN SHELBY, NC**

**Date: September 15, 2023**

The City of Shelby is requesting Statements of Qualification from interested and qualified firms to provide professional civil engineering services for Citywide Stormwater Modeling, Infrastructure Assessment, and Masterplan in Shelby, North Carolina.

**PURPOSE**

The purpose of this Request for Qualifications is to obtain expert professional, technical, and advisory services for the Citywide Stormwater Modeling, Infrastructure Assessment, and Masterplan in Shelby, North Carolina. The City has been experiencing widespread flooding caused by (1) rainfall/runoff exceeding the capacity of the existing stormwater system, (2) deteriorating infrastructure, and (3) increase in growth. The cost of repairs of the existing stormwater system exceeds the funding generated by the stormwater utility fee such that the City is not able to fund a stormwater study to develop a master plan to proactively meet current and future needs.

The main 3 challenges the City of Shelby is facing are:

1. Need for a maintenance and repair plan.
2. Need for a model to evaluate future infrastructure improvement to accommodate growth.
3. Need to evaluate existing stormwater system capacity and identify deficiencies.

**SCOPE OF WORK**

- 1) Inventory and Assessment
  - a. Complete the inventory and assessment of the existing stormwater network of the City. This task includes completing the mapping of the stormwater network with surveying of select pipes and structures for hydrologic and hydraulic modeling, visual inspections, and CCTV of pipes in known flooding locations.
- 2) Hydrologic and Hydraulic Model & System Evaluation
  - a. Develop a calibrated hydrologic and hydraulic model of the stormwater network. An integrated model, i.e., SWMM, will be used to model the closed and open conveyance network will be utilized. The City has documented flooding locations that can be used for model calibration and verification.
  - b. Evaluate existing conditions and generate a heat map of flood prone areas.
- 3) Evaluating Alternatives

- a. Evaluate alternatives to alleviate the deficiencies. For each identified locations, alternatives will be evaluated. Locations where nature-based solutions can be implemented to eliminate erosion and sedimentation in system will be identified.
- 4) Evaluating System Upgrades
  - a. Recommended solutions will be proposed based on a cost benefits analysis to improve both water quantity and quality.
  - b. Prepare facts sheets for each recommendation to summarize the cost benefits, challenges, and cost of implementation.
  - c. Prioritize recommended solutions based on implementation benefits, interdependency of projects, and evaluated benefits.
- 5) Public Meetings, Education & Engagement
  - a. Conduct public meeting to present the findings and recommended improvements to the public and promote education and engagement in the proposed solutions.
- 6) Masterplan
  - a. Prepare a masterplan to document findings, identify funding, and a capital improvement plan.

## **REQUIREMENTS**

The selected consultant will be required to enter into an agreement with the City of Shelby. The types of services and expertise required for this solicitation are described below. Consultants offering expertise in the services described below are encouraged to submit statements of qualifications.

## **PROPOSAL CONTENT AND EVALUATION**

Five (5) copies of your proposal must be received no later than 2:00 PM, October 6, 2023. The proposals must be addressed to:

City of Shelby  
 Attn: Justin Wright, Civil Engineer  
 824 W. Grover St.  
 Shelby, NC 28150

Include in your proposal the following specific items, which will assist in the evaluation of all proposals:

- 1) Project Approach:
  - a. Describe your team’s approach to successfully delivering the project. Provide details on how each task will be completed. Include any recommendations for maximizing effectiveness and efficiency.
- 2) Relevant Project Experience:
  - a. Provide a summary of your experience with similar projects, including location and client contact information. Specify the services provided, the office location from which the work was performed, and staff members’ responsibilities.
- 3) Project Team:
  - a. Provide an organizational chart identifying all staff assigned to the project, including any sub-contractors, defining roles, responsibilities, and task assignments for the duration of the project.
- 4) Qualifications of Personnel:
  - a. Provide relevant experience and qualifications of all personnel assigned to the project.

- 5) Scope of Work:
  - a. Provide an outline for keeping the project on schedule and within budget. Include projected workloads and staff availability, as well as a projected schedule for completion of significant milestones and the draft and final plan.
- 6) Insurance Certification:
  - a. Submit current insurance certificates for professional liability insurance, which indicates limits of liability. If selected, the successful firm shall provide certificates of insurance that also name City of Shelby as additional insured.
- 7) References:
  - a. Provide contact information for at least three (3) references for clients familiar with similar work by your firm.

Proposals shall be limited to a maximum of fifteen (15) pages, not including a cover page or cover letter.

DO NOT INCLUDE A PRICED PROPOSAL

### **INQUIRIES**

Questions that arise shall be submitted via email to Mr. Justin Wright at [Justin.Wright@cityofshelby.com](mailto:Justin.Wright@cityofshelby.com) by 2:00 PM, September 28, 2023. Questions and answers will be provided to others receiving this request.

### **INCURRING COSTS**

The City of Shelby is not liable for any cost incurred by the consultant in the preparation or presentation of a response to this request.

### **RIGHT OF AWARD OR REJECT**

It is understood that all submittals will become part of the public's file on this matter, without obligation to the City. The City of Shelby reserves the right to accept and/or reject any and all submittals.

### **SELECTION AND EVALUATION**

The City of Shelby will evaluate the submittals received. The City will review all requests, evaluate required criteria, select a consultant and enter into negotiations with the selected firm, or select a short list for interviews, then complete the process.

Each of the criteria listed in this outline will be evaluated on how fully each submittal meets the requirements, and each will be ranked. Particular emphasis will be placed on the consultant's past successful completion of similar projects shown by work summaries of the firm and individuals to do the work, and by references.

### **STATEMENT OF INTEREST AND QUALIFICATIONS**

Each submittal from a qualified consultant received in response to this request will be judged as a demonstration of the consultant's capabilities and qualifications. Only those consultants

who supply complete information as required by this request will be considered for evaluation. The factors used to determine those to be considered are:

- 1) An understanding of the requirements of this request demonstrated by the organization, clarity, and completeness of the submittal.
- 2) The past performance record and qualifications of the firm and the individuals who will do the work, verifiable through references and resumes, and
- 3) The ability of the consultant to provide a timely response.

### **EVALUATION CRITERIA**

The contract will be awarded to a qualified consultant. Minimum standards for qualifications are:

- 1) Technical Approach/Understanding of Project (30%)
- 2) Experience of Proposed Personnel (20%)
- 3) Availability of Staff and Resources (20%)
- 4) Relevant Experience with Inventory Assessment, Hydrologic and Hydraulic Model & System Evaluation, and Masterplan development (25%)
- 5) Location of the Firm Relative to the Project (5%)

### **SELECTION**

The City of Shelby will form a selection committee that will evaluate the submittals received. The City will review all requests, evaluate required criteria, select a consultant and enter into negotiations with the selected firm, or select a short list for interviews, then complete the process.

Each of the criteria listed in this outline will be evaluated on how fully each submittal meets the requirements, and each will be ranked. Particular emphasis will be placed on the consultant's past successful completion of similar projects shown by work summaries of the firm and individuals to do the work, and by references.

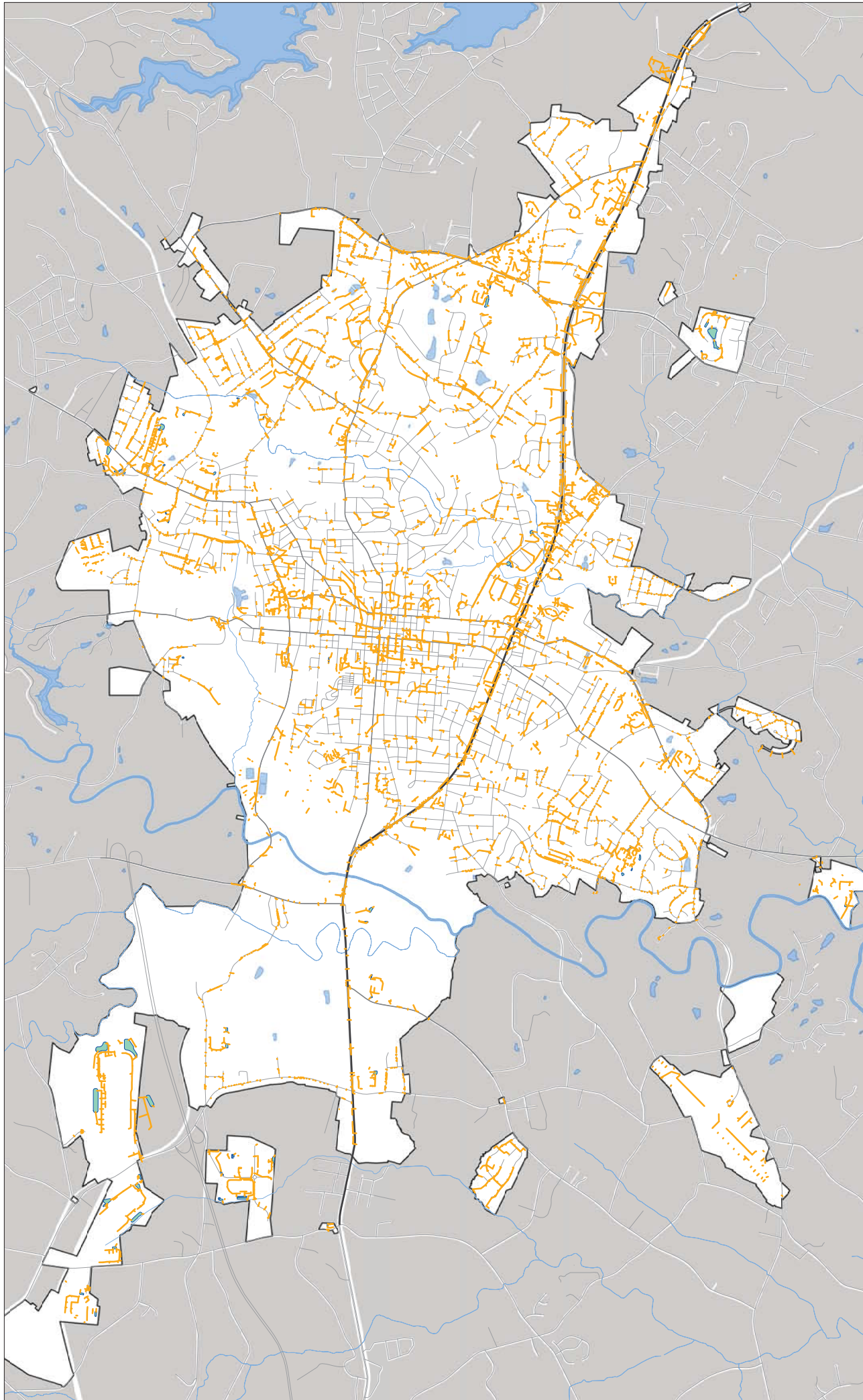
After selection of a consultant, a contract will be prepared based on a negotiated Scope of Services and final fee proposal. Should the negotiations be unsuccessful with the number one ranked firm, negotiations will cease with that firm, and negotiations will begin with the number two ranked firm. This process will continue until a satisfactory contract is completed.

### **CONTRACT REQUIREMENTS**

The final consultant will be required to complete a Service Contract, which will incorporate the submittal and work schedule as a part of the contract. In addition, it will be necessary for the successful consultant to be covered by Workman's Compensation insurance, which will extend to the work done within the State of North Carolina.

## **NONDISCRIMINATION**

The City of Shelby complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal and state financial assistance. Therefore, the City of Shelby does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in the City's programs and activities.



City of Shelby  
Stormwater  
System

- Stormwater Line
- Streams
- BMPs
- Waterbodies

1 inch = 1,500 feet  
0 0.5 1 2 Miles

**RESOLUTION NO. 74 – 2023**

**A RESOLUTION AUTHORIZING SELECTION OF MCGILL ASSOCIATES  
BASED ON QUALIFICATIONS FOR PROFESSIONAL CIVIL ENGINEERING  
SERVICES FOR THE CITYWIDE STORMWATER MODELING,  
INFRASTRUCTURE ASSESSMENT, AND MASTER PLAN**

**WHEREAS**, the City of Shelby desires to obtain expert professional civil engineering services related to the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan; and,

**WHEREAS**, the City of Shelby must contract with a professional civil engineering firm to provide the professional civil engineering services needed for the Citywide Stormwater Modeling, Infrastructure Assessment, and Master Plan; and,

**WHEREAS**, City staff issued a Request for Qualifications on September 15, 2023 to obtain professional civil engineering services from interested firms related to this project in accordance with North Carolina General Statute 143-6.31; and,

**WHEREAS**, five (5) proposals were received on October 6, 2023 from professional civil engineering firms interested in performing the work associated with this project; and,

**WHEREAS**, City staff has reviewed the proposals and determined that McGill Associates is the most qualified firm to perform and provide the services as outlined in the Request for Qualifications.

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

Section 1. The City Council of the City of Shelby hereby desires for the City Manager to enter into negotiations with McGill Associates to negotiate a contract for the above referenced project.

Section 2. If a fair and reasonable fee cannot be negotiated with the best qualified firm, negotiations will be terminated and initiated with the next best qualified firm.

Section 3. The City Manager is hereby authorized to execute a contract with a firm after successful negotiations.

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

Adopted and Approved this the 6<sup>th</sup> day of November, 2023.

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

Agenda Item: C-5

- 5) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Seattle Crossing Underground Electric Project: Ordinance No. 51-2023

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

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- Memorandum dated November 1, 2023 from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Memorandum dated October 30, 2023 from Marc Kennedy, Electric Systems Technician to Ben Yarboro, Assistant City Manager
- Seattle Street Subdivision layout
- Border States quote
- Ordinance No. 51-2023

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City Manager's Recommendation / Comments

Ordinance No. 51-2023 is presented for City Council consideration at this time. If adopted this ordinance would establish a capital project budget ordinance for the purchase of electric system materials for the new residential development known as Seattle Crossing. This ordinance authorizes the appropriation of \$55,000 from the Electric Fund Net Retained Earnings (fund balance) for the purchase of materials needed to complete the project. The actual labor for this project will be bid out and awarded to the lowest responsible bidder. An amendment to the project budget ordinance will be presented for consideration by Council once that has occurred.

**It is my recommendation that Ordinance No. 51-2023 be adopted and approved by City Council via the Consent Agenda.**





Post Office Box 207 · Shelby, NC 28151-0207

## *Memorandum*

**To:** Rick Howell, City Manager

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

**Cc:** Beth Beam, Director of Finance

**RE:** Project Budget Ordinance for Underground Electric Materials for Seattle Crossing Residential Development Project

**Date:** November 1, 2023

### **Background**

As noted in the attached memo, the City of Shelby was chosen by the developer of the Seattle Crossing subdivision to be the electric provider. This development is located on approximately 31 acres and will result in the construction of 78 single family residences. A map of this site is attached for reference.

The City contracted with Progressive Engineering to complete a design and develop a detailed material list. This material list was then advertised and bids were received on October 26, 2023. The bid summary is as follows:

<b>Company Name</b>	<b>Submitted Bid</b>
Border States Electric	\$55,044.18
Wesco Distribution (Partial Bid)	\$23,676.60
State Electric	Unresponsive

The lowest responsive bid was from Border States Electric, with a price of \$55,044.18. The bid form from Border States Electric is attached to this document for your reference.

### **Recommendation**

City Staff recommends the attached Project Budget Ordinance in the amount of \$55,100.00 be established via an Electric Fund Balance transfer for the Underground Electric Materials for the Seattle Crossing Residential Development Project.

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

## *Memorandum*

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

**From:** Marc Kennedy, Electric Systems Technician

**RE:** Materials for Seattle Crossing Underground Electric Project

**Date:** October 30, 2023

### **Background**

On January 11, 2023, Don Peeler Realty received its approval for the development of a subdivision near the intersection of Seattle Street and Melrose Drive in the City of Shelby. During the review process, City Departments reviewed plans to ensure the development met City standards and ensures the City can provide the development with the utilities that would meet their needs.

With the City of Shelby having electric lines located on Seattle Street near Melrose Drive, the City of Shelby ensures it can meet the developer's needs. With Don Peeler Realty selecting the City of Shelby to provide its electric needs, the City Electric Department contracted with Progressive Engineering, a professional engineering services firm, to design the electric system for each of the subdivisions. With the cost of the engineering services being less than \$30,000, the City was able to select Progressive Engineering without going through the QBS (Qualifications Based Selection) process, using the Mini-Brooks Act Exemption established through G.S. 143-64.32.

### **Review**

Progressive Engineering designed the electric layout for the Seattle Crossing Subdivision. City Staff then worked with Progressive Engineering to establish a list of materials needed for this subdivision and advertised a bid opening for the materials needed for the Seattle Crossing Subdivision. The advertisement for the bid opening was sent to prospective bidders on October 6, 2023. Bids were due by October 26, 2023. There was one complete bid and one partial bid received. There was also one unresponsive bidder. Below is a summary of the bids that were received.

Company Name	Submitted Bid
Border States Electric	\$55,044.18
Wesco Distribution (Partial Bid)	\$23,676.60
State Electric	Unresponsive

The lowest responsive bid was from Border States Electric, with a price of \$55,044.18. The bid is attached to this memo for reference. The materials in this bid are for the installation of electric infrastructure specific to the Seattle Crossing subdivision and will add 81 single family homes to our electric distribution system. This project will also add 17 transformers and 7,300 feet of underground primary to our system.

The bid includes 19 decorative streetlights, wire for the streetlights, and secondary connectors. There are also fused elbows and fuses, along with some other small necessities for the primary electric system in the Seattle Crossing subdivision.

**Recommendation**

City Staff recommends that the Shelby City Council approve the resolution awarding the bid for the Materials for Seattle Crossing Subdivision Electric Project to the lowest responsive bidder, Border States Electric, for the bid price of \$55,044.18.

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

Attachments:

- Map of Seattle Crossing Subdivision
- Border States Electric Bid

# Parcel 49682 - Seattle Street Subdivision



57

<ul style="list-style-type: none"> <li>Gravity Sewer Main</li> <li>Force Sewer Main</li> <li>Sewer Service Line</li> <li>Manhole</li> </ul>	<ul style="list-style-type: none"> <li>Lift Station</li> <li>Water Main</li> <li>Water Lateral</li> <li>Gas Main</li> </ul>	<ul style="list-style-type: none"> <li>Gas Service Line</li> <li>Stormwater Line</li> <li>Stormwater Inflow</li> <li>Stormwater Junction Box</li> </ul>	<ul style="list-style-type: none"> <li>Stormwater Discharge</li> <li>Primary Overhead Electric Line</li> <li>Primary Underground Electric Line</li> <li>Secondary Underground Electric Line</li> </ul>
---	---	---	--



Border States Electric - GNV  
 422 Fairforest Way  
 Greenville SC 29607-4436  
 Phone: 864-242-6880

**Quote**

**BSE Quote:** 27243882  
**Sold-To Acct #:** 188075  
**Valid From:** 10/12/2023 **To:** 10/19/2023  
**PO No:** QUOTE - OWNER-FURNISHED  
**Payment Terms:** Net 30 days

**Created By:** Kirk Layton  
**Tel No:** 864-235-4304  
**Fax No:**

CITY OF SHELBY NC  
 FINANCE DEPT  
 PO Box 207  
 SHELBY NC 28151

**Inco Terms:**  
 PPA PREPAID AND ALLOW FREIGHT

**Ship-to:**  
 CITY OF SHELBY NC  
 FINANCE DEPT  
 824 W GROVER ST  
 SHELBY NC 28150-2920

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
	000010	3352302 HLP - FSC5553RDGBJ 3PH FG CAB PS ABOVE/ BELOW ITEM 4 - STOCK Expected Delivery Date: 10/13/2023	1 EA	2,743.12 / 1	EA	2,743.12
	000020	2061356 CHN - 215J3U 15KV 200A 3POS JUNC ITEM 6 - STOCK Expected Delivery Date: 10/13/2023	4 EA	256.34 / 1	EA	1,025.36
	000030	- LFEP215TFECB06AT, FUSED ELBOW ITEM 8 - 80 WEEKS. DOES NOT INCLUDE FUSE. Expected Delivery Date: 10/13/2023	4 EA	592.03 / 1	EA	2,368.12
	000040	152948 CPR - 3238018C10M 15KV DEADFRNT ELB ARR8.4MCOV ITEM 9 - STOCK Expected Delivery Date: 10/13/2023	5 EA	81.41 / 1	EA	407.05
	000050	1226052 CHN - 215SB INS PARKING BUSH 15KV 200A ITEM 10 - STOCK Expected Delivery Date: 10/13/2023	5 EA	77.26 / 1	EA	386.30
	000060	- FI-3C S04BAM, FAULT INDICATOR ITEM 12 - 12-14 WEEKS Expected Delivery Date: 10/13/2023	17 EA	257.03 / 1	EA	4,369.51
	000070	2243924 BARE - BARE-SD-2-7STR-CU-125R ITEM 16 - 2-3 WEEKS. QUOTING 2 X 125' REELS	250 FT	1,500.00 / 1,000	FT	375.00
	000080	- DELGADO, UG AL #4 DUPLEX 1X1200' ITEM 18 - 12-14 WEEKS Expected Delivery Date: 10/13/2023	1,200 EA	1,001.00 / 1,000	EA	1,201.20

BSE Quote: 27243882  
 Sold-to Acct #: 188075  
 Valid From: 10/12/2023 To: 10/19/2023

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
	000090	156009 THHN - THHN-12-BLK-19STR-CU-4/500CTN ITEM 19 - STOCK Expected Delivery Date: 10/13/2023	500 FT	176.00 / 1,000	FT	88.00
	000100	156029 THHN - THHN-12-WHT-19STR-CU-4/500CTN ITEM 20 - STOCK Expected Delivery Date: 10/13/2023	500 FT	176.00 / 1,000	FT	88.00
	000110	156064 THHN - THHN-12-GRN-19STR-CU-4/500CTN ITEM 21 - STOCK Expected Delivery Date: 10/13/2023	500 FT	176.00 / 1,000	FT	88.00
	000120	871003 CHN - C6CSO24 6IN BKT W/24IN LONG 4WAY TSLOT ITEM 22 - 16-18 WEEKS	5 EA	83.90 / 1	EA	419.50
	000130	871016 CHN - CSTK2 STRAP CONDUIT KIT 2IN ITEM 23 - 4-6 WEEKS Expected Delivery Date: 10/16/2023	33 EA	10.02 / 1	EA	330.66
	000140	3429837 ALU - F3CA-MV-A3618-C4-H 3 PHASE FG BRACKET ITEM 24 - 16-18 WEEKS	1 EA	248.00 / 1	EA	248.00
	000150	1104044 CHN - CCS820 SUPPORT CABLE POSITIONER ITEM 25 - 14-16 WEEKS Expected Delivery Date: 10/17/2023	3 EA	60.79 / 1	EA	182.37
	000160	647218 MMM - 7642-S-2-1/0 15KV.64-1.08CLD SHRNK TRMTN ITEM 26 - STOCK Expected Delivery Date: 10/13/2023	3 EA	54.74 / 1	EA	164.22
	000170	2715710 CHN - CP710143P 15KV 200A POLY CUTOUT ITEM 27 - 4-6 WEEKS Expected Delivery Date: 12/08/2023	3 EA	247.79 / 1	EA	743.37
	000180	2110359 MPS - ZHP0100C00100 10KV HEAVY DUTY ARRESTER ITEM 28 - STOCK Expected Delivery Date: 10/13/2023	3 EA	54.06 / 1	EA	162.18
	000190	3393010 ECMP - CEMC20 PVC GLUE QUART ATTENTION: Hazardous material: Check Shipping Requirements. DO NOT SHIP AIR !! ITEM 29 - STOCK Expected Delivery Date: 10/13/2023	1 EA	13.65 / 1	EA	13.65

**BSE Quote:** 27243882  
**Sold-to Acct #:** 188075  
**Valid From:** 10/12/2023 **To:** 10/19/2023

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
	<b>000200</b>	<b>2243873</b> EPVC - SCH40-2IN-10FT-PVC-CONDUIT ITEM 33 - STOCK Expected Delivery Date: 10/13/2023	<b>550 FT</b>	230.00 / 100	FT	1,265.00
	<b>000210</b>	- EL-237-12, E-LOC 2" COUPLING ITEM 34 - 2-4 WEEKS Expected Delivery Date: 10/13/2023	<b>50 EA</b>	16.23 / 1	EA	811.50
	<b>000220</b>	<b>2243876</b> EPVC - SCH40-3IN-10FT-PVC-CONDUIT ITEM 36 - 2-3 WEEKS	<b>550 FT</b>	438.00 / 100	FT	2,409.00
	<b>000230</b>	- EL-350-12, E-LOC 3" COUPLING ITEM 37 - 2-4 WEEKS Expected Delivery Date: 10/13/2023	<b>54 EA</b>	24.70 / 1	EA	1,333.80
	<b>000240</b>	<b>165328</b> APC - HP-T369/S TYPE HP PREP KIT W/SANDPAPER ITEM 40 - 3-4 WEEKS	<b>60 EA</b>	13.73 / 1	EA	823.80
	<b>000250</b>	<b>1548700</b> APC - HP-P63 TYPE HP TANDEM PACK CBL PREP KIT ATTENTION: Hazardous material: Check Shipping Requirements. DO NOT SHIP AIR!!! ITEM 41 - 3-4 WEEKS	<b>50 EA</b>	15.68 / 1	EA	784.00
	<b>000260</b>	<b>165340</b> APC - DT-69 200CNT 6IN X 9IN DRY TOWELS ITEM 42 - 3-4 WEEKS	<b>2 EA</b>	80.62 / 1	EA	161.24
	<b>000270</b>	<b>3144527</b> MMM - 368 RED CAUTION ELEC TAPE 6IN X 1000FT ITEM 43 - 3-4 WEEKS	<b>8 EA</b>	51.01 / 1	EA	408.08
	<b>000280</b>	<b>115152</b> MMM - 2228-2X10FT RUBBER MASTIC TAPE ITEM 44 - STOCK Expected Delivery Date: 10/13/2023	<b>5 EA</b>	29.74 / 1	EA	148.70
	<b>000290</b>	<b>115002</b> MMM - 37-3/4X66FTW/1-1/2IN-CORE ALL WEATHER ITEM 45 - STOCK Expected Delivery Date: 10/13/2023	<b>10 ROL</b>	3.20 / 1 1 ROL= 1	ROL EA	32.00
	<b>000300</b>	<b>151990</b> PENU - CDT-303-8 PRESS-ON CONN ITEM 47 - 12-14 WEEKS	<b>5 EA</b>	1.68 / 1	EA	8.40
	<b>000310</b>	<b>167916</b> GRD - 5/8X8FT CU GROUND ROD NON-THRD 615880 1 EA = 1 (8' ROD) ITEM 48 - STOCK Expected Delivery Date: 10/13/2023	<b>20 EA</b>	21.39 / 1	EA	427.80

**BSE Quote:** 27243882  
**Sold-to Acct #:** 188075  
**Valid From:** 10/12/2023 **To:** 10/19/2023

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
	<b>000320</b>	<b>122804</b> BUR - GRC58 5/8 GROUND ROD CLAMP ITEM 49 - 2-3 WEEKS	<b>20 EA</b>	3.82 / 1	EA	76.40
	<b>000330</b>	<b>121944</b> BUR - KS31 350MCM SPLIT BOLT CONN ITEM 50 - 2-3 WEEKS	<b>25 EA</b>	28.19 / 1	EA	704.75
	<b>000340</b>	<b>- VX15148G2AF3ENA5NNNNSP1LN</b> ITEM 51A - 10-12 WEEKS Expected Delivery Date: 10/13/2023	<b>19 EA</b>	1,149.00 / 1	EA	21,831.00
	<b>000350</b>	<b>3346570</b> SHAK - BS18-01S1BE39 18FT FG POLE BLACK DIRECT ITEM 51B - STOCK Expected Delivery Date: 10/13/2023	<b>19 EA</b>	442.90 / 1	EA	8,415.10

Total \$			55,044.18
State Tax \$	0.000 %	0.00	
County Tax \$	0.000 %	0.00	
Local Tax \$	0.000 %	0.00	
Other Tax1 \$	0.000 %	0.00	
Other Tax2 \$	0.000 %	0.00	
Other Tax3 \$	0.000 %	0.00	
Tax Subtotal \$	0.000 %	0.00	0.00
<b>Net Amount \$</b>			<b>55,044.18</b>

To access BSE's Terms and Conditions of Sale, please go to  
<https://www.borderstateselectric.com>

The quoted sales tax is an estimate only based upon the information provided in this quote and will be finalized at the time of Invoice based upon the material purchased, quantity purchased, and delivery location.

Shipping and handling fees in this quote are an estimate only and will be finalized at the time of Invoice.

All clerical errors contained herein are subject to correction. In the event of any cost or price increases from manufacturers or other suppliers, caused by, but not limited to, currency fluctuations, raw material or labor prices, fuel or transportation cost increases, and any import tariffs, taxes, fees, or surcharges, BSE reserves the exclusive right to change its pricing at the time of shipping and will provide notice of any such change to its customers prior to costs being incurred.



ORDINANCE NO. 51-2023

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE  
AND BUDGETS FOR THE CITY OF SHELBY'S  
SEATTLE CROSSING 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 establish a capital project ordinance and budgets for the City of Shelby's Seattle Crossing Underground Electric 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 electric system utility infrastructure, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to extend electric utility infrastructure to adequately serve a development known as Seattle Crossing. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Fund Balance:

Fund Balance Appropriated	63006000-39900	\$55,100
Transfer to Electric Capital Projects	630731-49631	\$55,100

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

Revenues:		
Transferred from Electric Fund	63106000-39630-63880	\$55,100
Appropriation:		
Construction	631736-53000-63880	\$55,100

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.

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

\_\_\_\_\_  
O. Stanhope Anthony III  
Mayor

Ordinance No. 51-2023  
November 6, 2023  
Page 2

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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Jason Lunsford  
City Attorney

**Agenda Item: C-6**

- 6) Electric Material Purchase for the 2023 Residential Development Projects
- a) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's Underground Electric Projects FY24: Ordinance No. 52-2023
  - b) Approval of a resolution awarding the contracts for the purchase of the underground electric materials for the 2023 Residential Development Projects: Resolution No. 75-2023

**Consent Agenda Item: (Rick Howell, City Manager & Ben Yarboro, ACM)**

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- Memorandum dated November 1, 2023 from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Memorandum dated October 30, 2023 from Marc Kennedy, Electric Systems Technician to Ben Yarboro, Assistant City Manager
- Subdivision Electric Projects maps
- Request for quote information
- Ordinance No. 52-2023
- Resolution No. 75-2023

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City Manager's Recommendation / Comments

Ordinance No. 52-2023 is presented for City Council consideration at this time. If adopted this ordinance would establish a capital project budget ordinance for the purchase electric system materials for the new residential developments known as the Villas at Kingsview, Cambridge Commons, Riverwalk and Willow Estates. This ordinance authorizes the appropriation of \$651,000 from the Electric Fund Net Retained Earnings (fund balance) for the purchase of materials needed to complete the projects. The actual labor for these projects will be bid out and awarded to the lowest responsible bidders. An amendment to the project budget ordinance will be presented for consideration by Council once that has occurred. These projects have the potential to add approximately 700 new residential units to the City's electric system. Each project owner has signed a customer choice agreement with the City to provide electric service.

Resolution No. 75-2023 is presented for City Council consideration at this time. If adopted this resolution would authorize the award of contracts for the purchase of underground electric materials for the new residential developments known as the Villas at Kingsview, Cambridge Commons, Riverwalk and Willow Estates.

**It is my recommendation that Ordinance No. 52-2023 and Resolution No. 75-2023 be adopted and approved by City Council via the Consent Agenda.**

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***Memorandum***

**To:** Rick Howell, City Manager

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

**Cc:** Beth Beam, Finance Director

**RE:** Project Budget Ordinance and Resolution Awarding the Electric Material Purchase for the 2023 Residential Development Projects

**Date:** November 1, 2023

**Background**

As an electric provider, the City of Shelby strives to offer reliable service to existing and new customers. Over the last few years, the City has experienced a substantial amount of residential growth and there are multiple additional residential subdivision projects that are currently progressing towards construction. In cases where the City of Shelby has the capacity and the legal authority to provide electric service to new developments, we work with the developers to have designs completed by professional engineering firms that meet the projects demands. With the long lead times that electric industry materials have experienced over the last 2-3 years, the City has had to become more proactive in ordering and obtaining materials to meet the timelines of project construction. As a reference, 1/0 primary underground wire that is used for all underground installations for residential developments has a lead time of 4-5 months. Transformer pads have a current lead time of 5-6 months, and elbows (plugs) for primary wire going into each transformer have a lead time of 7-8 months.

As detailed in the attached memo from Marc Kennedy, Electric Systems Technician, the City of Shelby has completed the bidding process on materials that are currently needed to meet the needs of upcoming projects. These materials were categorized based on material types and four separate advertisements and quotes were received. The quote descriptions and low bids received on October 23, 2023 are as follows:

- Material Group #1 – 156,000 LF of Red Roll Conduit
  - Tarheel Supply - \$99,345.82
- Material Group #2 – 55,000 LF of 1/0 Primary Wire
  - Border States Electric - \$232,940.95

- Material Group #3 – 82,000 LF of Secondary Wire and 500 Primary Elbows
  - Wesco Distribution - \$232,025.00
- Material Group #4 – Misc. Materials (Transformer Pads, Conduit, Pedestals)
  - Wesco Distribution - \$86,353.00

The total of all 4 quotes is \$650,664.77. These material quantities were compiled based on the infrastructure needs of five residential developments (Seattle Crossing, Villas of Kingsview, Cambridge Commons, Riverwalk, and Willow Estates). Maps and electric system layouts for these proposed developments are attached for reference.

These 5 subdivisions will result in the construction of approximately 292 single family residences, 228 townhomes and 98 apartments. It is important to note that these materials are commonly used materials that can be utilized in the future on other development projects if any one of the currently planned projects does not come to fruition.

### **Recommendation**

City staff recommends approval of the Project Budget Ordinance that appropriates \$651,000 from the Electric Fund Balance to establish a budget for the purchase of the aforementioned electric system materials.

Additionally, staff recommends approval of the attached Resolution that authorizes the award of the four (4) separate bids for these electric system materials to the following vendors:

- Tarheel Supply - \$99,345.82
- Border States Electric - \$232,940.95
- Wesco Distribution - \$232,025.00
- Wesco Distribution - \$86,353.00

Please advise if you have any questions or if additional information is needed.

## *Memorandum*

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

**From:** Marc Kennedy, Electric Systems Technician

**RE:** Material Order for Seattle Crossing, Villas of Kingsview, Cambridge Commons, Riverwalk, and Willow Estates Underground Electric Projects

**Date:** October 30, 2023

### **Background**

During the year 2023, the City of Shelby has received requests to provide electric service to the following subdivisions: Seattle Crossing, Villas of Kingsview, Cambridge Commons, Riverwalk, and Willow Estates. During the review process, City departments reviewed the plans to ensure each development met City standards and to ensure that the City could provide the developments with the utilities that would meet their needs.

With the City of Shelby having electric lines located on or near each of these parcels (Seattle Crossing - 49682, Villas of Kingsview - 65616 and 59304, Cambridge Commons - 23210, Riverwalk - 2551, and Willow Estates - 73741), the City of Shelby ensures it can meet the developer's needs. With each of the builders selecting the City of Shelby to provide its electric needs, the City Electric Department contracted with Progressive Engineering, a professional engineering services firm, to design the electric system for each of the subdivisions. With the cost of the engineering services being less than \$30,000, the City was able to select Progressive Engineering without going through the QBS (Qualifications Based Selection) process, using the Mini-Brooks Act Exemption established through G.S. 143-64.32.

### **Review**

Progressive Engineering designed the electric layout for each of the subdivisions. City Staff then worked with Progressive Engineering to establish a list of materials needed for each subdivision and advertise a bid opening for the materials needed for these subdivisions. The bids were divided into four (4) separate bids to achieve the lowest possible price for materials, and an advertisement for this bid opening was

sent out to prospective bidders on October 6, 2023. Bids were received and opened on October 23, 2023. The bids are as follows:

**Bid Opening #1 – 55,000’ of Primary Wire**

Company Name	Bid Submitted
Border States Electric	\$232,940.95
Wesco Distribution	\$234,850.00
State Electric	Unresponsive

**Bid Opening #2 – 156,000’ of Red Roll Conduit**

Company Name	Bid Submitted
Tarheel Supply	\$99,345.82
Wesco Distribution	\$105,590.00
Border States Electric	\$113,558.16
State Electric	Unresponsive

**Bid Opening #3 – 82,000’ of Secondary Wire/500 Primary Elbows**

Company Name	Bid Submitted
Wesco Distribution	\$232,025.00
Border States Electric	\$249,779.22
State Electric	Unresponsive

**Bid Opening #4 – Miscellaneous Materials (Sweeping Elbows, Transformer Pads, Conduit, Pedestals, Secondary Blocks, and Pedestal Connectors)**

Company Name	Bid Submitted
Wesco Distribution	\$86,353.00
Border States Electric	\$109,155.50
State Electric	Unresponsive

The lowest responsive bids for each of the four (4) bid openings are attached to this memo for your reference. These subdivision projects are either currently in the construction phase or will be in the construction phase within the next three (3) months and will consist of 292 single family homes, 228 townhomes, and 98 apartments.

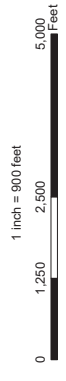
**Recommendation**

City Staff recommends that the Shelby City Council approve the resolution awarding the bids for the materials for Seattle Crossing, Villas of Kingsview, Cambridge Commons, Riverwalk, and Willow Estates Underground Electric Projects to the lowest responsive bidders for each of the four (4) bids that are presented. City Staff will request an Electric Fund Balance Transfer to cover the cost of these projects.

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

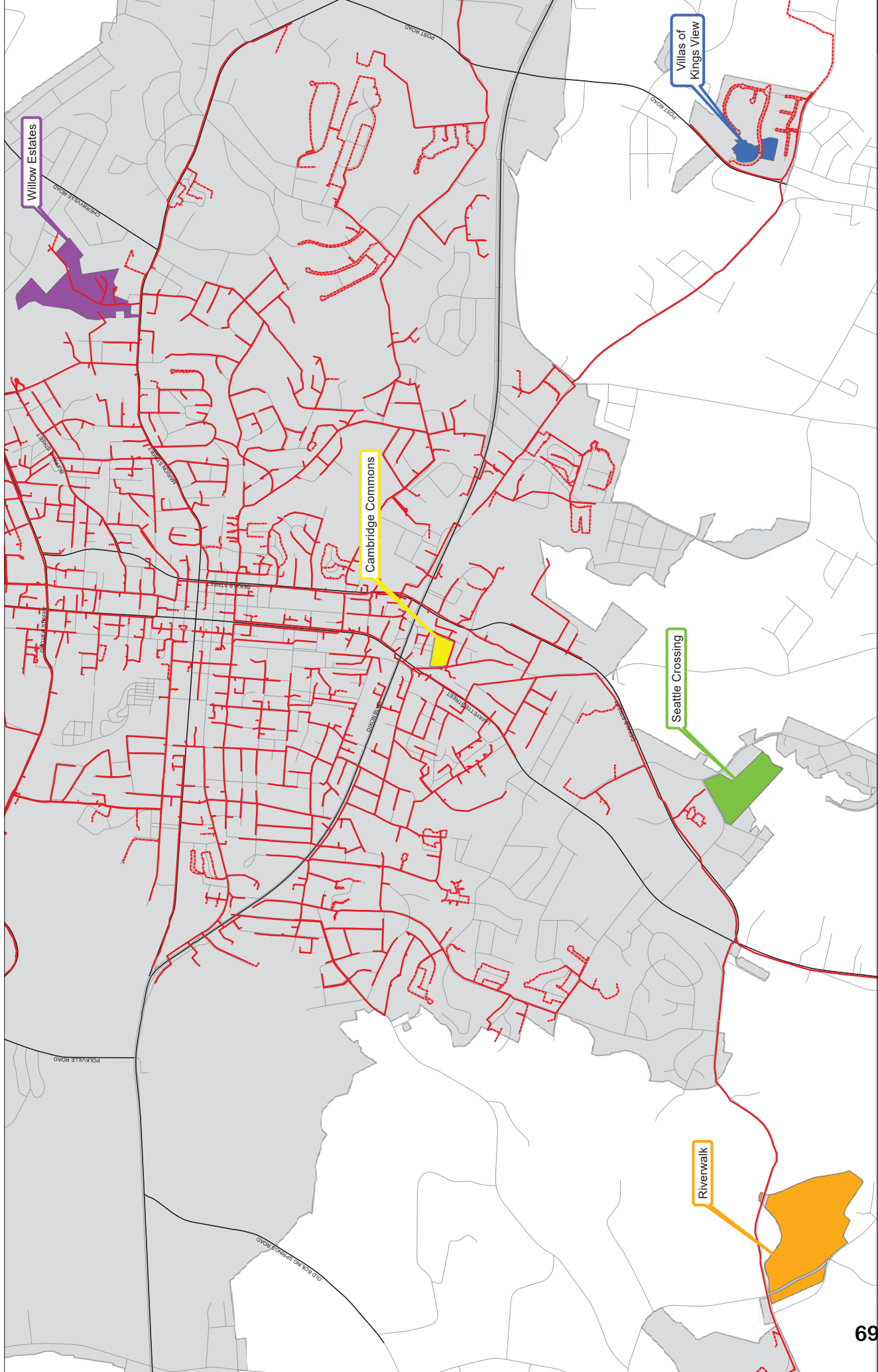
**Attachments:**

- Subdivision map
- Lowest responsive bids for four (4) bid openings



### Subdivisions Electric Projects

- Riverwalk
- Seattle Crossing
- Cambridge Commons
- Willow Estates
- Villas of Kingsview
- Shelby City Limits
- Primary Overhead Electric
- Primary Underground Electric








# Parcel 49682 - Seattle Street Subdivision



70

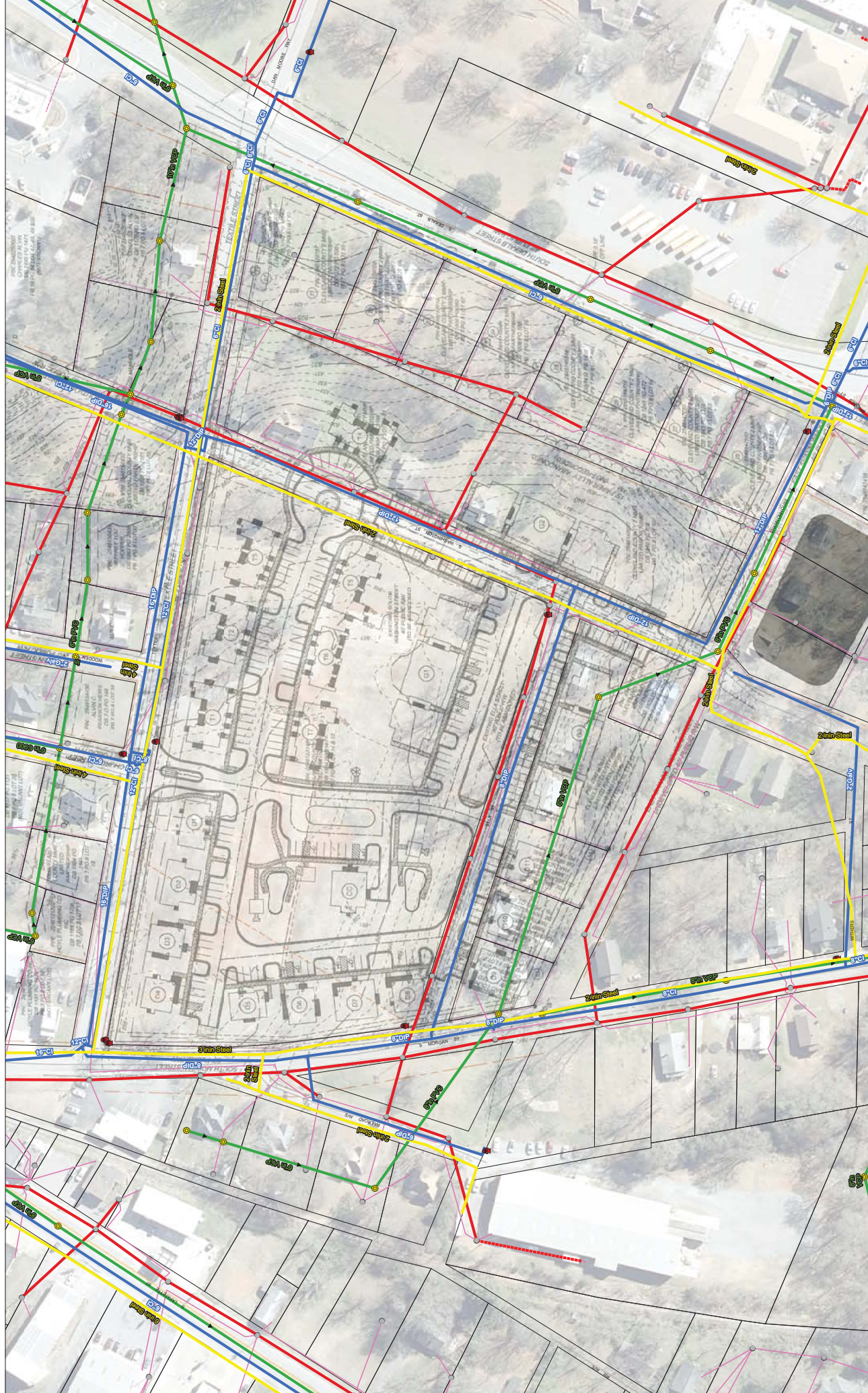
- Gravity Sewer Main
- Force Sewer Main
- Sewer Service Line
- Manhole
- Lift Station
- Water Main
- Water Lateral
- Gas Main
- Gas Service Line
- Stormwater Line
- Stormwater Inflow
- Stormwater Junction Box
- Stormwater Discharge
- Primary Overhead Electric Line
- Primary Underground Electric Line
- Secondary Underground Electric Line





### Cambridge Commons Utilities



- Water Main
- Gravity Sewer Mains
- Force Sewer Mains
- Primary Overhead Electric Line Segment
- - - Primary Underground Electric Line Segment
- - - Secondary Overhead Electric Line Segment
- - - Secondary Underground Electric Line Segment
- Sewer Manholes
- Lift Stations
- Hydrants
- Support Structure

# Parcel 2551 - Riverwalk Subdivision



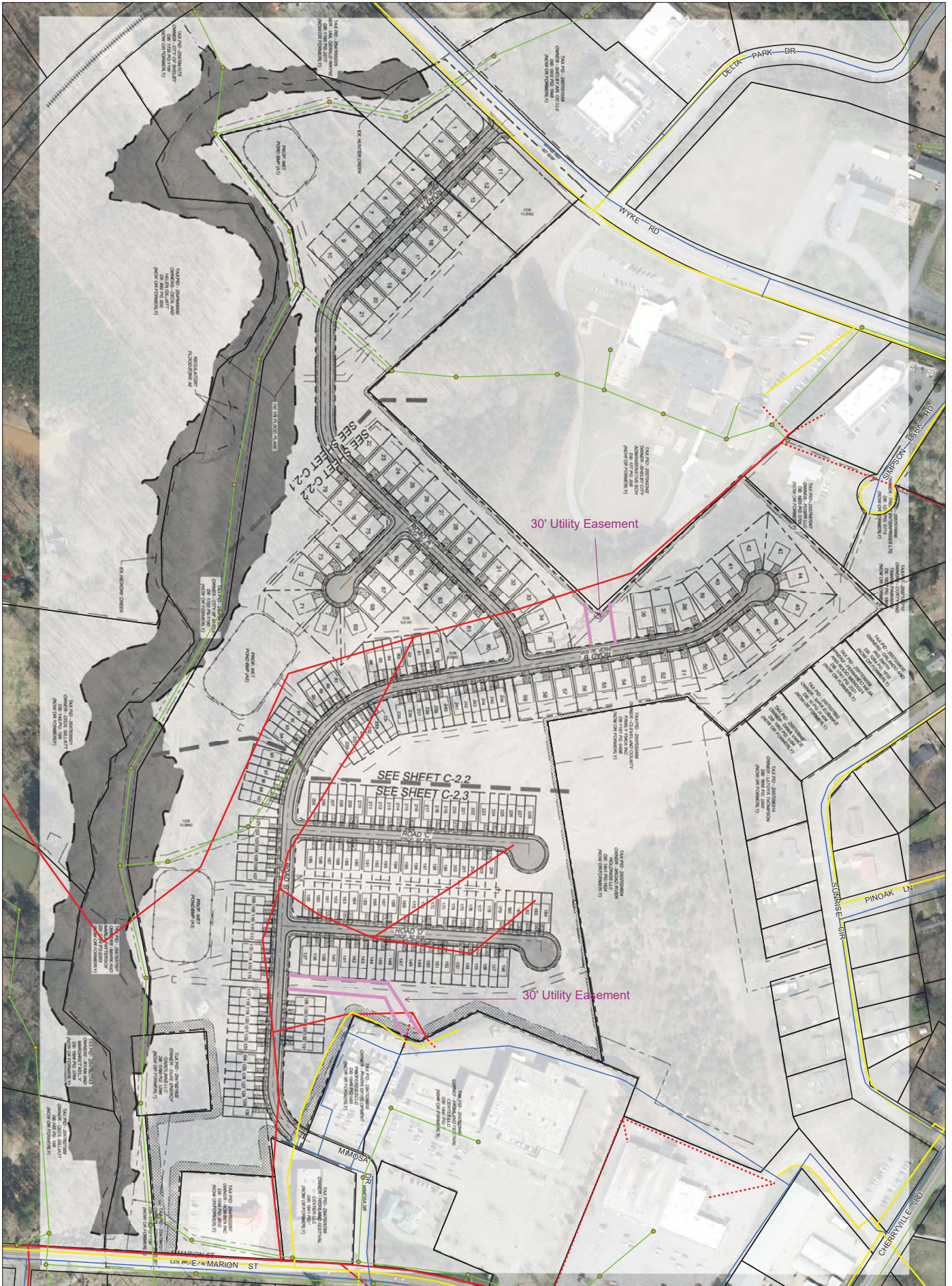
- Parcels
- Gravity Sewer Main
- Force Sewer Main
- Manhole
- Lift Station
- Water Main
- Hydrant
- Water Lateral
- Primary Overhead Electric Line
- Primary Underground Electric Line
- Secondary Overhead Electric Line
- Secondary Underground Electric
- Gas Main

1 inch = 125 feet  
 0 125 250 500 Feet

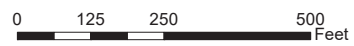


Odom Engineering, PLLC  
 RIVERWALK SUBDIVISION  
 LOT LAYOUT  
 20193

# Parcel 73741 - Willow Estates Subdivision



- Gravity Sewer Main
- Water Main
- Primary Overhead Electric Line
- Gas Main
- - - Primary Underground Electric Line
- Manhole



# REQUEST FOR PRICE QUOTATION

## FOR THE CITY OF SHELBY

FROM: CALEB CARPENTER (704) 669-6571



PLEASE RETURN  
 QUOTE NO LATER  
 THAN  
 OCT 25 2023  
 2:00 PM

ITEM #	Qty.	BID REQUEST 2 - PRIMARY WIRE	EACH	TOTAL	SHIPPING PROMISE
55,000 FT		1/0 PRIMARY WIRE - 1/C #1/0-19X ALUMINUM FILLED STRAND, 220 MIL EPR INSULATION, OKONITE PART # 163-23-3072			
		*QUOTING 2 MANUFACTURER'S BELOW			
		*OPTION 1 - KERITE 111F15-C1200-001, 1/0 STR 15KV EPR 220MIL	4.28038	\$ 235,420.90	40-50 WEEKS
		or			
		*OPTION 2 - PRYSMIAN 20127245, 1/0 STR 15KV EPR 220MIL	4.23529	\$ 232,940.95	16-20 WEEKS
		**TOTAL PRICE BELOW IS FOR OPTION 2			
ALL QUOTES ARE TO BE FOB DELIVERED TO THE CITY OF SHELBY					

BORDER STATES

 Company Represented

TOTAL \$ 232,940.95

DATE SENT 10/18/2023 8:07

Contact Signature

QUOTE NO.

27246753

# TARHEEL CONTRACTORS SUPPLY, INC

162 PORTER ROAD  
ROCK HILL, SC 29730

QUOTE #: 00177111

Bill To:

Ship To:

CITY OF SHELBY\*  
FINANCE DEPT.  
P.O.BOX 207  
SHELBY, NC 28150

CITY OF SHELBY\*  
CALEB: 704-669-6571  
824 W. GROVER ST.  
SHELBY, NC 28150

SALESPERSON		YOUR NO.		SHIP VIA		TERMS		DATE		PG.
MICHAEL/SARAH				FLATBED		Net 30		10/18/2023		1
QTY.	ITEM NO.	DESCRIPTION			PRICE	UNIT	DISC %	EXTENDED PRICE	TX.	
15,000	1-13.5-R-T-5000	1" SDR 13.5 RED W/ 2500# TAPE (5000')			\$0.242			\$3,630.00	X	
136,000	2-13.5-R-T-4000	2" SDR 13.5 RED W/ 2500# TAPE (4000')			\$0.579			\$78,744.00	X	
5,000	3-13.5-R-2500#T-1000	3" SDR 13.5 RED W/ 2500# TAPE (1000')			\$1.35			\$6,750.00	X	
	/	LEAD TIME ON 2" & 3" IS 2-3 WEEKS. LEAD TIME ON 1" IS 4-5 WEEKS. PRICE GOOD FOR 7 DAYS								
<b>CANCELLATIONS &amp; RETURNS</b> ALL CANCELLATIONS & RETURNS ARE SUBJECT TO A 25% RESTOCKING FEE. NO RETURNS OR CANCELLATIONS ALLOWED ON SPECIAL ORDERS.						SALE AMT. \$89,124.00 * FREIGHT \$3,940.00 X SALES TAX \$6,281.82 TOTAL AMT. \$99,345.82 PAID TODAY \$0.00				
<div style="border: 1px solid black; height: 20px; width: 100%;"></div>						BALANCE DUE		\$99,345.82		
* PLEASE NOTE FREIGHT IS ESTIMATE ONLY										







ORDINANCE NO. 52-2023

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT  
ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY’S  
UNDERGROUND ELECTRIC PROJECTS FY24

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 Underground Electric Projects FY24: 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 electric system utility infrastructure, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to extend electric utility infrastructure to adequately serve multiple residential subdivision developments in FY24. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Fund Balance:

Fund Balance Appropriated	63006000-39900	\$651,000
Transfer to Electric Capital Projects	630731-49631	\$651,000

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

Revenues:		
Transferred from Electric Fund	63106000-39630-63881	\$651,000
Appropriation:		
Construction	631736-53000-63881	\$651,000

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.

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

Ordinance No. 52-2023  
November 6, 2023  
Page 2

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

APPROVED AS TO FORM:

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Jason Lunsford  
City Attorney

**RESOLUTION NO. 75 – 2023**

**A RESOLUTION AWARDING THE CONTRACTS FOR THE PURCHASE  
OF THE UNDERGROUND ELECTRIC MATERIALS FOR THE  
2023 RESIDENTIAL DEVELOPMENT PROJECTS**

**WHEREAS**, the City of Shelby operates an electric distribution system that has electric distribution lines on or near multiple parcels of land that have planned residential subdivisions; and,

**WHEREAS**, parcel number 49682 located near the intersection of Seattle Street and Melrose Drive, parcel 23210 located near the intersection of S. Morgan Street and Textile Street, parcel 73741 located on Mimosa Drive near E. Marion Street, parcel 2551 located on Sam Lattimore Road, and parcels 59304 and 65616 located on Pinnacle Crossing; and

**WHEREAS**, the developers of these subdivisions have requested that the City of Shelby provide electric service to their residential projects, which are either in the construction phase or will be in the construction phase within approximately six (6) months and consist of 292 single family homes, 228 townhomes, and 98 apartments; and

**WHEREAS**, the City of Shelby is willing to provide safe and reliable electric service to the property where and when allowed by law; and,

**WHEREAS**, the City of Shelby and Progressive Engineering Consultants Inc. have prepared complete design documents and prepared a complete material list for the construction of the electrical systems for residential subdivisions, including, but not limited to Seattle Crossing, Villas of Kingsview, Cambridge Commons, Riverwalk, and Willow Estates subdivisions; and,

**WHEREAS**, The City of Shelby sent detailed material lists to the following four (4) vendors, Border States Electric, Wesco Distribution, State Electric, and Tarheel Supply, in four (4) separate bid documents; and,

**WHEREAS**, Tarheel supply was the apparent lowest complete bid for Bid #1 (Red Roll Conduit), in the amount of \$99,345.82. Border States Electric was the apparent lowest complete bid for Bid #2 (Primary Wire), in the amount of \$232,940.95. Wesco Distribution was the apparent lowest complete bid for Bid #3 (Secondary Wire/Primary Elbows), in the amount of \$232,025.00, and Wesco Distribution was the apparent lowest complete bid for Bid #4 (Miscellaneous Materials), in the amount of \$86,353.00.

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

Section 1. The contracts for the material order for City of Shelby's Subdivision Underground Electric Projects, as outlined in the bid specifications for this offering, is hereby awarded to Tarheel Supply for Bid #1 (Red Roll Conduit) in the amount of \$99,345.82, Border States Electric for Bid #2 (Primary Wire) in the amount of \$232,940.95,

Resolution No. 75-2023  
November 6, 2023  
Page 2

Wesco Distribution for Bid #3 (Secondary Wire/Primary Elbows) in the amount of \$232,025.00, and Wesco Distribution for Bid #4 (Miscellaneous Materials) in the amount of \$86,353.00 as stated in their official proposals for this bidding, and in accordance with the City's official bid specifications for this project.

Section 2. The City Manager of the City of Shelby or his designee is hereby authorized and directed to execute the applicable contracts and any change orders as specified in Section 1 of this resolution.

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

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

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O. Stanhope Anthony III  
Mayor

ATTEST:

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Carol Williams  
City Clerk

**Agenda Item: C-7**

7) Management Reports:

a) Financial Report – September, 2023

**Consent Agenda Item: (Rick Howell, City Manager)**

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➤ Financial Report – September 2023

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City Manager's Recommendation / Comments

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

**Shelby**  
NORTH CAROLINA

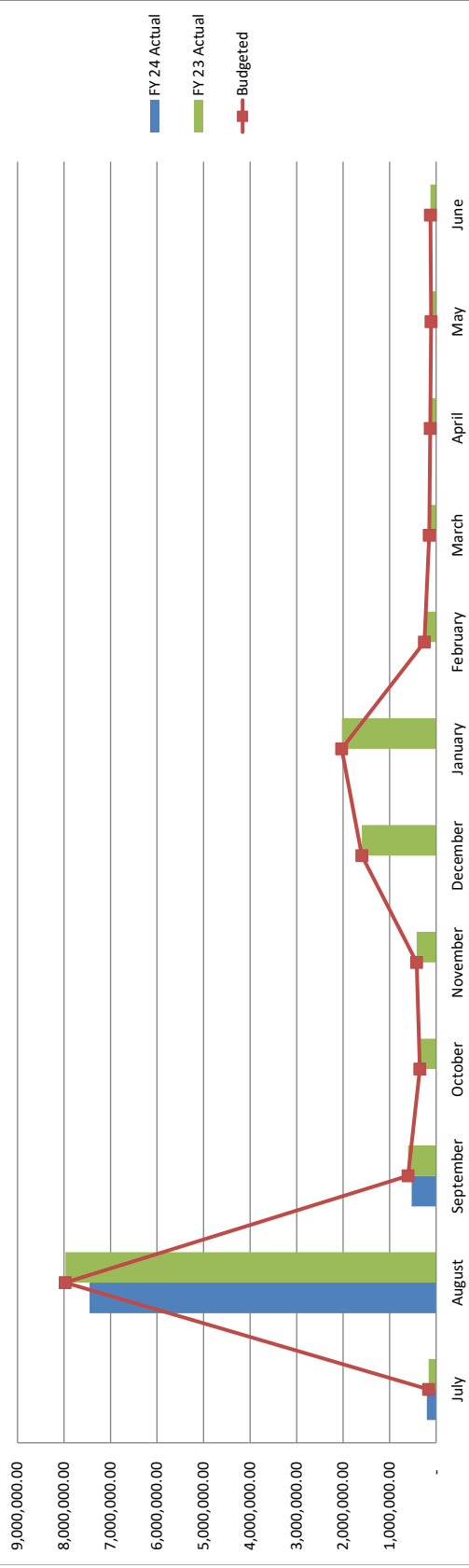


**Monthly Financial Summary  
September 2023**

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	527,189.17										
% of Budget	1.45%	53.58%	3.79%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	58.83%
Variance	41,768.36	(527,278.61)	(79,015.32)	(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)	(5,722,843.78)

Current Property Tax Collections Budgeted and Collected

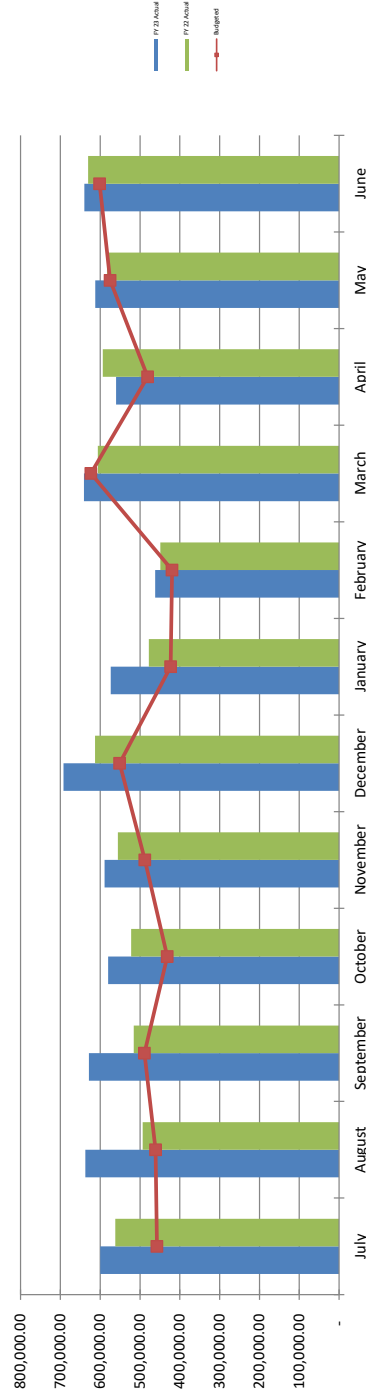




City of Shelby  
Sales Tax Collections  
FY 2023

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Budget	457,219.50	460,807.29	488,817.11	431,447.31	487,706.29	550,878.03	422,831.32	419,411.40	623,273.87	480,929.57	575,165.84	601,512.47	6,000,000.00
FY 2022	561,875.17	493,247.25	515,682.23	522,268.85	555,802.56	612,729.17	477,791.05	448,935.70	605,975.13	593,551.22	583,186.10	630,335.55	6,601,379.98
FY 2023	599,746.02	637,258.67	628,199.97	579,827.53	588,994.10	691,881.93	573,374.28	461,766.04	640,874.83	560,282.24	612,400.86	639,711.05	7,214,317.52
% of Budget	10.00%	10.62%	10.47%	9.66%	9.82%	11.53%	9.56%	7.70%	10.68%	9.34%	10.21%	10.66%	120.24%
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	38,198.58	1,214,317.52

Sales Tax Collections Budgeted and Collected



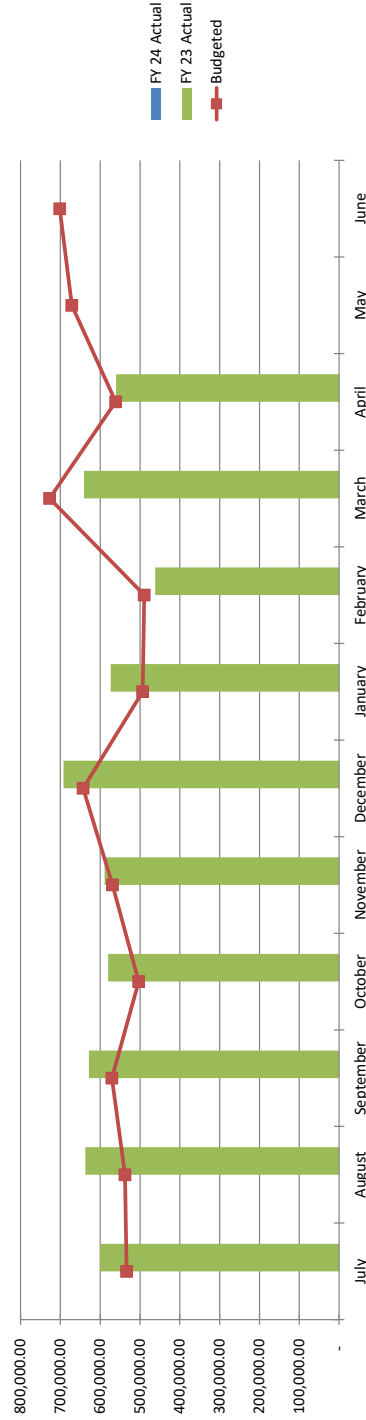
**Notes:**  
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".  
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-5.pdf>

**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](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
FY 2024	(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)
% 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													

### Sales Tax Collections Budgeted and Collected

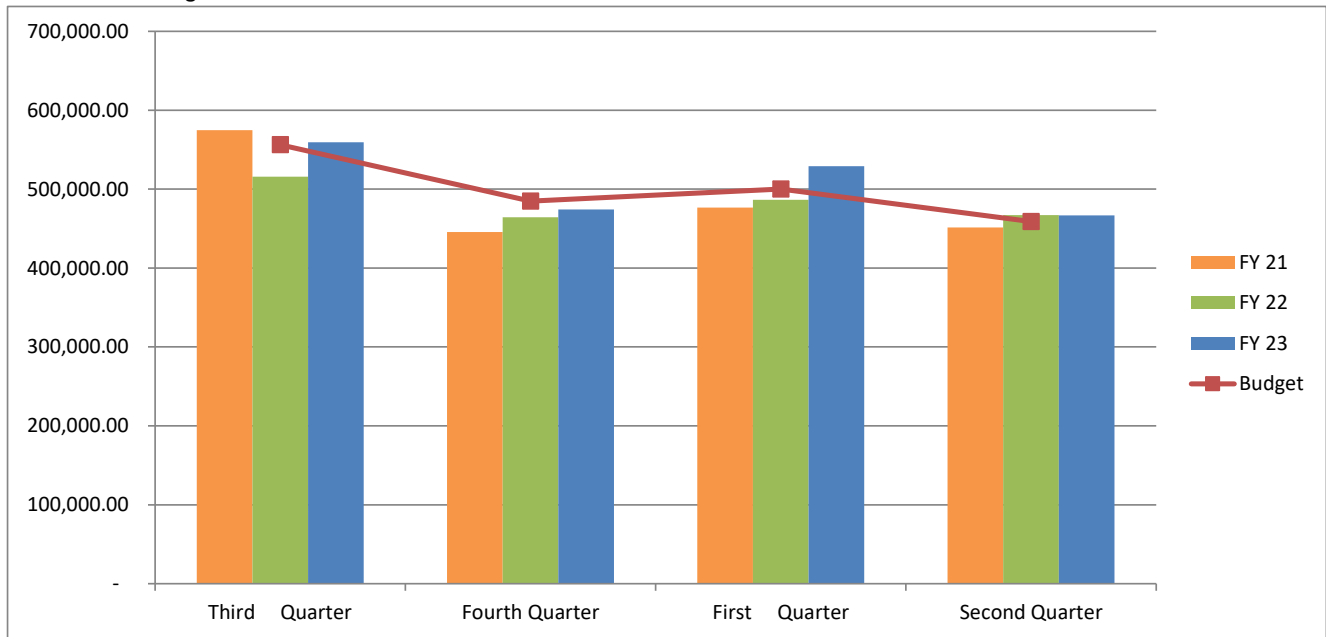


**Notes:**  
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A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-3.pdf>

**Sales Tax Distribution Method:** A link to a description of the individual articles of Sales Tax is embedded here: [http://www.dor.state.nc.us/publications/sales/distribution\\_articles.pdf](http://www.dor.state.nc.us/publications/sales/distribution_articles.pdf)

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

	<b>Third Quarter</b>	<b>Fourth Quarter</b>	<b>First Quarter</b>	<b>Second Quarter</b>	<b>Totals</b>
Collection Period:	(July-Sept.)	(Oct.-Dec.)	(Jan.-Mar.)	(Apr.-June)	
Received in:	December	March	June	September	
FY 21	574,782.27	445,666.24	476,587.12	451,433.94	1,948,469.57
FY 22	515,722.31	464,401.65	486,627.19	466,918.19	1,933,669.34
FY 23	559,313.87	474,142.33	529,125.92	466,640.75	2,029,222.87
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%	23.33%	101.46%



Notes:

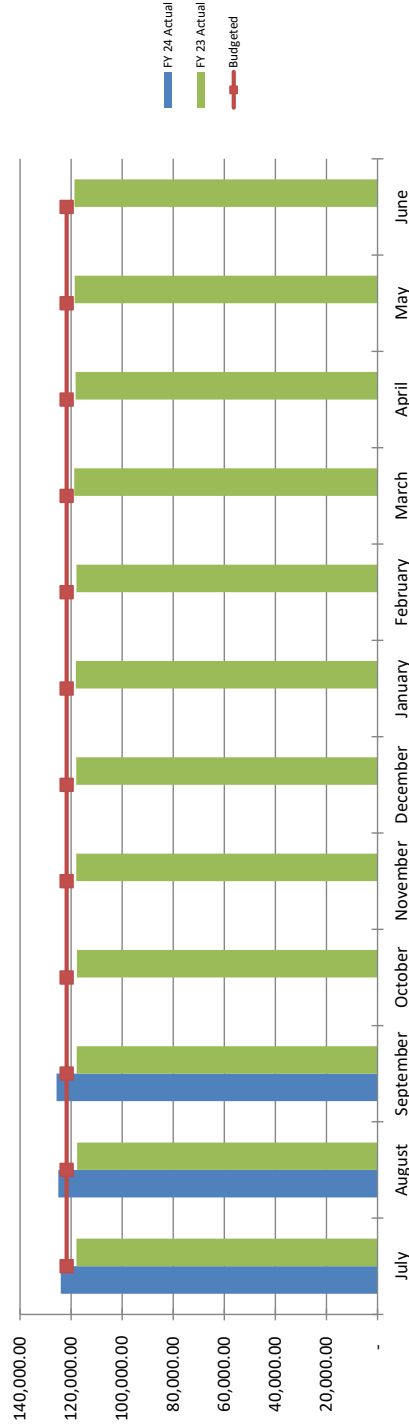
Effective July 2014, utility franchise tax was eliminated on sales of electricity and piped natural gas. A "hold harmless" provision will keep local distribution levels at the amounts received during the 2013-14 Fiscal Year.

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	125,700.19										374,731.10
% of Budget	8.49%	8.55%	8.60%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	25.65%
Variance	2,310.37	3,220.54	3,950.19	(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)	(1,086,268.90)

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

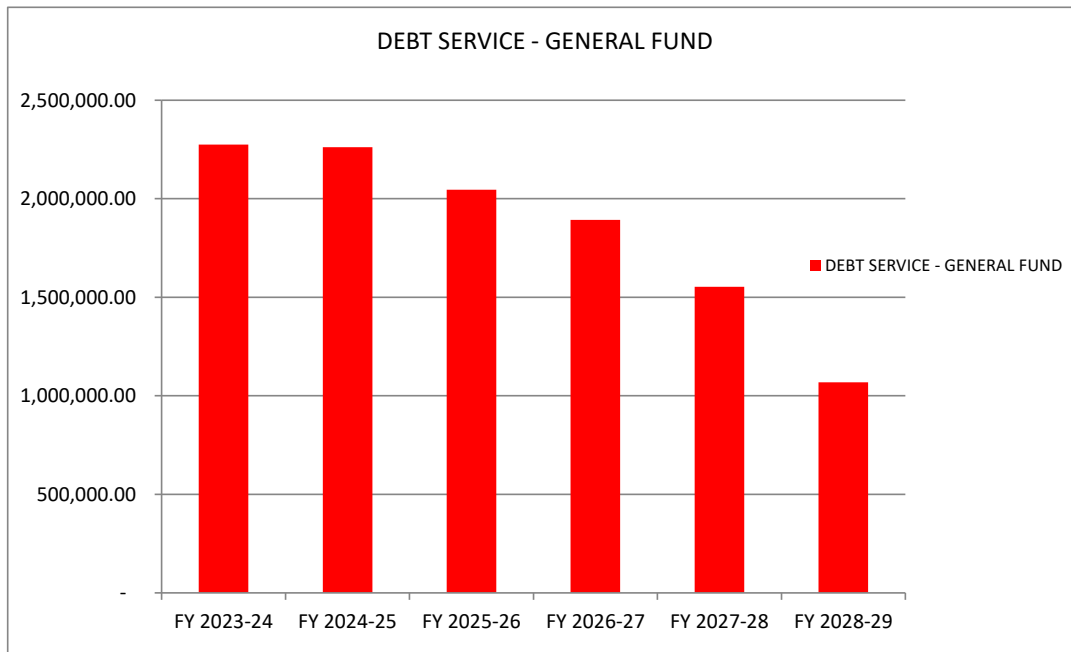
### Soldid Waste Fees Budgeted and Collected



**DEBT SERVICE - GENERAL FUND**

	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
<b><u>General Obligation Bonds</u></b>						
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
<b><u>Installment Purchase Contracts</u></b>						
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	-
<b>Total Debt Service - General Fund</b>	<b>2,274,355.78</b>	<b>2,261,312.03</b>	<b>2,046,292.69</b>	<b>1,892,347.86</b>	<b>1,553,845.43</b>	<b>1,068,642.66</b>

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



City of Shelby  
 For FY24 - August 2023 (25.00% of Fiscal Year)  
 General Fund Expenditures by Division

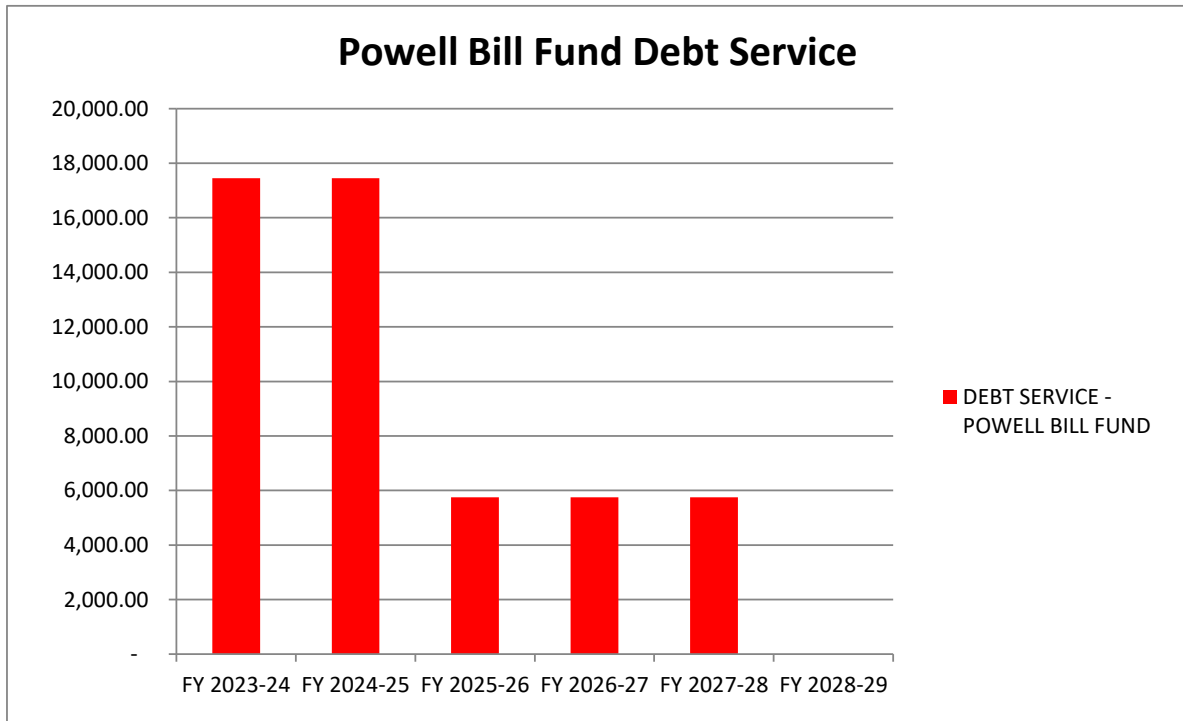
<b>ACCOUNT DESCRIPTION</b>	<b>ORIGINAL APPROP</b>	<b>REVISED BUDGET</b>	<b>YTD SPENT</b>	<b>ENCUMB</b>	<b>AVAIL BUDGET</b>	<b>% USED</b>
Total 110411 GOVERNING BOARD	81,200	81,737	29,561.06	536.94	51,639	36.80 %
Total 110412 ADMINISTRATION	793,199	794,199	118,892.06	1,000.00	674,307	15.10 %
Total 110413 FINANCE	838,107	838,107	362,712.65	0.00	475,394	43.30 %
Total 110414 PURCHASING	124,387	124,387	16,359.10	0.00	108,028	13.20 %
Total 110416 HUMAN RESOURCES	466,973	466,973	85,616.99	0.00	381,356	18.30 %
Total 110419 CUSTOMER SERVICE	83,044	98,572	50,623.30	10,227.84	37,720	61.70 %
Total 110420 INFORMATION SERVICES	516,007	532,153	178,935.95	42,520.37	310,697	41.60 %
Total 110421 METER SERVICE	921	56,487	-6,886.18	55,566.00	7,807	86.20 %
Total 110425 GARAGE	924,726	924,726	134,082.47	147,616.93	643,027	30.50 %
Total 110427 CITY HALL	113,000	117,200	37,929.33	0.00	79,270	32.40 %
Total 110431 POLICE	9,103,400	9,393,829	2,339,337.84	130,893.40	6,923,598	26.30 %
Total 110433 COMMUNICATION	964,800	964,800	184,320.80	0.00	780,479	19.10 %
Total 110434 FIRE	7,563,440	5,649,235	1,534,824.27	159,348.01	3,955,063	30.00 %
Total 110435 BUILDING INSPECTIONS	543,850	543,850	175,100.48	0.00	368,750	32.20 %
Total 110451 STREETS	1,447,150	1,468,025	312,132.87	6,025.00	1,149,867	21.70 %
Total 110453 AIRPORT	517,225	517,225	177,769.72	6,793.25	332,662	35.70 %
Total 110471 SOLID WASTE	2,232,160	2,425,651	614,628.46	333,233.98	1,477,789	39.10 %
Total 110491 GIS	127,089	127,089	45,829.29	0.00	81,260	36.10 %
Total 110493 PLANNING SERVICES	629,050	683,707	160,402.04	54,656.55	468,648	31.50 %
Total 110495 SPECIAL APPROPRIATIONS	3,725,800	3,960,800	446,119.21	0.00	3,514,681	11.30 %
Total 110612 PARKS & RECREATION	2,185,025	2,256,082	659,673.27	68,541.02	1,527,868	32.30 %
Total 110613 MAINTENANCE GROUNDS &	1,784,200	1,855,339	381,456.55	66,086.42	1,407,796	24.10 %
Total 110 GENERAL FUND	34,764,753	33,880,171	8,039,421.53	1,083,045.71	24,757,704	26.90 %

City of Shelby  
 Powell Bill Fund Debt Service  
 Fiscal Year 2024

**DEBT SERVICE - POWELL BILL FUND**

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

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

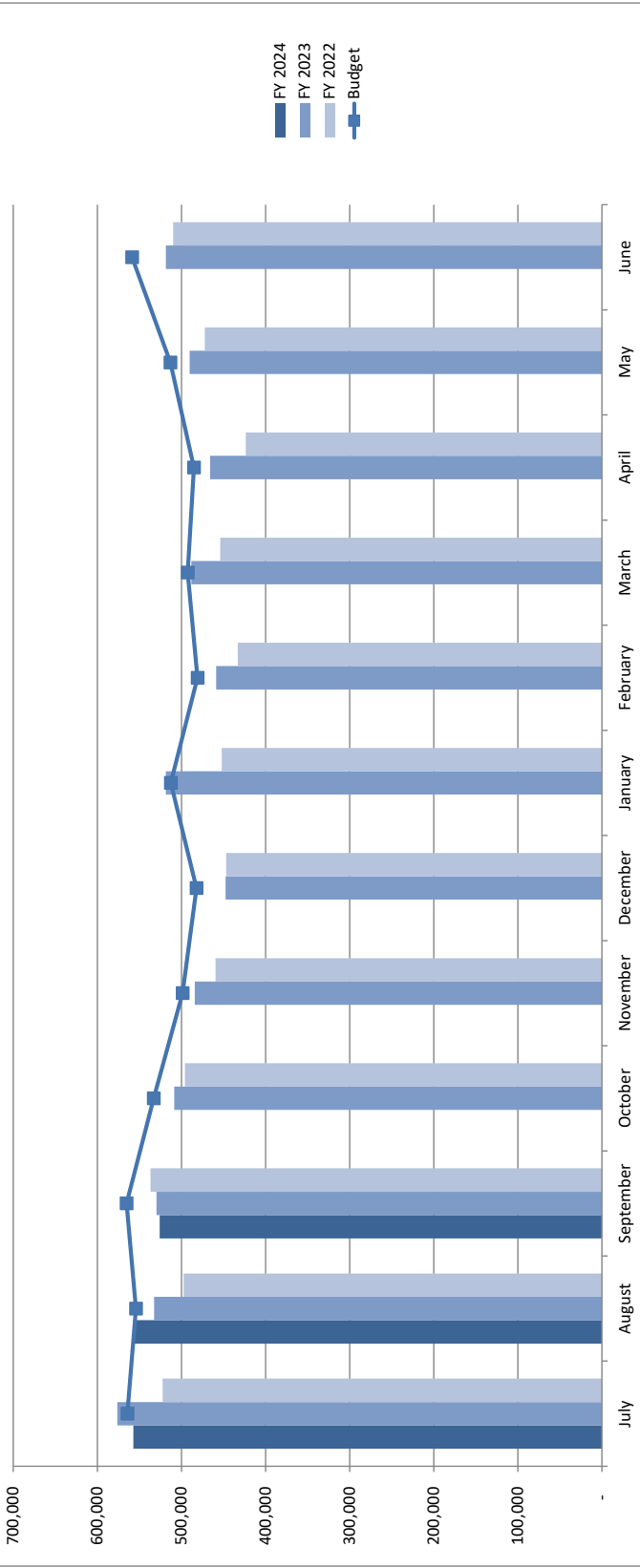


City of Shelby  
Water Revenue Budget to Actual  
FY 2024

	July	August	September	October	November	December	January	February	March	April	May	June	Total
<b>FY 2024 Budget</b>													
Inside Water													
Useage	142,976	137,789	146,252	131,451	121,474	115,259	129,051	114,816	121,810	117,773	124,644	142,718	1,546,015
Dollars	502,957.37	489,948.04	502,991.50	474,886.45	446,554.24	429,674.28	458,920.10	427,215.95	442,656.03	433,077.07	454,475.65	497,967.23	5,561,323.91
Outside Water													
Useage	14,993	15,882	15,391	14,046	12,213	12,317	12,360	12,797	11,486	12,263	14,146	14,898	162,792
Dollars	61,370.21	64,049.81	62,203.41	58,057.27	52,049.02	52,397.84	53,641.82	53,735.83	49,806.90	52,038.62	58,623.69	60,701.67	678,676.09
Totals													
Useage	157,969	153,671	161,643	145,497	133,687	127,577	141,411	127,613	133,296	130,036	138,790	157,616	1,708,807
Dollars	564,327.57	553,997.85	565,194.91	532,943.72	498,603.26	482,072.12	512,561.92	480,951.78	492,462.93	485,115.69	513,099.35	558,668.90	6,240,000.00
<b>FY 2024 Actual</b>													
Inside Water													
Useage	141,317	139,654	126,617	-	-	-	-	-	-	-	-	-	407,588
Dollars	495,811	493,700	463,854	-	-	-	-	-	-	-	-	-	1,453,365.66
Outside Water													
Useage	15,021	15,899	15,309	-	-	-	-	-	-	-	-	-	46,229
Dollars	61,249	63,405	61,988	-	-	-	-	-	-	-	-	-	186,641
Totals													
Useage	156,338	155,553	141,926	-	-	-	-	-	-	-	-	-	453,817
Dollars	557,060	557,105	525,841	-	-	-	-	-	-	-	-	-	1,640,006.55
<b>Variance</b>													
Inside Water													
Useage	(1,659)	1,865	(19,635)	(131,451)	(121,474)	(115,259)	(129,051)	(114,816)	(121,810)	(117,773)	(124,644)	(142,718)	(1,138,427)
Dollars	(7,146.10)	3,752.39	(39,137.54)	(474,886.45)	(446,554.24)	(429,674.28)	(458,920.10)	(427,215.95)	(442,656.03)	(433,077.07)	(454,475.65)	(497,967.23)	(4,107,958.25)
Outside Water													
Useage	28	17	(82)	(14,046)	(12,213)	(12,317)	(12,360)	(12,797)	(11,486)	(12,263)	(14,146)	(14,898)	(116,563)
Dollars	(121.69)	(644.94)	(215.91)	(58,057.27)	(52,049.02)	(52,397.84)	(53,641.82)	(53,735.83)	(49,806.90)	(52,038.62)	(58,623.69)	(60,701.67)	(492,035)
Totals													
Useage	(1,631)	1,882	(19,717)	(145,497)	(133,687)	(127,577)	(141,411)	(127,613)	(133,296)	(130,036)	(138,790)	(157,616)	(1,254,990)
Dollars	(7,267.78)	3,107.45	(39,353.45)	(532,943.72)	(498,603.26)	(482,072.12)	(512,561.92)	(480,951.78)	(492,462.93)	(485,115.69)	(513,099.35)	(558,668.90)	(4,599,993.45)

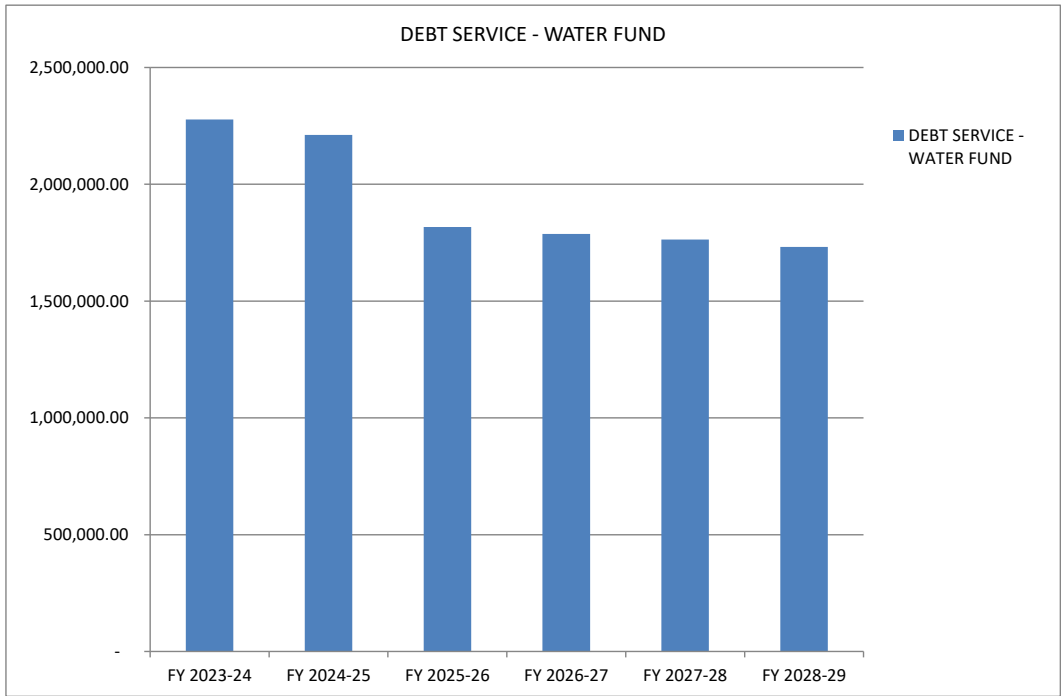


**Water Sales In Dollars - Budget to Actual FY 2023 - 2024**



DEBT SERVICE - WATER FUND	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
<b><u>Revenue Bonds</u></b>						
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
<b><u>Installment Purchase</u></b>						
Uptown Infrastructure - Electric Fund Loan Debt Retired In 2038	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00	27,250.00
FY 19 Installment Purchase Debt Retired In 2024	54,380.79	-	-	-	-	-
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	-
<b>Total Debt Service - Water Fund</b>	<b>2,277,533.08</b>	<b>2,210,790.18</b>	<b>1,816,988.59</b>	<b>1,787,444.90</b>	<b>1,763,176.42</b>	<b>1,731,881.65</b>

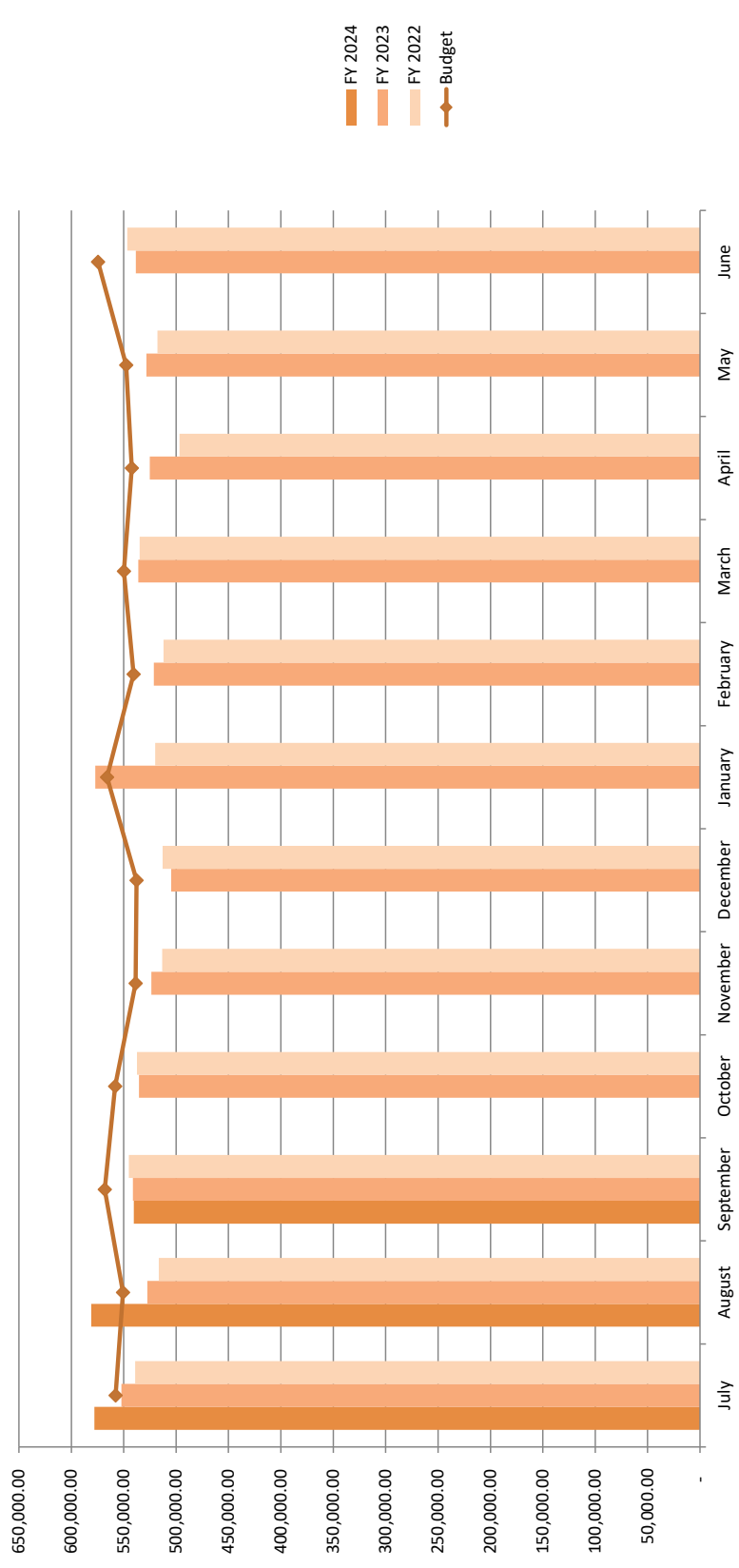
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby  
Sewer Revenue Budget to Actual  
FY 2024

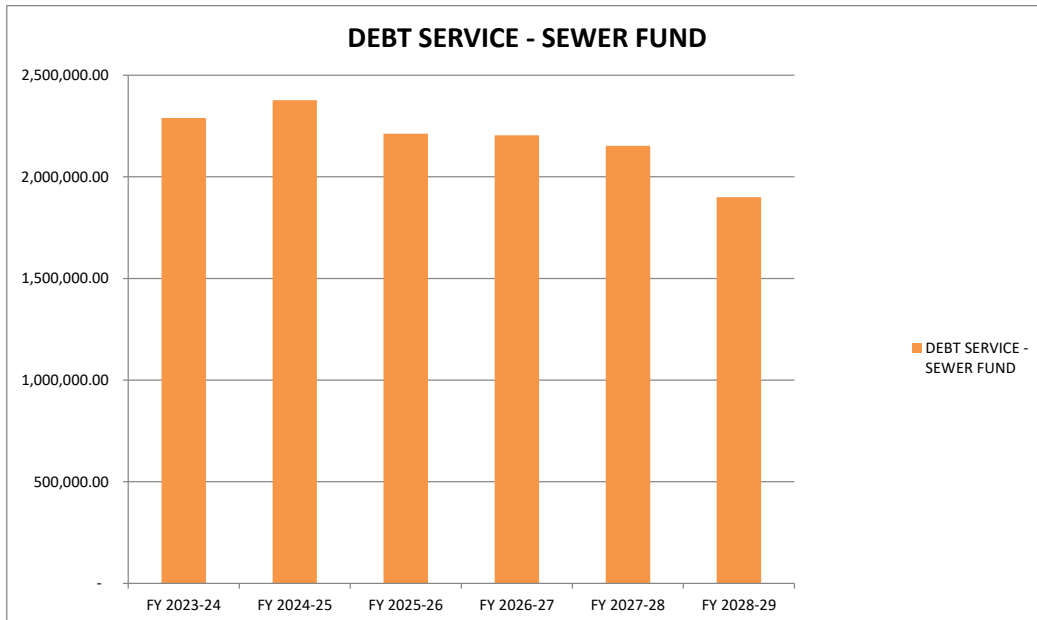
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
<b>FY 2024 Budget</b>													
Inside Sewer													
Useage	74,985	73,529	53,846	72,732	69,675	68,967	76,473	69,621	72,374	68,969	70,110	77,240	848,522
Dollars	519,453.28	512,329.41	525,830.10	513,414.01	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
<b>FY 2024 Actual</b>													
Inside Sewer													
Useage	78,990	79,272	66,902	-	-	-	-	-	-	-	-	-	225,164
Dollars	531,231.82	535,281.67	487,364.47	-	-	-	-	-	-	-	-	-	1,553,877.96
Outside Sewer													
Useage	3,420	3,245	4,208	-	-	-	-	-	-	-	-	-	10,873
Dollars	46,729.65	45,780.22	52,939.43	-	-	-	-	-	-	-	-	-	145,449.30
Totals													
Useage	82,410	82,517	71,110	-	-	-	-	-	-	-	-	-	236,037
Dollars	577,961.47	581,061.89	540,303.90	-	-	-	-	-	-	-	-	-	1,699,327.26
<b>Variance</b>													
Inside Sewer													
Useage	4,005	5,743	13,056	(72,732)	(69,675)	(68,967)	(76,473)	(69,621)	(72,374)	(68,969)	(70,110)	(77,240)	(623,358.00)
Dollars	11,778.54	22,952.26	(38,465.63)	(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)	(4,545,550.85)
Outside Sewer													
Useage	709	573	1,003	(3,524)	(3,405)	(3,525)	(3,652)	(3,563)	(3,662)	(3,648)	(3,527)	(3,406)	(29,627.00)
Dollars	8,375.14	7,500.03	10,697.05	(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)	(386,890.89)
Totals													
Useage	4,714	6,316	14,059	(76,257)	(73,080)	(72,492)	(80,125)	(73,184)	(76,036)	(72,617)	(73,637)	(80,646)	(652,985.00)
Dollars	20,153.68	30,452.29	(27,768.58)	(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)	(4,932,441.74)

### 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
<b><u>Revenue Bonds</u></b>						
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
<b><u>Installment Purchase</u></b>						
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	-
<b>Total Debt Service - Sewer Fund</b>	<b>2,289,000.75</b>	<b>2,376,836.00</b>	<b>2,212,114.39</b>	<b>2,204,203.47</b>	<b>2,152,991.58</b>	<b>1,900,284.45</b>

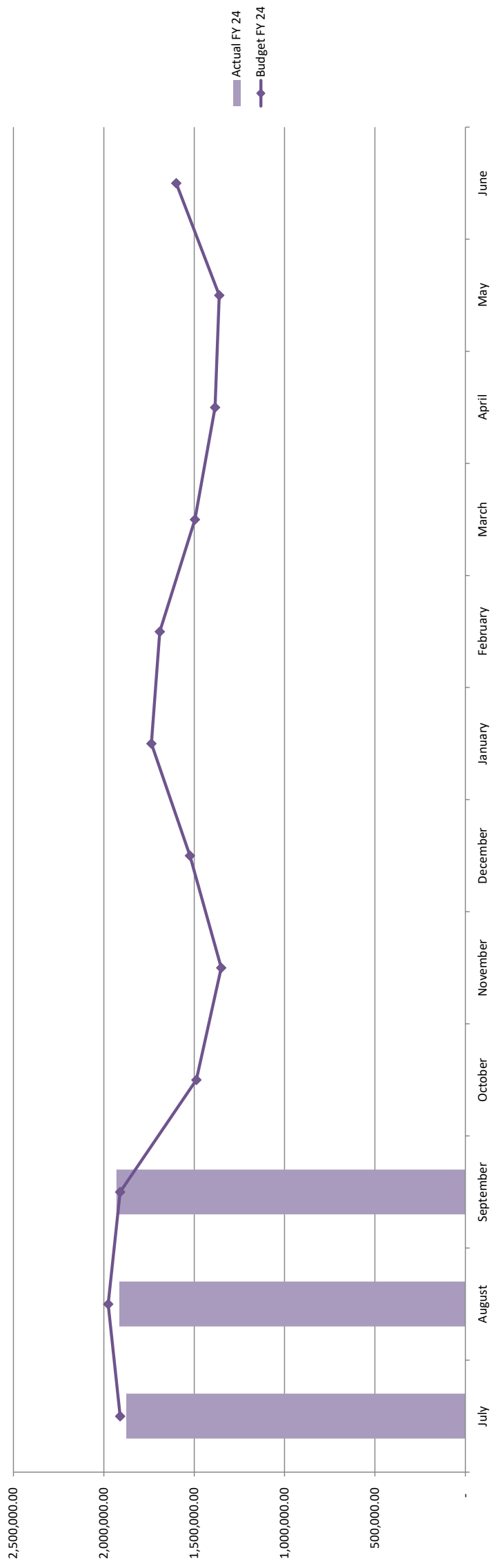
Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.



City of Shelby  
Electric Revenues Budget to Actual  
FY 2024

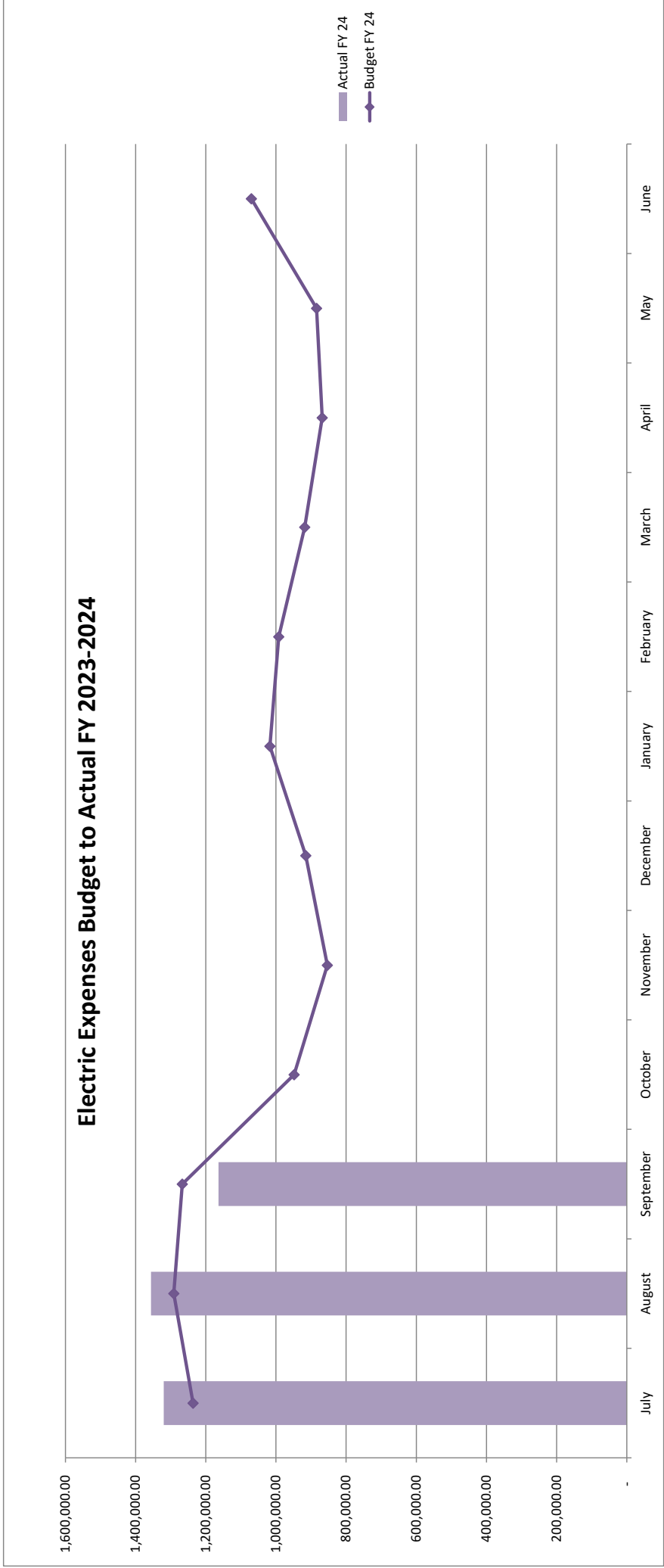
<b>Revenues Budget FY 24</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	829,227.70	866,313.51	791,706.78	569,923.67	552,629.57	719,791.80	876,304.88	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
<b>Totals</b>	<b>1,909,458.60</b>	<b>1,975,928.66</b>	<b>1,909,810.20</b>	<b>1,487,604.58</b>	<b>1,350,488.40</b>	<b>1,524,110.43</b>	<b>1,736,623.17</b>	<b>1,690,235.46</b>	<b>1,495,663.42</b>	<b>1,384,882.90</b>	<b>1,361,011.35</b>	<b>1,599,182.84</b>	<b>19,425,000.00</b>
<b>Actual FY 24</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	803,530.65	806,904.38	811,337.27										2,421,772.30
Commercial/Industrial	1,072,635.83	1,107,224.95	1,118,573.61										3,298,434.39
<b>Totals</b>	<b>1,876,166.48</b>	<b>1,914,129.33</b>	<b>1,929,910.88</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,720,206.69</b>
<b>Revenue Variance</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	(25,697.05)	(59,409.13)	19,630.49	(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)	(6,119,102.27)
Commercial/Industrial	(7,595.07)	(2,390.20)	470.18	(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)	(7,585,691.04)
<b>Totals</b>	<b>(33,292.12)</b>	<b>(61,799.33)</b>	<b>20,100.68</b>	<b>(1,487,604.58)</b>	<b>(1,350,488.40)</b>	<b>(1,524,110.43)</b>	<b>(1,736,623.17)</b>	<b>(1,690,235.46)</b>	<b>(1,495,663.42)</b>	<b>(1,384,882.90)</b>	<b>(1,361,011.35)</b>	<b>(1,599,182.84)</b>	<b>(13,704,793.31)</b>

### Electric Revenues Budget to Actual FY 2023-2024

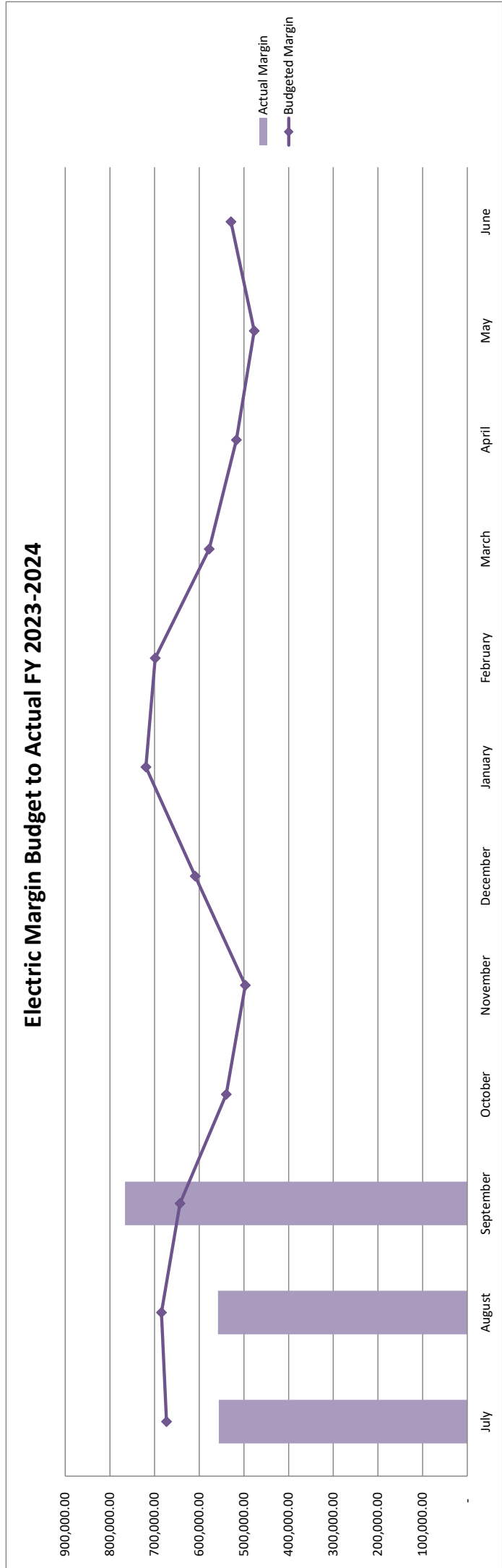


<b>Expenses</b>													
<b>Budget FY 24</b>													
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,191,139.10	1,245,505.88	1,224,200.69	915,026.39	821,469.73	881,011.79	982,318.56	955,439.13	884,629.07	836,167.62	852,299.22	1,031,347.81	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
<b>Totals</b>	<b>1,236,147.78</b>	<b>1,291,258.31</b>	<b>1,266,852.65</b>	<b>948,137.73</b>	<b>853,571.50</b>	<b>914,973.38</b>	<b>1,017,175.48</b>	<b>991,833.53</b>	<b>918,087.78</b>	<b>868,166.12</b>	<b>884,095.92</b>	<b>1,070,254.81</b>	<b>12,260,555.00</b>
<b>Actual FY 24</b>													
NCMPA1	1,285,497.02	1,319,307.36	1,127,638.57										3,732,442.95
SEPA	34,382.93	36,781.34	35,996.68										107,160.95
<b>Totals</b>	<b>1,319,879.95</b>	<b>1,356,088.70</b>	<b>1,163,635.25</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,839,603.90</b>
<b>Expense Variance</b>													
NCMPA1	(94,357.92)	(73,801.48)	96,562.12	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	8,088,112.05
SEPA	10,625.75	8,971.09	6,655.28	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	332,839.05
<b>Totals</b>	<b>(83,732.17)</b>	<b>(64,830.39)</b>	<b>103,217.40</b>	<b>948,137.73</b>	<b>853,571.50</b>	<b>914,973.38</b>	<b>1,017,175.48</b>	<b>991,833.53</b>	<b>918,087.78</b>	<b>868,166.12</b>	<b>884,095.92</b>	<b>1,070,254.81</b>	<b>8,420,951.10</b>





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	1,929,910.88	-	-	-	-	-	-	-	-	-	5,720,206.69
Actual Expenses	(1,319,879.95)	(1,356,088.70)	(1,163,635.25)	-	-	-	-	-	-	-	-	-	(3,839,603.90)
Actual Margin	556,286.53	558,040.63	766,275.63	-	-	-	-	-	-	-	-	-	1,880,602.79
Margin Variance	(117,024.29)	(126,629.71)	123,318.07	(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)	(5,283,842.21)



**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**

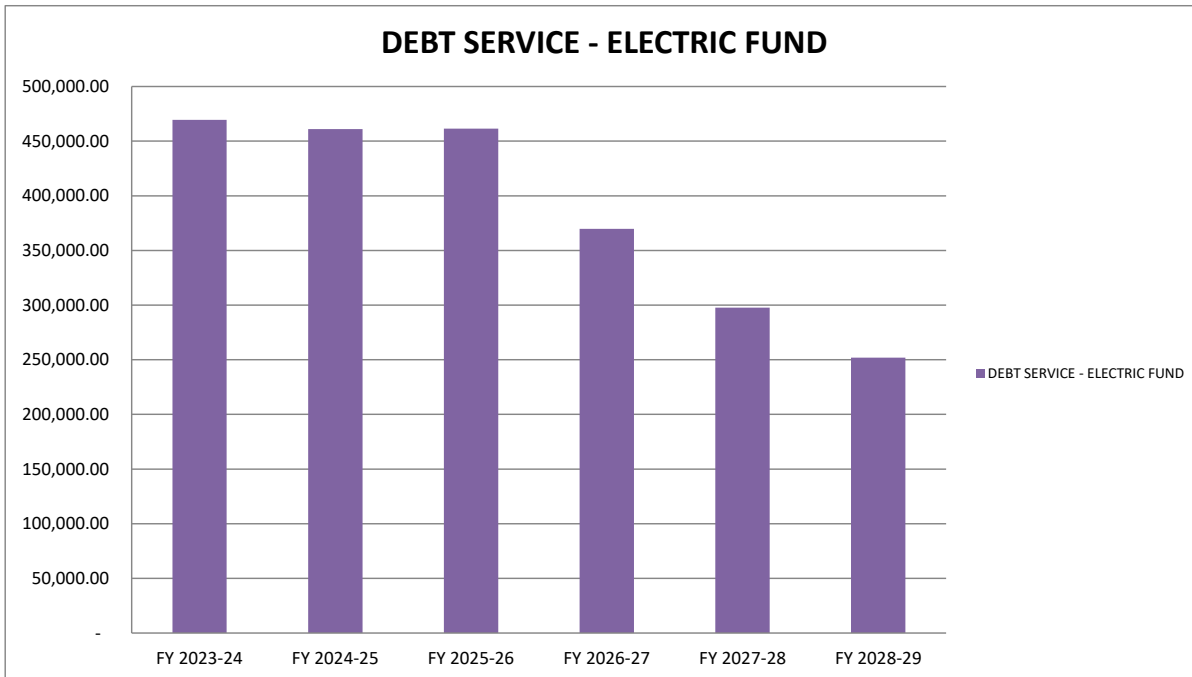
**Series 2021 Refunding Revenue Bonds**

<b>Debt Retired In 2031</b>	251,061.16	251,537.07	251,958.35	250,301.68	252,338.26	251,933.93
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**Installment Purchase Contracts**

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

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



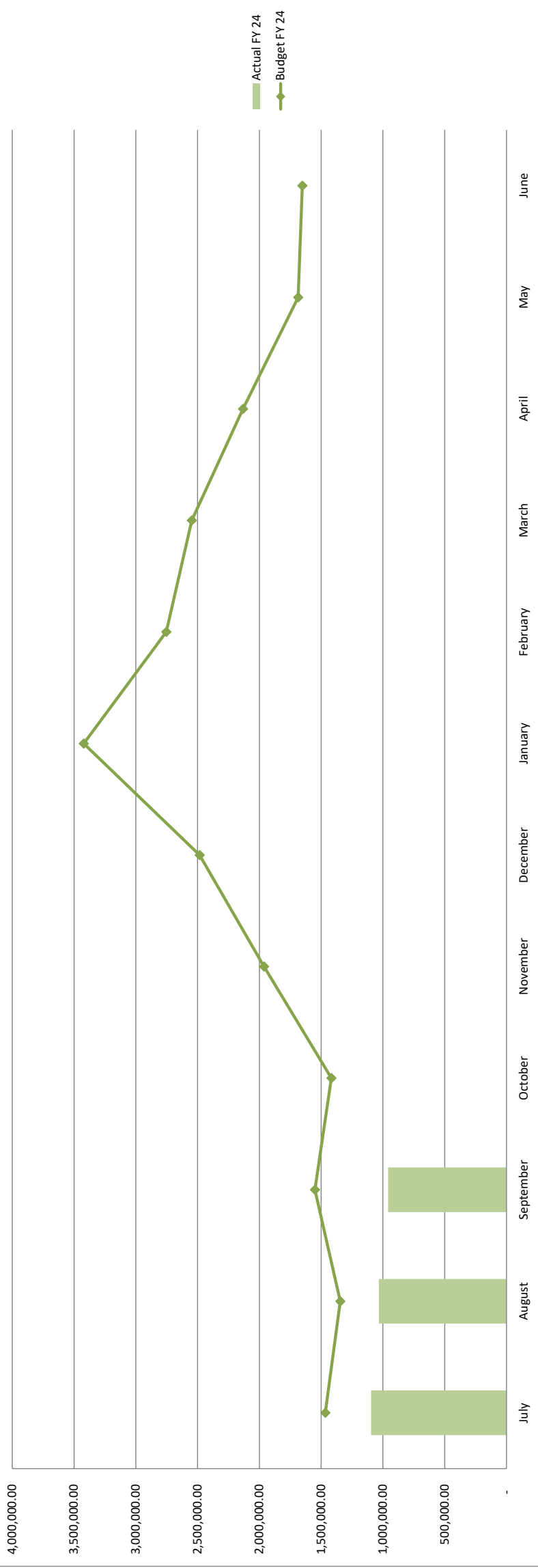
City of Shelby  
Gas Revenues Budget to Actual  
FY 2024

<b>Revenues Budget FY 24</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	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
<b>Totals</b>	<b>1,466,686.27</b>	<b>1,345,110.07</b>	<b>1,550,277.06</b>	<b>1,417,936.66</b>	<b>1,961,782.26</b>	<b>2,483,456.98</b>	<b>3,421,430.15</b>	<b>2,752,798.02</b>	<b>2,546,221.04</b>	<b>2,132,726.13</b>	<b>1,686,066.79</b>	<b>1,652,470.55</b>	<b>24,416,962.00</b>

<b>Actual FY 24</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	129,689.00	123,830.82	114,888.37										368,408.19
Commercial	152,810.73	153,701.31	162,129.03										468,641.07
High Load Factor	17,530.83	18,138.51	17,539.21										53,208.55
Interruptibles	58,154.26	51,703.03	63,740.28										173,597.57
Special lnd Class	738,224.05	685,662.08	599,858.73										2,023,744.86
<b>Totals</b>	<b>1,096,408.87</b>	<b>1,033,035.75</b>	<b>958,155.62</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>3,087,600.24</b>

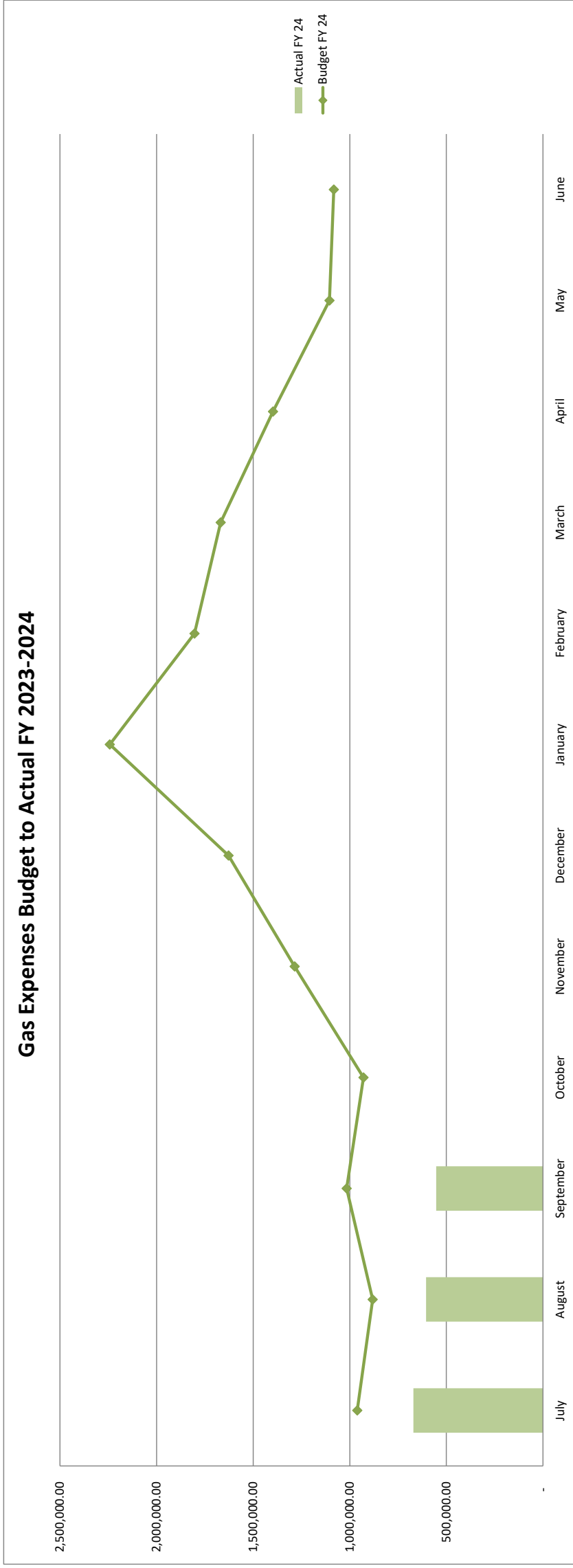
<b>Revenue Variance</b>	<b>July</b>	<b>August</b>	<b>September</b>	<b>October</b>	<b>November</b>	<b>December</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>	<b>Totals</b>
Residential	(16,762.99)	(18,646.64)	(30,023.30)	(155,057.81)	(293,884.14)	(700,054.66)	(945,769.94)	(761,897.08)	(602,242.21)	(439,213.97)	(220,217.83)	(167,855.56)	(4,351,626.12)
Commercial	(38,098.80)	(53,634.43)	(64,435.90)	(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)	(4,765,657.00)
High Load Factor	(11,310.73)	(5,332.38)	(409.14)	(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)	(586,029.54)
Interruptibles	(30,038.06)	(37,292.26)	(21,031.27)	(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)	(931,935.01)
Special lnd Class	(274,066.81)	(197,168.61)	(476,221.83)	(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)	(10,694,114.09)
<b>Totals</b>	<b>(370,277.40)</b>	<b>(312,074.32)</b>	<b>(592,121.44)</b>	<b>(1,417,936.66)</b>	<b>(1,961,782.26)</b>	<b>(2,483,456.98)</b>	<b>(3,421,430.15)</b>	<b>(2,752,798.02)</b>	<b>(2,546,221.04)</b>	<b>(2,132,726.13)</b>	<b>(1,686,066.79)</b>	<b>(1,652,470.55)</b>	<b>(21,329,361.76)</b>

### 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
<b>Actual FY 24</b>	670,914.51	605,246.61	552,368.38										1,828,529.50

Expense Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
	290,178.86	276,180.04	463,500.55	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	14,171,470.50



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	958,155.62	-	-	-	-	-	-	-	-	-	3,087,600.24
Actual Expenses	670,914.51	605,246.61	552,368.38	-	-	-	-	-	-	-	-	-	1,828,529.50
Actual Margin	425,494.36	427,789.14	405,787.24	-	-	-	-	-	-	-	-	-	1,259,070.74
Margin Variance	(80,098.54)	(35,894.28)	(128,620.90)	(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)	(7,157,891.26)

**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**

<b>Debt Retired In 2031</b>	184,264.98	184,141.90	141,085.52	140,220.50	140,576.51	83,732.88
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**Installment Purchase Contracts**

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

7,621.62
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**FY 20 Installment Purchase  
Debt Retired In 2025**

18,518.00	18,518.00
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**FY 21 Installment Purchase  
Debt Retired In 2026**

24,392.50	24,392.50	24,392.50
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**FY 22 Installment Purchase  
Debt Retired In 2027**

25,105.65	25,105.65	25,105.65	25,105.65
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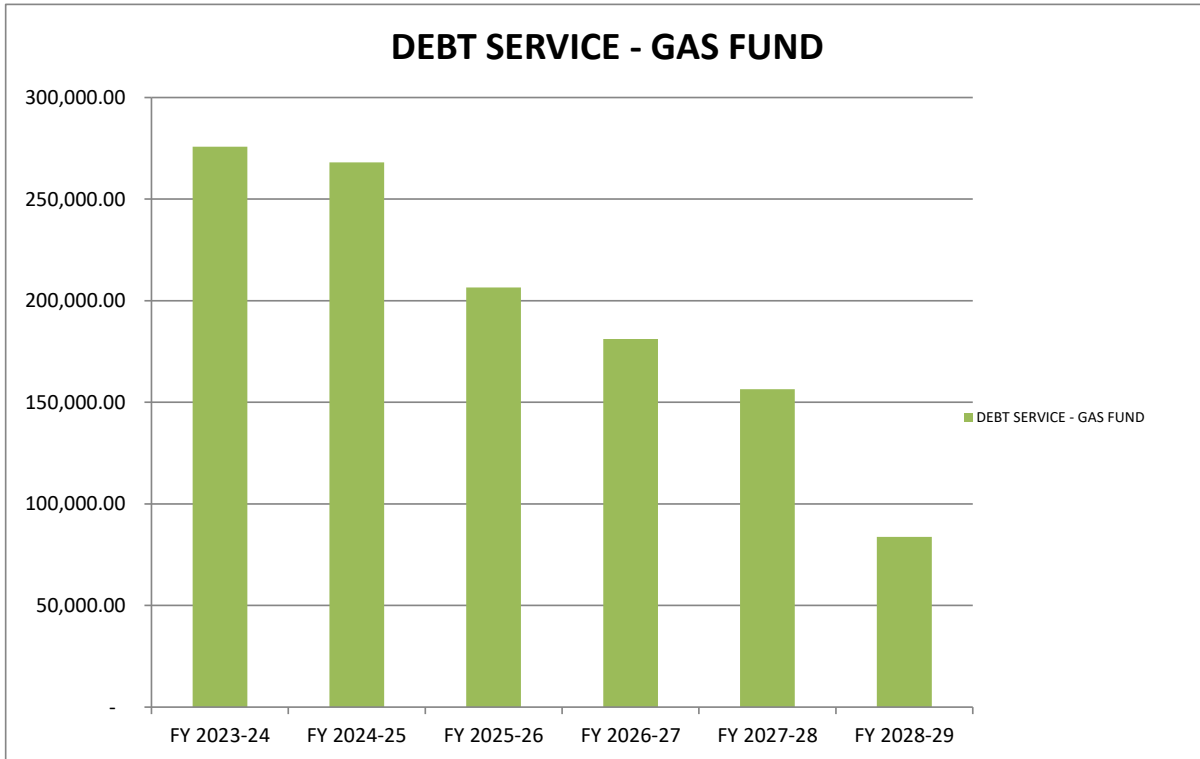
**FY 23 Installment Purchase  
Debt Retired In 2028**

15,882.00	15,882.00	15,882.00	15,882.00	15,882.02
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**Total Debt Service - Gas Fund**

275,784.76	268,040.06	206,465.68	181,208.16	156,458.53	83,732.88
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Installment Purchase Contracts are 59-month borrowings for purchase of items such as vehicles and capital equipment.





City of Shelby  
 For FY 2024 - September 2023 (25.00% of Fiscal Year)  
 Enterprise Funds Expenditures by Division

ACCOUNT DESCRIPTION	ORIGINAL APPROP	REVISED BUDGET	YTD ACTUAL	ENCUMB	AVAILABLE BUDGET	% USED
Total 610711 WATER ADMINISTRATION	3,376,526	3,390,460	280,824.90	12,809.25	3,096,826	8.70 %
Total 610713 WATER LINES OPERATIONS	937,390	996,652	288,887.41	5,117.16	702,648	29.50 %
Total 610714 WATER PLANT OPERATIONS	2,342,416	2,411,681	633,216.58	269,408.41	1,509,056	37.40 %
<b>Total 610 WATER FUND</b>	<b>6,656,332</b>	<b>6,798,793</b>	<b>1,202,928.89</b>	<b>287,334.82</b>	<b>5,308,530</b>	<b>21.90 %</b>
Total 620721 SEWER ADMINISTRATION	3,121,474	3,134,833	263,134.82	13,359.25	2,858,339	8.80 %
Total 620723 SEWER LINES OPERATIONS	1,108,930	1,270,864	218,673.96	163,966.24	888,224	30.10 %
Total 620724 SEWER PLANT OPERATIONS	2,758,365	2,851,989	647,249.68	415,870.36	1,788,868	37.30 %
<b>Total 620 SEWER FUND</b>	<b>6,988,769</b>	<b>7,257,686</b>	<b>1,129,058.46</b>	<b>593,195.85</b>	<b>5,535,432</b>	<b>23.70 %</b>
Total 630731 ELECTRIC ADMINISTRATIO	3,918,825	6,253,010	2,837,086.28	32,359.25	3,383,565	45.90 %
Total 630732 ELECTRIC PURCHASE	13,760,555	13,760,555	4,178,687.41	0.00	9,581,868	30.40 %
Total 630733 ELECTRIC LINES	3,582,620	4,860,355	1,098,951.31	1,763,516.08	1,997,888	58.90 %
<b>Total 630 ELECTRIC FUND</b>	<b>21,262,000</b>	<b>24,873,921</b>	<b>8,114,725.00</b>	<b>1,795,875.33</b>	<b>14,963,320</b>	<b>39.80 %</b>
Total 640741 NATURAL GAS ADMINISTRA	5,135,252	5,349,427	1,196,341.22	16,042.25	4,137,043	22.70 %
Total 640742 NATUTRAL GAS PURCHASE	17,010,000	17,010,000	1,350,631.00	0.00	15,659,369	7.90 %
Total 640743 NATURAL GAS LINES	2,999,210	3,199,867	695,438.58	159,894.97	2,344,534	26.70 %
<b>Total 640 NATURAL GAS FUND</b>	<b>25,144,462</b>	<b>25,559,294</b>	<b>3,242,410.80</b>	<b>175,937.22</b>	<b>22,140,946</b>	<b>13.40 %</b>
Total 650751 STORMWATER ADMINISTRAT	919,527	1,270,046	271,466.08	272,337.10	726,243	42.80 %
<b>Total 650 STORMWATER FUND</b>	<b>919,527</b>	<b>1,270,046</b>	<b>271,466.08</b>	<b>272,337.10</b>	<b>726,243</b>	<b>42.80 %</b>

City of Shelby  
Weather Variances  
Fiscal Year to Date at September 30, 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	0.09	(3.71)	256	258	2	5	3	-2
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
<b>Totals</b>	<b>48.20</b>	<b>9.89</b>	<b>(38.31)</b>	<b>1,817</b>	<b>1,178</b>	<b>(639)</b>	<b>3,292</b>	<b>3</b>	<b>(3,289)</b>

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

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

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

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

Agenda Item: D

Unfinished Business

None

Agenda Item: E

New Business

None

Agenda Item F

City Manager's Report: Rick Howell, City Manager

I will report to Mayor and Council on a number of ongoing projects and issues. The projects and issues reported upon are intended to be for your information and do not necessarily require action by Council.

**Agenda Item: G**

Council Announcements and Remarks

**Agenda Item: H**

Closed Session

- 1) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged regarding Allen v. City of Shelby pursuant to North Carolina General Statute 143-318.11 (a)(3).
- 2) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session pursuant to North Carolina General Statute 143-318.11(a)(4).
- 3) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract pursuant to North Carolina General Statute 143-318.11(a)(5).

**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