

Shelby City Council Agenda
Regular Meeting
May 6, 2024 at 6:00 p.m.

Don Gibson Theater
318 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. Public Hearings:

- 1) Consideration of an ordinance to extend the corporate limits of the City of Shelby, North Carolina (Artee Road): Ordinance No. 36-2024 1 - 12
- 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for parcels 32695, 32696, 49818, and 63683 (Artee Road): Ordinance No. 37-2024 13 - 51

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 April 15, 2024 52 - 68
- 2) Adoption of a budget ordinance amendment for the City of Shelby's Rail Trail Corridor Project: Ordinance No. 38-2024 69 - 78

- 3) Approval of a resolution accepting and approving the City of Shelby Stormwater Management Plan and authorizing submittal of the City of Shelby Stormwater Management Plan to North Carolina Department of Environmental Quality: Resolution No. 33-2024 79 - 129
- 4) Approval of a Special Event Applications: 130 - 146
 - a) ALWS Festival 2024, requested date: August 9 – 11, 2024
 - b) Newton Karate Fun Run, requested date: October 12, 2024
- 5) Management Reports:
 - a) Monthly Financial Summary – March 2024 147 - 190

D. Unfinished Business:

- 1) **SECOND READING:** Adoption of an ordinance to amend the City of Shelby Code of Ordinances to create the Carolina Harmony Trail Rules of Conduct: Ordinance No. 32-2024 191 - 197
- 2) **SECOND READING:** Adoption of an ordinance to amend the City of Shelby Code of Ordinances to create the Uptown Shelby Social District: Ordinance No. 33-2024 198 - 207

E. New Business:

- 1) Approval of a resolution awarding the contracts for the electric material order for Substation 8 reconductoring: Resolution No. 34-2024 208 - 227
- 2) Approval of a resolution authorizing the City Manager to negotiate a contract for a consultant to update the Comprehensive Land Use Plan: Resolution No. 35-2024 228 - 266
- 3) Consideration of appointments to City advisory boards and commissions: 267 - 271
 - a) Housing and Redevelopment Advisory Commission

F. City Manager's Report 272

G. Council Announcements and Remarks 272

H. Adjournment: 272

*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. Public Hearing:

Agenda Item: B-1

- 1) Consideration of an ordinance to extend the corporate limits of the City of Shelby, North Carolina (Artee Road): Ordinance No. 36-2024

Public Hearing Item: (Presenting: Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated April 29, 2024 from Justin Longino, Assistant City Manager to Rick Howell, City Manager
- Location Map
- Annexation Plat
- Notice of Public Hearing
- Ordinance No. 36-2024

City Manager's Recommendation / Comments

This public hearing is being held in accordance with NCGS 160A-31. This property consists of approximately 40-acre site off Artee Road. The property currently meets the statutory requirements for annexation and is contiguous to existing primary corporate limits. It is being considered for future industrial development and has access to City water, sewer, and natural gas utilities. This property lies contiguous to the primary city limits on the northwestern side of the city.

Purchase of this property by the City was done in accordance with NC General Statute 158.7.1 providing notice to the public of the opportunity to offer comments on the matter.

After the conclusion of the public hearing City Council may act upon Ordinance No. 36-2024.

TO: Mr. Rick Howell, City Manager
FROM: Justin Longino, Assistant City Manager
DATE: April 29, 2024
SUBJECT: Artee Road Annexation

Background

The City submitted its own petition for annexation pursuant to NCGS 160A-31. The parcels are Cleveland County parcel #32695, 32696, 49818, and 63683 off Artee Road, between Plato Lee Road and the new 74 bypass. These properties were previously purchased in 2022 for additional industrial development. The site has an area of approximately 40.76 acres and is partially outside of the ETJ.

A notice of public hearing for the annexation was published in the Shelby Star on April 22, 2024 and April 29, 2024 and letters were mailed to the surrounding property owners on April 18, 2024.

Recommendation

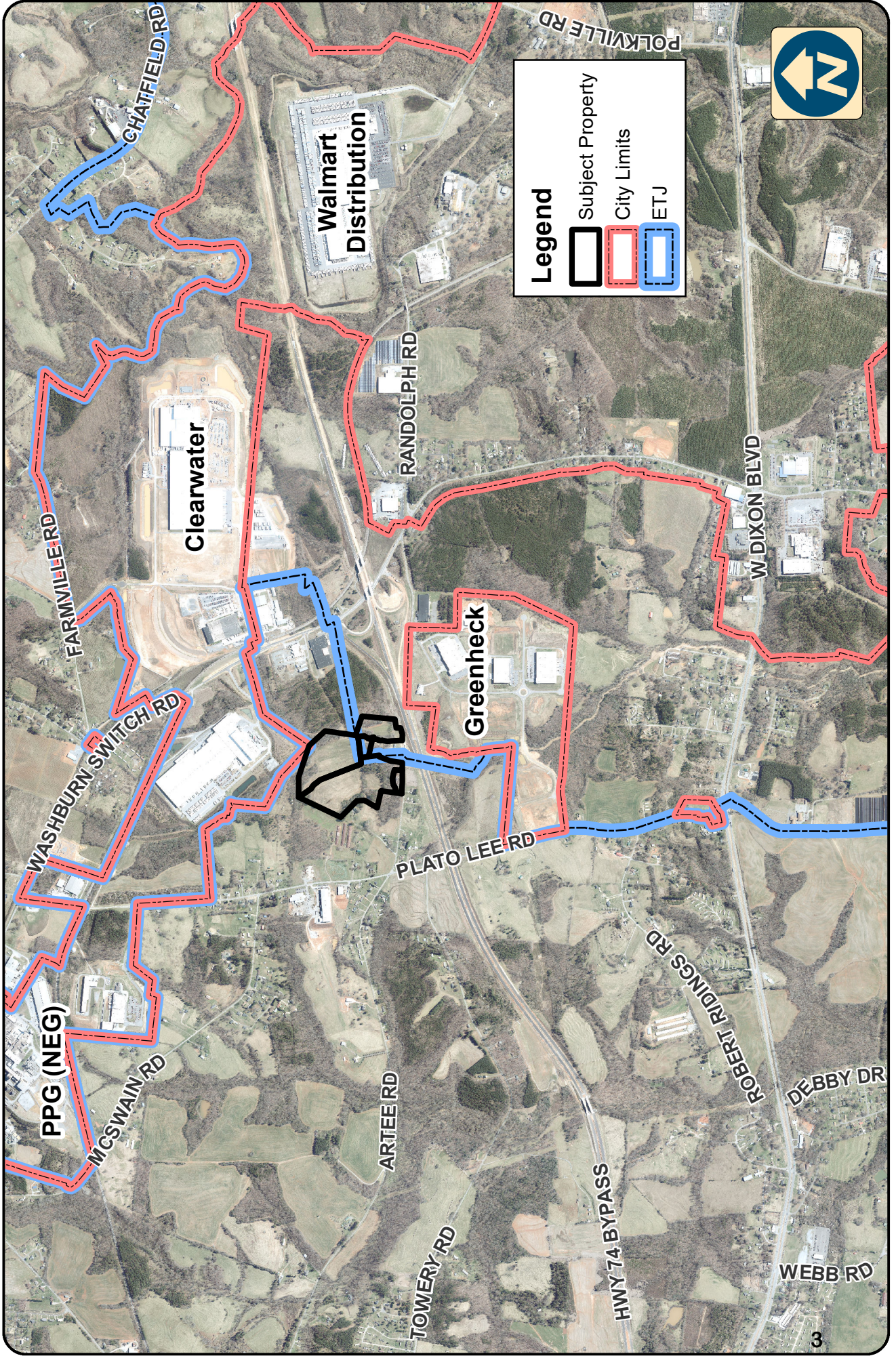
The request has been reviewed by applicable staff/departments and approval of the annexation request is recommended.

Attachments

- Location Map
- Annexation Plat
- Notice of Public Hearing
- Letter to Surrounding Property Owners



Annexation - Artee Rd (parcels 32695, 32696, 49818, 63683)



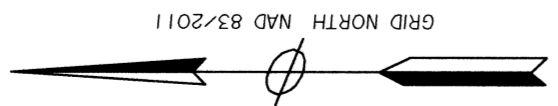
Scale 1:25,135 1 inch = 2,095 feet



Date: 3/14/2024

STATE OF NORTH CAROLINA
 COUNTY OF CLEVELAND
 REVIEW OFFICER
 DATE

REVIEW OFFICER



GRID NORTH MD 83-2011

GENERAL NOTES

- AREA CALCULATED BY COORDINATE COMPUTATION
- THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO EASEMENTS
- BANKHEAD SURVEYING WAS NOT PROVIDED WITH ANY TITLE EXCEPTIONS
- ROAD R/W'S ARE APPROXIMATE UNLESS OTHERWISE NOTED
- NO FEATURES/BUILDING, UTILITIES, #123 LOCATED EXCEPT THOSE SHOWN HEREON
- ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES

LEGEND

- EXISTING ROW
- UNMARKED POINT IN BRANCH
- UNMARKED POINT IN GULLY
- EXISTING STONE
- RIGHT OF WAY MONUMENT
- 0.00
- SUBJECT OUTSIDE PROPERTY LINE
- SEWER LINE PER DEED
- 1" PIPE
- 5" PIPE
- 20" WILD CHERRY TREE
- (UNLESS SHOWN WITH BEARING AND DISTANCE)

THIS IS TO CERTIFY THAT THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF SUBDIVISION.

T. SCOTT BANKHEAD (P.L.S.)

I, T. SCOTT BANKHEAD, PROFESSIONAL LAND SURVEYOR CERTIFY THAT THIS PLAT WAS DRAWN FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION (DEED REFERENCE: DEED PAGE 1568); THAT THE BOUNDARIES AND CORNERS SHOWN HEREON ARE APPROXIMATE UNLESS OTHERWISE NOTED; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS

2024

Professional Land Surveyor - License No. L-3001



ALVA S. HOVIS, JR.
 DB 1732 PG 1385
 REF: PLAT BOOK 34 PAGE(S) 30-33

CLEARWATER PAPER CORP.
 DB 1642 PG 187
 REF: PLAT BOOK 34 PAGE(S) 30-33

JOHNNY A. WILSON
 DB 1655 PG 837

JOHNNY A. WILSON
 DB 1655 PG 837

40.349 Acres Total

PARCELS 32695, 32696, 49818 & 63683 COMBINED

CITY OF SHELBY
 DB 1868 PG 1724
 PARCEL #63683
 TAX MAP 3294-1-167
 18.788 Acres

MICHAEL R. MCSWAIN
 RODNEY C. MCSWAIN
 DB 1807 PG 810

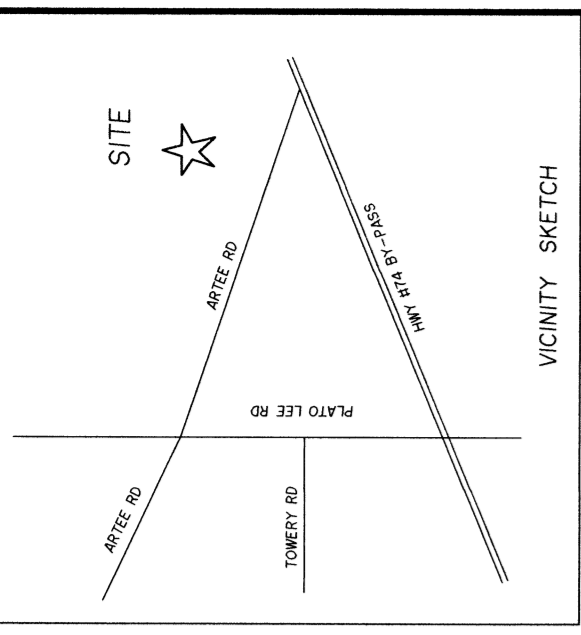
MICHAEL R. MCSWAIN
 RODNEY C. MCSWAIN
 DB 1662 PG 1332

MICHAEL R. MCSWAIN
 RODNEY C. MCSWAIN
 DB 1561 PG 1332

CITY OF SHELBY
 DB 1873 PG 1559
 PARCEL #32695
 TAX MAP 3294-1-45
 1.183 Acres

Artee Road S.R. 1314
 ASSUMED 60' R/W

HWY #174 By-Pass
 REF: L.P.S. R-2-2008
 REF: W.P.S. ELEMENT 39072.8



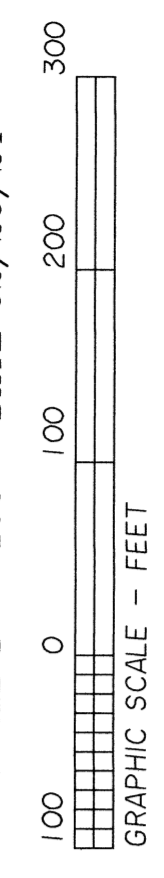
COURSE	BEARING	DISTANCE
L-1	S 01°58'18"E	73.35'
L-2	S 73°02'48"W	27'48"
L-3	N 89°26'24"W	70.22'

CALLS WITH CENTER OF BRANCH	BEARING	DISTANCE
B-1	N 03°51'13"W	168.00'
B-2	N 00°54'28"W	63.95'
B-3	N 00°54'28"W	34.97'
B-4	N 04°33'08"W	19.72'
B-5	N 42°12'37"E	37.24'
B-6	N 01°24'41"E	44.81'
B-7	N 19°00'19"W	15.75'
B-8	N 19°00'19"W	15.75'
B-9	N 45°37'57"W	30.36'
B-10	N 07°48'23"E	23.86'
B-11	N 39°12'05"E	33.59'
B-12	N 39°12'05"E	33.59'
B-13	N 03°50'03"W	106.27'

**ANNEXATION SURVEY FOR
 The City of Shelby**

PROPERTY OWNER
 The City of Shelby
 DEED REFERENCE: DEED PAGE 1558
 DEED 1868 PAGE 1724
 DEED 1868 PAGE 1728

CLEVELAND COUNTY, NORTH CAROLINA
 TAX MAP REF: 3294-1-45, 46, 85 & 167
 PARCEL NUMBER: 32695, 32696, 49818, 63683
 SCALE 1" = 100' DATE 02/20/24



SURVEY BY
 BANKHEAD SURVEYING, PA
 407 EAST MARION STREET
 SHELBY, N.C. 28150
 (704) 481-1040
 FIRM LICENSE NUMBER = C-0872

**NOTICE OF PUBLIC HEARING TO ANNEX
40.3 acres on Artee Road**

The public will please take notice that the City Council of the City of Shelby will conduct a Public Hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby as required by North Carolina General Statutes (G.S.) Chapter 160A, Article 4A to consider the annexation of parcels 32695, 32696, 49818, and 63683 on Artee Road. A map of the proposed annexation is on file and available for inspection at the City of Shelby Planning & Development Services office, 315 South Lafayette Street, Shelby, North Carolina.

NOTICE OF PUBLIC HEARING FOR ZONING DESIGNATION

The City Council of the City of Shelby will conduct a public hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina to consider a petition for zoning designation of the same four parcels on Artee Road, if the aforementioned annexation is approved. The proposed area to be considered for the zoning designation is further described as Cleveland County Parcel Numbers 32695, 32696, 49818, and 63683, and approximately 40.3 acres in size.

A map of the property is on file and available for inspection at the City of Shelby Planning & Development Services office, 315 South Lafayette Street, Shelby, North Carolina.

Both Public Hearings will be held during the regular meeting of City Council on Monday, May 6, 2024 at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina.

Persons interested in being heard on the annexation and/or zoning designation are invited to comment on the proposed ordinance amendment at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

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

Carol Williams
City Clerk

The Shelby Star:

Please publish this notice as a legal line ad on Monday, April 22, 2024 and the same ad again on Monday, April 29, 2024.

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

April 18, 2024

«Owner 1» «Owner 2»
«Owner Address»
«Owner City», «Owner State» «Owner Zipcode»

RE: Parcels 32695, 32696, 49818, and 63683 – Artee Road – Proposed Zoning Designation

Dear «Owner 1», «Owner 2»

The City Council of the City of Shelby will conduct a public hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. at 318 South Washington Street in the Don Gibson Theatre to consider a proposed zoning designation of General Industrial (GI) for four parcels on Artee Rd (parcels 32695, 32696, 49818, 63683) totaling about 40.3 acres. The property owner (City of Shelby) has petitioned for these parcels to be annexed into the City of Shelby and is requesting a zoning designation of General Industrial (GI) for all four parcels.

Enclosed are the application, location map, and zoning map.

If you have any questions or require additional information, please contact me at audrey.godfrey@cityofshelby.com or 704-484-6829.

Sincerely,



Audrey Whetten Godfrey
Senior Planner

Enclosures

ORDINANCE NO. 36-2024

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS
OF THE CITY OF SHELBY, NORTH CAROLINA**

WHEREAS, a municipality may annex property that is noncontiguous with the city limits pursuant to N.C. Gen. Stat. § 160A-58.7, so long as the property meets the requirements established under N.C. Gen. Stat. § 160A-58.1; and

WHEREAS, the City of Shelby owns noncontiguous land located off Artee Road in Shelby, North Carolina that complies with the requirements of N.C. Gen. Stat. § 160A-58.1 in that the property is within three miles of the primary corporate limits, no other town or city is closer to the property than the City of Shelby, the City will be able to provide the same services it provides to the primary corporate limits, and the annexed property will not exceed ten percent of the area within the primary corporate limits of the City of Shelby; and

WHEREAS, a public hearing on the question of this annexation was held at **the Don Gibson Theatre, 318 South Washington Street, Shelby, North Carolina** on May 6, 2024 at 6:00 p.m. **after due notice by publication on April 22, 2024 and April 29, 2024**; and,

WHEREAS, the City Council does hereby find that all requirements of N.C. Gen. Stat. § 160A-58.1, as amended, have been satisfied; and,

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City and of the area proposed for annexation, will be best served by annexing the area described herein:

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

Section 1. By virtue of the authority granted by N.C. Gen. Stat. § 160A-58.1, as amended, the following described contiguous territory is hereby annexed and made part of the City of Shelby as of May 6, 2024:

That certain tract or parcel of land situated, lying, and being in the City of Shelby, Cleveland

County, North Carolina and being more particularly described as follows:

CLEVELAND COUNTY TAX PARCEL NUMBER 32695, 32696, 63683, 49818:

Deed – David Humphries (Grantor) to City of Shelby (Grantee)
Book 1873 Page 1558-1560

BEGINNING at an existing iron, said iron being located at the Southwest corner of Earnest Ishmael Weaver property described in Book 9-J, Page 315 of the Cleveland County Registry; and runs thence with McSwain East line, North 6-57-16 East 83.09 feet to a new iron (said iron being located South 6-57-09 West 313.94 feet from an existing iron in McSwain Northeast corner); thence in four new lines through Earnest Ishmael Weaver; North 66-49-40 East 157.80 feet to an iron; North 82-10-30 East 89.41 feet to an iron; South 76-09-26 East 147.86 feet to an iron; and South 5-46-37 West 132.94 feet to an iron in the North edge of the right of way of State Road No. 1314 (said iron lying North 88-19-43 West 493.65 feet from a nail over a culvert); thence with the old Weaver line, North 88-19-46 West 374.06 feet to the place of BEGINNING, containing 1.182 acres, more or less, according to a plat and survey by D. Dobbins Lattimore RLS, dated July 15, 1996.

Title reference: See Deed at Book 1517, Page 1482 of the Cleveland County Registry.

Parcel #32695

Deed – John F. Weaver and wife, Gracie C. Weaver (Grantor) to City of Shelby (Grantee)
Book 1868 Page 1728-1731

TRACT ONE

Located on the North side of State Road No. 1314; and being described by meets and bounds as follows:

BEGINNING on a state in the North edge of the right of way of the road, Southwest corner of the 1.80 acre tract described in Book of Deeds 12-1 at Page 446 of the Cleveland County Registry; and runs thence with the right of way of the road, South 88-36-20 West 21.65 feet to a stake, a new corner in the right of way; thence a new line, North 1-23-40 West 372.18 feet to a stake, a new corner; thence South 78-41-40 East 18.2 feet to a stake, a corner of the 1.80 acre tract; thence with the West line of said 1.80 acre tract, South 2 East 368.2 feet to the place of BEGINNING, containing 0.17 acre, according to a survey by Clyde Fesperman, RLS, dated October 10, 1983. For title reference, see deed in Book 18K at page 695 of the Cleveland County Registry.

TRACT TWO

Lying on the North side of Artee Road and being bounded on the North and East by other property of John and Grace Weaver and being described by meets and bounds as follows:

BEGINNING on an iron in the right of way for Artee Road with said iron being located North 87-25-32 West 192.13 feet from Southwest corner of Julia Weaver and running thence North 88-40-40 West 162.41 feet (passing over an iron in the line at 56.9 feet) to a new iron; thence North 8-34-14 East 186.23 feet to an iron and North 20-49-33 East 196.51 feet to a pipe, thence South 78-34-20 East, South 08-31-46 West 351.82 feet to the place of the BEGINNING, containing 1.26 acres according to a plat and survey by D. Dobbins Lattimore dated November 30, 2005.

Title reference: see deed of record in Book 1486 at Page 229 of the Cleveland County Registry.

TRACT THREE

Located on the north side of Artee Road (State Road 1314), and being described by meets and bounds as follows:

BEGINNING on a rebar, common corner of Julia W. Weaver, Meredith Doggett (Book 6S, Page 242) and JJI Lighting Group, Inc. (Book 1125, Page 2356), and runs thence with Doggett's line, South 72-31-54 East 331.21 feet to a rebar, Northwest corner of the Barbara Mauney property as described in Book 1067, Page 213 and Book 1083, Page 1081; and runs thence with Mauney's west line, South 05-34-04 West 535.06 feet to an iron pin, a new corner and being the Northeast corner of a 0.362 acre tract; thence with two lines of said 0.362 acre tract as follows: South 83-05-56 West 139.89 feet and South 01-37-40 East 111.30 feet to a new iron pin in the north edge of headwall of culvert, Weaver's corner (property described in Book 12-1, Page 446); thence with Weaver's line (and the center line of the branch) as follows: North 03-50-35 West 174.87 feet; North 00-20-53 West 63.94 feet; North 07-14-33 East 90.74 feet; North 09-03-53 East 121.46 feet; North 56-44-46 East 36.72 feet; North 29-22-43 West 69.71 feet; North 90.74 feet; North 09-03-53 East 121.46 feet; North 56-44-46 East 36.72 feet; North 29-22-43 West 69.71 feet; North 30-24-37 East 99.34 feet; and North 03-53-03 West 106.21 feet to an unmarked point in the branch; thence South 82-38-27 West 348.65 feet to a pipe, John F. Weaver's corner in the east line of Ishmael Weaver; thence with his line as follows: North 09-16-17 West 8.72 feet and South 82-25-40 West 86.57 feet to an unmarked point in a gully; thence continuing on the same course, North 22-39-20 West 324.52 feet; thence North 35-34-20 West 50 feet, North 41-34-20 West 75 feet; North 53-02-46 West 51.85 feet and North 37-16-21 West 271.02 feet to anew iron pin set near a poplar, common corner of Julia W. Weaver and Ishmael Weaver in the Alan Hovis line as described in Book 1033, Page 191 feet to a pipe, common corner of Julia W. Weaver, Alan S. Hovis, CLX Realty and JJI Lighting Group, Inc.; thence with the line of JJI Lighting Group, Inc., South 43-20-13 East 361.72 feet and South 08-59-07 West 495.58 feet to the BEGINNING, containing 19.063 acres, according to a survey and plat by D. Dobbins Lattimore, RLS dated July 21, 1994.

For further reference and identification see Book 1863, Page 2862 of the Cleveland County Registry.

TRACT FOUR

Located North of State Road 1314 (Artee Road), but not touching the same and BEGINNING on an iron state, Northeast corner of the John F. Weaver Property as described in Book of Deeds 18-R at Page 696 of the Cleveland County Registry; and runs thence with the old line, North 78-00-00 West 101.10 feet to a stake, corner of Ishmael Weaver; thence with his line, North 08-41-49 West 303.70 feet to a stake, a new corner; thence a new line, North 83-12-47 East

348.60 feet to a point in the branch; thence with the center line of the branch as follows: South 03-24-56 East 106.28, South 30-58-57 West 99.34 feet, South 28-48-23 East 69.71 feet, South 57-19-06 West 36.72 feet and South 09-38-13 West 121.46 feet to a point in the branch where an old double poplar stood, Northeast corner of John F. Weaver; thence with his line, North 78-00-00 West 141.90 feet to the place of BEGINNING, containing 2.376 acres according to a survey and plat by D. Dobbins Lattimore, R.L.S. dated March 14, 1991.

TITLE REFERENCE, See Deed at Book 1096, Page 903 of the Cleveland County Registry.

TRACT FIVE

Located on the North side of the Dover Mill Paved Road; bounded on the North and East by R.E. Weaver, on the West by Ishmael Weaver; and being described by meets and bounds as follows: BEGINNING on a stake in the North edge of the Dover Mill Paved Road and in the center of the North end of a water culvert over the center of a branch; Southwest corner of R.E. Weaver's 26.8 acre tract, and runs thence with Weaver's line and up said branch, North 2 West 324 feet to a stake in the branch at a double poplar; thence again with R.E. Weaver's line, North 78 West 243 feet to an iron pin, corner of R.E. Weaver and Ishmael Weaver's property; thence a new line through Ishmael Weaver's property, South 2 East 360 feet to a stake in the North edge of the aforesaid road; thence with the North edge of said road, South 78-15 East 238 feet to the place of BEGINNING, containing 1.80 acres, more or less.

TITLE REFERENCE: See Deed at Book 121, Page 446 of the Cleveland County Registry.

Excepted from the above are those Deeds recorded in Book 1486, Page 229, Book 1503, Page 530, Book 1535, Page 981, Book 1452 and Book 1659, Page 1511 of the Cleveland County Registry.

Parcels # 32696 & 63683

John F. Weaver and wife, Gracie C. Weaver, Ruth Weaver Morrow, widow (Grantor) to City of Shelby (Grantee)

Lying on the North side of a new paved road; bounded by the R. E. Weaver 26.8 acre tract on the East and North and being described by meets and bounds as follows:

BEGINNING at a stake in the North edge of a new paved road in the center of the North end of a water culvert over the center of a branch; and runs thence several new division lines with R. E. Weaver tract of land, North 02 West 324 feet to a stake in the branch at a double poplar; thence leaving branch and running North 78 West 243 feet to an iron pin; thence North 22 West 325 feet to a stake deep water gully; thence South 83 West 97 feet to a stake in deep water gully; thence North 22 West 720 feet to a stake on a terrace; thence North 38 West 236 feet to a large poplar in line of Plato Lee; thence South 25 West 1047 feet to an iron pin, corner of old 3 acre tract; thence two lines with said tract, South 19 $\frac{3}{4}$ West 220 feet to an iron pin; thence South 81 East 641 feet to a stake; thence South 07 West 396 feet to an iron pin in the North edge of new paved road; thence with North edge of new paved road, South 87 $\frac{1}{4}$ East 873 feet to the place of BEGINNING, containing 26.3 acres, more or less, according to a partial survey made by Clyde C. Sorrels,

Registered Surveyor, on November 29, 1961.

EXPRESSLY EXCEPTED from this conveyance is all of that property previously conveyed by the Grantors to Charlie B. Hutchins and wife in Book 10-P, Page 332, to Pritchard A. McCoy and wife in Book 10-Z, Page 304, and to John F. Weaver and wife in Book 12-I, Page 446 and in book 18-K, Page 695 of the Cleveland County Registry.

ALSO EXPRESSLY EXCEPTED from the foregoing is all of that property described as follows:

BEGINNING re an existing iron, said iron being located at the Southwest corner of Earnest Ishmael Weaver property described in Book 9-J, Page 315 of the Cleveland County Registry; and runs thence with McSwain East line, North 6-57-16 East 83.09 feet to a new iron (said iron being located South 6-57-09 West 313.94 feet from an existing iron in McSwain Northeast corner); thence in four new lines through Earnest Ishmael Weaver; North 66-49-40 East 157.80 feet to an iron; North 82-10-30 East 89.41 feet to an iron; South 76-09-26 East 147.86 feet to an iron; iron lying North 88-19-43 West 493.65 feet from a nail over a culvert); thence with the old Weaver line, North 88-19-46 West 374.06 feet to the place of BEGINNING, containing 1.182 acres, more or less, according to a plat and survey by D. Dobbins Lattimore, RLS, dated July 15, 1996.

For title reference, see deed of record in Book 1186, Page 1250 of the Cleveland County Registry.

Parcel #49818

Section 2. Upon and after May 6, 2024, the above-described territory, also known as Cleveland County Parcel Number 32695, 32696, 63683, 49818, and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Shelby and shall be entitled to the same privileges and benefits as other parts of the City of Shelby. Said territory shall be subject to municipal taxes according to N.C. Gen. Stat. § 160A-58.10.

Section 3. The Mayor of the City of Shelby shall cause to be recorded in the office of the Register of Deeds of Cleveland County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such map shall also be delivered to the Cleveland County Board of Elections as required by N.C. Gen. Stat. § 163-288.1.

Adopted and approved this 6th day of May 2024.

O. Stanhope Anthony, III Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Agenda Item: B-2

- 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for parcels 32695, 32696, 49818, and 63683 (Artee Road): Ordinance No. 37-2024

Public Hearing Item: (Presenting: Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated April 30, 2024 from Justin Longino, Assistant City Manager to Rick Howell, City Manager
- Location Map, Zoning Map, Future Land Use Map
- Notice of Public Hearing
- Letter to Surrounding Property Owners
- Table of Permitted Uses
- Ordinance No. 37-2024

City Manager's Recommendation / Comments

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

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

See Next Page

§ 160D-605. Governing board statement.

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

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

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

After the conclusion of the public hearing City Council may act upon Ordinance No. 37-2024

Possible actions:

Motion to approve Ordinance No. 37-2024 as presented.

OR

Motion to deny approval of Ordinance No. 37-2024 as presented.

MEMORANDUM

To: Mr. Rick Howell – City Manager
From: Justin Longino – Assistant City Manager
Date: April 30, 2024
Subject: Artee Road Parcels 32695, 32696, 49818, 63683 – Zoning Assignment

Background

The City has received a petition for annexation pursuant to NCGS 160A-31 for parcels 32695, 32696, 49818, 63683.

- Parcel 32696 is within the City’s ETJ.
- Parcel 63683 is partially within the City’s ETJ and partially outside.
- Parcels 32695 and 32696 are outside of the City’s ETJ.

The parcels within the ETJ are currently zoned LI. The parcels that are outside of the ETJ have a Cleveland County zoning designation.

The GI general industrial district is primarily intended to accommodate a wide range of assembling, fabricating, manufacturing uses, and support retail and service uses. The GI district is established for the purpose of providing appropriate locations and development regulations for uses that may require special measures to ensure compatibility with adjoining residential or business properties.

City staff is requesting a zoning change and zoning assignment of GI to all parcels. NCGS 106D-202 requires the City to apply a zoning designation to the county-zoned parcels within 60 days. Therefore, staff requests the zoning assignment and rezoning of all parcels to GI at this meeting.

Recommendation

The Comprehensive Land Use Plan identifies this property as being in Residential Low Density area. This proposal is *inconsistent* with the Comprehensive Future Land Use Plan but is *consistent* with zoning and development patterns in the area. Parcels to the north, south, and east are zoned GI or LI with a variety of industrial uses.

Staff and Planning Board recommends this proposed zoning designation.

Attachments

Location Map

Zoning Map

Future Land Use Map

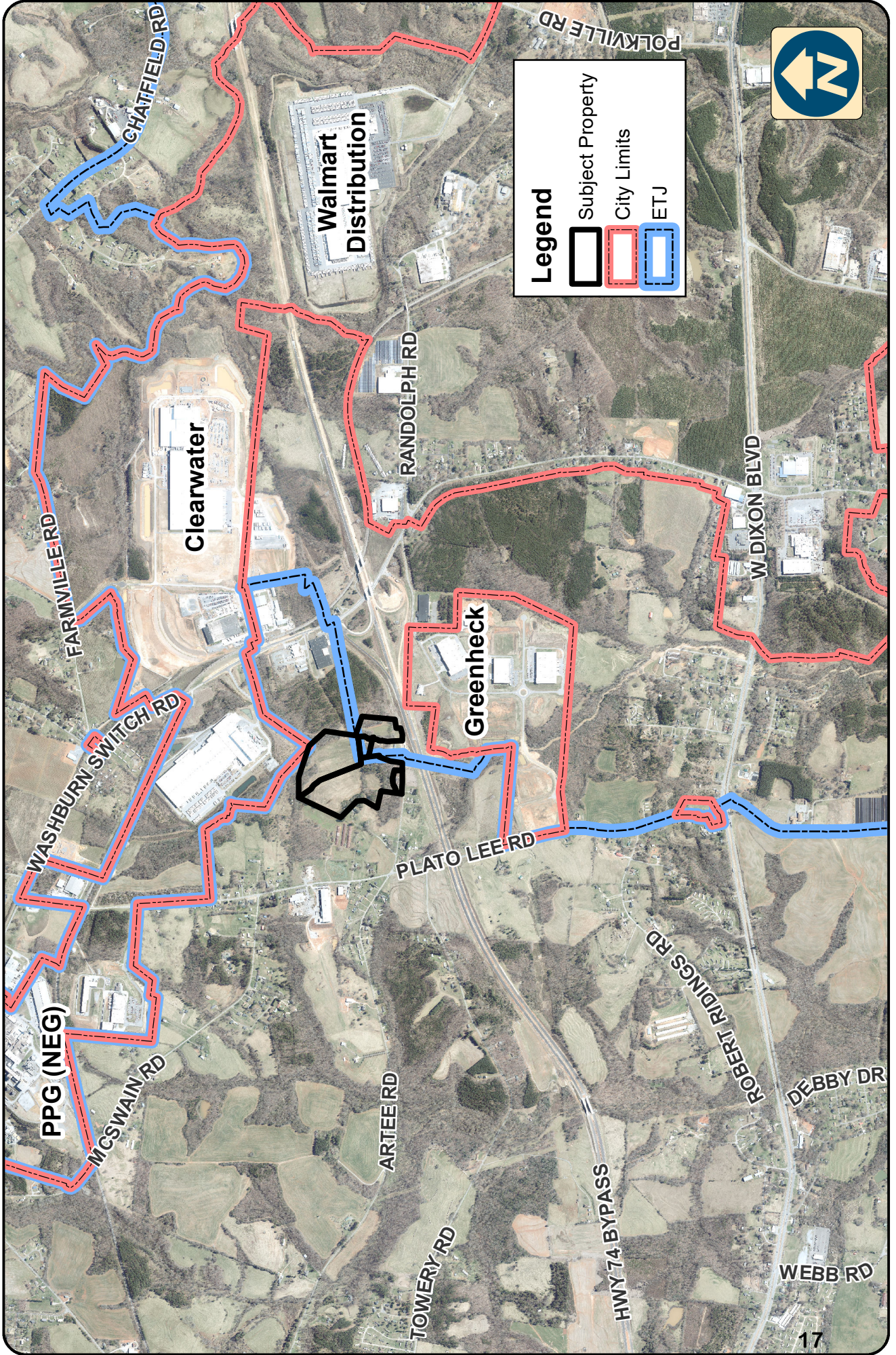
Notice of Public Hearing

Letter to Surrounding Property Owners




Table of Permitted Uses



Annexation - Artee Rd (parcels 32695, 32696, 49818, 63683)




Legend

-  Subject Property
-  City Limits
-  ETJ



Scale 1:25,135 1 inch = 2,095 feet



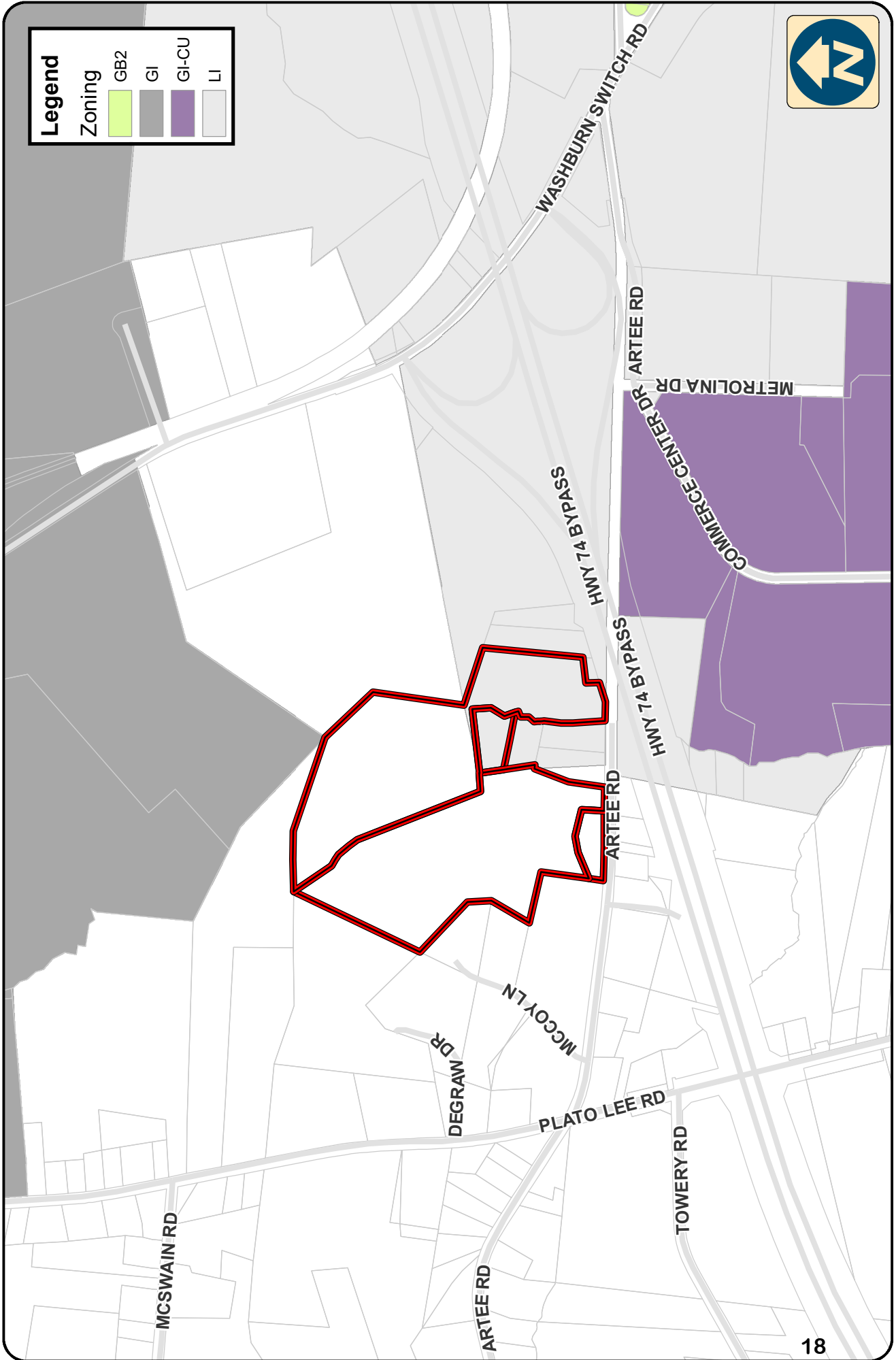
0 1,050 2,100 4,200 Feet

Date: 3/14/2024



Zoning Map

Artee Rd (parcels 32695, 32696, 49818, 63683)



Scale 1:8,400 1 inch = 700 feet

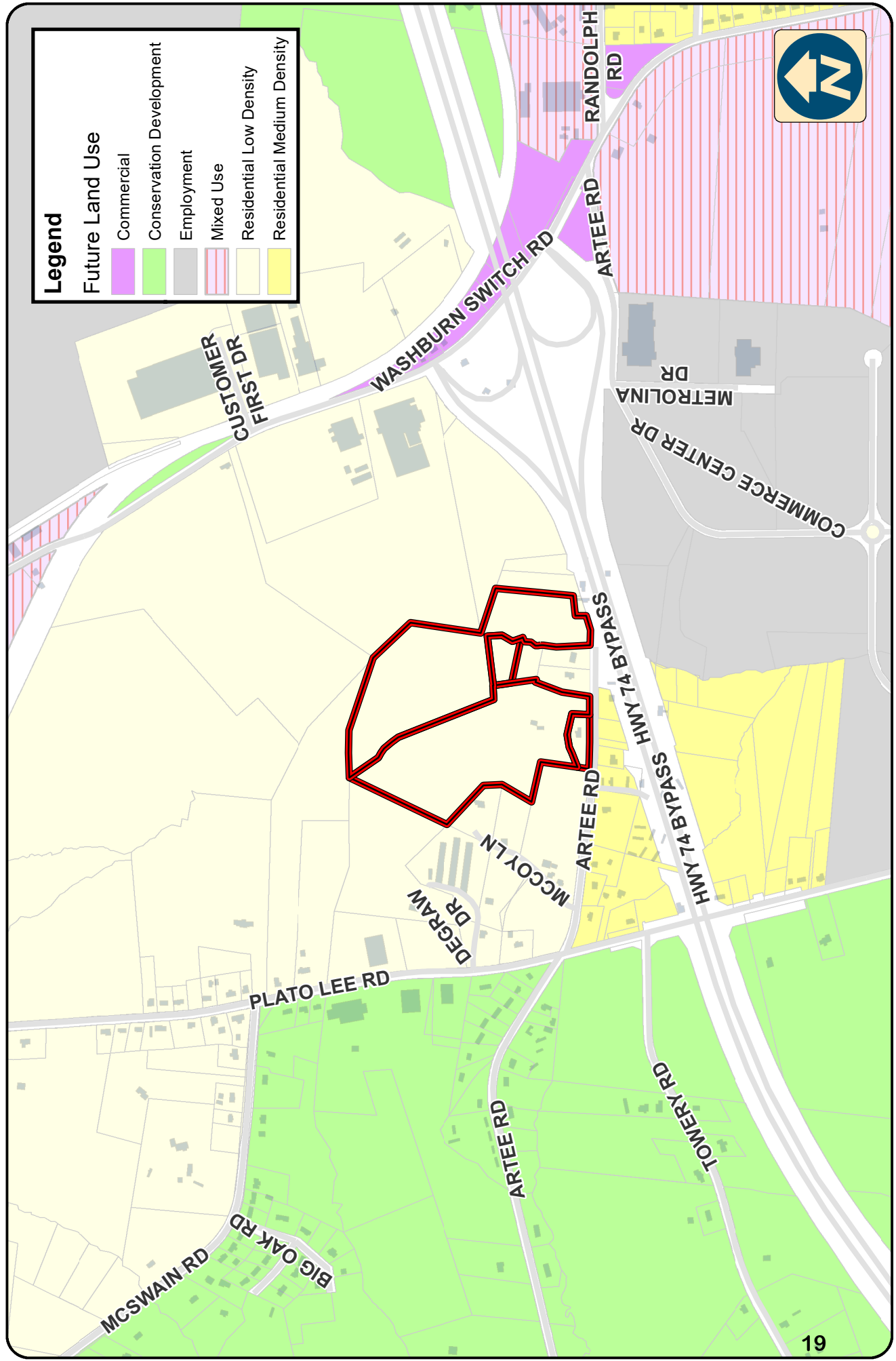


Date: 3/14/2024



Future Land Use

Artee Rd (parcels 32695, 32696, 49818, 63683)



**NOTICE OF PUBLIC HEARING TO ANNEX
40.3 acres on Artee Road**

The public will please take notice that the City Council of the City of Shelby will conduct a Public Hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby as required by North Carolina General Statutes (G.S.) Chapter 160A, Article 4A to consider the annexation of parcels 32695, 32696, 49818, and 63683 on Artee Road. A map of the proposed annexation is on file and available for inspection at the City of Shelby Planning & Development Services office, 315 South Lafayette Street, Shelby, North Carolina.

NOTICE OF PUBLIC HEARING FOR ZONING DESIGNATION

The City Council of the City of Shelby will conduct a public hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina to consider a petition for zoning designation of the same four parcels on Artee Road, if the aforementioned annexation is approved. The proposed area to be considered for the zoning designation is further described as Cleveland County Parcel Numbers 32695, 32696, 49818, and 63683, and approximately 40.3 acres in size.

A map of the property is on file and available for inspection at the City of Shelby Planning & Development Services office, 315 South Lafayette Street, Shelby, North Carolina.

Both Public Hearings will be held during the regular meeting of City Council on Monday, May 6, 2024 at 6:00 p.m. in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina.

Persons interested in being heard on the annexation and/or zoning designation are invited to comment on the proposed ordinance amendment at the hearing, whether for or against. Comments may be presented orally at the hearing, in writing prior to the hearing, or both.

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

Carol Williams
City Clerk

The Shelby Star:

Please publish this notice as a legal line ad on Monday, April 22, 2024 and the same ad again on Monday, April 29, 2024.

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

April 18, 2024

«Owner 1» «Owner 2»
«Owner Address»
«Owner City», «Owner State» «Owner Zipcode»

RE: Parcels 32695, 32696, 49818, and 63683 – Artee Road – Proposed Zoning Designation

Dear «Owner 1», «Owner 2»

The City Council of the City of Shelby will conduct a public hearing during its regular meeting on Monday, May 6, 2024, at 6:00 p.m. at 318 South Washington Street in the Don Gibson Theatre to consider a proposed zoning designation of General Industrial (GI) for four parcels on Artee Rd (parcels 32695, 32696, 49818, 63683) totaling about 40.3 acres. The property owner (City of Shelby) has petitioned for these parcels to be annexed into the City of Shelby and is requesting a zoning designation of General Industrial (GI) for all four parcels.

Enclosed are the application, location map, and zoning map.

If you have any questions or require additional information, please contact me at audrey.godfrey@cityofshelby.com or 704-484-6829.

Sincerely,



Audrey Whetten Godfrey
Senior Planner

Enclosures

Sec. 9-3. - Permitted uses.

9-3.1. Permitted use table.

(A) *Table of permitted uses.* Within each zoning district indicated on the official zoning map and subject to all requirements and conditions specified in this ordinance, land, buildings, and structures shall only be used and buildings and structures shall only be erected which are intended or designed to be used for uses listed in the table of permitted uses, Table 9-3-1. In the appropriate columns of table 9-3-1 uses permitted by right in the various districts are indicated by a "Z", uses permitted by right subject to meeting additional development standards a set forth in article XI (Development standards) are indicated with a "D", uses requiring a special use permit from the board of adjustment are indicated by an "S2", and uses requiring a special use permit from the city council are indicated by a "S1". A blank space in the table indicates that the use is not permitted.

Table 9-3-1 Table of Permitted Uses														
	Ref.	Zoning Districts												
Use Type	SIC	R20	R10	R8	R6	RR	RO	NB	CB	GB	GB2	CPD	LI	GI
RESIDENTIAL USES														
Bed and breakfast or tourist home	7011	D			D	D	D							
Existing detached garage apartment	0000	S2	S2	S2	S2		S2							
Family care home	0000	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z		
Modular home	0000	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z		
Multifamily dwelling (including condominium)	0000				D		D	Z	Z	Z	Z	Z		
Planned unit development	0000		S2	S2	S2		S2							

Single-family detached dwelling	0000	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z		
Temporary shelter	0000	S2			S2	S2	S2	S2	S2	S2	S2	S2	S2	S2
Townhouse dwelling	0000				D		D	Z	Z	Z	Z	Z		
Two-family dwelling (duplex)	0000	Z		Z	Z		Z	Z		Z	Z	Z		

ACCESSORY USES AND STRUCTURES

Accessory dwelling unit	0000	D	D	D	D	D	D							
Accessory uses and structures (customary)	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Caretaker dwelling	0000	D	D	D	D	D	D	D					D	D
Communication tower under 60 feet in height	0000	D			D	D	D	D	D	D	D	D	D	D
Emergency shelter	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Home occupation	0000	D	D	D	D	D	Z	Z		Z	Z	Z		
Satellite dish antenna	0000	D	D	D	D	D	D	D	D	D	D	D	D	D
Swimming pool	0000	D	D	D	D	D	D	D	D	D	D	D	D	D

RECREATIONAL USES

Athletic fields	0000	D	D	D	D	D	D	Z	Z	Z	Z	Z	Z	Z
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Civic, social and fraternal associations	8641	D			D	D	D	Z	Z	Z	Z	Z	Z	Z
Country club with golf course	7997	D	D	D	D	D	D			Z	Z	Z		
Dance school, music instruction	7911						Z	Z	Z	Z	Z			
Golf course	7992	D	D	D	D	D	D			Z	Z	Z		
Physical fitness center	7991						Z	Z	Z	Z	Z	Z	Z	Z
Private club or recreation facility, other	7997	D				D	D	Z	Z	Z	Z	Z		
Public park or recreational facility, other	7990	Z	D	D	D	Z	D	D	Z	Z	Z	Z	Z	Z
Sports and recreation club, indoor	7997						Z	Z	Z	Z	Z	Z	Z	Z
Swim and tennis club	7997	D	D	D	D	D	D	Z	Z	Z	Z	Z		
EDUCATIONAL AND INSTITUTIONAL USES														
Cemetery, columbarium or mausoleum	0000	D				D	D			Z	Z	Z		

Cemetery, columbarium or mausoleum on same property as church	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		
Church or other place of worship	8661	D	D	D	D	D	Z	Z	Z	Z	Z	Z		
College, university, technical institute	8220						S2					S2	S2	
Day care center, adult and child, 5 or less clients	8322	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Day care center, adult and child, 6 or more clients	8322	D			D	D	D	Z	Z	Z	Z	Z	Z	Z
Elementary or secondary school	8211	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1
Fire station/emergency medical service	9224	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1
Government office	9000						Z	Z	Z	Z	Z	Z	Z	Z
Hospital	8062						Z			Z	Z	Z		
Library	8231	D	D	D	D	D	D	Z	Z	Z	Z	Z	Z	Z
Nursing and convalescent home	8050	D			D	D	D			Z	Z	Z		
Orphanage	8361	D				D	Z							

Police station	9221	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Psychiatric hospital	8063						Z			Z	Z	Z		
Retreat/conference center	0000						S2			Z	Z	Z		
School administration facility	9411						Z			Z	Z	Z		
BUSINESS, PROFESSIONAL and PERSONAL SERVICES														
Accounting, auditing or bookkeeping	8721						Z	Z	Z	Z	Z	Z		
Administrative or management services	8740						Z	Z	Z	Z	Z	Z		
Bank, savings and loan, or credit union	6000						Z	Z	Z	Z	Z	Z	Z	Z
Employment agency, personnel agency	7360						Z	Z	Z	Z	Z	Z		
Engineering, architect or survey service	8710						Z	Z	Z	Z	Z	Z		
Finance or loan office	6100						Z	Z	Z	Z	Z	Z		
Funeral home	7261						Z	Z	Z	Z	Z	Z		
Landscape and horticulture services										Z	Z	D		

Insurance agency	6411							Z	Z	Z	Z	Z	Z		
Law office	8111							Z	Z	Z	Z	Z	Z		
Medical, dental or related office	8000							Z	Z	Z	Z	Z	Z		
Photography, commercial studio	7335							Z	Z	Z	Z	Z	Z		
Real estate office	6500							Z	Z	Z	Z	Z	Z		
Tattoo studio										S2	D	D			
Utility lines	0000							Z							
Utility related appurtenances, substation	0000							S1							
RETAIL TRADE															
ABC store (packaged liquor)	5921									Z	Z	Z	Z		
Antique store	5932								Z	Z	Z	Z	Z		
Apparel and accessory store	5600									Z	Z	Z	Z		
Appliance store	5722									Z	Z	Z	Z	Z	
Arts and crafts	0000								Z	Z	Z	Z	Z		
Auto supply sales	5531									Z	Z	Z	Z	Z	
Bakery	5461									Z	Z	Z	Z	Z	Z

Bar, night club, tavern	5813							S2	S2	S2	S2	S2		
Boat sales	5551									Z	Z		Z	
Bookstore, except adult bookstore	5942						Z	Z	Z	Z	Z	Z		
Building supply sales	5211									Z	Z		Z	Z
Computer sales	5734						Z	Z	Z	Z	Z	Z	Z	Z
Convenience store	5411						D	D	Z	Z	Z	Z	Z	
Department, variety or general merchandise	5300								Z	Z	Z	Z		
Drugstore	5912						D	D	Z	Z	Z	D		
Fabric or piece goods store	5949								Z	Z	Z	Z		
Farm supplies and equipment	0000									Z	Z		Z	Z
Floor covering, drapery or upholstery	5710								Z	Z	Z	Z	Z	
Florist	5992						Z	Z	Z	Z	Z	Z		
Food store	5400							Z	Z	Z	Z	Z		
Fuel oil sales	5980									Z	Z	Z	Z	Z
Furniture sales	5712								Z	Z	Z	Z		

Garden center or retail nursery	5261									Z	Z	Z	Z	
Gift, novelty and souvenir shop	5940						Z	Z	Z	Z	Z	Z		
Hardware store	5251							Z	Z	Z	Z	Z		
Home furnishings, miscellaneous	5719									Z	Z			
Manufactured home sales	5271									Z	Z			Z
Microbrewery and brewpub									D	D	D	D	D	
Miscellaneous retail sales	5999									Z	Z			
Motor vehicle sales (new and used)	5511									Z	Z			Z
Motorcycle sales	5571									Z	Z			Z
Musical instrument sales	5736							Z	Z	Z	Z	Z		
Neighborhood food and beverage services								D						
Newsstand	5994						Z	Z	Z	Z	Z	Z		
Office machine sales	5999								Z	Z	Z	Z		
Optical goods sales	5995						Z	Z	Z	Z	Z	Z		

Outdoor Flea Markets										S2	S2			
Paint and wallpaper sales	5231							Z	Z	Z	Z	Z	Z	
Pawnshop or used merchandise store	5932								Z	Z	Z		Z	
Pet store	5999							Z	Z	Z	Z	Z		
Record and tape store	5735							Z	Z	Z	Z	Z		
Recreational vehicle sales	5561									Z	Z		Z	
Restaurant (drive-in or take out window only)	5812									Z	Z			
Restaurant (with drive-thru)	5812							Z	Z	Z	Z	Z	Z	
Restaurant (without drive-thru)	5812						Z	Z	Z	Z	Z	Z	Z	
Service station, gasoline sales	5541							D	D	Z	Z	D	Z	Z
Sporting goods store, bicycle shop	5941							Z	Z	Z	Z	Z		
Tire sales	5531									Z	Z		Z	
Truck Stop	5541									Z	Z		Z	Z

Video tape rental and sales, except adult video store	7841								Z	Z	Z	Z	Z		
WHOLESALE TRADE															
Agricultural chemicals, pesticides or fertilizers	5191														Z
Agricultural products, other including tobacco auction warehousing	5159														Z
Ammunition	5099														Z
Animals and animal products, other	5159														Z
Apparel, piece goods and notions	5130									Z	Z			Z	Z
Beer, wine or distilled alcoholic beverages	5180									Z	Z			Z	Z
Books, periodicals and newspapers	5192									Z	Z			Z	Z
Chemicals and allied products	5169														Z
Drugs and sundries	5122									Z	Z			Z	Z

Durable goods, other	5099												Z	Z
Electrical goods	5060									Z	Z		Z	Z
Farm supplies, other	5191												Z	Z
Flowers, nursery stock and florist supplies	5193									Z	Z		Z	Z
Forest products	5099													Z
Furniture and home furnishings	5020									Z	Z		Z	Z
Grain and field beans	5153													Z
Groceries and related products	5140									Z	Z		Z	Z
Hardware	5072									Z	Z		Z	Z
Jewelry, watches, precious stones and metals	5094									Z	Z		Z	Z
Livestock	5154													Z
Lumber and other construction materials	5030												Z	Z
Lumber, millwork and veneer	5031												Z	Z

Machinery, construction and mining	5082												Z	Z
Machinery, equipment and supplies	5080												Z	Z
Machinery, farm and garden	5083												Z	Z
Market showroom (furniture, apparel, etc.)	0000								Z	Z			Z	Z
Metals	5051												Z	Z
Minerals	5052													Z
Miscellaneous wholesale not elsewhere classified	5199												Z	Z
Motor vehicles	5012												Z	Z
Motor vehicles, parts and supplies	5010												Z	Z
Motor vehicles, tires and tubes	5014												Z	Z
Paints and varnishes	5198												Z	Z
Paper and paper products	5110													Z

Petroleum and petroleum products	5170													Z	
Plastic materials	5162												Z	Z	
Plumbing and heating equipment	5070												Z	Z	
Professional and commercial equipment and supplies	5040												Z	Z	
Resins	5162													Z	
Scrap and waste materials	5093													Z	
Sporting and recreational goods and supplies	5091									Z	Z		Z	Z	
Tobacco and tobacco products	5194												Z	Z	
Toys and hobby goods and supplies	5092									Z	Z		Z	Z	
Wallpaper and paint brushes	5198									Z	Z		Z	Z	
TRANSPORTATION, WAREHOUSING AND UTILITIES															
Airport or air transportation facility	4500													S1	S1

Bulk mail and packaging	4212												Z	Z
Bus terminal	4100								Z	Z	Z			
Communication or broadcasting facility	4800								Z	Z	Z		Z	Z
Courier service	4215									Z	Z		Z	Z
Demolition debris landfill	0000													S1
Farm product warehousing and storage	4221												Z	Z
Hazardous and radioactive waste (transportation, storage and disposal)	4953													S2
Heliport	4522												S2	S2
Marina	4493									Z	Z			
Landing strip, flying field	0000												S2	S2
Moving and storage service	4214									Z	Z		Z	Z
Outside bulk storage	0000									Z	Z		Z	Z

All other radio, television or communication tower over 60 feet in height	0000									S2	S2		S2	S2
Public safety communications tower	0000									S1	S1		S1	S1
Railroad terminal or yard	4010									Z	Z			Z
Recycling materials collection/processing operations	0000												Z	Z
Refrigerated warehousing	4222									Z	Z		Z	Z
Refuse and raw material hauling	4212													Z
Sewage treatment plant	4952									S1	S1		S1	S1
Solar Energy Facilities:														
Roof-mounted, parking lot cover, or building integrated (Level 1)		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

Ground-mounted up to 50% of the footprint of the primary structure (Level 1)		Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Ground-mounted ≤ ½ acre (Level 2)		D	D	D	D	D	D			D	D		D	D
Ground-mounted ≤ 10 acres (Level 2)										D	D		D	D
Ground-mounted > 10 acres (Level 3)										S2	S2		D	D
Solid waste disposal (nonhazardous), including sanitary landfills	4953													S1
Taxi terminal	4121							Z	Z	Z	Z			
Telecommunications facilities on existing structures	0000									D	D		D	D
Trucking or freight terminal	4213									Z	Z		Z	Z
Utility company office	0000								Z	Z	Z		Z	Z
Utility equipment and storage yards	0000									Z	Z		Z	Z
Utility lines	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

Utility service facility (no outside storage)	0000									Z	Z		Z	Z
Utility related appurtenances, substation > 500 feet from a legal conforming residential use	0000	D	D	D	D	D	D	D	D	D	D	D	D	D
Utility related appurtenances, substation < 500 feet from a legal conforming residential use	0000	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1	S1
Warehouse (general storage, enclosed)	4220									Z	Z		Z	Z
Warehouse (self- storage)	4225									Z	Z		Z	Z
Water treatment plant	0000									S1	S1		S1	S1
MANUFACTURING and INDUSTRIAL USES														
Aircraft and parts	3720													Z
Ammunition, small arms	3482													S2
Animal feeds (including dog and cat)	2048													Z

Animal slaughter or rendering	0000													S2
Apparel and finished fabric products	2300												Z	Z
Arms and weapons	3480												Z	Z
Asbestos, abrasive and related products	3290													Z
Asphalt plant	2951													Z
Audio, video and communications equipment	3600												Z	Z
Bakery products	2050									Z	Z		Z	Z
Batteries	3691													Z
Beverage products (alcoholic)	2080													Z
Beverage products (nonalcoholic)	2086									Z	Z		Z	Z
Bicycle assembly, parts and accessories	3751												Z	Z
Boat and ship building	3730												Z	Z
Brooms and brushes	3991												Z	Z
Burial caskets	3995												Z	Z

Chemicals, paints and allied products	2800													Z
Coffee	2095												Z	Z
Computer and office equipment	3570												Z	Z
Concrete, cut stone and clay products	3200													Z
Contractors (no outside storage)	0000									Z	Z		Z	Z
Contractors, general building	1500												Z	Z
Contractors, heavy construction	1600													Z
Contractors, special trade	1700												Z	Z
Costume jewelry and notions	3960												Z	Z
Dairy products	2020												Z	Z
Drugs	2830												Z	Z
Electrical components	3670												Z	Z
Electrical equipment	3600												Z	Z
Electrical industrial apparatus, assembly	3620												Z	Z

Electrical industrial apparatus, manufacturing	3620																	Z
Explosives	2892																	S2
Fabricated metal products	3400																	Z
Fabricated valve and wire products	3490																	Z
Fats and oils, animal	2077																	Z
Fats and oils, plant	2070																	Z
Fish, canned, cured or frozen	2091																	Z
Floor coverings (excluding carpet)	3996																Z	Z
Food and related products, miscellaneous	2090																Z	Z
Furniture and fixtures	2500																Z	Z
Furniture and fixtures assembly	0000																Z	Z
Furniture framing	2426																Z	Z
Glass	3200																	Z

Glass products from purchased glass	3231												Z	Z
Grain mill products	2040													Z
Heating, equipment and plumbing fixtures	3430												Z	Z
Household appliances	3630												Z	Z
Ice	2097								Z	Z			Z	Z
Industrial and commercial machinery	3500													Z
Jewelry and silverware (no plating)	3910												Z	Z
Leather and leather products (no tanning)	3100												Z	Z
Leather and leather products (tanning)	3100													Z
Lighting and wiring equipment	3640												Z	Z
Machine welding shop										D	D		Z	Z

Manufactured housing and wood buildings	2450												Z	Z
Measurement, analysis and control instruments	3800												Z	Z
Meat and poultry, packing and processing (no rendering)	2010													Z
Medical, dental and surgical equipment	3840												Z	Z
Metal coating and engraving	3470													Z
Metal fasteners (screws, bolts, etc.)	3450													Z
Metal Processing	3350													Z
Millwork, plywood and veneer	2430													Z
Miscellaneous manufacturing industries, not elsewhere listed	0000													Z
Motor vehicle assembly	3710													Z

Motor vehicle parts and accessories	3714													Z
Motorcycle assembly	3751													Z
Musical instruments	3930												Z	Z
Paper products	2670													Z
Paperboard containers and boxes	2650													Z
Pens and art supplies	3950												Z	Z
Petroleum and related industries	2900													Z
Pharmaceutical preparations	2834												Z	Z
Photographic equipment	3861												Z	Z
Photographic supplies	3861												Z	Z
Pottery and related products	3260												Z	Z
Preserved fruits and vegetables (no can manufacture)	2030												Z	Z

Primary metal products and foundries	3300													Z
Printing and publishing	2700							Z	Z	Z	Z		Z	Z
Pulp and paper mills	2610													Z
Rubber and plastics, miscellaneous	3000												Z	Z
Salvage yards, auto parts	5015													S2
Salvage yards, scrap processing	5093													S2
Sawmill or planing mills	2420													Z
Signs	3993									Z	Z		Z	Z
Soaps and cosmetics	2840												Z	Z
Sporting goods and toys	3940												Z	Z
Sugar and confectionery products	2060												Z	Z
Surface active agents	2843													Z
Textile products (no dyeing and finishing)	2200												Z	Z

Textile products (with dyeing and finishing)	2260														Z
Tires and inner tubes	3011														Z
Tobacco products	2110												Z	Z	
Wood containers	2440													Z	
Wood products, logging	2411													Z	
Wood products, miscellaneous	2490													Z	
AGRICULTURAL USES															
Intensive livestock operation (see note below)	0000														S2
MINING USES															
Mining, quarrying, sand pits, and mineral extraction	1000														S2
MISCELLANEOUS AND TEMPORARY USES															
Automobile parking on same lot as principal use	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z

Temporary construction, storage or office; real estate sales or rental office (with concurrent building permit for permanent building)	0000	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z
Temporary emergency, construction, and repair residence	0000	D	D	D	D	D	D	D	D	D	D	D	D	D

Note: Chapter 3 of the City of Shelby Ordinances regulates the keeping of certain animals within the corporate limits of the City of Shelby. Consequently, some animal operations may not be permissible within zoning districts that are located within the Shelby corporate limits.

Z = Use permitted by zoning permit.

D = use permitted by zoning permit with development standards.

S1 = Special use permit required by city council.

S2 = Special use permit required by BOA.

(B) *Formulation of permitted use table.*

- (1) The *Standard Industrial Classification Manual - 1987* was utilized in the preparation of this table and shall be referred to as a guide for purposes of interpretation by the UDO administrator. SIC codes are used to refer to SIC classifications. Entries with 0000 in the Reference SIC column do not correspond to any classification in the SIC Manual.
- (2) When a use is not listed in the permitted use table, the UDO administrator shall classify it with that use in the table most similar to it. The SIC Manual shall serve as a guide in classifying any unlisted use. If the UDO administrator should determine that a use is not listed and is not similar to a use in the permitted use table, then said use is prohibited.
- (3) Rental and leasing of any commodity shall be permitted under the same classification and in the same districts as are sales of that commodity, unless rental or leasing of that commodity is listed separately in the permitted use table.

- (4) If an industrial plant or facility involves two (or more) manufacturing activities with different SIC codes on the same zone lot, the industrial plant shall be permitted only in those zoning districts where the more restricted activity is permitted. (For example, an industrial plant preparing canned peanuts and also manufacturing the cans is allowed in those zoning districts permitting can manufacturing.)

9-3.2. *Permissible uses not requiring permits.* Notwithstanding any other provisions of this ordinance, no zoning, special use, or conditional use permit is necessary for the following uses:

- (A) Streets.
- (B) Electric power, telephone, telegraph, cable television, gas, water, and sewer lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.
- (C) Any accessory building with a building dimension of 12 feet or less.
- (D) Farm buildings except for buildings on a bona fide farm used for nonfarm purposes and buildings used for feeder/breeder operations.

9-3.3. *Change in use.*

- (A) A substantial change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:
 - (1) The change involves a change from one principal use category to another.
 - (2) If the original use is a combination use, the relative proportion of space devoted to the individual principal uses that comprise the combination use changes to such an extent that the parking requirements for the overall use are altered.
 - (3) If the original use is a combination use, the mixture of types of individual principal uses that comprise the combination use changes.
 - (4) If the original use is a planned unit development, the relative proportions of different types of dwelling units change.
 - (5) If there is only one business or enterprise conducted on the lot (regardless of whether that business or enterprise consists of one individual principal use or a combination use), that business or enterprise moves out and a different type of enterprise moves in (even though the new business or enterprise may be classified under the same principal use or combination use category as the previous type of business). For example, if there is only one building on a lot and a florist shop that is the sole tenant of that building moves out and is replaced by a clothing store, that constitutes a change in use. However, if the florist shop were replaced by another florist shop, that would not constitute a change in use since the type of business or enterprise would not have changed. Moreover, if the florist shop moved out of a rented space in a shopping center and was replaced by a clothing store, that would not constitute a change in use since there is more than one business on the lot and the essential character of the activity conducted on that lot (shopping center-combination use) has not changed.

(B)

A mere change in the status of property from unoccupied to occupied or vice-versa does not constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied, unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.

- (C) A mere change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.

9-3.4. *Combination uses.*

- (A) When a combination use comprises two or more principal uses that require different types of permits (zoning, special use, or conditional use), then the permit authorizing the combination use shall be:
 - (1) A special use permit if any of the principal uses combined requires a special use permit.
 - (2) A conditional use permit if any of the principal uses combined requires a conditional use permit.
 - (3) A zoning permit in all other cases.
- (B) When a combination use consists of a single-family detached residential subdivision that is not a planned unit development and two-family or multifamily uses, the total density permissible on the entire tract shall be determined by having the developer indicate on the plans the portion of the total lot that will be developed for each purpose and calculating the density for each portion as if it were a separate lot.

9-3.5. *Prohibited uses.* Within certain overlay districts some uses are specifically prohibited. The following uses are prohibited in the overlay districts listed.

- (A) WSIV critical area overlay district: The following uses are prohibited:
 - (1) New landfills;
 - (2) New sites for land application of residuals; and
 - (3) New sites for land application of petroleum-contaminated soils.
- (B) WSIV protected area overlay district: The following uses are prohibited:
 - (1) No uses are prohibited.
- (C) FHO flood hazard overlay district: The following uses are prohibited in designated floodways:
 - (1) Buildings, including manufactured homes; and
 - (2) Any use that would cause any increase in base flood levels.
- (D) AO airport overlay district: Reserved.

(Ord. No. 38-2005, § 1, 11-21-2005; Ord. No. 1-2006, § 1, 1-9-2006; Ord. No. 40-2007, § 1, 8-20-2007; Ord. No. 21-2008, § 1, 5-19-2008; Ord. No. 32-2013, 9-16-2013; Ord. No. 12-2014, 3-17-2014; Ord. No. 16-2014, 4-7-2014; Ord. No. 4-2015, 2-2-2015; Ord. No. 13-2016, 3-21-2016; Ord. No. 8-2018, 2-19-2018; Ord. No. 45-2019, 7-15-2019; Ord. No. 59-2019, 9-16-2019; Ord. No. 24-2020, 7-20-2020; Ord. No. 16-2021, § 1(Exh. A), 4-19-2021)

ORDINANCE NO. 37-2024

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF SHELBY, NORTH CAROLINA FOR
PARCELS 32695, 32696, 49818, and 63683**

WHEREAS, the City of Shelby desires to rezone property on Artee Road (Parcels 32695, 32696, 49818, and 63683) located in Cleveland County and noncontiguous to the corporate limits of the City of Shelby; and,

WHEREAS, the Shelby Planning and Zoning Board has reviewed said application for a zoning change and has made its findings and recommendations to City Council; and,

WHEREAS, the Shelby Planning and Zoning Board found that the zoning change is inconsistent with the Comprehensive Land Use Plan for the proposed land use though consistent with the surrounding industrial zoning and uses; and,

WHEREAS, in accordance with GS 160D-602, a public hearing on this proposed rezoning was held by City Council on May 6th after due publication of said hearing as required by law; and,

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

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

Section 1. This zoning change is reasonable and in the public interest based on consistency with the surrounding uses and zoning though it is inconsistent with the City of Shelby Comprehensive Land Use Plan for the proposed land use.

Section 2. In accordance with Chapter 160D, Article 6 and Article 7 of the North Carolina General Statutes, as amended, the Shelby Unified Development Ordinance and Shelby Zoning Map (Appendix A of the Shelby City Code), the parcels on Artee Road (Parcels 32695, 32696, 49818, and 63683) are hereby amended from LI and Cleveland County zoning to GI.

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

Section 5. This ordinance shall become effective on May 6th, 2024 upon its adoption and approval.

ADOPTED AND APPROVED this the 6th day of May 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

C. Consent Agenda:

Agenda Item: C-1

- 1) Approval of the Minutes of the Regular Meeting of April 15, 2024

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

Please read and offer changes as you deem necessary.

- Minutes of the Regular Meeting of April 15, 2024

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 of Shelby City Council
Don Gibson Theatre

April 15, 2024
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew L. Hopper, Sr., David Causby, Violet Arth, David White, and Emilie Bullock; City Manager Rick Howell, MPA, ICMA-CM, Assistant City Manager Ben Yarboro, Assistant City Manager Justin Longino, MBA, City Attorney Jason Lunsford, City Clerk Carol Williams, Deputy City Clerk Breanna Jones, Director of Human Resources Deborah (Deb) Jolly, Fire Chief William Hunt, EFO, Chief of Police Brad Fraser, Public Works Director Scott Black, Director of Water Resources Brian Wilson, Public Information and Communications Officer Chip Nuhrah, Engineering Manager Justin Wright, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Absent: Council Member Charles Webber

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

Mr. Hopper led the Pledge of Allegiance.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda presented.

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

B. Special Presentation:

- 1) Drinking Water Quality, PFAS Update – Brian Wilson, Water Resources Director

Mr. Wilson gave a background on our water system and our water source, which is the First Broad River. Mr. Wilson stated that our water quality meets state and federal regulation requirements. Mr. Wilson explained PFAS and how it is found in some water systems, however, Mr. Wilson revealed that our filtration system does not use PFAS in the treatment process. Mr. Wilson concluded by stating the City of Shelby will continue to test our drinking water and will develop a plan to comply with any EPA standards.

C. Public Comment:

None

D. Public Hearing:

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for parcels 26465 and 26466 (Sulphur Springs Rd): Ordinance No. 31-2024

Mr. Longino presented this item to Council and stated these parcels consist of 1.05 acres on Sulphur Springs Road off Earl Road. According to Mr. Longino, this property is currently zoned as R-20 and the applicant has requested a conventional rezoning to R-10. Mr. Longino continued by stating the R-10 zoning district does allow for higher density residential use; and an R-10 zoning is consistent with the future land use map which shows the area as Mixed Use. Mr. Longino concluded that staff and the Planning and Zoning Board recommend this rezoning amendment.

Mayor Anthony opened the public hearing at 6:14 p.m. and invited comments from the public.

Jerry Brintley who resides at 113 Stone Street, Shelby, North Carolina stated he wanted to know if his property is also zoned as R10 already and if he could put two houses on his property. Mr. Longino stated the density for that area is R-10 which allows for more units per acre, therefore, due to the R-10 zoning, Mr. Brintley could put townhomes on his parcel.

Vernon Baumrind whose business address is 8508 Park Road, Charlotte, North Carolina, is the developer and applicant for this rezoning request. Mr. Baumrind stated the smaller parcel is not large enough for a home, so he wants to take the two parcels and divide them into two equal 70' wide lots which is consistent with the R-10 zoning district.

Mayor Anthony closed the public hearing at 6:19 p.m.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve Ordinance No. 31-2024 entitled, "A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF SHELBY, NORTH CAROLINA FOR PARCELS 26465 AND 26466 (SULPHUR SPRINGS RD)" due to it being consistent with Shelby's adopted comprehensive plan and in receiving approval

from the Planning Board, and the request is reasonable because the surrounding property is mixed use, the planned use is consistent with the area for higher density commercial and residential use, and consistent with Shelby's comprehensive land use plan.

- 2) Consideration of a proposed resolution authorizing purchase of the Hotel Charles pursuant to North Carolina General Statute § 158-7.1: Resolution No. 26-2024

Mr. Howell presented this item to Council and stated a public hearing is necessary prior to Council's action on the purchase of the Hotel Charles pursuant to NCGS 158-7.1. Mr. Howell reminded Council that the City has negotiated an agreement with BankOZK to purchase the Hotel Charles primarily for historic restoration but also for economic development with hopes to entice a developer into developing the property into a boutique hotel. Mr. Lunsford commented NCGS 158-7.1 requires a public hearing for economic development which ultimately allows for more flexibility in making purchases of that same property for economic development purposes. Mr. Lunsford stated that most of the time property acquisitions have to go through a bid and proposal process, but by having a public hearing, the City can bypass that process. Mr. Lunsford stated there have been contract negotiations entered into and the city hopes to secure negotiations soon and finalize a plan for a boutique hotel.

Mayor Anthony opened the public hearing at 6:22 p.m. and the public offered no comments.

Mayor Anthony closed the public hearing at 6:23 p.m.

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to approve Resolution No. 26-2024 entitled, "A PROPOSED RESOLUTION AUTHORIZING PURCHASE OF THE HOTEL CHARLES PURSUANT TO NORTH CAROLINA GENERAL STATUTE § 158-7.1."

- 3) Consideration of a proposed resolution authorizing purchase of Webbley pursuant to North Carolina General Statute § 158-7.1: Resolution No. 27-2024

Mr. Howell presented this item to Council and stated a public hearing is necessary prior to Council's action on the purchase of Webbley pursuant to NCGS 158-7.1. Mr. Howell reminded Council that the City received a directed grant from the State of North Carolina for the purchase and historic restoration for Governor O. Max Gardner's house on South Washington Street. Mr. Howell stated the city does not have a determined use for this

property as of yet and has engaged with Development Finance Initiative (DFI) at UNC-Chapel Hill to help us identify a possible use. Mr. Howell further stated that there will be a public stakeholder process where interested parties will be given the opportunity to comment on what a future use should be, for example, a bed and breakfast, or museum, etc. Mr. Howell stated that once the property is restored the City will put covenants to protect it in perpetuity in terms of its historic preservation. Mr. Howell also stated the public hearing is required under NCGS 158-7.1 and it's good to let the public know of the city's intent and to allow public comment, and to give Council flexibility to hold the property in public use or put it back into private use in the future.

Mr. Lunsford showed a picture of the current condition of Webbley. Mr. Lunsford continued by stating the \$3.995 million grant from the State of North Carolina has been received and the purchase of the Webbley could be finalized by the end of this week; and the restoration work would commence shortly thereafter. Mr. Lunsford then showed a picture of what the Webbley once looked like – a vast difference to its current state. Mr. Lunsford acknowledged the economic impact the restoration process will bring such as, the jobs it will create, and the possible increase in tourism the home will bring to the City . Mr. Lunsford stated NCGS 158-7.1 requires a public hearing for economic development which ultimately allows for more flexibility in making purchases of that same property for economic development purposes.

Mayor Anthony opened the public hearing at 6:27 p.m. and the public offered no comments.

Mayor Anthony closed the public hearing at 6:28 p.m.

Ms. Arth wanted to clarify that the \$3.995 million grant from the State of North Carolina is not a loan that the City has to pay back; it was given to the City for the expressed purpose of purchasing and restoring Webbley.

ACTION TAKEN: Upon a motion made by Mr. Causby, City Council voted unanimously to approve Resolution No. 27-2024 entitled, "A PROPOSED RESOLUTION AUTHORIZING PURCHASE OF WEBBLEY PURSUANT TO NORTH CAROLINA GENERAL STATUTE § 158-7.1."

E. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of April 1, 2024
- 2) Approval of a resolution adopting the City of Shelby’s Capital Asset Policy: Resolution No. 28-2024
- 3) Approval of a resolution for the award of the contract for the City of Shelby Eaves Road Water Main Extension Project: Resolution No. 29-2024
- 4) Approval of a resolution approving conveyance of property (Habitat property): Resolution No. 30-2024
- 5) Approval of Special Event applications:
 - a) First Friday at Greenbrook Design, requested date: May 3, 2024
 - b) Shelby Pride Festival, requested date: October 12, 2024

END OF CONSENT AGENDA

F. Unfinished Business:

- 1) Adoption of an ordinance to amend the City of Shelby Code of Ordinance to create the Carolina Harmony Trail Rules of Conduct: Ordinance No. 32-2024

Mr. Lunsford stated that with the creation of the Carolina Harmony Trail a set of Rules of Conduct is necessary. Mr. Lunsford stated the rules are self-explanatory and they are rules the City of Shelby already has in place and/or the State mandates. Mr. Lunsford listed several of the rules that are included in Ordinance No. 32-2024.

ACTION TAKEN: Upon a motion by Mrs. Bullock, City Council voted unanimously to adopt Ordinance No. 32-2024 entitled, “AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCE TO CREATE THE CAROLINA HARMONY TRAIL RULES OF CONDUCT.”

- 2) Adoption of an ordinance to amend the City of Shelby Code of Ordinance to create the Uptown Shelby Social District: Ordinance No. 33-2024

Mr. Lunsford stated that authority to create Uptown Shelby Social District is granted by NCGS 160A-205.4 in accordance with NCGS 18B-300.1, which allows open containers of alcohol in a designated cup within a designated area following certain conditions. Mr. Lunsford reminded Council that a presentation was given by Carly Bostic of Uptown Shelby Association in November 2023 informing Council on the number of other municipalities that have implemented a social district ordinance. If Ordinance No. 33-2024 is adopted, then the plan would go before the ABC Commission for their approval; a maintenance plan is also necessary which is included with the ordinance.

Mr. Lunsford enumerated the following aspects of the Social District maintenance and operation plan:

- The Social District maintenance and operation plan will be posted on the City's website along with frequently asked questions.
- On the map of the Social District the section of the Carolina Harmony Trail from the trailhead on Marion Street to the Sumter Street bridge will be eliminated from the Social District mainly due to being problematic and possibly harder to patrol that area.
- Illustrated the four signs that each Uptown business will display in their window, either Not Permitted Here, Welcomed Here, Sold Here but No Outside Beverages, or Sold Here.
- Explained the required cup design and how it has to have the seller (permittee), the date, the time, be 21 and drink responsibly.
- Bringing a six pack of alcohol into the Social District is prohibited.
- The hours of the Social District are from 10 a.m. to 10 p.m.
- All alcoholic beverages must be consumed or disposed of before exiting the Social District.
- Criminal punishment is possible.

Ms. Arth suggested the sign decal color for Not Permitted Here should be red. Mr. Lunsford acknowledged decisions are still fluid, so decal colors could easily be changed. Ms. Bostic stated the sign decals will probably be about 4" x 6".

Mayor Anthony inquired about the increased burden on law enforcement due to Social Districts. Mr. Lunsford stated he and Chief Fraser have discussed this possibility but are confident the Shelby Police Department is capable and has enough officers to enforce the Social District regulations. Ms. Bostic also addressed concerns of a possible increase in unruly behavior and stated there are things in place to help curb some of that from happening; she mentioned the designated cups with the date and time stamped on it will help identify if there are additional drinks poured in the cup from a brought from home six-pack. Mr. Howell stated that Council can revisit this ordinance and amend it as needed.

Mr. Lunsford concluded by stating that the City of Shelby already has Sidewalk Cafes that permit alcohol to be consumed at restaurants on the sidewalk, and to his knowledge this isn't a problematic situation.

ACTION TAKEN: Upon a motion by Ms. Arth, City Council voted unanimously to adopt Ordinance No. 33-2024 entitled, "AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCE TO CREATE THE UPTOWN SHELBY SOCIAL DISTRICT."

3) Natural Gas Installation Policy:

- a) Adoption of an ordinance amending the City of Shelby's Schedule of Fees: Ordinance No. 34-2024**
- b) Approval of a resolution to adopt the proposed City of Shelby Natural Gas Line Installation Policy and the proposed City of Shelby New Development Natural Gas Service Agreement: Resolution No. 31-2024**

Mr. Howell presented this item to Council by stating the ordinance proposed would amend the fees and charges that relate to natural gas services and the proposed resolution would amend the natural gas line installation policy and how it is implemented. Mr. Howell further stated this policy change means the costs to install natural gas to residences and neighborhoods would fall more on the developer and less on the city; therefore, reducing the years of payback.

Mr. Yarboro presented the following to Council:

- Shelby began operating a Natural Gas system in 1955**
- Natural Gas is provided to Shelby's system from Williams Transco Pipeline in Grover, NC**
- We deliver Natural Gas to our customers through a network of high-pressure distribution mains throughout portions of Cleveland County**
- System Facts:**
 - 511 miles of main lines**
 - 248 miles of service lines**
 - 9,954 customers**
 - 8,467 residential**
 - 5,145 inside City**
 - 3,322 outside City**
 - 1,486 commercial/industrial**

- 1,078 inside City
 - 408 outside City
- **Natural Gas Benefits include:**
 - Natural gas is a clean, safe, reliable energy source for residential, commercial, and industrial customers. Natural gas burns cleaner than other fossil fuels.
 - Natural gas furnaces typically last longer, have lower maintenance, and heat air about 25-35 degrees warmer than an electric heat pump.
 - Natural gas hot water heaters heat water up to 2x as fast as an electric model.
 - Natural gas hot water heaters save 54% on average annually on utility bills compared to an electric hot water heater
 - Reliable fuel during power outages (generators, hot water heaters, stove, etc.)
 - Houses with NG have a sale price that is 3-5% higher than all electric houses.

Mr. Yarboro explained that currently, if natural gas is available, then a proposed gas main can be installed at 100% of the City's expense that runs along the road of the subdivision. Mr. Yarboro continued by stating that once a house is built, if the owner wants natural gas, then a service line would be installed; the installation fees would be paid by the City and then the City offers rebates to the homeowner for using natural gas appliances.

Mr. Yarboro gave examples of what the costs look like now for natural gas installations and how the proposed policy changes will affect the City's costs, by putting more of the costs on the developer and less on the City.

Mr. Yarboro presented the existing policy versus the proposed changes:

City of Shelby's Natural Gas Installation existing policy:

- Service line cost is \$5/foot (price was est. in approx. 1995)
- Rebates and free service line credits
- Many new customers do not pay anything for service line or meter and then receive a rebate.
- Main line for subdivisions is installed by City with no guarantee of usage (cost \$13.50/ft)
- First 500 feet of main line extension for residential and commercial customers.
- Cost is \$5 per foot after first 500 feet of free main

City of Shelby's proposed Natural Gas Installation policy:

- Service line cost increase from \$5/foot to \$8/foot
- Remove free service line credits based on appliances
- Main line extension cost established at \$10/foot
- Establish installation agreement for developers
- Reduce free main line extension for residential and commercial customers from 500 feet to 100 feet

Mr. Yarboro concluded by stating that after all the calculations, the City’s payback is currently at about 8 years; however, with the new proposed policy changes that number would be reduced to about 4 years.

ACTION TAKEN: Upon a motion by Mr. White, City Council voted unanimously to adopt Ordinance No. 34-2024 entitled, “AN ORDINANCE AMENDING THE CITY OF SHELBY’S SCHEDULE OF FEES,” and Resolution No. 31-2024 entitled, “A RESOLUTION TO ADOPT THE PROPOSED CITY OF SHELBY NATURAL GAS LINE INSTALLATION POLICY AND THE PROPOSED CITY OF SHELBY NEW DEVELOPMENT NATURAL GAS SERVICE AGREEMENT.”

G. New Business

1) Stormwater Infrastructure Assistance Program:

- a) Adoption of FY 2023-2024 Budget Ordinance Amendment: Ordinance No. 35-2024
- b) Approval of a resolution awarding the contract for the City of Shelby Stormwater Infrastructure Assistance Program Project at 1020 E Dixon Blvd., 1102 E Dixon Blvd., and Grove Street in Shelby, North Carolina: Resolution No. 32-2024

Mr. Howell presented this item to Council by stating the City levies Stormwater fees to all its customers and a portion of these fees are set aside for our Stormwater Infrastructure Assistance Program.

Mr. Wright provided Council some background information about the Stormwater Infrastructure Assistance Program which includes the following:

- In February 2016, the Stormwater Infrastructure Assistance Program was approved by Council which utilizes Stormwater Utility Fees to assist property owners with stormwater issues on private property.
- Property Owner must commit a higher level of maintenance during the 5-year period following completion

- Assistance is prioritized as followed:
 - a. Threat to an inhabited home from severe erosion.
 - b. Threat of flooding to an inhabited home.
 - c. Damaged or undersized drainage features connecting to street drains.
 - d. Damaged or undersized drainage features on private property (not connected to street drains).
 - e. Illicit Discharges or Illicit Connections.
 - f. Private property flooding (not impacting a permanent structure).
 - g. The system is not part of the NCDOT maintained stormwater system.

- Cost Sharing for Construction:
 - Residential Properties: 80% City / 20% Property Owner (City to not exceed \$50,000)
 - Commercial Properties: 50% City / 50% for Property Owner (City to not exceed \$50,000)

Mr. Wright presented to Council the Stormwater Assistance Project for 1020 and 1102 E. Dixon Boulevard, which is the Fastop gas station and the KFC restaurant:

- May 2021 - received an application from owner at 1020 E Dixon Blvd. (Fastop)
- July 2023 - agreements were signed between the City and Owner, and a third-party consultant, TGS Engineers to evaluate situation and complete design
- Inspection of the existing system determined that stormwater in addition to issues on the Fastop property, the lines on Grove Street and 1102 E. Dixon Blvd. (KFC) were also failing and were recommended for replacement by TGS Engineers
- December 2023 – received an application from owner at 1102 E. Dixon Blvd.
- March 2024 – Bids were received based on TGS design. Three responsive bids and two no bid letters were received
- Low bidder for this project is Environ Pond LLC, with a total bid of \$609,500.16.

Mr. Wright continued by showing the breakdown of costs and stated the total project cost for the City of Shelby is \$310,477.73.

Mr. Wright showed pictures of the rusted pipes, the sinkhole, and the failing junction box, in addition to the site plan and stated the new pipe will be 18' deep.

Mr. Wright concluded his presentation with a chart showing the overall project history for each assistance request and where each one stood as far as priority.

ACTION TAKEN: Upon a motion by Mr. Hopper, City Council voted unanimously to adopt Ordinance No. 35-2024 entitled, “FY 2023-2024 BUDGET ORDINANCE AMENDMENT,” and Resolution No. 32-2024 entitled, “A RESOLUTION AWARDDING THE CONTRACT FOR THE CITY OF SHELBY STORMWATER INFRASTRUCTURE ASSISTANCE PROGRAM PROJECT AT 1020 E DIXON BLVD., 1102 E DIXON BLVD., AND GROVE STREET IN SHELBY, NORTH CAROLINA.”

H. City Manager’s Report:

Mr. Howell acknowledged that National Telecommunicator Week is this week, April 14 – 19, 2024. Mr. Howell proudly recognized our City Attorney, Jason Lunsford, for being the overall fastest runner at the 7th Annual Cleveland Cup which was held last Friday at Hanna Park.

Mr. Howell provided Council updates on several projects, such as:

Construction of the new **County Home Road** segment near the SECU is set to begin as soon as some required electric utility relocation is completed by Duke Energy. This is being scheduled and work by Duke is approximately 3-4 weeks out. Once that work is completed the City’s contractor can begin road construction. A 90–120-day construction time frame is expected.

The City still has submitted the required documentation to the NC Office of State Budget Management (OSBM) for the \$3,995,500 directed grant “for the purchase and restoration of the historic home (**Webbley**) of former Governor O. Max Garder.” The final contract document has been executed and the funds have been deposited in the City’s bank account. I have directed the City Attorney to oversee the closing process for acquisition of the property from the current owner. Final costs for purchase and appropriate due diligence are now being finalized. **An April 18, 2024 closing date is anticipated.** Also, a request for qualifications for architectural services will be sent out and advertised for this project within the next week or so.

Three proposals have been received for the redevelopment of the Hotel Charles. City staff and DFI have evaluated the details of each proposal. I anticipate a briefing for City Council in the next 30 days.

The City’s USDOT RAISE grant application for construction of the remainder of the Carolina Harmony Trail to the SC state line was submitted prior to

February 28th. Anticipated grant award announcements are expected no later than **June 27, 2024**. The City's request is for \$24,998,438.

Requests for Qualifications for firms to conduct the development of a new Comprehensive Land Use Plan were sent out previously and the City received eight (8) submittals. A staff committee has reviewed them and will be submitting a recommendation for consideration at your May 6 regular meeting. The current plan was completed in April 2009.

Carolina Harmony Trail (Rail Trail)

TGS Engineering continues the design of the remainder of Phase I of the rail trail. This essentially is the section from Marion Street to Dekalb Street (exclusive of the Depot Park section). This section is tentatively scheduled to go out to bid in late early fall 2024.

Depot Park

Destination by Design is working on the engineering and architectural design for the renovation of the old depot and construction of Depot Park. Design was expected to be complete by the end of the first quarter 2024. This project has been delayed due to unexpected issues with the requirements we anticipate from NC SHPO related to the Depot.

The Depot building work is a little behind the park bidding process due to a need to address State Historic Preservation Office comments and requirements involving the roof of the depot structure and the adjacent open-air canopy. The building has now been vacated by the previous tenant.

Aquatics Center

Construction on this project is complete and the facility was open to the public during the 2023 season. Portions of the pool concrete deck are being replaced by the contractor once temperatures allow. This work is scheduled for April 18-19.

Dog Park

Planning has begun for the development of a dog park on a portion of the former Shelby Middle School ballfield. This 6-acre site is adjacent to and will eventually be accessed from the rail trail. A more detailed schedule will be shared with Council once the site has been fully evaluated to address stormwater issues. An engineer has been retained to assist this project. There are some significant stormwater issues that will have to be resolved prior to actual construction on the dog park itself.

TAMP

Phase I of the implementation of the Transportation Asset Management Plan is nearing completion. Approximately \$2.8 million of the \$10 million street improvement bonds passed by voters in November 2023 have been used in this phase for street resurfacing. Approximately 17 miles of streets have been resurfaced in TAMP Phase I.

Planning for Phase II is in process as staff continues plans for viable utility improvements prior to the start of resurfacing in late Winter / early Spring 2024. Approximately 15 miles of additional resurfacing will be completed by the end of 2024. This brings total street resurfacing to 32 miles. Approximately \$6.0 million of the \$10 million street improvement bonds passed by voters in November 2021 have been used to date for street resurfacing. **Asphalt Paving will begin work by May 1.**

TAMP Phase III planning is moving forward. Much of this work is contingent on the planning, budgeting and construction of underground utility repair and replacement projects in advance of resurfacing. This phase would resurface approximately 18 miles. It is proposed for funding from the remaining \$4.0 million in authorized street / sidewalk improvement bonds. A revenue source for repayment of these bonds has not yet been identified.

Cross Town Water Main 24" Transmission Line Phase II (\$8,976,174.) SRP-D-ARP-0030

This project was advertised April 10, 2023 with a May 17, 2023 bid opening. Construction is expected to begin in March 2024 to allow for material procurement and delivery. This project will extend the 24" diameter water main approximately 9,000 lf from the intersection of Marion Street/Morgan Street along S. Morgan Street to Graham Street to the South Tank on S. Lafayette Street and to the intersection with Forest Hill Drive/Beaumonde. Approximately 4,500 lf of sewer main in conflict with the line will also be replaced. This is the second of a multiphase project to improve water supply to the south, east and north of the uptown area. It is intended to improve fire flow, water volume/pressure and water quality overall in the system. It is high priority. Substantial completion is expected in May 2025. Statutory completion deadline to expend all funds is December 31, 2026.

**Hickory Creek Sewer Outfall - Windsor Drive to Holly Oak Park (\$4,627,000)
SRP-W-ARP-0029**

Construction on this sewer outfall project has begun. It will replace approximately 5,000 lf of existing sewer outfall with 24” diameter pipe. It runs along Hickory Creek from the end of Windsor Drive to Dixon Blvd. This project replaces an existing sewer outfall that has been plagued with Sanitary Sewer Overflows due to infiltration and inflow. Construction began in August 2023. Substantial completion is expected in June 2024. Statutory deadline to expend all funds is December 31, 2026.

**WTP Filter Rehabilitation & Sedimentation Valve Replacement Project
(\$4,133,200.) ARP**

This project consists of the rehabilitation and repair of 8 water treatment plant filters as well as the repair/replacement of the sedimentation basin gate and mud valves. Construction began on this project in late 2023. Substantial completion is anticipated in September 2024. Statutory deadline to expend all funds is December 31, 2026.

First Broad River Sewer Outfall Project (\$12,087,000) State directed grant.

This project provides for the replacement of approximately 9,000 linear feet of 36-inch diameter pipe on a major sewer outfall located on the First Broad River. A number of Sanitary Sewer Overflows (SSO's) have occurred on this line for the past several years during and after heavy rainfall. McGill Associates has been selected as the project engineer and design work is ongoing. City Council has previously approved the project budget ordinance.

City Hall Campus Projects

City Council Chambers – A scope of work is being developed to renovate the interior of the chambers after the broken water line flooded the room. I anticipate the scope to include a new sound system, camera system, addition of a video display system, carpet replacement, furnishings, ADA bathroom upgrades, lighting improvements as well as other improvements.

City Hall Annex – This project is expected to be bid in March. Upland Architecture has largely completed design. This project will involve the relocation of personnel from the Planning and Development Services Department (Planning/Zoning, Code Enforcement and Building Inspections) and the Human Resources Department to the former SPD building. Bids will be opened on May 9.

Airport – As you know the City has maintained a goal to make the airport a self-sustainable operation for many years. As the City has made investments in revenue generating projects such as T-Hangars and fuel sale facilities this has come closer to reality. The City has been successful in receiving a number of NC Division of Aviation grants for a variety of projects including these revenue generating projects. These have all contributed to making the Shelby airport somewhere owners/pilots want to base their aircraft. This in turn results in an increase in the personal property tax base of the City as well as increased property tax receipts.

As such the latest Airport Layout Plan adopted by City Council in April 2023 identified a number of future improvements that will allow the City to move the airport even closer to self-sufficiency. One such project involves extension of the taxiway toward the east allowing for the construction of additional corporate aircraft hangars. Due to the potential for investment by private owners in a couple of new hangars the City is moving towards securing grant funding for the infrastructure necessary for this to occur. More details on this will hopefully be forthcoming in the next 60 days or so.

Budget Workshops FY 24-25 (April-May)

As a matter of practice City Council has scheduled two budget workshops during the month of April in order for me to present my initial balanced budget and recommendations. One meeting covers the General Fund and other minor funds and the other all of the Enterprise Funds. These dates are now scheduled for Tuesday, April 30 and Wednesday, May 1 from noon to 2pm.

I. Council Announcements and Remarks:

Mayor Anthony mentioned the Merry Go Round Festival is set for April 27th and 28th.

Ms. Arth stated she enjoyed participating in the Cleveland Cup this year and finished 188 out of 253 participants.

J. Adjournment:

1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 7:31 p.m.

Respectfully submitted,

**Carol Williams
City Clerk**

**O. Stanhope Anthony, III
Mayor**

Minutes of April 15, 2024

Agenda Item: C-2

- 2) Adoption of a budget ordinance amendment for the City of Shelby's Rail Trail Corridor Project: Ordinance No. 38-2024

Consent Agenda Item: (Rick Howell, City Manager)

Summary of Available Information:

- Memorandum dated April 25, 2024, from Beth Beam, Director of Finance to Rick Howell, City Manager
- Agreement Contract
- Ordinance No. 38-2024

City Manager's Recommendation / Comments

Ordinance No. 38-2024 is presented for City Council consideration via the Consent Agenda. If approved this ordinance would recognize an additional \$2,000,000 from a state directed grant and appropriate this funding for future Rail Trail construction. These funds will be used for the remaining design and construction of the Rail Trail Phase II which we expect to go to bid in the fall of this year.

It is my recommendation that Ordinance No. 38-2024 be adopted and approved by City Council via the Consent Agenda.



To: Rick Howell, City Manager
From: Beth B. Beam, Director of Finance
Date: April 25, 2024
Subject: Rail Trail SCIF Grant Recognition

Background:

The City of Shelby received a SCIF Grant through the NC Office of State Budget and Management in the State Budget established by S.L. 2023-134 for the Rail Trail in the amount of \$2,000,000.

Review and Comments:

The attached Project Budget Amendment recognizes and sets up the budget for the \$2,000,000.

Recommendation:

The recommendation from staff is to approve the attached project budget amendment to the Rail Trail project.

North Carolina Office of State Budget and Management

Contract # 10366

This Agreement is hereby entered into by and between the NC Office of State Budget and Management (the "AGENCY") and City of Shelby (the "RECIPIENT") (referred to collectively as the "Parties").

1. EFFECTIVE TERM:

The RECIPIENT's performance period for this agreement shall be effective starting July 1, 2023, through October 3, 2025. The PARTIES' duties of record-keeping, monitoring, reporting, and auditing continue thereafter as provided below.

2. RECIPIENT'S DUTIES:

The RECIPIENT is authorized by this agreement to use funds for purposes referenced in the Current Operations Appropriations Act, Session Law (S.L.) 2023-134. The RECIPIENT's scope of work is a complete and concise scope of goods or services supported by this agreement and consistent with language in S.L. 2023-134. (See Appendix A).

The RECIPIENT agrees to use the funds in the amounts allocated for the budget cost items set forth in the RECIPIENT's Budget. RECIPIENT may reallocate and/or redistribute among budgeted items up to 10% in overall budget costs without the express written permission of the AGENCY.

The RECIPIENT understands and acknowledges that the total funding level available under this agreement will not exceed \$2,000,000.00.

The RECIPIENT acknowledges they have provided the following additional documentation:

- a. Internal Revenue Service W-9 form (includes address, Tax ID) _____ ^{DS} RT
- b. Electronic Payment Form & Supporting Document _____ RT
- c. Scope of Work – Appendix A _____ RT ^{DS}
- d. Policy addressing conflicts of interest _____ RT ^{DS}
- e. **Sworn** Statement of no overdue tax debts _____ RT

The RECIPIENT understands and acknowledges required compliance with all statutory provisions outlined in G.S. 143C-6-22 Use of State funds by non-State entities, 9 N.C.A.C. Subchapter 3M and the requirements found in S.L. 2023-134, Section 5.3; 12.1 and 12.2.

The RECIPIENT shall ensure:

- a. Funds are used for nonsectarian, nonreligious purposes only.
- b. No more than \$140,000 in State funds, including any interest earnings accruing from those funds, may be used for the annual salary of any individual employee of a nonprofit organization.

- c. Interest earnings on funds shall be used for the same purposes for which the grant was made.
- d. Submission of quarterly reports on financial and performance progress. This shall include the financial and performance progress of the RECIPIENT and all SUB-RECIPIENTS.
- e. Compliance with 9 N.C.A.C. Subchapter 3M.0205.

Pursuant to G.S 143C-6-8, the RECIPIENT understands and agrees that funding shall be subject to the availability of appropriated funds. However, in the event of agreement termination due to lack of adequate appropriated funds, the AGENCY will ensure that it will pay for services and goods acquired and obligated on or before the notice of agreement termination.

3. AGENCY'S DUTIES & PAYMENT PROVISIONS:

The AGENCY shall ensure that funds allocated and disbursed pursuant to Session Law 2023-134 comply with the intent and guidance found in these Session Laws and ensure compliance with related state statutes and financial management standards.

The AGENCY is subject to the following requirements:

- a. Upon execution of this contract and the RECIPIENT's submission of documents identified in Section 2 of this contract, the AGENCY shall pay the RECIPIENT the full amount as identified in the scope of work within 30 days.
- b. Develop RECIPIENT quarterly financial and performance reporting document that shall incorporate the requirements of 9 N.C.A.C. Subchapter 3M.0205 and require the RECIPIENT to:
 - i. Certify that funds received or held were used for the intended purpose.
 - ii. Provide an accounting for funds received, interest earned, funds expended.
 - iii. Provide activities, accomplishments, and performance measures.
 - iv. Provide a list of employees and the amount of State funds used for the employee's annual salary.
 - v. Provide supporting invoices, contracts, payroll information or other documents to support expenditures.
- c. Provide a secure method for submitting financial and performance reports.
- d. Conduct financial and performance monitoring until the contract is completed.
- e. Funds will not revert until October 3, 2025.

4. FUNDS MANAGEMENT:

The RECIPIENT agrees that funds paid through this contract shall be subject to the following:

- a. Accounted for in a separate fund and accounting structure within the RECIPIENT's central accounting and / or grant management system. This shall include accounting for interest earned on these funds.
- b. All accounts payable disbursements, check register disbursements and related transactions shall be managed in a detailed manner that supports fully transparent accounting of all financial transactions associated with this funding allocations described in Section 3 above.
- c. Expenditures for travel mileage, meals, lodging and other travel expenses incurred in the performance of this Contract shall be reasonable and supported by documentation. State rates should be used as guidelines. International travel shall not be eligible under this Contract.
- d. If eligible, the RECIPIENT and all subrecipients shall:

- i. Request from the North Carolina Department of Revenue a refund of all sales and use taxes paid by them in the performance of this Contract, pursuant to N.C.G.S. 105-164.14; and
- ii. Exclude all refundable sales and use taxes from all reportable expenditures before the expenses are entered in their quarterly project status reports.

5. POST-GRANT AWARD DOCUMENTATION REQUIREMENTS:

The RECIPIENT agrees to submit the required quarterly report on or before the 10th day following the end of each quarter. The first report is due to the AGENCY during the quarter in which the funds have been received by the RECIPIENT. The AGENCY shall provide the format and method for reporting. All reports and supporting documents shall include the RECIPIENT and all SUB-RECIPIENT information and shall be submitted as prescribed by the AGENCY.

RECIPIENT and any SUB-RECIPIENTS agree that all program activity results information reported shall be subject to review and authentication as described in Paragraph 7 and RECIPIENT will provide access to work papers, receipts, invoices and reporting records, if requested by the AGENCY, as the AGENCY executes any monitoring or internal audit responsibilities.

RECIPIENTS and SUB-RECIPIENTS receiving \$500,000 or more shall have a single or program-specific audit prepared and completed in accordance with Generally Accepted Government Auditing Standards, also known as the Yellow Book. The audit report must be provided to the AGENCY no later than nine months after the end of the RECIPIENTS fiscal year. This report shall be submitted as prescribed by the AGENCY. The cost of an audit conducted in conformance with the Yellow Book is an allowable cost for this grant.

6. AGREEMENT ADMINISTRATORS:

All notices permitted or required to be given by one Party to the other and all questions about the Agreement from one Party to the other shall be addressed and delivered to the other Party's Agreement Administrator. The name, post office address, street address, telephone number, fax number, and email address of the Parties' respective initial Agreement Administrators are set out below. Either Party may change the name, post office address, street address, telephone number, fax number, or email address of its Agreement Administrator by giving timely written notice to the other Party.

RECIPIENT and AGENCY Point of Contact	
RECIPIENT Contract Administrator	AGENCY Contract Administrator
Name: <u>Beth Beam</u>	Cole Jordan NC Office of State Budget and Management 2 South Salisbury Street Raleigh, NC 27601
Email: <u>beth.beam@cityofshelby.com</u>	Direct Phone: 984-236-0633 Email: NCGrants@osbm.nc.gov
Direct Phone: <u>704-669-6612</u>	
Fiscal year end MONTH: <u>June</u>	

7. MONITORING AND AUDITING:

The RECIPIENT acknowledges and agrees that, from and after the date of execution of this Agreement and for five (5) years following its termination, the books, records, documents and facilities of the RECIPIENT are subject to being audited, inspected and monitored at any time by the AGENCY upon its request (whether in writing or otherwise). The RECIPIENT further agrees to provide AGENCY staff and staff of the Office of State Auditor with access to financial and accounting records to support internal audit, financial reporting and related requirements.

The RECIPIENT acknowledges and agrees that, regarding the grant funds, it will be subject to the audit and reporting requirements prescribed in G.S. 159-34, Local Government Finance Act – Annual Independent Audit, rules, and regulations. Such audit and reporting requirements may vary depending upon the amount and source of grant funding received by the RECIPIENT and are subject to change.

8. TAXES:

The RECIPIENT shall be considered to be an independent RECIPIENT and as such shall be responsible for all taxes. The RECIPIENT agrees to provide the AGENCY with the RECIPIENT'S correct taxpayer identification number upon the execution of this Agreement. The RECIPIENT agrees that failure to provide the AGENCY with a correct taxpayer identification number authorizes the AGENCY to withhold any amount due and payable under this Agreement.

9. SITUS:

This Agreement shall be governed by the laws of North Carolina and any claim for breach or enforcement of this Agreement shall be filed in State court in Wake County, North Carolina.

10. COMPLIANCE WITH LAW:

The RECIPIENT shall remain an independent RECIPIENT and as such shall be wholly responsible for the scope of work to be performed under this Agreement and for the supervision of his employees and assistants. The RECIPIENT represents that it has, or will secure at its own expense, all personnel required in performing the services under this agreement. Such employees shall not be employees of or have any individual contractual relationship with the AGENCY. The RECIPIENT shall be responsible for compliance with all laws, ordinances, codes, rules, regulations, licensing requirements and other regulatory matters that are applicable to the conduct of its business and work performance under this Agreement, including those of Federal, State, and local agencies having appropriate jurisdiction.

The Recipient acknowledges and agrees that, in its conduct under this Contract and in connection with any and all expenditures of grant funds made by it, it shall comply with the cost principles enunciated in the Code of Federal Regulations, 2 CFR, Part 200. The Recipient further acknowledges and agrees that, if it grants any of the grant funds awarded hereunder to one or more sub-recipients or sub-sub-recipients, the Recipient shall, by contract, ensure that said cost principles are made applicable to and binding upon any and all such SUB-RECIPIENTS, SUB-SUB-RECIPIENTS, etc. in their handling, use and expenditure of the funds awarded to the RECIPIENT hereunder.

11. TERMINATION OF AGREEMENT:

This agreement may be terminated by mutual consent upon sixty (60) days written notice to the other party, or as otherwise provided by law. As soon as reasonably possible following termination of this agreement, the amount of any residual unexpended funds shall be transferred to the AGENCY.

12. AMENDMENTS:

This Agreement may be amended in writing which documents approval of changes by both the AGENCY and the RECIPIENT.

13. AGREEMENT CLOSE-OUT PROCESS:

The RECIPIENT agrees to submit to the AGENCY a complete performance and expenditure status report (final quarterly report) within ninety (90) days after the completion of the project or final expenditure date, whichever is later. Unexpended funds should be promptly returned to the AGENCY at this time.

RECIPIENT will be deemed noncompliant if its final report is not submitted within the 90-day period stated above. Once the complete final performance and financial status report package has been received and evaluated by the AGENCY, the RECIPIENT will receive official notification of agreement close-out. The letter will inform the RECIPIENT that the AGENCY is officially closing the agreement and retaining all agreement files and related material for a period of five (5) years or until all audit exceptions have been resolved, whichever is longer.

14. AUTHORIZED SIGNATURE WARRANTY:

The undersigned represent and warrant that they are authorized to bind their principals to the terms of this agreement. **In Witness Whereof**, the RECIPIENT and the AGENCY have executed this Agreement in duplicate originals, with one original being retained by each party.

RECIPIENT NAME

DocuSigned by:
Rick Howell
568A04E2099D4B0...
Signature

3/5/2024 | 10:01 AM EST

Date

Rick Howell
Printed Name

City Manager
Title

NC OFFICE OF STATE BUDGET AND MANAGEMENT

DocuSigned by:

Kristin Walker

3/5/2024 | 12:43 PM EST

8CBF034DDDB04BB...
Signature

Date

Kristin Walker

State Budget Director

Printed Name

Title

ORDINANCE NO. 38-2024

BUDGET ORDINANCE AMENDMENT FOR THE CITY OF SHELBY’S
RAIL TRAIL CORRIDOR PROJECT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to revise and amend its capital project ordinance and budgets for the City of Shelby’s Rail Trail Corridor Project; and

WHEREAS, the City Manager (Budget Officer) has recommended certain amendments to the budget which the governing body finds acceptable; and,

WHEREAS, City Council now desires to act on the recommended budget amendments and approve the same for implementation and compliance with the North Carolina Local Government Budget and Fiscal Control Act;

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

Section 1. Ordinance No. 34-2017, the City’s Rail Trail Corridor Project, is hereby amended as follows to provide for Budget Amendment No. 6 for said project:

Rail Trail Corridor Project

(1) The following Econ. Dev. Fund Cap. Project Revenues are amended by the City:

NC State SCIF Grants	23109000-34507-RLTRL	\$2,000,000
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(2) The following Econ. Dev. Fund Cap. Project Expenditures are amended by the City:

Professional Services	231590-42000-RLTRL	\$500,000
Construction	231590-53000-RLTRL	\$1,500,000

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

Rail Trail Corridor Project

	<u>Current Budget</u>	<u>Amendment No. 6</u>
Revenues		
Cleveland County Grant	\$ 15,000	\$ 15,000
Trail Grant Revenue	\$ 413,000	\$ 413,000
Transfer from General Fund	\$ 1,157,850	\$ 1,157,850
Transfer from EDF	\$ 223,500	\$ 223,500
State NCDOT Grant	\$ 4,160,000	\$ 4,160,000
NC State SCIF Grant	\$ 2,000,000	\$ 4,000,000
Proceeds from Financing	\$ 1,340,000	\$ 1,340,000
Expenditures		
Professional Services	\$ 713,500	\$ 1,213,500
Land	\$ 5,500,000	\$ 5,500,000
Construction	\$ 3,095,850	\$ 4,595,850

Ordinance No. 38-2024
May 6, 2024
Page 2

Section 3. Copies of this Budget Ordinance Amendment shall be furnished to the City Manager as Budget Officer and to the Finance Director to be kept on file by them for their direction in the collection and disbursement of funds. Said officials are hereby authorized to receive and expend funds as herein set forth in accordance with the Shelby City Code, the General Statutes of North Carolina, and the provisions of the original budget ordinance; inclusive of GS 159-28 governing budgetary accounting of appropriations.

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

Adopted and Approved this the 6th day of May, 2024.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Agenda Item: C-3

- 3) Approval of a resolution accepting and approving the City of Shelby Stormwater Management Plan and authorizing submittal of the City of Shelby Stormwater Management Plan to North Carolina Department of Environmental Quality:
Resolution No. 33-2024

Consent Agenda Item: (Rick Howell, City Manager)

Summary of Available Information:

- Memorandum dated May 1, 2024, from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Memorandum dated April 25, 2024, from Justin Wright, Engineering Manager to Ben Yarboro, Assistant City Manager
- Draft Stormwater Management Plan
- Resolution No. 33-2024

City Manager's Recommendation / Comments

Resolution No. 33-2024 is presented for City Council consideration via the Consent Agenda. You may recall that City Council adopted a Stormwater Management Plan in June 2022 and that plan is still active. The NC DEQ is now requiring these plans be consistent with a state template and standards and thus required the City to adapt the existing plan. If approved this resolution would replace the previously adopted plan and accept the needed changes in order to finalize the City's NPDES Phase II Stormwater Permit.

It is my recommendation that Resolution No. 33-2024 be adopted and approved by City Council at this time via the Consent Agenda.



Post Office Box 207 · Shelby, NC 28151-0207

Memorandum

To: Rick Howell, City Manager

From: Ben Yarboro, Assistant City Manager

RE: Resolution to Accept and Approve the City of Shelby Stormwater Management Plan

Date: May 1, 2024

Background

As detailed in the attached memo from Justin Wright, Engineering Services Manager, the City of Shelby was designated by the North Carolina Department of Environmental Quality as a Phase II Stormwater Community in 2010. This designation was due to the fact that the City of Shelby had a population greater than 10,000. With this designation, the City was issued Stormwater Permit in 2012 which established the 6 minimum measures that must be addressed on an annual basis to remain in compliance. The permits issued by NCDEQ have a 5-year term and the City's most recent permit expired on January 31, 2023. As part of the 5-year NPDES Phase II Stormwater Permit renewal, NCDEQ required the City to develop a Stormwater Management Plan (SWMP) that is based on a template provided by NCDEQ.

It should be noted that the City currently has a SWMP that was last revised in 2022. This existing SWMP was created by City staff and met the requirements of our last stormwater permit. This new permit, has slightly different requirements, and the state worked with City staff to utilize the state template and make minor modifications as appropriate for the City of Shelby stormwater program.

The City of Shelby operates a very thorough stormwater program that focuses on protecting and improving water quality and the adoption of this proposed SWMP will allow the City to continue to make improvements that benefit our environment.

Recommendation

City staff recommends approval of the resolution adopting the proposed Stormwater Management Plan as a necessary step in the permit renewal process to ensure that the City of Shelby complies with the requirements of our new NPDES Stormwater Permit that is anticipated to be effective July 1, 2024.

Please let me know if any additional information is needed.

Attachments:

- Memo from Justin Wright, Engineering Services Manager
- Draft Stormwater Management Plan

Memorandum

To: Ben Yarboro, Assistant City Manager

From: Justin Wright, Engineering Manager

RE: Resolution Accepting and approving the City of Shelby Stormwater Management Plan

Date: April 25, 2024

Background

In January 2010, the City of Shelby was designated a Phase II Stormwater Community and required to have a National Pollutant Discharge Elimination System Stormwater Permit. The City's first NPDES Stormwater Permit NCS000560 was issued in December 2012 for a five-year term.

The City's current 5-year Stormwater permit was issued February 1, 2018, with an expiration date of January 31, 2023. North Carolina Department of Environmental Quality (NCDEQ) has informed and met with city staff on renewing the current expired permit. In this new permit municipalities are required to use the Stormwater Management Plan template from NCDEQ. City staff worked with NCDEQ on the Stormwater Management Plan and has created tasks that will satisfy all the 6 minimum measures of the stormwater permit and provides how the City's Stormwater Program will comply with the requirements of its stormwater permit.

New Additions to the proposed Stormwater Management Plan

- Certification that is signed by authorized representative
- Map of corporate limits
- Outfall and Mapping of system is listed.
- Endangered and threatened species and critical habitats are listed
- Industrial Facility stormwater permits are listed.
- Includes monthly stormwater utility fee table
- Includes Program implementation BMPs
 - Annual Program evaluations
 - Written Procedures for each minimum control measure
 - Analyze current funding and staffing of the program
- Permit Renewal for Year 5
 - Draft SWMP

- Permit Renewal application

Revisions to existing Stormwater Management Plan

- Updates were made to organization chart
- Public Education and outreach
 - Utility brochures (Send different brochures every year)
 - Staff participate/present in programs targeted to school age children
 - Minimum of three events stormwater booth to needs to be at per year
 - Track annual number of visits on website
 - Social media page needs to post at least 6 times a year
- Public Involvement and Participation
 - Includes Stormwater Hotline
 - One litter sweep must be coordinated a year
 - One Creek Clean up must be coordinated a year
- Illicit Discharge Detection and Elimination (IDDE) Plan
 - Inspect a 1/3 of Major Outfalls per year
 - Evaluation of IDDE Program
 - IDDE Tracking Notice of Violations and Number of Resolved Cases
- Construction site Runoff
 - Educate City of Shelby staff
 - Promote Stop Mud Hotline (NCDEQ)
 - Hotline for construction site runoff
- Post Construction site runoff control
 - Track enforcement actions for SCM Maintenance
 - Track number of plan reviews in Watershed (WS-III & WS-IV)
 - Maintain Pet Waste Bags and keep track number distributed
- Pollution Prevention and Good Housekeeping BMPS
 - Inspect 5% of the stormwater system annually
 - Municipally owned SCM tracking and inspections
 - Industrial Permit Compliance. Ensure City facilities comply with permits requirements
 - Streetsweeper average 20 hours per week
 - Yard Waste Collection Program and tons of leaves disposed of.

Recommendation

City Staff recommends that the Shelby City Council approve the resolution accepting the Stormwater Management Plan.

Please let me know if any additional information is needed.

Attachments:

- Draft Stormwater Management Plan



NCS000560

Draft Stormwater Management Plan

City of Shelby

April 15, 2024



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PART 1: INTRODUCTION

The purpose of this Stormwater Management Plan (SWMP) is to establish and define the means by which the City of Shelby will comply with its National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit and the applicable provisions of the Clean Water Act to meet the federal standard of reducing pollutants in stormwater runoff to the maximum extent practicable.

This SWMP identifies the specific elements and minimum measures that the City of Shelby will develop, implement, enforce, evaluate and report to the North Carolina Department of Environmental Quality (NCDEQ) Division of Energy, Minerals and Land Resources (DEMLR) in order to comply with the MS4 Permit number NCS000560, as issued by NCDEQ. This permit covers activities associated with the discharge of stormwater from the MS4 as owned and operated by the City of Shelby and located within the corporate limits of the City of Shelby.

In preparing this SWMP, the City of Shelby has evaluated its MS4 and the permit requirements to develop a comprehensive 5-year SWMP that will meet the community's needs, address local water quality issues and provide the minimum measures necessary to comply with the permit. The SWMP will be evaluated and updated annually to ensure that the elements and minimum measures it contains continue to adequately provide for permit compliance and the community's needs.

Once the SWMP is approved by NCDEQ, all provisions contained and referenced in this SWMP, along with any approved modifications of the SWMP, are incorporated by reference into the permit and become enforceable parts of the permit. Any major changes to the approved SWMP will require resubmittal, review and approval by NCDEQ, and may require a new public comment period depending on the nature of the changes.

PART 2: CERTIFICATION

By my signature below I hereby certify, under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

I am also aware that the contents of this document shall become an enforceable part of the NPDES MS4 Permit, and that both the Division and the Environmental Protection Agency have NPDES MS4 Permit compliance and enforcement authority.

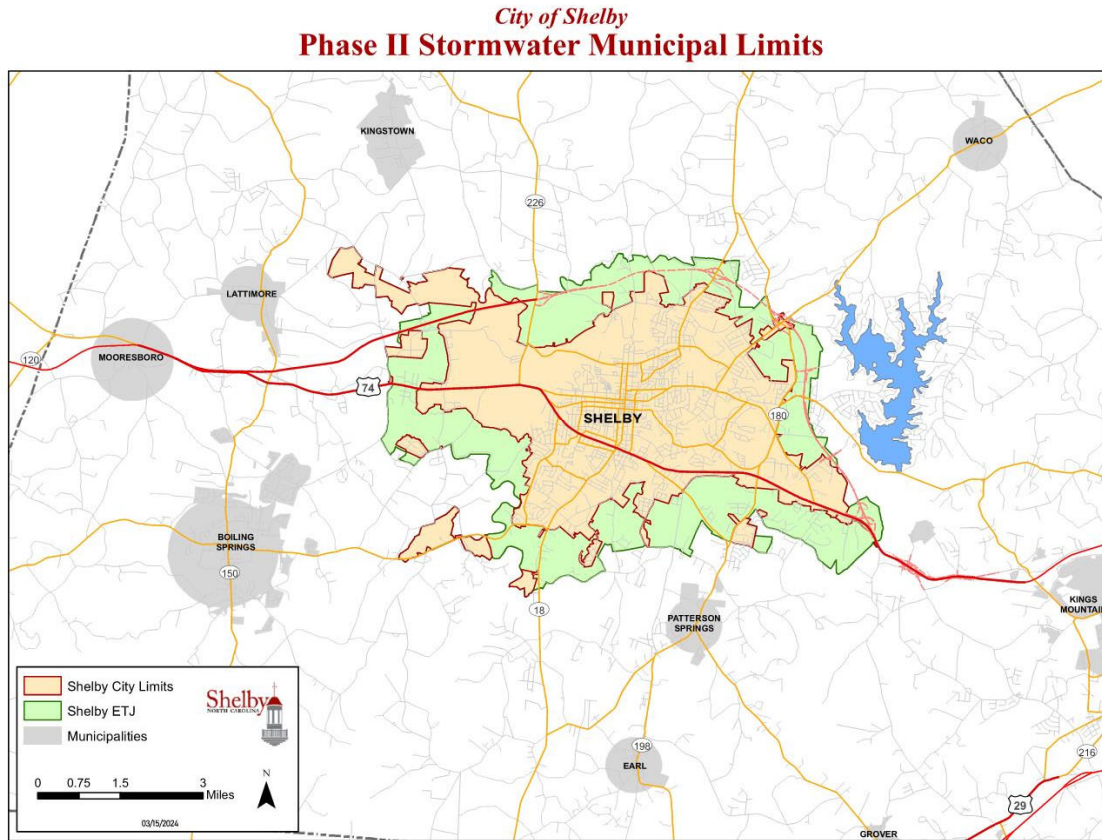
- I am a ranking elected official.
- I am a principal executive officer for the permitted MS4.
- I am a duly authorized representative for the permitted MS4 and have attached the authorization made in writing by a principal executive officer or ranking elected official which specifies me as (*check one*):
 - A specific individual having overall responsibility for stormwater matters.
 - A specific position having overall responsibility for stormwater matters.

<i>Signature:</i>	
<i>Print Name:</i>	
<i>Title:</i>	
Signed this <input type="text"/> day of 20 <input type="text"/> .	

PART 3: MS4 INFORMATION

3.1 Permitted MS4 Area

This SWMP applies throughout the corporate limits of the City of Shelby, including all regulated activities associated with the discharge of stormwater from the MS4. The map below shows the corporate limits of City of Shelby as of the date of this document.



3.2 Existing MS4 Mapping

The current MS4 mapping includes drainage structures such as stormwater pipes with flow direction, inlets (open pipe and various types of catch basins), junction boxes (buried, exposed and manhole access), discharges (non-outfall, outfall and major outfall), and stormwater control measures (City permitted, State permitted and existing). In addition to location, each structure has attributes such as size, material, etc.

Table 1: Summary of Current MS4 Mapping

Percent of MS4 Area Mapped	98	%
No. of Major Outfalls* Mapped	310	total

**An outfall is a point where the MS4 discharges from a pipe or other conveyance (e.g. a ditch) directly into surface waters. Major outfalls are required to be mapped to meet permit requirements. A major outfall is a 36-inch diameter pipe or discharge from a drainage area > 50-acres; and for industrial zoned areas a 12-inch diameter pipe or a drainage area \geq 2-acres.*

3.3 Receiving Waters

The City of Shelby MS4 is located within the Broad River Basin and discharges directly into receiving waters as listed in Table 2 below. Applicable water quality standards listed below are compiled from the following NCDEQ sources:

- [Waterbody Classification Map](#)
- [Impaired Waters and TMDL Map](#)
- Most recent NCDEQ Final [303\(d\) List](#)

Table 2: Summary of MS4 Receiving Waters

Receiving Water Name	Stream Index / AU Number	Water Quality Classification	303(d) Listed Parameter(s) of Interest
Beaverdam Creek	9-50-32	C	
Brushy Creek	9-50-29	C	
Buffalo Creek	9-53-(5)	C	
Buffalo Creek (Kings Mountain Reservoir)	9-53-(2.9)	WS-III;CA	Water Temperature
First Broad River	9-50-(19.5)	WS-IV	
First Broad River	9-50-(26.5)	WS-IV;CA	
First Broad River	9-50-(28)	C	Fecal Coliform, Turbidity
Hickory Creek	9-50-30	C	

3.4 MS4 Interconnection

The City of Shelby MS4 is not interconnected with another regulated MS4 and directly discharges to the receiving waters as listed in Table 2 above.

The MS4 does interconnect with the statewide NCDOT MS4 and includes:

- a. The interconnection is receiving stormwater from the NCDOT MS4. The number of interconnections is known. Quantity: 25

- b. The interconnection is discharging stormwater into the NCDOT MS4. The number of interconnections is known. Quantity: 43
- c. The City of Shelby MS4 mapping does identify interconnections with the NCDOT MS4. The
- d. The City of Shelby MS4 mapping does include NCDOT MS4 outfalls.

3.5 Total Maximum Daily Loads (TMDLs)

The TMDL(s) listed in Table 3 below have been approved within the MS4 area, as determined by the map and list provided on the [NCDEQ Modeling & Assessment Unit web page](#). The table also indicates whether the approved TMDL has a specific stormwater Waste Load Allocation (WLA) for any watershed directly receiving discharges from the permitted MS4, and whether a Water Quality Recovery Program has been implemented to address the WLA.

Table 3: Summary of Approved TMDLs

Water Body Name	TMDL Pollutant(s) of Concern	Stormwater Waste Load Allocation (Y/N)	Water Quality Recovery Program (Y/N)
Broad River Basin	N/A	N	N
Statewide	Mercery	N	N

Currently the Broad River Basin has no basin specific TMDLs in place other than the statewide Mercery TMDL. The City of Shelby Stormwater program has implemented numerous BMPs designed to improve water quality discharging from the MS4 system. Programs include but are not limited to a Public Education, Public Involvement, Illicit Discharge Detection and Elimination, Post Construction Stormwater Runoff Control Program and Pollution Prevention and Good Housekeeping for Municipal Facilities. A few BMPs include educational booths, creek cleanups, enforcement of illicit discharges, issue Post Construction Stormwater Management Permits and ensuring City staff and facilities are operating in a manner to reduce stormwater pollution.

In addition, to the Stormwater program, The City of Shelby has a Water Shed Protection Overlay District (Unified Development Ordinance Section 10-1) and Flood Hazard Overlay Requirements (UDO Section 10-2).

The watershed protection overlay districts are designed to protect designated public water supply watershed from activities that could degrade water quality. The Purpose of this is to implement the provisions of the Water Supply Watershed Protection Act (NCGS 143-214.5) which requires the City of Shelby to adopt minimum land use regulations to protect water quality of public surface water supplies within the City’s zoning jurisdiction. Development within this district shall employ best management practices to minimize water quality impacts.

The Flood Hazard Overlay District is designed for the purpose of protecting people and property from the hazards of flooding in accordance with the authority provided in NCGS 160A-381 and 160A-174. This program addresses many issues such as Artificial Obstructions with Floodways, building design requirements above base flood elevations, and on-site sewage disposal system requirements that avoid impairment or contamination from it during flooding.

In addition to these programs, North Carolina Department of Environmental Quality implements the Sedimentation Pollution Control Act (SPCA) by adopting rules, setting standards, and providing guidance. This program currently reviews plans for all construction sites greater than or equal to 1.0 acre within the City’s jurisdictional limits. This state agency is also responsible for field inspections and enforcement as required. During the City’s plan review process, applicable project must submit a copy of their NCDEQ Erosion Control Permit to verify compliance with the program.

3.6 Endangered and Threatened Species and Critical Habitat

Significant populations of threatened or endangered species and/or critical habitat are identified within the regulated MS4 urbanized area. Based upon a review of the [Endangered and Threatened Species and Species of Concern by County for North Carolina Map](#) and [Listed species believe to or known to occur in North Carolina map](#) as provided by the [U.S. Fish and Wildlife Service](#), the species listed in Table 4 have the potential to occur within the regulated MS4 urbanized area. Of those species listed, Table 4 summarizes the species that may be significantly impacted by the quality of surface waters within their habitat.

Table 4: Potential Federally Listed Species/Habitat Impacted by Surface Water Quality

Scientific Name	Common name	Species Group	Federal Listing Status
Perimyotis Subflavus	Tricolored Bat	Mammals	Under Review
Danaus Plexippus	Monarch Butterfly	Insects	Candidate
Myotis Lucifugus	Little Brown Bat	Mammals	Under Review
Tsuga Carolinana	Carolina Hemlock	Conifer and Cycads	Under Review
Hexastylis Naniflora	Dwarf-Flowered Heartleaf	Flowering Plants	Threatened

3.7 Industrial Facility Discharges

The City of Shelby MS4 jurisdictional area includes the following industrial facilities which hold NPDES Industrial Stormwater Permits, as determined from the [NCDEQ Maps & Permit Data web page](#).

Table 5: NPDES Stormwater Permitted Industrial Facilities

Permit Number	Facility Name
NCG030170	IMC-MetalsAmerica, LLC
NCG030258	Curtis Wright Controls Inc.
NCG030647	Greenheck Fan Corporation
NCG030656	KSM Castings USA, Inc.
NCG030706	Greenheck Fan Corporation 2
NCG030715	Greenheck Fan Corporation 3
NCG030728	Steffes – Shelby
NCG070015	Electric Glass Fiber America LLC
NCG080169	United Parcel Service-Shelby
NCG080326	Royster Transport Co Incorporated
NCG110040	First Broad River WWTP
NCG140050	Concrete Supply Co-Shelby
NCG140340	BlueDot – Shelby
NCG150048	Shelby-Cleveland County Regional Airport
NCGNE0061	FAS Controls
NCGNE0073	Hale Products-Hurst Division
NCGNE0338	WalMart DC #6070 Polkville Rd
NCGNE0531	Shelby Vehicle Maintenance Facility
NCGNE0813	Clearwater Paper Shelby, LLC
NCGNE1475	Clearwater Paper Shelby LLC
NCGNE1503	Walmart DC #6070 Walmart Dr

3.8 Non-Stormwater Discharges

The water quality impacts of non-stormwater discharges have been evaluated by the City of Shelby as summarized in Table 6 below. The unpermitted non-stormwater flows listed as incidental do not significantly impact water quality. The City of Shelby has evaluated residential and charity car washing and street washing for possible significant water quality impacts.

Street washing discharges are addressed under the Pavement Management Program in Part 10 of this SWMP. The Division has not required that other non-stormwater flows be specifically controlled by the City of Shelby.

Wash water associated with car washing that does not contain detergents or does not discharge directly into the MS4 is considered incidental. However, these types of non-stormwater discharges that do contain detergents have been evaluated by the City of Shelby to determine whether they may significantly impact water quality. The City of Shelby has found residential non-stormwater discharges containing detergents to be incidental. The City’s Phase II Stormwater Ordinance Section 10-3.7 prohibits commercial wash water from entering the MS4 system.

Table 6: Non-Stormwater Discharges

Non-Stormwater Discharge	Water Quality Impacts
Water line and fire hydrant flushing	Incidental
Landscape irrigation	Incidental
Diverted stream flows	Incidental
Rising groundwater	Incidental
Uncontaminated groundwater infiltration	Incidental
Uncontaminated pumped groundwater	Incidental
Uncontaminated potable water sources	Incidental
Foundation drains	Incidental
Air conditioning condensate	Incidental
Irrigation waters	Incidental
Springs	Incidental
Water from crawl space pumps	Incidental
Footing drains	Incidental
Lawn watering	Incidental
Residential and charity car washing	Incidental
Flows from riparian habitats and wetlands	Incidental
Dechlorinated swimming pool discharges	Incidental
Street wash water	Incidental
Flows from firefighting activities	Incidental

3.9 Target Pollutants and Sources

In addition to those target pollutants identified above, the City of Shelby is not aware of other significant water quality issues within the permitted MS4 area.

Table 7 below summarizes the water quality pollutants identified throughout Part 3 of this SWMP, the likely activities/sources/targeted audiences attributed to each pollutant, and identifies the associated SWMP program(s) that address each. In addition, the City of Shelby has evaluated schools, homeowners and businesses as target audiences that are likely to have significant stormwater impacts.

The target audience for this measure will be households, businesses, and industries. Efforts will be made to target materials to school age children, the general public, and City employees. Materials will also be created to focus on different types of uses, such as residential, commercial, and industrial.

Table 7: Summary of Target Pollutants and Sources

Target Pollutant(s)	Likely Source(s)/Target Audience(s)	SWMP Program Addressing Target Pollutant(s)/Audience(s)
Litter	Residents, Businesses, Industrial	Public Education & Outreach
Sediment	Construction Industry, Residents, Businesses, Municipal	Public Education & Outreach, Construction Site Runoff Control, Pollution Prevention & Good Housekeeping
Car Washing	Residents, Businesses, Municipal	Public Education & Outreach, Pollution Prevention & Good Housekeeping
Chemicals	Residents, Businesses, Municipal, Industrial	Public Education & Outreach, Pollution Prevention & Good Housekeeping
Used Oil, Antifreeze, etc.	Residents, Businesses, Municipal, Industrial	Public Education & Outreach, Pollution Prevention & Good Housekeeping
Lawn Care Products and Yard Waste	Residents, Businesses, Municipal	Public Education & Outreach, Pollution Prevention & Good Housekeeping
Fecal Coliform (Pet Waste)	Residents/Municipal Parks	Public Education & Outreach

PART 4: STORMWATER MANAGEMENT PROGRAM ADMINISTRATION

4.1 Organizational Structure

The City of Shelby operates under a Council/Manager form of government. The City Manager is appointed by the Mayor and Council and serves as the Chief Administrative Officer of the City and is responsible for carrying out the policies and ordinances adopted by City Council. The City Manager is the signing authority for the MS4 permit. The stormwater administrator is the Engineering Services Director, who has an Engineering Manager that oversees the implementation of the stormwater program. Under the Engineering Manager is the Stormwater Coordinator who is responsible for the implementation and coordination of the activities discussed in the SWMP. Additional City departments, such as Planning and Development Services and Public Works help to implement certain BMPs of the program.

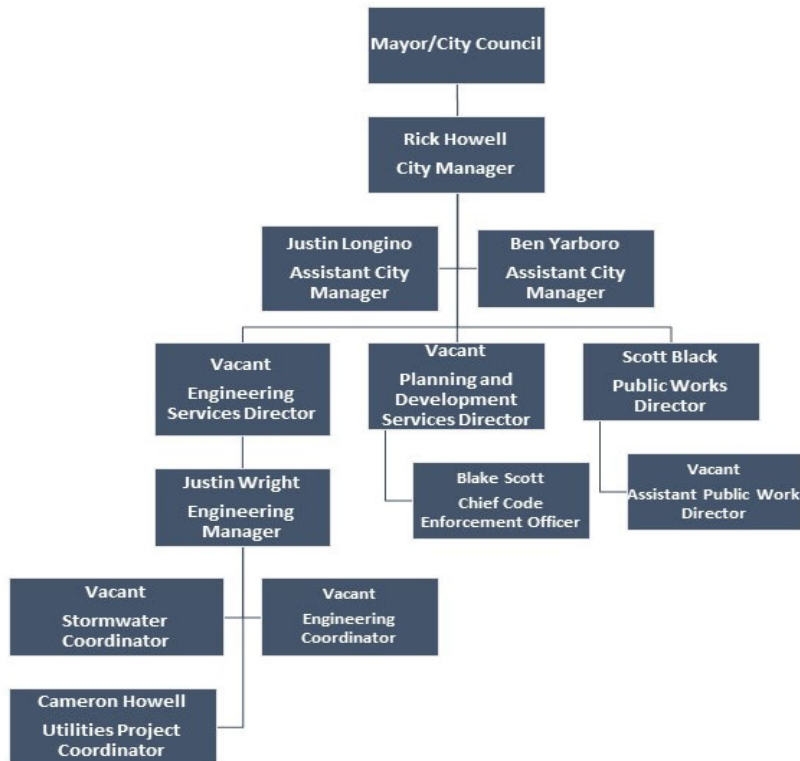


Table 8: Summary of Responsible Parties

SWMP Component	Responsible Position	Staff Name	Department
Stormwater Program Administration	Assistant City Manager	Ben Yarboro	Engineering-Stormwater Division
SWMP Management	Engineering Services Director	Vacant	Engineering-Stormwater Division
	Engineering Manager	Justin Wright	
Public Education & Outreach	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
	Engineering Manager	Justin Wright	
Public Involvement & Participation	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
	Engineering Manager	Justin Wright	
Illicit Discharge Detection & Elimination	Stormwater Coordinator	Vacant	Engineering-Stormwater Division Planning and Development
	Chief Code Enforcement Officer	Blake Scott	
Construction Site Runoff Control	Stormwater Coordinator	Vacant	Engineering-Stormwater Division NCDEQ
	Regional Engineer	Zahid Khan	
Post-Construction Stormwater Management	Stormwater Coordinator	Vacant Ben Yarboro	Engineering-Stormwater Division Planning and Development
	Assistant City Manager	Justin Wright	
	Engineering Manager	Vacant	
	Planning and Development Director		
Pollution Prevention/Good Housekeeping for Municipal Operations	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Municipal Facilities Operation & Maintenance Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Spill Response Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division

MS4 Operation & Maintenance Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Municipal SCM Operation & Maintenance Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Pesticide, Herbicide & Fertilizer Management Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Vehicle & Equipment Cleaning Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
Pavement Management Program	Stormwater Coordinator	Vacant	Engineering-Stormwater Division
	Engineering Coordinator	Vacant	Public Works
	Director of Public Works	Scott Black	
Total Maximum Daily Load (TMDL) Requirements	N/A	N/A	N/A

4.2 Program Funding and Budget

In accordance with the issued permit, the City of Shelby shall maintain adequate funding and staffing to implement and manage the provisions of the SWMP and comply with the requirements of the NPDES MS4 Permit. The budget includes the permit administering and compliance fee, which is billed by the Division annually.

On July 1, 2014, the City of Shelby implemented a stormwater fee on all properties inside the City limits with greater than 400 square feet of impervious surface. These fees are collected through the City’s monthly utility billing system. Properties within the City either fall into residential (single-family only) or commercial based on the property use.

All residential properties are charged a flat monthly fee. Commercial fees are charged based on impervious surface on the property calculated using aerial photography. Randomly selected residential properties had their impervious surface calculated to determine the Equivalent Residential Unit (ERU) for commercial billing. Currently the City’s ERU is 2,600 square feet. The commercial impervious surface square footage is broken down into ERUs, then the property is charged per the tier it falls in. Currently, there are ten commercial billing tiers listed below:

Type	Monthly Fee
Residential	\$2.63
Commercial:	
1-2 ERU	\$5.27
3-5 ERU	\$10.53
6-10 ERU	\$15.80
11-25 ERU	\$26.33
26-50 ERU	\$78.98
51-100 ERU	\$157.95
101-200 ERU	\$315.90
201-500 ERU	\$631.80
501-1000 ERU	\$1,263.60
1001+ ERU	\$2,106.00

The City of Shelby Stormwater Fee Credit program offers commercial property owners the opportunity to reduce their stormwater utility fee charges by applying for available fee credits. The fee credits described below are cumulative and a stormwater fee may be reduced as much as thirty (30) percent based on the following three credit categories:

- **Water Quality (10% credit)** – Properties qualifying for this fee credit shall provide an onsite Best Management Practice (BMP) that reduces the impact of pollution on water quality and conforms with the design and maintenance standards in the City of Shelby’s Phase II Stormwater Ordinance and the NCDENR BMP Manual (minimum 85% TSS removal). The required water quality analysis is to be prepared and sealed by an engineer registered in the State of North Carolina.

- **Water Quantity (10% credit)** – Properties qualifying for this fee credit shall provide a post developed rate of runoff that is less than or equal to the runoff rates at pre-development. Properties that reduce their peak discharge rate to pre-developed conditions are eligible to receive a stormwater runoff control credit. If site conditions do not allow for a complete reduction to the pre-developed peak discharge rate, the credit will be determined proportionally based on the amount of reduction attained (i.e., if the developed peak discharge is reduced by 70 percent of the differential runoff, then the corresponding credit would be $0.70 \times 10\% = 7\%$). Runoff rate analysis is to be based on a 10-year storm event with supporting calculations prepared and sealed by an engineer registered in the State of North Carolina.

- **Industrial Stormwater Permit (10% credit)** – An industrial property that is covered by an individual or general National Pollution Discharge Elimination System (NPDES) stormwater discharge permit is eligible for this credit if all requirements of the aforementioned permit are satisfied. An annual inspection report must be provided to the City to verify compliance and receive this fee credit.

Current revenues (as of May 2022) collected from stormwater utility fees generates approximately \$898,000 annually. The current budget for the Stormwater Division is \$840,520.00. Funds are used for the salaries of three full time employees (Engineering Manager, Stormwater Coordinator, Street Sweeper Operator), stormwater system repairs, equipment purchases for inspections and repairs of the stormwater

system, brochures and handouts for the public education program, materials and trash disposal for public involvement cleanup events, and other items needed to support the Stormwater Division.

4.3 Shared Responsibility

The City of Shelby will share the responsibility to implement the following minimum control measures, which are at least as stringent as the corresponding NPDES MS4 Permit requirement. The City of Shelby remains responsible for compliance if the other entity fails to perform the permit obligation, and may be subject to enforcement action if neither the City of Shelby nor the other entity fully performs the permit obligation. Table 9 below summarizes who will be implementing the component, what the component program is called, the specific SWMP BMP or permit requirement that is being met by the shared responsibility, and whether or not a legal agreement to share responsibility is in place.

Table 9: Shared Responsibilities

SWMP BMP or Permit Requirement	Implementing Entity & Program Name	Legal Agreement (Y/N)
N/A		

4.4 Co-Permittees

There are no other entities applying for co-permittee status under the NPDES MS4 permit number NCS000560 for the City of Shelby. Table 10 summarizes contact information for each co-permittee.

Table 10: Co-Permittee Contact Information

Co-Permittee MS4 Name	Contact Person	Phone & E-Mail	Interlocal Agreement (Y/N)
N/A			

4.5 Measurable Goals for Program Administration

The City of Shelby will manage and report the following Best Management Practices (BMPs) for the administration of the Stormwater Management Program.

Table 11: Program Administration BMPs				
Permit Ref.	2.1.2 Program Implementation Measures to evaluate the performance and effectiveness of the SWMP program components at least annually. Results shall be used by the permittee to modify the program components as necessary to accomplish the intent of the Stormwater Program.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
1.	Annual Self-Assessment			
	Evaluate the performance and effectiveness of the program components at least annually. Results shall be used to modify the program components as necessary to accomplish the intent of the Stormwater Program.	1. Prepare, conduct and document an annual evaluation of the program components.	1. Annually Permit Years 1 – 5	1. Yes/No
2	Minimum Control Measures (Permit Ref. 2.2.2)			
	Written Procedures for implementing each of the six minimum control measures	1. Create written procedures for implementing each six minimum control measures.	1. Permit Year 1	1. Yes/No
		2. Review written programs and modify/update.	2. Permit Year 2-5	2. Yes/No

Table 11: Program Administration BMPs

3	Funding and Staffing (Permit Ref. 2.1.1)			
	The funding and staffing status of the program will be evaluated by appropriate City staff to confirm that the program is meeting permit requirements.	1. Review and analyze the current funding and staffing of the program.	1. Annually, Permit Years 1-5	1. Adequate/inadequate
Permit Ref.	1.6: Permit Renewal Application Measures to submit a permit renewal application no later than 180 days prior to the expiration date of the NPDES MS4 permit.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
4.	Permit Renewal Application			
	Submit a permit renewal application and Draft SWMP no later than 180 prior to permit expiration.	1. Draft SWMP applicable to the proceeding 5 years following permit re-issuance.	1. Permit Year 5	1. Yes/No
		2. Certify the stormwater permit renewal application (Permit renewal application form and Draft SWMP for the next 5-year permit cycle) and submit to NCDEQ at least 180 days prior to permit expiration.	2. Permit Year 5	2. Date of permit renewal application submittal

PART 5: PUBLIC EDUCATION AND OUTREACH PROGRAM

The City of Shelby will implement a Public Education and Outreach Program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of storm water discharges on water bodies and steps the public can take to reduce pollutants in storm water runoff.

The target audiences and identified pollutants listed in Part 3.9 of this SWMP, which will be addressed by the Public Education and Outreach Program, are summarized in Table 12 below. In addition, the City of Shelby is required to inform businesses and the general public of the hazards associated with illicit discharges, illegal dumping and improper disposal of waste.

Table 12: Summary of Target Pollutants & Audiences

Target Pollutants/Sources	Target Audience(s)
Litter	General Public, Businesses, Industrial
Sediment	Construction Industry, Residents, Businesses, Municipal Employees
Car Washing	Residents, Businesses, Municipal Employees
Chemicals	Residents, Businesses, Municipal Employees, Industrial
Used Oil, Antifreeze, Etc.	Residents, Businesses, Municipal Employees, Industrial
Lawn Care Products and Yard Waste	Residents, Businesses, Municipal Employees
Fecal Coliform (Pet Waste)	Residents, Municipal Parks
Illicit Discharges	General Public, Businesses, Municipal Employees
Illegal Dumping	General Public, Businesses, Municipal Employees
Improper Disposal of Waste	General Public, Businesses, Municipal Employees

The City of Shelby will manage, implement and report the following public education and outreach BMPs.

Table 13: Public Education and Outreach BMPs				
Permit Ref.	3.2.2 and 3.2.4: Outreach to Targeted Audiences Measures to identify the specific elements and implementation of a Public Education and Outreach Program to share educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and how the public can reduce pollutants in stormwater runoff. The permittee shall provide educational information to identified target audiences on pollutants/sources identified in table 12 above, and shall document the extent of exposure of each media, event or activity, including those elements implemented locally or through a cooperative agreement.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric

Table 13: Public Education and Outreach BMPs

5.	Stormwater Utility Bill Inserts			
	<p>Provide educational stormwater bill inserts in utility bills twice annually to all City residents and businesses. Topics may include: stormwater pollution awareness, garbage, vehicle maintenance, yard waste and lawn care products, chemicals, pet waste, illicit discharge and illegal dumping.</p> <p>Provide educational stormwater bill inserts in utility bills to all City residents and businesses. Topics shall include target pollutants.</p>	1. Develop and distribute utility bill inserts	1. Semi-annually, Permit year 1-5	1. Yes/No Number of utility bill inserts mailed:
		2.. Distribute utility bill inserts for Vehicle Maintenance, Car Washing, Chemicals, Used oil, antifreeze etc.	2. Permit Year 1	2. Yes/No Number of bill inserts distributed:
		3. Distribute utility bill inserts for Lawn Care Products and Yard Waste	3. Permit Year 2	3. Yes/No Number of bill inserts distributed:
		4. Distribute utility bill inserts for Illicit Discharge, and Illegal Dumping	4. Permit Year 3	4. Yes/No Number of bill inserts distributed:
		5. Distribute utility bill inserts for Littering, Improper Disposal of Waste	5. Permit Year 4	5. Yes/No Number of bill inserts distributed:
		6. Distribute utility bill inserts for Fecal Coliform (Pet Waste)	6. Permit Year 5	6. Yes/No Number of bill inserts distributed:
6.	Stormwater Brochure Distribution Through Public Facilities			
	<p>Provide educational information by distributing brochures at public facilities such as government facilities, hardware stores, automotive stores, and pet facilities.</p>	1. Develop and update brochures to be distributed at public facilities that targets pollutants and sources.	1. Year 1	1. Yes/No
		2. Distribute Brochures through Government and Public Facilities	Year 2-5	2. Yes/No Number of brochures distributed: Number of facilities distributing brochures:
7.	School Educational Program			
	<p>Staff will participate in educational events for school students such as Career Day and club presentations</p>	<p>1. Staff will participate/present in a programs to target school age children.</p>	<p>1. Annually, Permit Years 1-5</p>	<p>1. Yes/No Number of participants: Number of Events</p>

Table 13: Public Education and Outreach BMPs

8.	Public Festival Educational Booths			
	Staff will utilize educational booths at public festivals. These booths allow for one-on-one interaction with citizens and the distribution of educational brochures and handouts.	1. Staff will have a booth at community events to distribute stormwater outreach materials. At minimum, three events will be attended per permit year.	1. Annually, Permit Years 1-5	1. Yes/No Number of events held/attended: Quantity and type of materials handed out:
Permit Ref.	2.1.7, 3.2.3 and 3.6.5C: Web Site Measures to provide a web site designed to convey the program’s message(s) and provide online materials including ordinances, or other regulatory mechanisms, or a list identifying the ordinances or other regulatory mechanisms, providing the legal authority necessary to implement and enforce the requirements of the permit and SWMP. The web page shall also provide developers with all relevant post-construction requirements, design standards, checklists and/or other materials.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
9.	Maintain Informational Webpage			
	Promote and maintain an internet website designed to promote and convey the programs message;. The website will include links to the City Stormwater Ordinance, SWMP, educational brochures, stormwater hotline contact information, NCDEQ STOPMUD hotline, Stormwater Administrative Manual and other related information for developers.	1. Maintain and update, Annually, City of Shelby Stormwater informational website to provide information to the public	1. Annually, Permit Years 1-5	1. Yes/No
		2. Track the annual number of visits to the site.	2. Annually, Permit Years 2-5	2. Number of visits to the website:
10.	Social Media Posts			
	Utilize the City’s social media pages to inform public of stormwater projects, events and stormwater pollution prevention messages.	1. Utilize the City’s social media pages to post stormwater messages at least 6 times a year	1. Continuously, Permit Years 1-5	1. Yes/No Number of posts:
Permit Ref.	3.2.5: Stormwater Hotline Measures for a stormwater hotline/helpline for the purpose of public education and outreach.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric

Table 13: Public Education and Outreach BMPs

11.	Maintain Stormwater Hotline			
	Maintain stormwater hotline (704-484-6866 and stormwater@cityofshelby.com) for public reporting of stormwater concerns.	1. Provide training to customer service representatives on taking calls	1. Annually, Permit Years 1-5	1. Did hotline staff receive training: Yes/No Number of employees trained:
		2. Test hotline implementation through test calls	2. Annually, Permit Years 1-5	2. Was hotline procedure implemented: Yes/No Hotline functional: Yes/No
		3.. Promote hotline through webpage and educational handouts	3.. Continuously, Permit Years 1-5	3.. Yes/No
		4.. Track number and type of complaints, concerns and information related to each call.	4.. Annually, Permit Years 1-5	4.. Number of calls received:

PART 6: PUBLIC INVOLVEMENT AND PARTICIPATION PROGRAM

This SWMP identifies the minimum elements and implementation of a Public Involvement and Participation Program that complies with applicable State, Tribal and local public notice requirements. The City of Shelby will manage, implement and report the following public involvement and participation BMPs.

Table 14: Public Involvement and Participation BMPs				
Permit Ref.	3.3.1: Public Input Mechanisms for public involvement that provide for input on stormwater issues and the stormwater program.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
12.	Public Meeting			
	Conduct a public meeting to update the public on various components of the stormwater program such as the reporting hotline, volunteer events and stormwater projects.	1. Conduct a stormwater presentation at a public meeting. Request any input on the stormwater program.	1. Annually, Permit Years 1-5	1. Yes/No Date of Meeting:
13.	Stormwater Hotline			
	Maintain stormwater hotline (704-484-6866 and stormwater@cityofshelby.com) for public reporting of stormwater concerns.	1. Provide training to customer service representatives on taking calls	1. Annually, Permit Years 1-5	1. Did hotline staff receive training: Yes/No Number of employees trained:
		2. Test hotline implementation through test calls	2. Annually, Permit Years 1-5	2. Was hotline procedure implemented: Yes/No Hotline functional: Yes/No
		3. Promote hotline through webpage and educational handouts	3. Continuously, Permit Years 1-5	3. Yes/No
		4. Track number and type of complaints, concerns and information related to each call.	4. Annually, Permit Years 1-5	4. Number of calls received:
Permit Ref.	3.3.2: Volunteer Opportunities Measures to provide volunteer opportunities designed to promote ongoing citizen participation.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
14.	Litter/Creek Cleanup Events			

Table 14: Public Involvement and Participation BMPs

	Organize various litter cleanup events where citizens can participate in removing litter from waterways and roadsides.	1. Identify areas that contribute to trash reaching our waterways and can be cleaned by volunteers	1. Annually, Permit Years 1-5	1. Areas identified: Yes/No
		2. Coordinate at least 1 litter sweep a year for volunteers to cleanup waterways or roadsides	2. Annually, Permit Years 1-5	2. Yes/No Number of events: Number of participants: Pounds of trash collected:
		2. Coordinate at least 1 Creek clean up a year for volunteers to cleanup creeks	2. Annually, Permit Years 1-5	2. Yes/No Number of events: Number of participants: Pounds of trash collected:
15.	Storm Drain Marking Program			
	Organize an event for volunteers to install storm drain markers.	1. Coordinate a storm drain marking event	1. Annually, Permit Years 1-5	1. Yes/No Number of volunteers: Number of storm drain markers installed:

PART 7: ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM

The City of Shelby will develop, manage, implement, document, report and enforce an Illicit Discharge Detection and Elimination Program which shall, at a minimum, include the following illicit discharge detection and elimination BMPs.

Table 15: Illicit Discharge Detection and Elimination BMPs				
Permit Ref.	3.4.1: MS4 Map Measures to develop, update and maintain a municipal storm sewer system map including stormwater conveyances, flow direction, major outfalls and waters of the United States receiving stormwater discharges.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
16.	Maintain MS4 Map			
	The City currently has a MS4 map through its Geographic Information System (GIS). The map shows stormwater infrastructure such as pipes with flow direction, catch basins, junction boxes, outfalls, SCMs, etc.	1. Update map as needed for existing infrastructure found during inspections	1. Continuously, Permit Years 1-5	1. Updated Yes or No
		2. Update map during the Certificate of Occupancy process for new construction	2. Continuously, Permit Years 1-5	2. Updates: Yes/No
Permit Ref.	3.4.2: Regulatory Mechanism Measures to provide an IDDE ordinance or other regulatory mechanism that provides legal authority to prohibit, detect, and eliminate illicit connections and discharges, illegal dumping and spills into the MS4, including enforcement procedures and actions.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
17.	Maintain IDDE Ordinance			
	The City’s Stormwater Ordinance was adopted November 18, 2013 by City Council.	1. Review and revise the IDDE Ordinance as needed	1. Annually, Permit Years 1-5	1. Yes/No
Permit Ref.	3.4.3: IDDE Plan Measures to maintain and implement a written IDDE Plan to detect and address illicit discharges, illegal dumping and any non-stormwater discharges identified as significant contributors of pollutants to the MS4. The plan shall provide standard procedures and documentation to: a) Locate priority areas likely to have illicit discharges, b) Conduct routine dry weather outfall inspections, c) Identify illicit discharges and trace sources, d) Eliminate the source(s) of an illicit discharge, and e) Evaluate and assess the IDDE Program.			

Table 15: Illicit Discharge Detection and Elimination BMPs

BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
18.	IDDE Procedure			
	The City has an existing standard operating procedure for Illicit Discharge Detection and Elimination. This procedure details reporting, investigating and mitigating illicit discharges and the outfall inspection process. Municipal employees are trained annually on the procedure.	1. Review and update IDDE Procedure as needed.	1. Annually, Permit Years 1-5	1. Yes/No Updated: Yes/No
2. Train municipal employees on IDDE Procedure		2. Annually, Permit Years 1-5	2. Number of employees trained:	
19.	Major Outfall Inspections			
	Stormwater staff performs annual dry weather inspections of the major outfalls.	1. Inspect one-third of major outfalls for dry weather flows	1. Annually, Permit Years 1-5	1. Number of major outfalls inspected; Percentage of Outfalls
		2. Train inspection staff to perform dry weather inspections and illicit discharge investigations	2. Annually, Permit Years 1-5	2. Number of staff trained:
		3. Take code enforcement action on any IDDEs found during major outfall inspections	3. Annually, Permit Years 1-5	3. Number of IDDEs found during major outfall inspections:
20.	Maintain Reporting Hotline			
	Reports from the public can be made on the stormwater hotline (704-484-6866, stormwater@cityofshelby.com)	1. Provide training to customer service representatives on taking calls	1. Annually, Permit Years 1-5	1. Did hotline staff receive training: Yes/No Number of employees trained:
		2. Test hotline implementation through test calls	2. Annually, Permit Years 1-5	2. Was hotline procedure implemented: Yes/No Hotline functional: Yes/No
		3. Promote hotline through webpage and educational handouts	3. Continuously, Permit Years 1-5	3. Yes/No
		4. Track number and type of complaints, concerns and information related to each call.	4. Annually, Permit Years 1-5	4. Number of calls received:
21.	Evaluate IDDE Program			
	Conduct an annual review meeting between Stormwater and Code Enforcement Staff.	1. Evaluation meeting with Stormwater and Code Enforcement Staff	1. Annually, Permit Years 1-5	1. Yes/No

Table 15: Illicit Discharge Detection and Elimination BMPs

		2. Review data for chronic violators, issues, or problem areas	2. Annually, Permit Years 1-5	2. Yes/No Number of chronic issues identified:
Permit Ref.	3.4.4: IDDE Tracking Measures for tracking and documenting the date(s) an illicit discharge, illicit connection or illegal dumping was observed, the results of the investigation, any follow-up of the investigation, the date the investigation was closed, the issuance of enforcement actions, and the ability to identify chronic violators.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
22.	IDDE Tracking			
	City Stormwater Staff keep digital copies of illicit discharge inspection reports. The report notes things such as location, date, time, enforcement action, and resolutions. In addition to inspection records, illicit discharges and illegal dumping cases are tracked in the City’s GIS mapping system. Any enforcement actions taken by Code Enforcement staff are tracked in the Energov program (or similar software). This program tracks cases linked to a property and chronic violators can be identified.	1. Track IDDEs via inspection forms	1. Continuously, Permit Years 1-5	1. Number of IDDEs reported:
		2. Track IDDEs via GIS mapping	2. Continuously, Permit Years 1-5	2. Yes/No Number of investigations
		3. Track IDDE enforcement actions	3. Continuously, Permit Years 1-5	3. Number of IDDEs referred for enforcement action:
		4. Document progress of IDDEs reported	4. Continuously, Permit Years 1-5	4. Number of Notice of Violations Issued: Number of Notice of Violations Closed:
Permit Ref.	3.4.5: Staff IDDE Training Measures to provide training for municipal staff and contractors who, as part of their normal job responsibilities, may observe an illicit discharge, illicit connection, illegal dumping or spills. Training shall include how to identify and report illicit discharges, illicit connections, illegal dumping and spills. Each staff training event shall be documented, including the agenda/materials, date, and number of staff participating.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
23.	IDDE Employee Training			

Table 15: Illicit Discharge Detection and Elimination BMPs

	<p>The City has a training program for municipal employees it has identified as having a high potential for impacting stormwater pollution in their daily duties or likely to observe or play a role in responding to an illicit discharge or illegal dumping. Employees are trained on the IDDE Procedure.</p> <p>Field staff are trained via PowerPoint presentation or video on how to identify report illicit discharges and illegal dumping to the Stormwater Division. Customer Service staff are trained on answering the stormwater hotline. Stormwater staff are trained on responding to illicit discharges and illegal dumping.</p>	<p>1. Provide IDDE Procedure training to identified municipal employees (Utilities, Public Works, Housing, Customer Services, Planning and Development, Fire Department)</p>	<p>1. Annually, Permit Years 1-5</p>	<p>1. Number of staff trained:</p>
Permit Ref.	<p>3.4.6: IDDE Reporting Measures for the public and staff to report illicit discharges, illegal dumping and spills. The mechanism shall be publicized to facilitate reporting and shall be managed to provide rapid response by appropriately trained personnel.</p>			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
24.	Maintain Reporting Hotline			
	<p>Reports from the public can be made on the stormwater hotline (704-484-6866, stormwater@cityofshelby.com)</p>	<p>1. Provide training to customer service representatives on taking calls</p>	<p>1. Annually, Permit Years 1-5</p>	<p>1. Did hotline staff receive training: Yes/No Number of employees trained:</p>
		<p>2. Test hotline implementation through test calls</p>	<p>2. Annually, Permit Years 1-5</p>	<p>2. Was hotline procedure implemented: Yes/No Hotline functional: Yes/No</p>
		<p>3..Promote hotline through webpage and educational handouts</p>	<p>3..Continuously, Permit Years 1-5</p>	<p>3.. Yes/No</p>
		<p>4.. Track number and type of complaints, concerns and information related to each call.</p>	<p>4.. Annually, Permit Years 1-5</p>	<p>4..Number of calls received:</p>
25.	Maintain Informational Webpage			

Table 15: Illicit Discharge Detection and Elimination BMPs

	<p>Maintain existing stormwater informational website. The website will include links to the City Stormwater Ordinance, SWMP, educational brochures, stormwater hotline contact information, NCDEQ STOPMUD hotline, Stormwater Administrative Manual and other related information for developers.</p>	<p>1. Maintain and update, Annually, City of Shelby Stormwater informational website to provide information to the public</p> <p>2. Track the annual number of visits to the site.</p>	<p>1. Annually, Permit Years 1-5</p> <p>2. Annually, Permit Years 2-5</p>	<p>1. Yes/No</p> <p>2. Number of visits to the website:</p>
<p>26.</p>	<p>IDDE Employee Training</p>			
	<p>The City has a training program for municipal employees it has identified as having a high potential for impacting stormwater pollution in their daily duties or likely to observe or play a role in responding to an illicit discharge or illegal dumping. Employees are trained on the IDDE Procedure.</p> <p>Field staff are trained via PowerPoint presentation or video on how to identify report illicit discharges and illegal dumping to the Stormwater Division. Customer Service staff are trained on answering the stormwater hotline. Stormwater staff are trained on responding to illicit discharges and illegal dumping.</p>	<p>1. Provide IDDE Procedure training to identified municipal employees (Utilities, Public Works, Housing, Customer Services, Planning and Development, Fire Department)</p>	<p>1. Annually, Permit Years 1-5</p>	<p>1. Number of staff trained:</p>

PART 8: CONSTRUCTION SITE RUNOFF CONTROL PROGRAM

In accordance with 15A NCAC 02H .0153, the City of Shelby relies upon the North Carolina Sedimentation Pollution Control Act (SPCA) of 1973 as a qualifying alternative program to meet a portion of the NPDES MS4 Permit requirements for construction site runoff control measures. The SPCA requirements include reducing pollutants in stormwater runoff from construction activities that result in land disturbance of greater than or equal to one acre, and includes any construction activity that is part of a larger common plan of development that would disturb one acre or more. The state SPCA Program is either delegated to a city/town, delegated to a county, or implemented by NCDEQ in non-delegated areas.

Table 16: Qualifying Alternative Program Components for Construction Site Runoff Control Program

Permit Reference	State or Local Program Name	Legal Authority	Implementing Entity
3.5-1 - 3.5.4	State Implemented SPCA Program	15A NCAC Chapter 04	NCDEQ

The City of Shelby also implements the following BMPs to meet NPDES MS4 Permit requirements.

Table 17: Construction Site Runoff Control BMPs				
Permit Ref.	3.5.6: Public Input Measures to provide and promote a means for the public to notify the appropriate authorities of observed erosion and sedimentation problems.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
27.	Municipal Staff Training			
	Train municipal staff who receive calls from the public on the protocols for referral and tracking of construction site runoff control complaints.	1. Train municipal staff on proper handling of construction site runoff control complaints.	1. Annually, Permit Years 1-5	1. Number of staff trained:
28.	Promote NCDEQ Hotline			
	Promote the NCDEQ hotline 1-866-STOPMUD	1. Maintain STOPMUD hotline number on stormwater webpage	1. Annually, Permit Years 1-5	1. Yes/No
		2. Promote hotline on City social media	2. Annually, Permit Years 1-5	2. Yes/No
29.	Maintain Reporting Hotline			
	Reports from the public can be made on the stormwater hotline (704-484-6866, stormwater@cityofshelby.com)	1. Provide training to customer service representatives on taking calls	1. Annually, Permit Years 1-5	1. Did hotline staff receive training: Yes/No Number of employees trained:

Table 17: Construction Site Runoff Control BMPs

		2. Test hotline implementation through test calls	2. Annually, Permit Years 1-5	2. Was hotline procedure implemented: Yes/No Hotline functional: Yes/No
		3..Promote hotline through webpage and educational handouts	3..Continuously, Permit Years 1-5	3.. Yes/No
		4.. Track number and type of complaints, concerns and information related to each call.	4.. Annually, Permit Years 1-5	4..Number of calls received:
Permit Ref.	3.5.5: Waste Management Measures to require construction site operators to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse impact to water quality.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
31.	Contractor Education			
	Communicate Construction Waste Management Ordinance requirements to contractors	1. Develop a fact sheet to be handed out with building permits.	1. Permit Year 1	1. Yes/No
		2. Distribute fact sheet to contractors with building permits	2.Continously, Permit Year 2-5	2. Number of fact sheets distributed:
		3. Add fact sheet to Stormwater webpage	3. Continuously, Permit Year 2-5	3. Yes/No

PART 9: POST-CONSTRUCTION SITE RUNOFF CONTROL PROGRAM

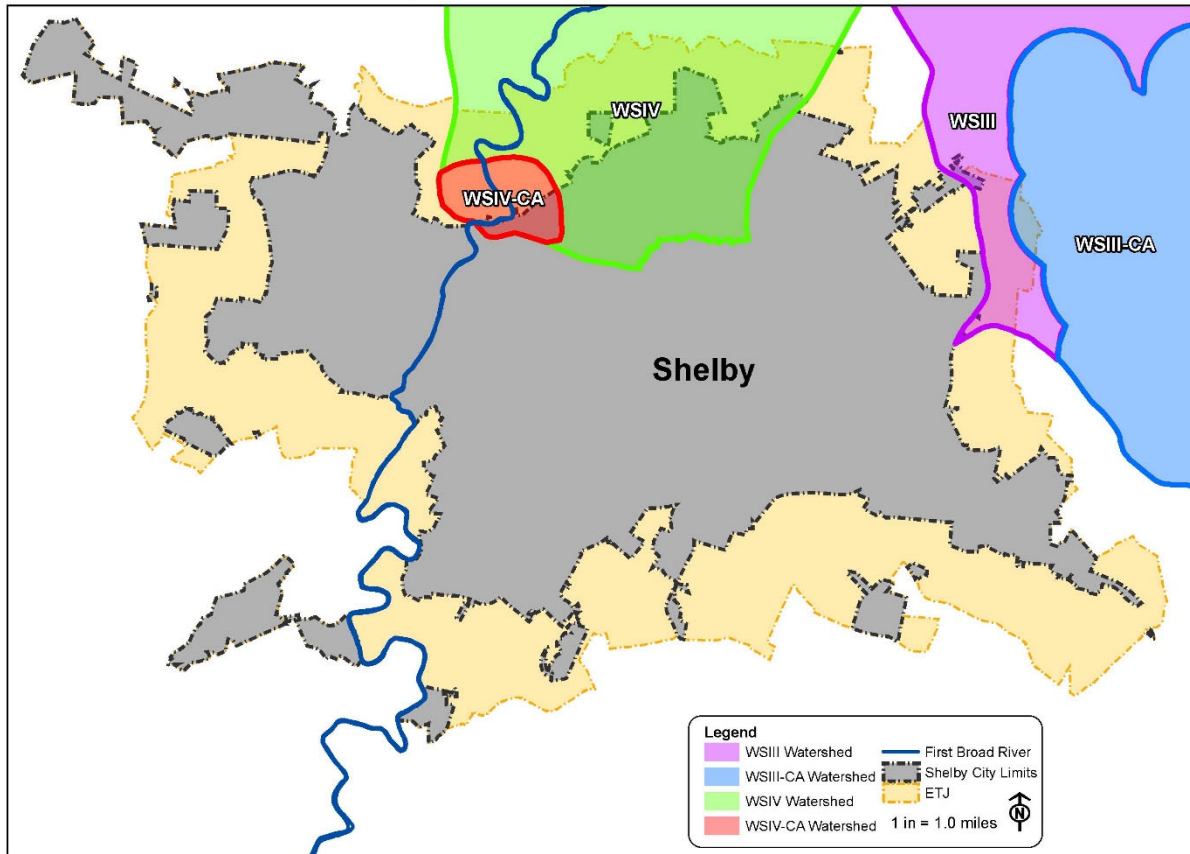
This SWMP identifies the minimum elements to develop, implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that are located within the City of Shelby and discharge into the MS4. These elements are designed to minimize water quality impacts utilizing a combination of structural Stormwater Control Measures (SCMs) and/or non-structural BMPs appropriate for the community, and ensure adequate long-term operation and maintenance of SCMs.

In accordance with 15A NCAC 02H .0153 and .1017, the City of Shelby implements the following State post-construction program requirements, which satisfy the NPDES Phase II MS4 post-construction site runoff control requirements as Qualifying Alternative Programs (QAPs) in the MS4 area(s) where they are implemented.

Table 18: Qualifying Alternative Program(s) for Post-Construction Site Runoff Control Program

State QAP Name	State Requirements	Local Ordinance / Regulatory Mechanism Reference
None	N/A	N/A
Water Supply Watershed (WS-I)	15A NCAC 2B .0620 - .0624	N/A
Water Supply Watershed (WS-II)	15A NCAC 2B .0620 - .0624	N/A
Water Supply Watershed (WS-III)	15A NCAC 2B .0620 - .0624	City of Shelby Unified Development Ordinance, Article X, Sect. 10-1
Water Supply Watershed (WS-IV)	15A NCAC 2B .0620 - .0624	City of Shelby Unified Development Ordinance, Article X, Sect. 10-1
Neuse River Basin Nutrient Sensitive (NSW) Management Strategy	15A NCAC 2B .0235	N/A
Tar-Pamlico River Basin Nutrient Sensitive (NSW) Management Strategy	15A NCAC 2B .0258	N/A
Randleman Lake Water Supply Watershed Nutrient Management Strategy	15A NCAC 2B .0251	N/A
Universal Stormwater Management Program	15A NCAC 2H .1020	N/A

City of Shelby - Watersheds



The City of Shelby has existing requirements other than Qualifying Alternative Program(s) for implementation of the NPDES Phase II MS4 post-construction program requirements. These existing requirements are codified in local ordinance(s), and implementation is further defined in guidance, manuals and/or standard operating procedure(s) as summarized in Table 19 below.

Table 19: Summary of Existing Post-Construction Program Elements

Permit Requirements for Plan Review and Approval	Municipal Ordinance/Code Reference(s) and/or Document Title(s)	Date Adopted
3.6.2(a) Authority	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.1.B	11/18/13 Updated: 11/19/18
3.6.3(a) & 15A NCAC 02H.0153(c) Federal, State & Local Projects	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.1.E	11/18/13 Updated: 11/19/18
3.6.3(b) Plan Review	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.2	11/18/13 Updated: 11/19/18
3.6.3(c) O&M Agreement	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.4.B	11/18/13 Updated: 11/19/18
3.6.3(d) O&M Plan	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.4.B	11/18/13 Updated: 11/19/18
3.6.3(e) Deed Restrictions/Covenants	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.3.B.5 / City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.3.C.6	11/18/13 Updated: 11/19/18
3.6.3(f) Access Easements	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.4.E	11/18/13 Updated: 11/19/18
Permit Requirements for Inspections and Enforcement	Municipal Ordinance/Code Reference(s) and/or Document Title(s)	Date Adopted
3.6.2(b) Documentation	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.F	11/18/13 Updated: 11/19/18
3.6.2(c) Right of Entry	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.5.C.2	11/18/13 Updated: 11/19/18
3.6.4(a) Pre-CO Inspections	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.2.C.4	11/18/13 Updated: 11/19/18
3.6.4(b) Compliance with Plans	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.2.C.4	11/18/13 Updated: 11/19/18
3.6.4(c) Annual SCM Inspections	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.4.A.2	11/18/13 Updated: 11/19/18
3.6.4(d) Low Density Inspections	TBD	TBD
3.6.4(e) Qualified Professional	City of Shelby Unified Development Ordinance, Article X, Sect. 10-3.4.A.2	11/18/13 Updated: 11/19/18
Permit Requirements for Fecal Coliform Reduction	Municipal Ordinance/Code Reference(s) and/or Document Title(s)	Date Adopted

3.6.6(a) Pet Waste	City of Shelby Code of Ordinances Chapter 4, Article II, Division 1, Section 4-46	9/18/22 Updated: 4/16/07
3.6.6(b) On-Site Domestic Wastewater Treatment	TBD	TBD

The annual reporting metrics for the post construction program are provided in Table 20: Post Construction Site Runoff Control BMPs below.

Table 20: Post Construction Site Runoff Control BMPs				
Permit Ref.	3.6.5(a), 3.6.5(b), and 4.1.3: Minimum Post-Construction Reporting Requirements			
	Measures to document activities over the course of the fiscal year (July 1 – June 30) including appropriate information to accurately describe progress, status, and results. <i>[These BMPs, measurable goals and annual reporting metrics are required for all post-construction programs and QAPs. Do not edit this BMP.]</i>			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
33.	Standard Reporting			
	Implement standardized tracking, documentation, inspections and reporting mechanisms to compile appropriate data for the annual self-assessment process. Data shall be provided for each Post-Construction/Qualifying Alternative Program being implemented as listed in Tables 18 and 19.	1. Track number of low density and high density plan reviews performed.	1. Continuously Permit Years 1-5	1. Number of plan reviews performed for low density and high density
		2. Track number of low density and high density plans approved.	2. Continuously Permit Years 1-5	2. Number of plan approvals issued for low density and high density
		3. Maintain a current inventory of low density projects and constructed SCMs including SCM type or low density acreage, location and last inspection date.	3. Continuously Permit Years 1-5	3. Summary of number and type of SCMs added to the inventory; and number and acreage of low density projects constructed
		4. Track number of SCM inspections performed.	4. Continuously Permit Years 1-5	4. Number of SCM inspections.
		5. Track number of low density inspections performed.	5. Continuously Permit Years 1-5	5. Number of low density projects inspected
		6. Track number and type of enforcement actions taken.	6. Continuously Permit Years 1-5	6. Number of enforcement actions issued.
Permit Ref.	2.3 and 3.6: Qualifying Alternative Program(s)			
	Measures to develop, implement and enforce additional BMPs in order to comply with the QAP state program requirements.			
	A	B	C	D

Table 20: Post Construction Site Runoff Control BMPs

BMP No.	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
34.	Water Supply Watershed (WS-III)			
	The City’s Water Supply Watershed (WS-III) program is administered by the Planning and Development Department. Building plans in this watershed are reviewed to meet the requirements of the program.	1. Track number of watershed (WS-III) plans reviewed.	1. Continuously, Permit Years 1-5	1. Number of plans reviewed:
		2. Track number of Water Supply Watershed (WS-III) permits issued.	2. Continuously, Permit Years 1-5	2. Number of permits issued:
		3. Maintain a current inventory of Water Supply Watershed (WS-III) permits.	3. Continuously, Permit Years 1-5	3. Yes/No
35.	Water Supply Watershed (WS-IV)			
	The City’s Water Supply Watershed (WS-IV) program is administered by the Planning and Development Department. Building plans in this watershed are reviewed to meet the requirements of the program.	1. Track number of watershed (WS-IV) plans reviewed.	1. Continuously, Permit Years 1-5	1. Number of plans reviewed:
		2. Track number of Water Supply Watershed (WS-IV) permits issued.	2. Continuously, Permit Years 1-5	2. Number of permits issued:
		3. Maintain a current inventory of Water Supply Watershed (WS-IV) permits.	3. Continuously, Permit Years 1-5	3. Yes/No
Permit Ref.	<p>3.6.2: Legal Authority Measures to maintain adequate legal authorities through ordinance or other regulatory mechanism to: (a) review designs and proposals for new development and redevelopment to determine whether adequate stormwater control measures will be installed, implemented, and maintained, (b) request information such as stormwater plans, inspection reports, monitoring results, and other information deemed necessary to evaluate compliance with the Post-Construction Stormwater Management Program, and (c) enter private property for the purpose of inspecting at reasonable times any facilities, equipment, practices, or operations related to stormwater discharges to determine whether there is compliance with the Post-Construction Stormwater Management Program.</p>			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
36.	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.			
	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.	1. See Table 19	1. See Table 19	1. See Table 19

Table 20: Post Construction Site Runoff Control BMPs

Permit Ref.	3.6.3: Plan Review and Approval Measures to maintain plan review and approval authority, standards and procedures to: (a) Require Federal, State, and local government projects to comply with Post-Construction Program requirements throughout the entire MS4 permitted area, unless the entity is subject to its own NPDES MS4 permit or a qualifying alternative program, (b) Conduct site plan reviews of all new development and redeveloped sites that disturb greater than or equal to one acre, and sites that disturb less than one acre that are part of a larger common plan of development or sale for compliance with 15A NCAC 02H .1017 and the qualifying alternative programs that apply within your jurisdiction, (c) Ensure that each project has an Operation and Maintenance Agreement that complies with 15A NCAC 02H .1050(12), (d) Ensure that each project has an Operation and Maintenance Plan that complies with 15A NCAC 02H .1050(13), (e) Ensure that each project has recorded deed restrictions and protective covenants, that require the project to be maintained consistent with approved plans, and (f) Ensure that each SCM and associated maintenance accesses be protected in a permanent recorded easement per 15A NCAC 02H 1050 (9) and (10).			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
37.	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.			
	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.	1. See Table 19	1. See Table 19	1. See Table 19
Permit Ref.	3.6.4: Inspections and Enforcement Measures to maintain inspection and enforcement authority, standards and procedures to: (a) Conduct post-construction inspections prior to issuing a Certificate of Occupancy or a Temporary Certificate of Occupancy. Alternatively, the project owner may provide a surety bond to guarantee compliance with the approved plan(s), (b) Ensure that the project has been constructed in accordance with the approved plan(s), (c) Ensure annual inspection of each permitted SCM to ensure compliance with the approved Operation and Maintenance Agreement, (d) Ensure inspection of low density projects at least once during the permit term, a€(e) Require that inspections be conducted by a qualified professional.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
38.	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.			
	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19.	1. See Table 19	1. See Table 19	1. See Table 19

Table 20: Post Construction Site Runoff Control BMPs

BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
Permit Ref.	3.6.6: Fecal Coliform Reduction Measures to control, to the maximum extent practicable, sources of fecal coliform per 15A NCAC 02H .1017(7). At a minimum, the program shall include: (a) A pet waste management component, which may be achieved by revising an existing litter ordinance, and (b) An on-site domestic wastewater treatment system component, if applicable, which may be coordinated with local county health department, to ensure proper operation and maintenance of such systems.			
39.	Pet Waste Management Ordinance: This permit requirement is fully met by the existing post construction program referenced in Table 19			
	This permit requirement is fully met by the existing post-construction program, see references provided in Table 19. The City maintains 24 pet waste bag dispensers in public locations to promote the proper disposal of pet waste by the public. Locations include the uptown area, Fallen Heros Memorial, City Park and Hanna Park.	1. See Table 19	1. See Table 19	1. See Table 19
		2. Maintain the City’s pet waste bag dispensers	2. Continuously, Permit Years 1-5	2. Number of bags distributed
40.	On-site Domestic Wastewater Treatment System			
	City of Shelby Water Resources staff operate and maintain the City’s sewer system per the requirements of their permit. Most new construction is tied to the City’s sewer system, however there are some existing septic tanks within the City limits. New and existing septic systems are subject to requirements of the Cleveland County Health Department’s Environmental Health Program.	1. Contact the Water Resources Department when any sewer issue occurs	1. As needed, Permit Years 1-5	1. Yes/No
		2. Contact the Cleveland County Health Department for any septic tank issues found	2. As needed, Permit Years 1-5	2.Refferrals to Cleveland County Health Department
		3. Draft an update to the existing stormwater ordinance to add on-site domestic wastewater requirements	3. Permit Year 1	3. Yes/No
		4. Adopt revised stormwater ordinance with on-site domestic wastewater requirements	4. Permit Year 1	4. Yes/No

PART 10: POLLUTION PREVENTION AND GOOD HOUSEKEEPING PROGRAMS

This SWMP provides a comprehensive pollution prevention and good housekeeping strategy for the City of Shelby municipal facilities and operations. Pollution prevention and good housekeeping is accomplished through the implementation of seven required programs, which collectively address the ultimate goal of preventing or reducing pollutant runoff from municipal operations such as parks and open space maintenance, fleet and building maintenance, new construction and land disturbances, and municipal storm sewer system maintenance.

Pollution prevention and good housekeeping for municipal operations includes the following programs:

1. Municipal Facilities Operation and Maintenance Program
2. Spill Response Program
3. MS4 Operation and Maintenance Program
4. Municipal SCM Operation and Maintenance Program
5. Pesticide, Herbicide and Fertilizer Management Program
6. Vehicle and Equipment Maintenance Program
7. Pavement Management Program

The City of Shelby will manage, implement and report the pollution prevention and good housekeeping BMPs as specified in Table 21 below for each required program.

Table 21: Pollution Prevention and Good Housekeeping BMPs				
Permit Ref.	3.7.1: Municipal Facilities Operation and Maintenance Program Measures to manage facilities that are owned and operated by the permittee and have the potential for generating polluted stormwater runoff. The permittee shall maintain a current inventory of municipal facilities; perform facility inspections and routine maintenance; establish specific frequencies, schedules, and standard documentation; provide staff training on general stormwater awareness and implementing pollution prevention and good housekeeping practices.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
41.	Municipal Facilities Inventory			
	Maintain inventory of municipal facilities and each facilities potential for generating stormwater pollution	1. Maintain inventory of municipal facilities and their potential for generating stormwater pollution	1. Annually, Permit Years 1-5	1. Yes/No; Number of Facilities Identified
42.	Municipal Facility Inspections			
		1. Maintain Municipal Facility Inspection SOP	1. Annually, Permit Years 1-5	1. Yes/No

Table 21: Pollution Prevention and Good Housekeeping BMPs

	The Municipal Facility Inspection Standard Operating Procedure should be review and revised as needed. All municipal facilities will be inspected at a frequency determined by the Municipal Facility Inspection SOP. Properties are inspected for good housekeeping practices such as: vehicle and equipment washing, fueling operations, maintenance operations and garage operations.	2. Conduct routine inspections per the established SOP	2. Annually, Permit Years 1-5	2. Number of inspections completed:
43.	Municipal Employee Training			
	Municipal employees are trained on good housekeeping measures, spill response, MS4 maintenance, pavement management, pesticide/fertilizer use and municipal vehicle operation and maintenance.	1. Train staff responsible for implementing good housekeeping measures: City Park, Customer Service, Planning and Development, Public Works, Housing, Utilities and Fire Department	1. Annually, Permit Years 1-5	1. Number of staff trained:
Permit Ref.	3.7.2: Spill Response Program Measures for facilities and operations that store and/or use materials that have the potential to contaminate stormwater runoff if spilled. The permittee shall maintain written spill response procedures and train staff on spill response procedures.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
44.	Spill Response Procedure			
	Maintain spill response procedure and conduct training for municipal employees.	1. Review and update Spill Response Procedure as needed.	1. Annually, Permit Years 1-5	1. Yes/No
		2. Train applicable municipal employees on Spill Response Procedure	2. Annually, Permit Years 1-5	2. Number of employees trained:
Permit Ref.	3.7.3: MS4 Operation and Maintenance Program Measures to minimize pollutants in the stormwater collection system. The permittee shall provide operation and maintenance staff training on stormwater awareness and pollution prevention, perform MS4 inspections, maintain the collection system including catch basins and conveyances; and establish specific frequencies, schedules, and standard documentation.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
45.	MS4 Staff Training			

Table 21: Pollution Prevention and Good Housekeeping BMPs

	Train stormwater, MS4 maintenance staff and street sweeper staff on Municipally Maintained Streets, Catch Basins and Conveyance Systems Operation and Maintenance Manual.	1. Maintain and Update SOP as needed. 2. Train staff on SOP	1. Annually, Permit Years 1-5 2. Annually, Permit Years 1-5	1. Yes/No 2. Yes/No
46.	MS4 Inspections and Maintenance			
	Stormwater staff will routinely inspect, repair and maintain the City’s MS4 system per the requirements in the Municipally Maintained Streets, Catch Basins and Conveyance Systems Operation and Maintenance Manual.	1. Create a regular inspection program.	1. Year 1	1. Yes/ No
		2. Inspect 5% of City owned stormwater system	2. Continually, Permit Years 1-5	2. Percentage of System inspected
Permit Ref.	3.7.4: Municipal SCM Operation and Maintenance Program Measures to manage municipally-owned, operated, and/or maintained structural stormwater control measures (SCMs) that are installed for compliance with the permittee’s post-construction program. The permittee shall maintain a current inventory of SCMs, perform SCM inspections and maintenance, and shall establish specific frequencies, schedules, and documentation.			
BMP No.	A Description of BMP	B Measurable Goal(s)	C Schedule for Implementation	D Annual Reporting Metric
47.	Inventory of municipally owned SCMs			
	Develop an inventory of municipally owned SCMs installed for compliance with the City’s post-construction program.	1. Create inventory of all municipally owned SCMs	1. Permit Year 1	1. Yes/No or N/a Number of municipally owned SCMs:
		2. Add layer to the GIS stormwater map for municipally owned SCMs	2. Permit Year 1	2. Yes/No or N/a
		3. Update municipally owned SCM inventory as needed	3. Permit Years 2-5	3. Yes/No or N/a Number of municipally owned SCMs:
48.	Municipally Owned SCM Inspection Procedure			
	The City currently has a procedure in place for operation and maintenance of municipally owned SCMs in the Municipally Maintained Streets, Catch Basins and Conveyance Systems Operation and Maintenance Manual.	1. Maintain and update inspection procedure as needed.	1. Annually, Permit Years 1-5	1. Yes/No/N/a
		2. Conduct inspections of municipally owned SCMs	2. Continuously, Permit Years 1-5	2. Number of inspections performed or N/a
		3. Perform Maintenance Task identified in inspection	3. As required	3. Number of maintenance task performed:

Table 21: Pollution Prevention and Good Housekeeping BMPs

Permit Ref.	3.7.5: Pesticide, Herbicide and Fertilizer Management Program Measures to minimize water quality impacts from the use of landscape chemicals. The permittee shall provide routine pollution prevention and chemical use, storage and handling training, and shall ensure compliance with permits and applicator certifications.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
49.	Chemical Application Of Pesticides, Herbicides, And Fertilizers Procedure			
	The City currently has a Chemical Application of Pesticides, Herbicides, and Fertilizers Procedure. Train Municipal employees who apply these products annually on the procedure.	1. Maintain and update the Chemical Application of Pesticides, Herbicides, and Fertilizers Procedure	1. Annually, Permit Years 1-5	1. Yes/No
		2. Train applicable municipal employees on the Chemical Application of Pesticides, Herbicides, and Fertilizers Procedure	2. Annually, Permit Years 1-5	2. Number of employees trained: Number of License Applicators
Permit Ref.	3.7.6: Vehicle and Equipment Maintenance Program Measures to prevent and minimize contamination of stormwater runoff from areas used for municipal vehicle and equipment maintenance and/or cleaning. The permittee shall ensure that municipal industrial facilities subject to NPDES industrial permitting comply with those permit requirements, provide routine pollution prevention training to staff, perform routine inspections, and establish specific frequencies, schedules, and documentation.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
50.	Operation and Maintenance of Municipal Vehicles and Equipment			
	The City maintains an Operation and Maintenance of Municipal Vehicles and Equipment Procedure. This procedure details measures to reduce stormwater pollution from the operation and maintenance of municipal vehicles and equipment. Routine inspections as part of general facility inspections to ensure proper procedures are followed to minimize water quality impacts from vehicle cleaning and maintenance	1. Maintain and update SOP as needed.	1. Annually, Permit Years 1-5	1. Yes/No
		2. Train municipal employees on SOP.	2. Annually, Permit Years 1-5	2. Number of employees trained:
		3. Perform inspections of wash bays and notify responsible party of any corrective requirements	3. Annually, Permit Years 1-5	3. Number of wash bays inspected:
		4. Perform Re-inspections of any facilities that require corrective action	4. as required	4. Yes/No/ N/A
51.	NPDES Industrial Permits			

Table 21: Pollution Prevention and Good Housekeeping BMPs

	The City’s Public Works facility, Airport and Wastewater Treatment Plant have NPDES Industrial Stormwater Permits.	1. Review each permit requirements for compliance and take corrective action as needed.	1. Annually, Years 1-5	1. Yes/No
Permit Ref.	3.7.7: Pavement Management Program Measures to reduce pollutants in stormwater runoff from municipally-owned streets, roads, and parking lots within the permittee’s corporate limits. The permittee shall implement measures to control litter, leaves, debris, particulate and fluid pollutants associated with vehicles, and establish specific frequencies, schedules, and documentation.			
BMP No.	A	B	C	D
	Description of BMP	Measurable Goal(s)	Schedule for Implementation	Annual Reporting Metric
52.	Street Sweeping Program			
	The City currently has 2 street sweepers (one vacuum, one regenerative air). The City currently has street sweeping standard operating procedures in its Municipally Maintained Streets, Catch Basins and Conveyance Systems Operation and Maintenance Manual. Each sweeper is equipped with GPS tracking to collect mileage swept data in addition to tons of debris disposed at the Cleveland County Landfill.	1. Develop and maintain a Street sweeping SOP that has street sweeping average 20 hours a week	1. Permit Year 1	1. Yes/No Average Hours Ran a Week:
		2. Develop and maintain a tracking system for data including route, frequency, and road mileage swept	2. Permit Year 1	2. Yes/No Number of miles swept:
		3. Train street sweeping staff and supervisors on SOP	3.. Annually, Permit Years 1-5	3. Number of Employees Trained:
53.	Yard Waste Collection Program			
	City of Shelby Public Works collects Yard Waste to reduce pollution and restrictions of the stormwater system	1. Develop and Maintain a Yard Waste Collection SOP	1. Permit Year 1	1. Yes/No
		2. Train Employee on Yard Waste Collection Procedure	2. Annually, Permit Years 1-5	2. Number of Employees trained:
		3.. Maintain the Leaf Collection Program	3. Continuously, Permit Years 1-5	3. Tons of leaves disposed of:
		4. Evaluate and update SOP based on collected data	4. Annually Permit Years 1-5	4. SOP Evaluated: Yes/No/Partial

RESOLUTION NO. 33-2024

**A RESOLUTION ACCEPTING AND APPROVING THE CITY OF SHELBY
STORMWATER MANAGEMENT PLAN AND AUTHORIZING SUBMITTAL OF
THE CITY OF SHELBY STORMWATER MANAGEMENT PLAN TO
NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, In accordance with applicable provisions of Session Law 2006-246 Senate Bill 1566, the City of Shelby was required to develop a stormwater management program and apply for a stormwater permit as regulated public entity owning a municipal separate stormwater system (MS4);and,

WHEREAS, City Council, via Resolution No. 49-2022 approved the City of Shelby Stormwater Quality Management Program dated June 20, 2022 to meet the requirements of the City of Shelby's Stormwater NPDES Permit No. NCS000560; and,

WHEREAS, the City renewed the MS4 permit which became effective February 1st, 2018 and expired January 31, 2023; and,

WHEREAS, the City is now required to renew the applicable MS4 permit and is also required to revise the associated Stormwater Management Plan and submit it to North Carolina Department of Environmental Quality (NCDEQ); and,

WHEREAS, City staff has worked with NCDEQ to develop the required Stormwater Management Plan that meets the requirements of the NPDES permit renewal and promotes water quality in our community.

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

Section 1. The City Council acknowledges, accepts, and approves the document entitled City of Shelby Stormwater Management Plan to replace the previously approved City of Shelby Stormwater Management Program dated June 20, 2022, and accepts the changes needed in order to finalize the City's NPDES Phase II Stormwater Permit.

Section 2. The appropriate City staff are hereby authorized and directed to continue implementation of the City of Shelby Phase II Stormwater Program consistent with the actions outlined in the City of Shelby Stormwater Management Plan and the MS4 permit once it is received from NCDEQ.

Section 3. This resolution Authorizes the City Manager to execute and submit the City of Shelby Stormwater Management Plan and any other permit renewal documents required to renew the NPDES Phase II Stormwater Permit.

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

Adopted and approved this on the 6th day of May 2024.

Resolution No. 33-2024
May 6, 2024
Page 2

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: C-4

4) Approval of Special Event Applications:

- a) ALWS Festival 2024, requested date: August 9 – 11, 2024
- b) Newton Karate Fun Run, requested date: October 12, 2024

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum(s) dated April 29, 2024, from Carol Williams, City Clerk
- Special Event Application(s)

City Manager's Recommendation / Comments

These events are in keeping with special event practices of the City. It is my recommendation that this item be approved by City Council at this time via the Consent Agenda.

Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: April 29, 2024

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ ALWS Festival: requested date: August 9 - 11, 2024

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of May 6, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received April 15, 2024

SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. EVENT NAME:

American Legion World Series Festival presented by NC Department of the American Legion

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

The festival is held to celebrate the hard work of Cleveland County and to take a break prior to the ALWS activities. The event is funded by local sponsors.

3. LOCATION OF EVENT (ATTACH MAP):

- (1) Washington St N of Campbell St and S of Arey St
- (2) Lafayette St. N of Campbell St and N of Graham St
- (3) Warren St E of Morgan and W of DeKalb St
- (4) Marion St E of Harris and E of Morgan St

4. PLEASE INDICATE:

Approximately how many people will attend the event? ___est 15,000_____

Approximately how many vehicles will be present? No vehicles permitted in the festival area until all pedestrians have been cleared.

Approximately how many animals will be present? Only those brought in by attendees and possible K9 demonstrations

If the event is a parade, please indicate the amount of street that will be needed:

Single lane _____

All lanes in travel direction _____

Whole street _____

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: __Kim Davis , Dragonfly Marketing

Address: 211 S. Washington St, Shelby, NC 28150

Phones: _704-600-6599

704-473-8248

(Daytime)

(Evening)

E-mail address Kim@dragonflymarketing.cc

Name: Adrian Hamrick - American Legion World Series

Address: 117- A W. Warren St., Shelby, NC 28150

Phones: __704-466-3103

704- 692-0546

(Daytime)

(Evening)

judy@akws.us

E-mail address adrain@akws.us

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) August 9, 2024 to August 11, 2024

Alternate day(s) and date(s) _____

Requested hours of operation, Festival from 10:00 am – 11:00 pm

Need road closures from 8:00 am August 9 – 3:00 am August 11

Washington St from Warren to Marion.

August 10 – 12:01 August 11 3:00 am

- 1 Washington St N of Campbell St and S of Arey St
- 2 Lafayette St. N of Campbell St and N of Graham St
- 3 Warren St E of Morgan and W of DeKalb St
- 4 Marion St E of Harris and E of Morgan St

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and

businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

The Uptown Shelby Association has agreed to handle notifications to businesses and residents in the Uptown Shelby Area affected by the road closures.

- 8. SANITATION:** Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

Use the permanent trash cans in the festival area. Request additional trash cans to be delivered the day before the event. request city sanitation department to pick up trash and clear streets after 10:00pm the day of the festival. Additionally, we have a nonprofit to assist throughout the festival keeping the area clean and moving full trash cans to the staging area and pickup empty cans.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR

ENTERTAINMENT: If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Music with sound systems from 10:00 am to 10:00 pm

Will alcoholic beverages be served? NO

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? Yes

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

- 10. SECURITY AND SAFETY PROCEDURES:** Attach to this application¹³⁴

a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: Cleveland County EMS _____

Address: 100 Justice Place and 3 units in the festival area

Phones: 911 and 704-484-4984

Indicate medical services that will be provided for the event.

AMBULANCE: _____

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Police Department (security) Electrical Department (electricity to be turned on court Square side of Marion, Warren from Washington to Trade, Lafayette St from Marion to Graham) Requesting street lights and twinkle lights be on during the event at a low level and brought to maximum strength as the concert ends. City Utilities Department for street closures, additional trash receptacles, trash pickup on Saturday. We will meet with individual Departments as needed. The Fire Department and Police Department have each year had a command station within the festival.

ALWS Festival, ALWS, Dragonfly Marketing and volunteers will be on site during the entire event, they are responsible for contacting all department representatives prior to the event. The committee contracts for adequate portable restroom facilities. Written permission from the County to use the Court Square. Uptown Shelby residents and businesses will be left written information about the event and attempt face to face with each.

Dragonfly marketing coordinates with the Shelby Police department, Shelby Fire Department and Cleveland County Health Department to ensure proper procedures are followed.

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: American Legion World Series Festival

Authorize Event/Vendor Coordinator: Dragonfly Marketing/Kim Davis

Phone No.: 704-600-6599 Mobile No.: 704-473-8248

Email: kim@dragonflymarketing.cc and sam@dragonflymarketing.cc

Event panel (EP) cost is \$15.00 per day per event panel.

Stage panel (STG PAN) cost is \$110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:

20 x \$15.00 x Number of Days 1 = \$ 450.00

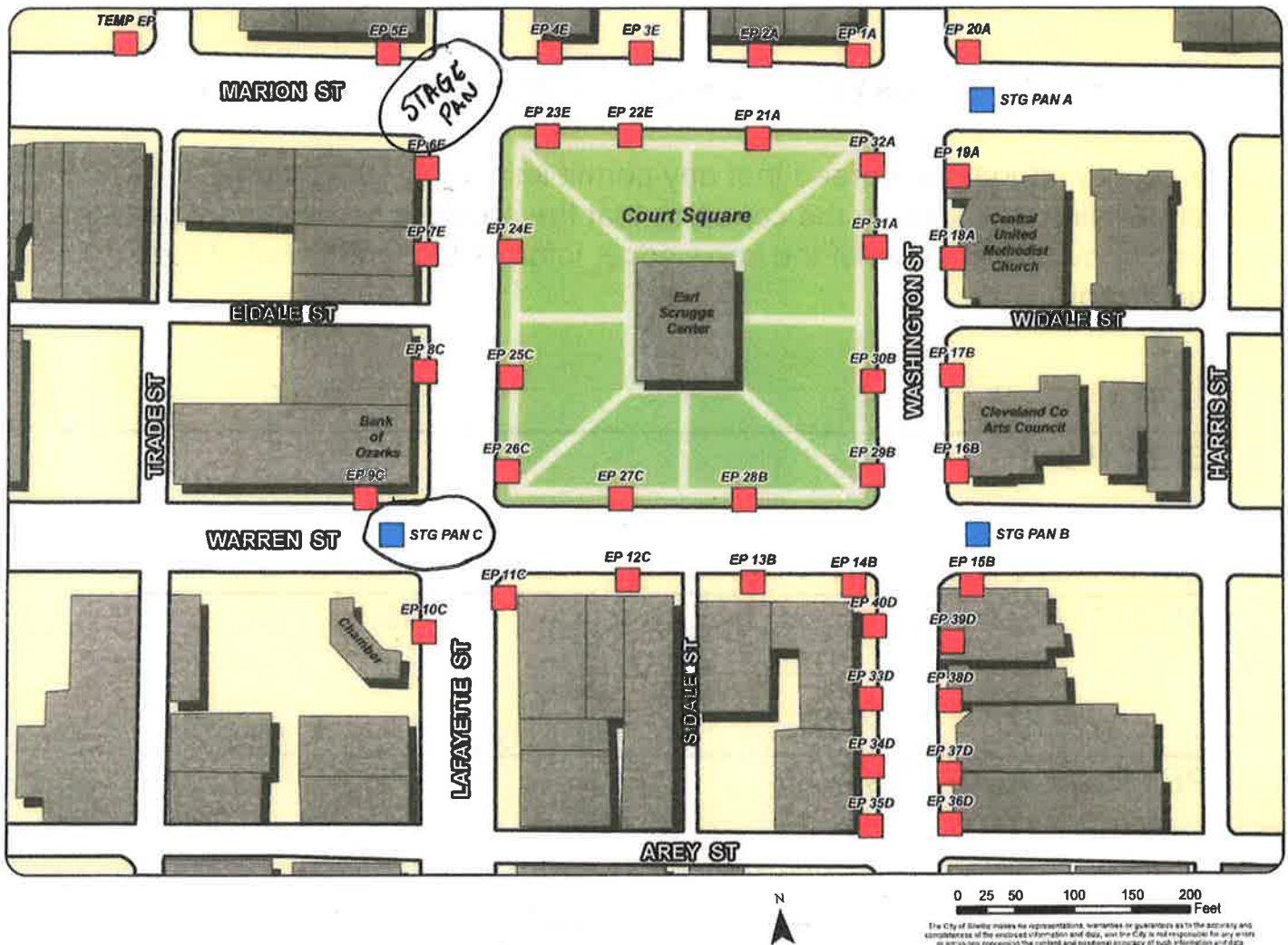
Total Number of Stage Panels:

2 x \$110.00 x Number of Days 1 = \$ 220.00

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

City of Shelby Uptown Event Panels



Legend

■ Event Panel

■ Stage Panel

12. ANY ADDITIONAL COMMENTS:

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

Kim Davis
SIGNATURE

Cleveland Count AHS Baseball 704-600-6599
APPLICANT PHONE

117-A W. WARREN St Shelby NC 28150
PHYSICAL ADDRESS

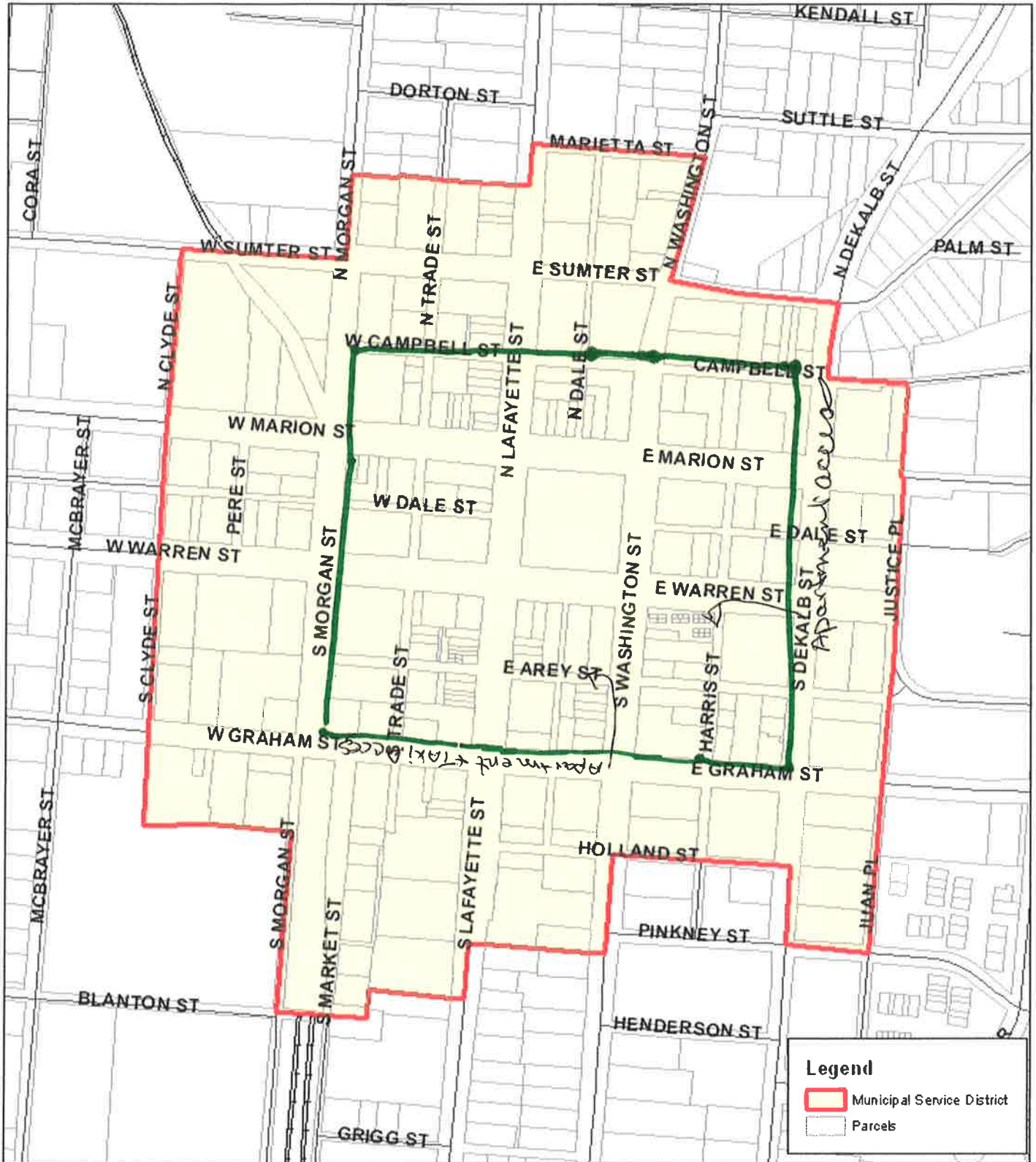
Kim@dragonflymarketing.ec & info@ahws.us
E-MAIL ADDRESS

4-4-2024
DATE



Event Area
 Outlined in Green
City of Shelby
Municipal Service District

Map Information:
 Datum: NAD 1983
 Coordinate: State Plane
 North Carolina (Meter)
 Projection: Lambert Conformal Conic
 US National Grid
 Grid Zone Designation (GZD): 17S
 100,000m Square ID: MV/MU



Legend

- Municipal Service District
- Parcels

Scale 1:4,800 1 inch = 400 feet 0 200 400 800 Feet

Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: April 29, 2024

Re: Special Event Permit Application

BACKGROUND:

A Special Event Permit Application has been submitted for the following:

- ✓ Newton Karate Fun Run: requested date: October 12, 2024

REVIEW:

All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of May 6, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received April 15, 2024

criminal in nature, shall be subject to the maximum penalty authorized by G.S. 14-4, as amended.

CITY OF SHELBY SPECIAL EVENT PERMIT APPLICATION

Each question must be legible and answered clearly and completely. Applications must be filed with the City Clerk not less than thirty (30) days before the date on which the event is to take place. A fee of \$20.00 will be due upon submission of the application form.

1. EVENT NAME:

Newton's Karate Fun Run

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

We are raising funds for AAU Karate competition team

3. LOCATION OF EVENT (ATTACH MAP):

route attached -

4. PLEASE INDICATE:

Approximately how many people will attend the event? 100

Approximately how many vehicles will be present? 60

Approximately how many animals will be present? —

If the event is a parade, please indicate the amount of street that will be needed:

Single lane —

All lanes in travel direction —

Whole street _____

5. PLEASE LIST THE FOLLOWING PARTY (IES) RESPONSIBLE FOR THE EVENT:

Name: James Newton

Address: 101 Twin Lake Dr Shelby NC 28182

Phones: 704-408-0828
(Daytime) (Evening)

E-mail address newtons karate @gmail.com

Name: _____

Address: _____

Phones: _____
(Daytime) (Evening)

E-mail address _____

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) 10-12-24

Alternate day(s) and date(s) _____

Requested hours of operation, from 8:00 AM to 12 PM

7. EVENT NOTIFICATION TO RESIDENTS AND BUSINESSES: As an event planner, you are responsible for notifying the neighbors and businesses in the surrounding area of your event. The City requires notifying as many businesses and residents around the event site as possible as early as possible. Please provide your plan of notification at the time you submit your permit application.

8. SANITATION: Please attach your "Plan for Clean-Up." Please check Application Instruction sheet for details.

9. AVAILABILITY OF FOOD, BEVERAGES, AND/OR ENTERTAINMENT:

If there will be music, sound amplification, or any other noise impact, please describe on attached sheet, including the intended hours of the music, sound, or noise.

Will alcoholic beverages be served? no

If yes, attach to the application a copy of your permit from the Cleveland County Alcoholic beverage Control Board. Alcohol may not be served without a permit.

Will food and/or no-alcoholic beverages be served? no

If yes, attach to the application a copy of your permit from the Cleveland County Department of Health Services.

10. SECURITY AND SAFETY PROCEDURES: Attach to this application a copy of your building permit(s) if you are installing any electrical wiring on a temporary or permanent basis and/or if you are building any temporary or permanent structures such as bleachers, scaffolding, a grandstand, viewing stands, stages, or platforms.

Attach a copy of your Shelby Fire & Rescue Department Permit or permits to this application if you will use parade floats; an open flame; fireworks; or pyrotechnics; vehicle fuel; cooking facilities; enclosures (and tables within those enclosures); tents; air-supported structures; and/or any fabric shelter.

Give name, address, and phone numbers of the agency or agencies, which will provide first aid staff and equipment. Attach additional sheets if necessary.

Name: _____

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: _____

DOCTOR (S): _____

PARAMEDICS: Cleveland County EMS

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Event Power Request Form and Pricing

To utilize the event panels for power in Uptown Shelby, this form must be submitted with event application and payment made at time of application.

Please use the map below for event panel locations, circle the event panels that you need for your event. If you have questions about the electrical requirements for your event, please contact the Electric Superintendent at 704-669-6649.

Name of Special Event: _____

Authorize Event/Vendor Coordinator: _____

Phone No.: _____ Mobile No.: _____

Email: _____

Event panel (EP) cost is \$15.00 per day per event panel.

Stage panel (STG PAN) cost is \$110.00 per day per stage panel.

Full Day Rentals only

Total Number of Event Panels:
_____ x \$15.00 x Number of Days _____ = \$ _____

Total Number of Stage Panels:
_____ x \$110.00 x Number of Days _____ = \$ _____

All fees must be paid at the time of event application.

Any event panel not requested and paid for in advance and requested the day of the event will be subject to an after-hours charge.

12. ANY ADDITIONAL COMMENTS:

THE CITY OF SHELBY IS NOT A CO-SPONSOR OF THE EVENT

It is understood and agreed that any permit issued pursuant to this application is issued on the condition that the answers herein given are true and correct to the best of the knowledge, information, and belief of the applicant.

SIGNATURE James Newton

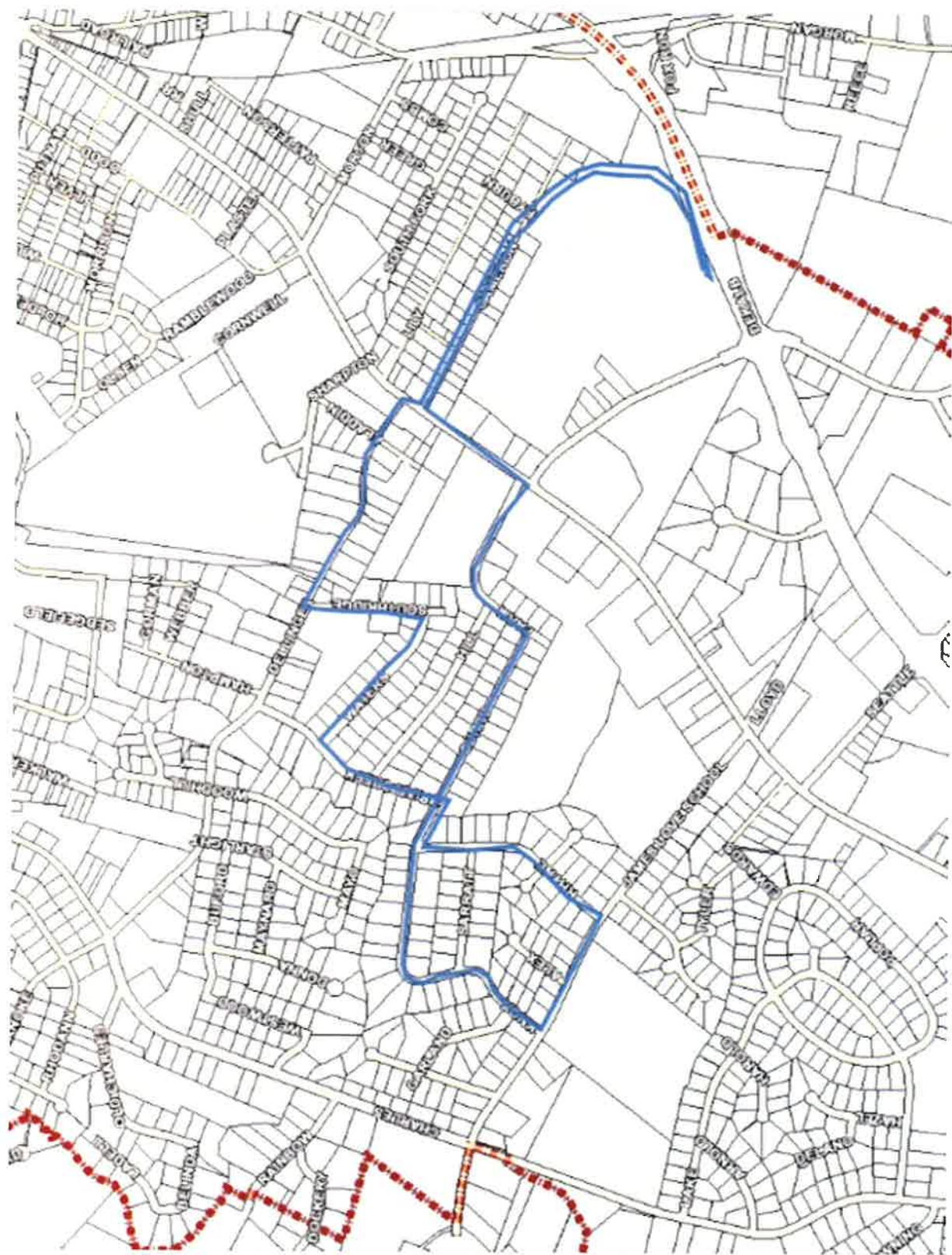
APPLICANT James Newton PHONE 704-408-0828

PHYSICAL ADDRESS 101 Twin Lake Dr

E-MAIL ADDRESS newtonskate@gmail.com

DATE 10 4-9-24

* Start Shelby Middle School, cross Lafayette, through Old Farm neighborhood, down Lafayette to Cameron and then finish at Shelby Middle School



Revised Route -
approved by Public Works and Shelby Police Dept -

Agenda Item: C-5

5) Management Reports:

- a) Monthly Financial Summary – March 2024

Consent Agenda Item: (Rick Howell, City Manager)

Summary of Available Information:

- Monthly Financial Summary – March 2024

City Manager's Recommendation / Comments

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

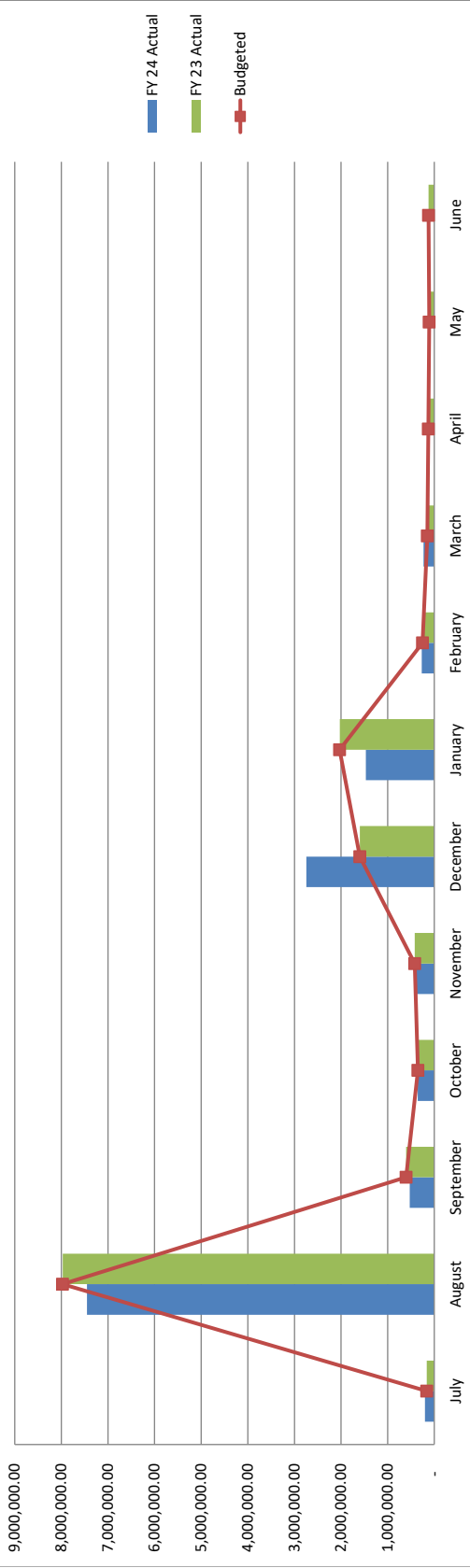


**Monthly Financial Summary
March 2024**

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	354,217.44	437,421.69	2,743,027.02	1,466,171.36	268,739.73	229,298.61				13,676,032.07
% of Budget	1.45%	53.58%	3.79%	2.55%	3.15%	19.73%	10.55%	1.93%	1.65%	0.00%	0.00%	0.00%	98.39%
Variance	41,768.36	(527,278.61)	(79,015.32)	2,569.53	17,340.36	1,146,304.23	(564,279.07)	16,244.37	79,858.93	(127,820.47)	(108,378.28)	(121,281.94)	(223,967.93)

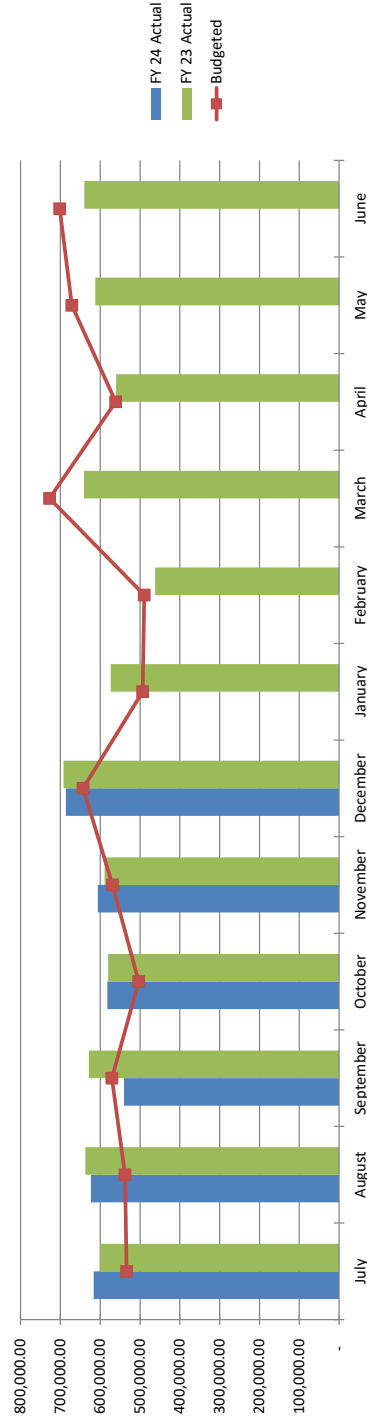
Current Property Tax Collections Budgeted and Collected



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	612,400.86	639,711.05	7,214,317.52
FY 2024	616,516.51	623,223.01	540,272.34	581,949.88	606,142.68	686,031.77							3,654,136.19
% of Budget	8.81%	8.90%	7.72%	8.31%	8.66%	9.80%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	52.20%
Variance	83,093.76	85,614.50	(30,014.29)	78,594.68	37,152.01	43,340.74	(493,303.21)	(489,313.30)	(727,152.85)	(561,084.49)	(671,026.81)	(701,764.55)	(3,345,863.81)

Sales Tax Collections Budgeted and Collected

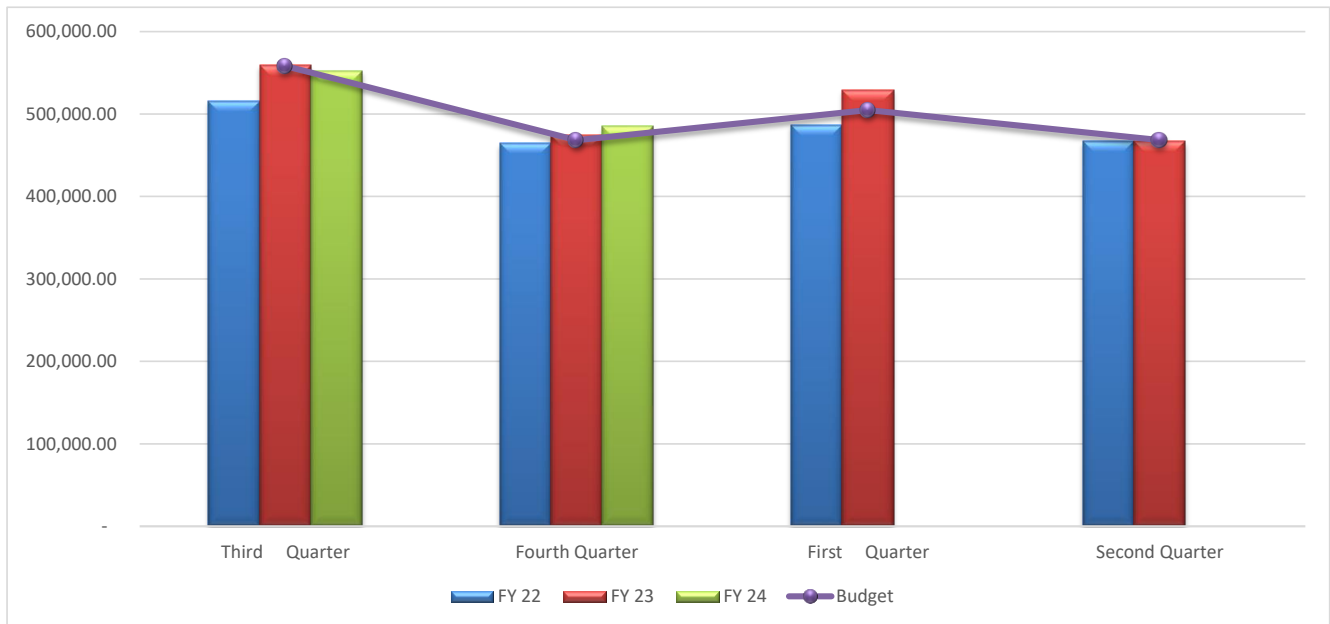


Notes:
Sales Tax Expansion to include Service Contracts: NCGS §105-164.4(a)(11), effective January 2014, has expanded the NC Sales and Use Tax to include "the sales price of a service contract".
A link to the NCDOR directive on this change is embedded here: <http://www.dor.state.nc.us/practitioner/sales/directives/SD-13-5.pdf>

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

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

	Third Quarter	Fourth Quarter	First Quarter	Second Quarter	Totals
Collection Period:	(July-Sept.)	(Oct.-Dec.)	(Jan.-Mar.)	(Apr.-June)	
Received in:	December	March	June	September	
FY 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
FY 24	551,849.28	484,885.74			
Budget	558,185.58	468,321.94	504,905.73	468,586.74	2,000,000.00
% of Budget	27.59%	24.24%	0.00%	0.00%	51.84%



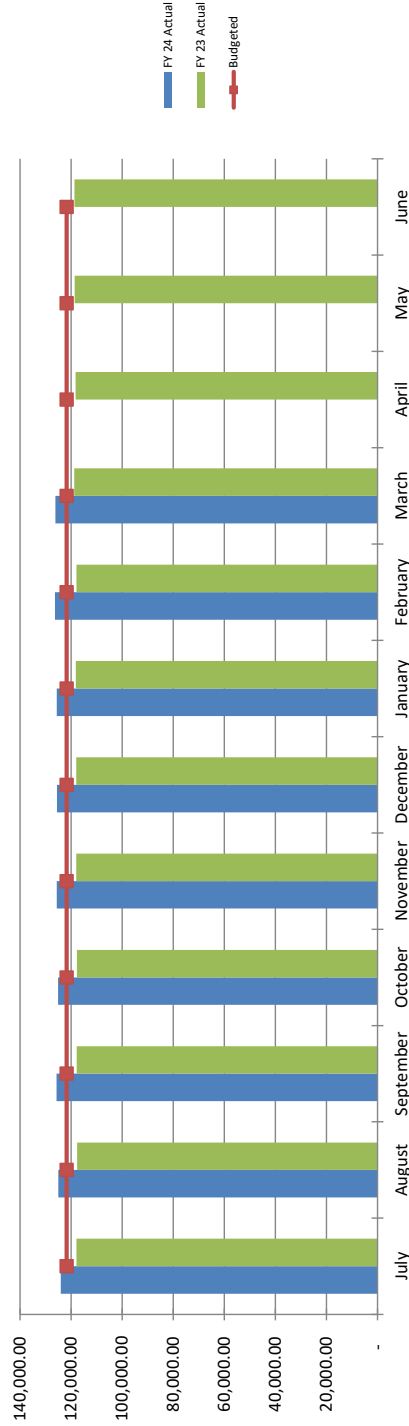
Notes:
 Effective July 2014, utility franchise tax was eliminated on sales of electricity and piped natural gas. A "hold harmless" provision will keep local distribution levels at the amounts received during the 2013-14 Fiscal Year.

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	125,132.33	125,651.51	125,574.18	125,577.70	126,316.56	126,112.41				1,129,095.79
% of Budget	8.49%	8.55%	8.60%	8.56%	8.60%	8.60%	8.60%	8.65%	8.63%	0.00%	0.00%	0.00%	77.28%
Variance	2,310.37	3,220.54	3,950.19	3,382.33	3,901.51	3,824.18	3,827.70	4,566.56	4,362.41	(121,750.00)	(121,750.00)	(121,750.00)	(331,904.21)

Res. Accts:	7,782	7,846	7,880	7,849	7,878	7,878	7,886	7,926	7,909				
Comm. Accts:	680	680	686	682	688	687	682	688	689				

Solid Waste Fees Budgeted and Collected



DEBT SERVICE - GENERAL FUND

	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30
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General Obligation BondsStreet & Sidewalk GO Bond (\$6mm) - 2.70%

Principal	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00	400,000.00
2.70% Interest	151,200.00	140,400.00	129,600.00	118,800.00	108,000.00	97,200.00	86,400.00
Debt Retired In 2037	551,200.00	540,400.00	529,600.00	518,800.00	508,000.00	497,200.00	486,400.00

Installment Purchase ContractsHanna Park Recreation Complex - 2.83%

2.83% Debt Retired In 2032	644,079.33	629,552.00	615,024.66	600,497.33	585,970.00	571,442.66	556,915.33
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Electric Loan to GF - Firetruck - 4.75%

4.75% Debt Retired in 15 years		257,871.10	250,718.48	243,565.85	236,413.22	229,260.59	
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Shell #4 - Interlocal - 2.39%

Principal	427,000.00	427,000.00	427,000.00	427,000.00	427,000.00	426,500.00	426,500.00
2.39% Interest	91,799.90	81,594.60	71,389.30	61,184.00	50,978.70	40,773.40	30,580.05
Debt Retired in 2032	518,799.90	508,594.60	498,389.30	488,184.00	477,978.70	467,273.40	457,080.05

FY 19 Installment Purchase

104,354.77

Debt Retired In 2024

FY 20 Installment Purchase

189,692.00

Debt Retired In 2025

FY 21 Installment Purchase

128,617.50

Debt Retired In 2026

FY 22 Installment Purchase

313,080.27

Debt Retired In 2027

FY 23 Installment Purchase - Radios

158,235.00

Debt Retired in 2028

274,873.35

274,873.35

274,873.35

274,873.35

274,873.35

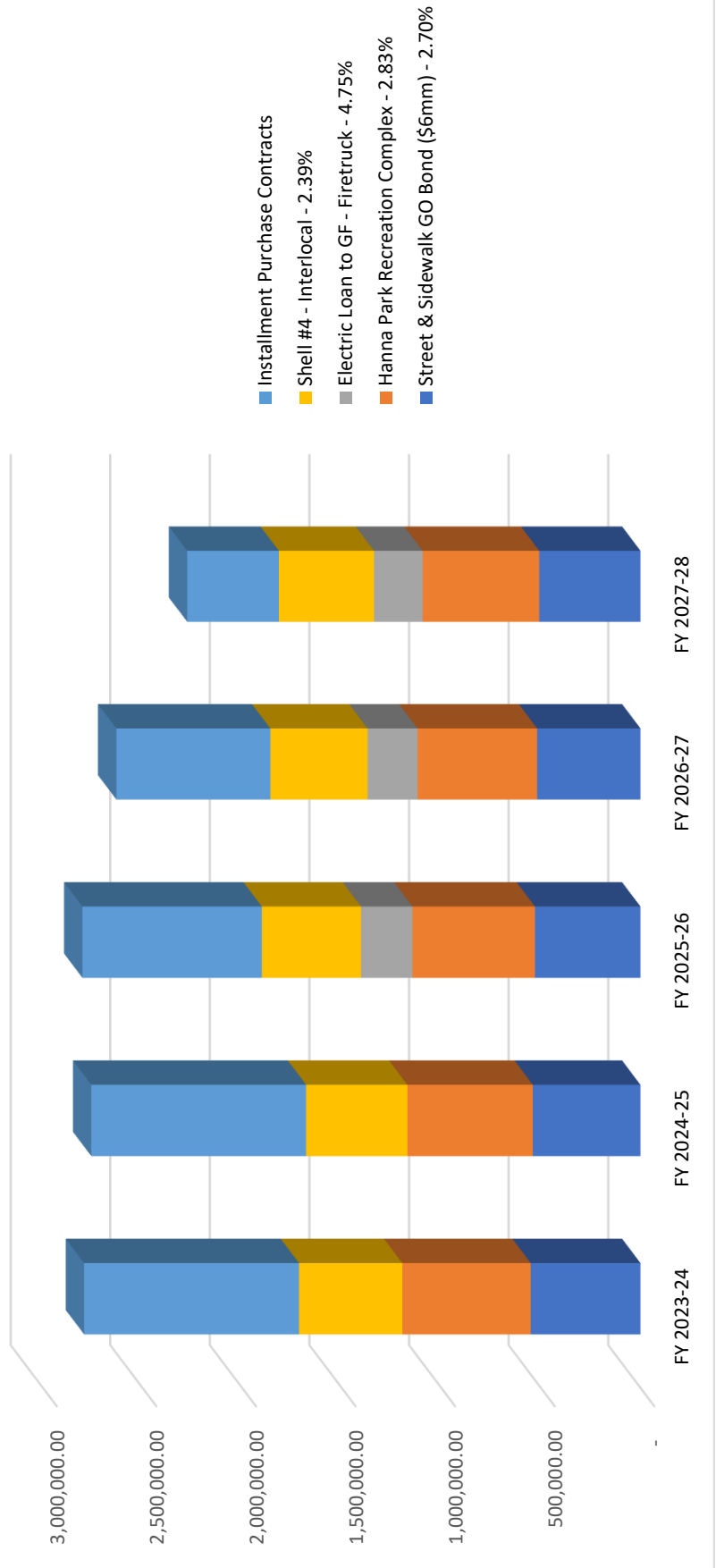
274,873.35

274,873.35

274,873.35

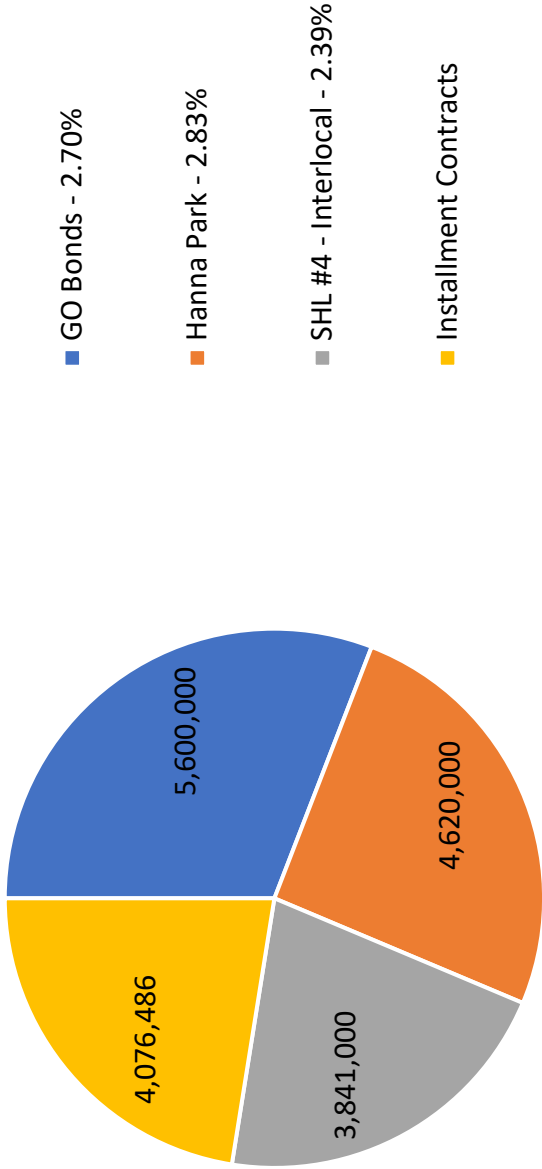
FY 23 Installment Purchase	185,002.10	185,002.10	185,002.10	185,002.10	185,002.10	185,002.08
Debt Retired in 2028	1,078,981.63	1,078,447.04	900,694.08	772,955.71	459,875.43	
Total Debt Service - General Fund	2,793,060.86	2,756,993.64	2,801,579.14	2,631,155.52	2,275,389.97	1,729,655.97

General Fund Debt Service - next 5 years



* The County debt for Shell #4 will be deleted once the building is sold.

6/30/2023 Outstanding Debt Principal - General



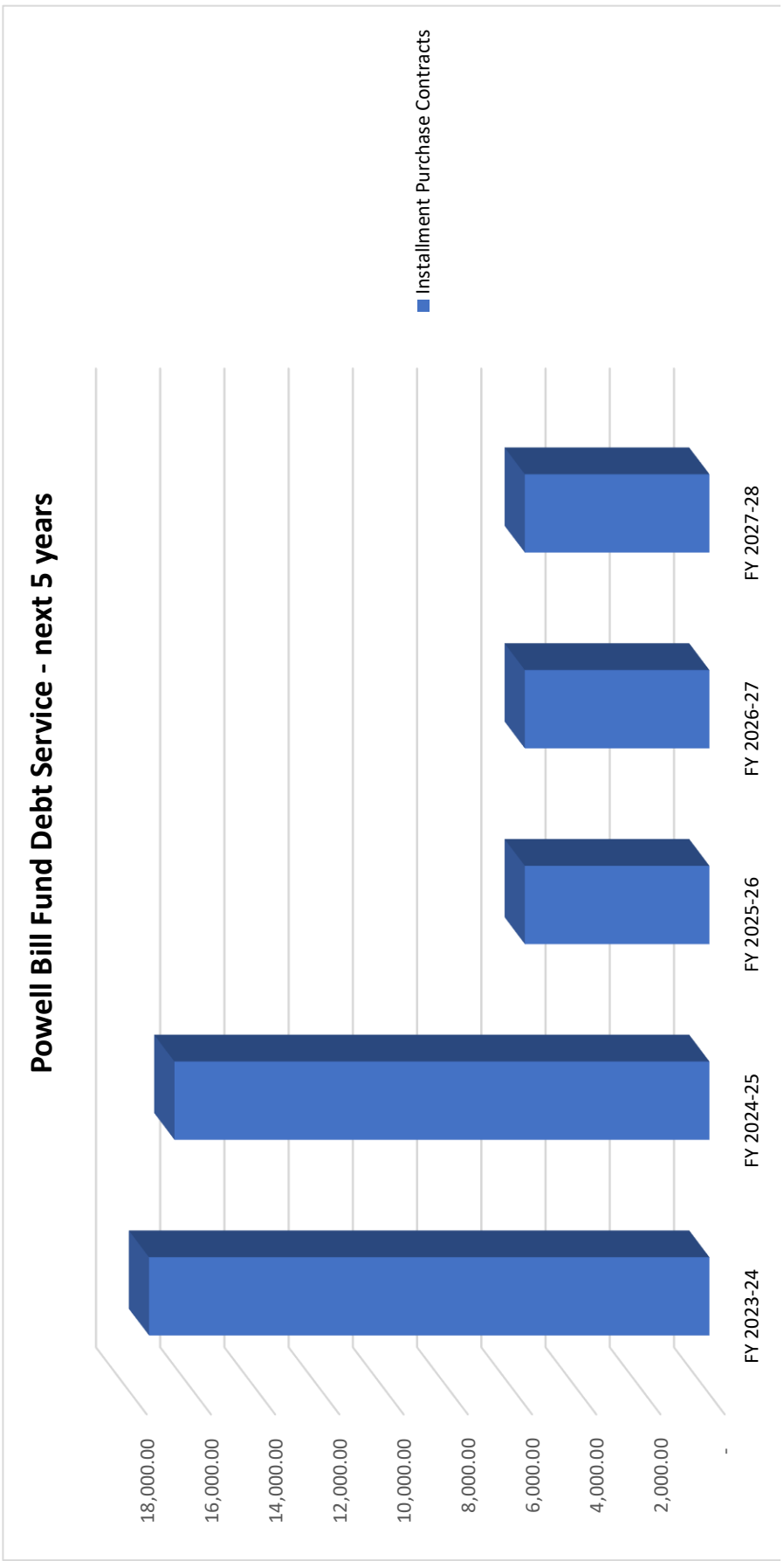
City of Shelby
 For FY24 - March 2024 (75% of Fiscal Year)
 General Fund Expenditures by Division

<u>ACCOUNT DESCRIPTION</u>	<u>ORIGINAL APPROP</u>	<u>REVISED BUDGET</u>	<u>YTD EXPENDED</u>	<u>ENCUMB</u>	<u>AVAIL BUDGET</u>	<u>% USED</u>
Total 110411 GOVERNING BOARD	81,200	81,964	58,937.65	2,468.94	20,558	74.90 %
Total 110412 ADMINISTRATION	793,199	794,154	425,153.24	3,036.00	365,965	53.90 %
Total 110413 FINANCE	838,107	838,021	643,342.50	6,220.81	188,458	77.50 %
Total 110414 PURCHASING	124,387	124,312	62,097.92	828.00	61,386	50.60 %
Total 110416 HUMAN RESOURCES	466,973	466,993	285,433.31	2,035.85	179,524	61.60 %
Total 110419 CUSTOMER SERVICE	83,044	98,262	69,114.35	11,476.00	17,672	82.00 %
Total 110420 INFORMATION SERVICES	516,007	532,163	353,727.08	60,455.42	117,980	77.80 %
Total 110421 METER SERVICE	921	55,712	30,267.53	2,621.08	22,823	59.00 %
Total 110425 GARAGE	924,726	923,748	547,681.90	89,357.00	286,709	69.00 %
Total 110427 CITY HALL	113,000	117,117	88,101.29	0.00	29,015	75.20 %
Total 110431 POLICE	9,103,400	9,416,860	6,427,598.17	106,693.79	2,882,568	69.40 %
Total 110433 COMMUNICATION	964,800	964,800	606,571.03	4,416.00	353,813	63.30 %
Total 110434 FIRE	7,563,440	5,840,057	4,513,155.06	52,977.25	1,273,925	78.20 %
Total 110435 BUILDING INSPECTIONS	543,850	543,642	358,946.81	1,380.00	183,315	66.30 %
Total 110451 STREETS	1,447,150	1,466,939	913,551.22	2,628.73	550,759	62.50 %
Total 110453 AIRPORT	517,225	528,737	389,112.87	5,295.85	134,328	74.60 %
Total 110471 SOLID WASTE	2,232,160	2,424,736	1,840,057.35	12,943.50	571,735	76.40 %
Total 110491 GIS	127,089	126,359	72,855.66	10,730.68	42,773	66.10 %
Total 110493 PLANNING SERVICES	629,050	683,848	529,809.56	17,552.55	136,485	80.00 %
Total 110495 SPECIAL APPROPRIATIONS	3,725,800	4,616,319	3,111,045.14	0.00	1,505,274	67.40 %
Total 110612 PARKS & RECREATION	2,185,025	2,385,630	1,387,869.20	26,787.85	970,973	59.30 %
Total 110613 MAINTENANCE GROUNDS &	1,784,200	1,844,772	1,197,460.36	99,117.70	548,194	70.30 %
Total 110 GENERAL FUND	34,764,753	34,875,144	23,911,889.20	519,023.00	10,444,232	70.10 %

DEBT SERVICE - POWELL BILL FUND FY 2023-24 FY 2024-25 FY 2025-26 FY 2026-27 FY 2027-28 FY 2028-29 FY 2029-30

Installment Purchase Contracts

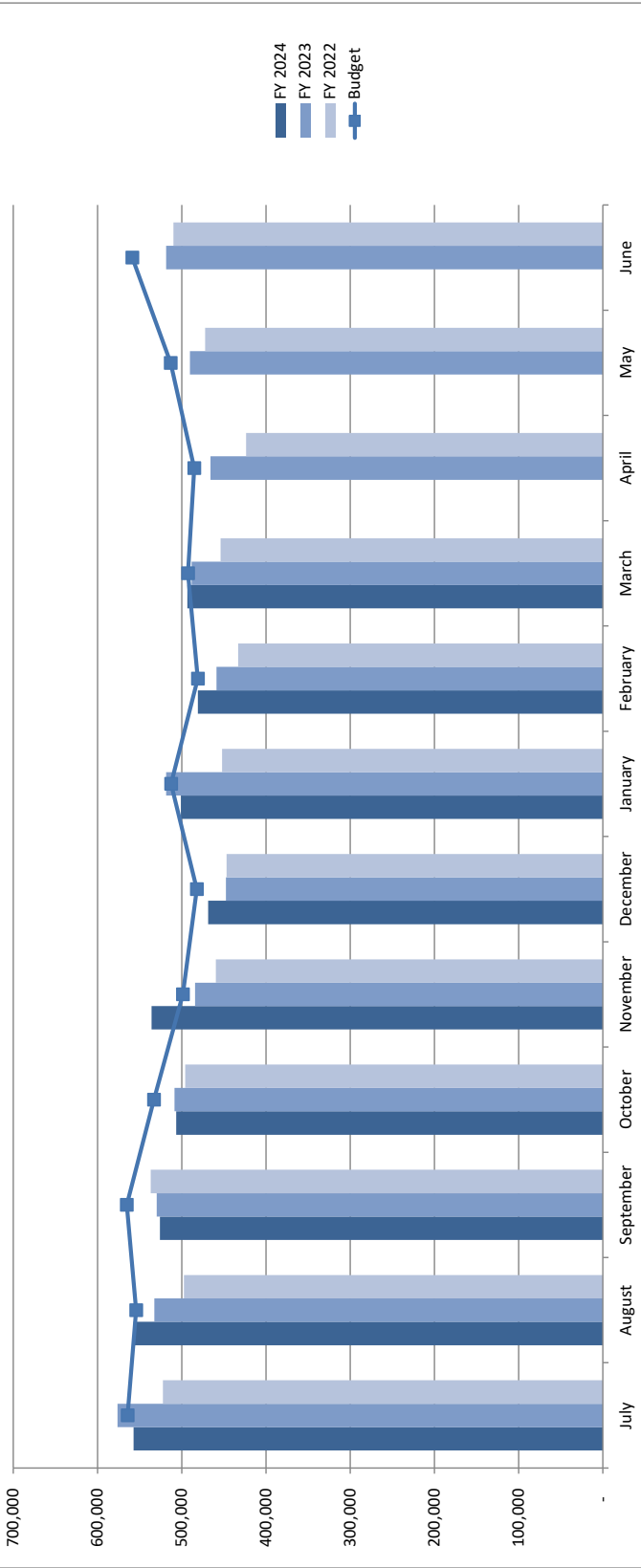
FY 20 Installment Purchase Debt Retired in 2025	11,703.00	10,912.19	-	-	-	-	-
FY 23 Installment Purchase Debt Retired in 2028	5,748.09	5,748.09	5,748.09	5,748.09	5,748.09	5,748.09	5,748.09
Total Debt Service - Powell Bill Fund	17,451.09	16,660.28	5,748.09	5,748.09	5,748.09	5,748.09	-



City of Shelby
Water Revenue Budget to Actual
FY 2024

	July	August	September	October	November	December	January	February	March	April	May	June	Total
FY 2024 Budget													
Inside Water													
Useage	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
FY 2024 Actual													
Inside Water													
Useage	141,317	139,654	126,617	119,697	129,348	110,092	123,841	115,626	123,359	-	-	-	1,129,551
Dollars	495,811	493,700	463,854	447,994	472,585	418,793	448,392	429,922	446,525	-	-	-	4,117,575.46
Outside Water													
Useage	15,021	15,899	15,309	14,281	15,768	11,518	12,324	11,908	10,459	-	-	-	122,487
Dollars	61,249	63,405	61,988	58,499	63,219	49,829	52,639	50,839	46,825	-	-	-	508,491
Totals													
Useage	156,338	155,553	141,926	133,978	145,116	121,610	136,165	127,534	133,818	-	-	-	1,252,038
Dollars	557,060	557,105	525,841	506,492	535,804	468,622	501,031	480,762	493,350	-	-	-	4,626,066.53
Variance													
Useage	(1,659)	1,865	(19,635)	(11,754)	7,874	(5,167)	(5,210)	810	1,549	(117,773)	(124,644)	(142,718)	(416,464)
Dollars	(7,146.10)	3,752.39	(39,137.54)	(26,892.53)	26,030.26	(10,881.62)	(10,528.45)	2,706.33	3,868.76	(433,077.07)	(454,475.65)	(497,967.23)	(1,443,748.45)
Outside Water													
Useage	28	17	(82)	235	3,555	(799)	(36)	(889)	(1,027)	(12,263)	(14,146)	(14,898)	(40,305)
Dollars	(121.69)	(644.94)	(215.91)	441.30	11,170.43	(2,568.84)	(1,002.85)	(2,896.60)	(2,981.94)	(52,038.62)	(58,623.69)	(60,701.67)	(170,185)
Totals													
Useage	(1,631)	1,882	(19,717)	(11,519)	11,429	(5,967)	(5,246)	(79)	522	(130,036)	(138,790)	(157,616)	(456,769)
Dollars	(7,267.78)	3,107.45	(39,353.45)	(26,451.23)	37,200.69	(13,450.46)	(11,531.30)	(190.27)	886.82	(485,115.69)	(513,099.35)	(558,668.90)	(1,613,933.47)

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 FY 2029-30

General Obligation Bonds

Revenue Bonds

Series 2021 Refunding Revenue Bonds

Principal	826,907.09	838,733.50	470,516.88	474,598.56	484,259.94	490,006.96	187,000.00
Interest	51,174.98	39,553.76	29,097.59	22,504.52	15,822.83	9,024.53	3,220.00
Debt Retired In 2031	878,082.07	878,287.26	499,614.47	497,103.08	500,082.77	499,031.49	190,220.00

Series 2016 Revenue Bonds-Grover/Morgan - 1.95%

Principal	198,874.41	202,771.36	206,744.67	210,795.85	214,836.41	219,137.91	223,431.93
Interest	34,525.59	30,628.64	26,655.33	22,604.15	18,473.59	14,262.09	9,968.07
Debt Retired In 2032	233,400.00	233,400.00	233,400.00	233,400.00	233,310.00	233,400.00	233,400.00

NCDEQ-DWI SRF Loan-WTP - 1.53%

Principal	821,392.50	821,392.50	821,392.50	821,392.50	821,392.50	821,392.50	821,392.50
Interest	213,644.18	201,076.88	188,509.58	175,942.28	163,374.96	150,807.66	138,240.36
1.53% 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	959,632.86

Project Grizzley - Interlocal - 3.25%

Principal	298,570.05	298,570.05	298,570.05	298,570.05	298,570.05	298,570.05	298,570.05
Interest	81,509.59	72,452.97	63,396.35	54,339.73	45,283.11	36,226.49	27,169.86
Debt Retired in 2032	380,079.65	371,023.02	361,966.40	352,909.78	343,853.16	334,796.54	325,739.92

Installment Purchase Contracts

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	27,250.00
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FX 19 Installment Purchase

Debt Retired In 2024

54,380.79

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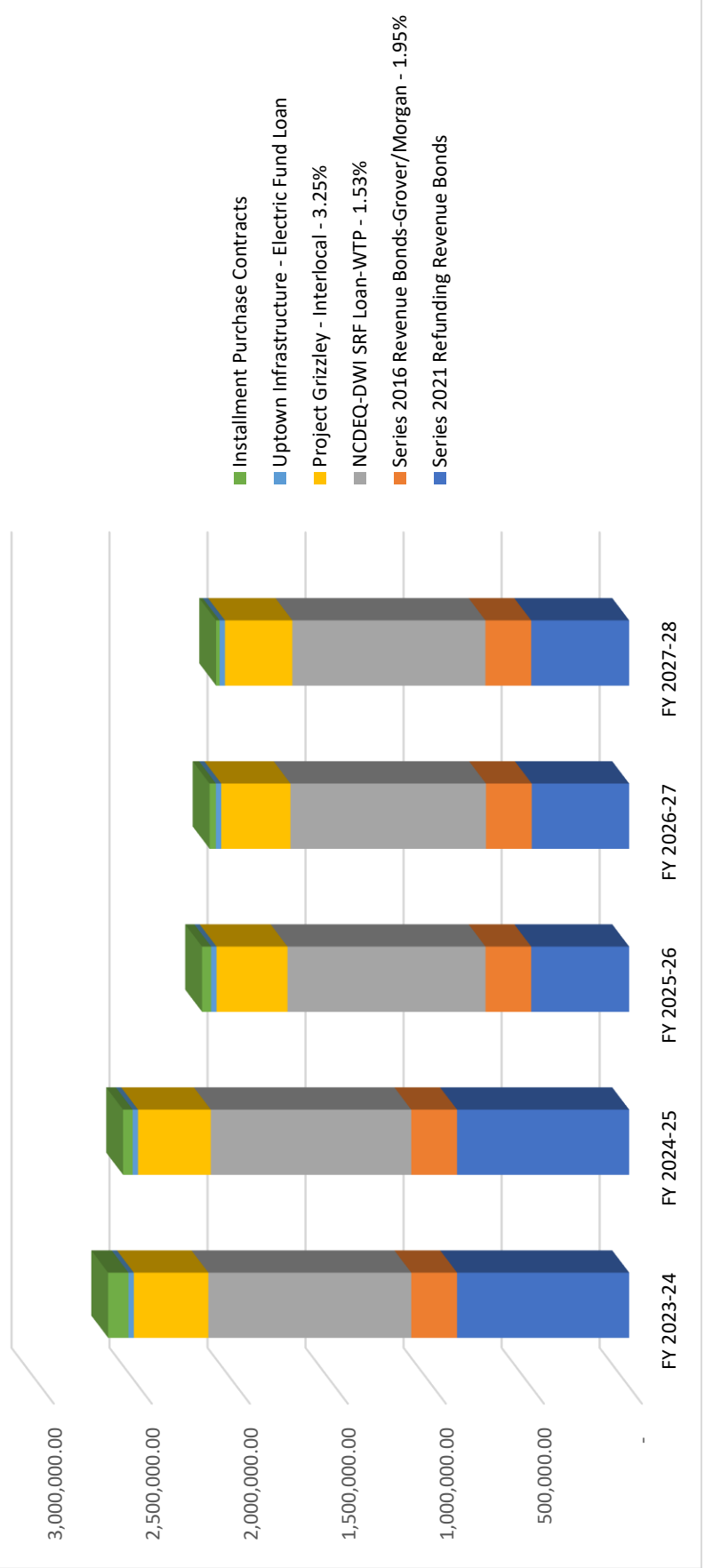
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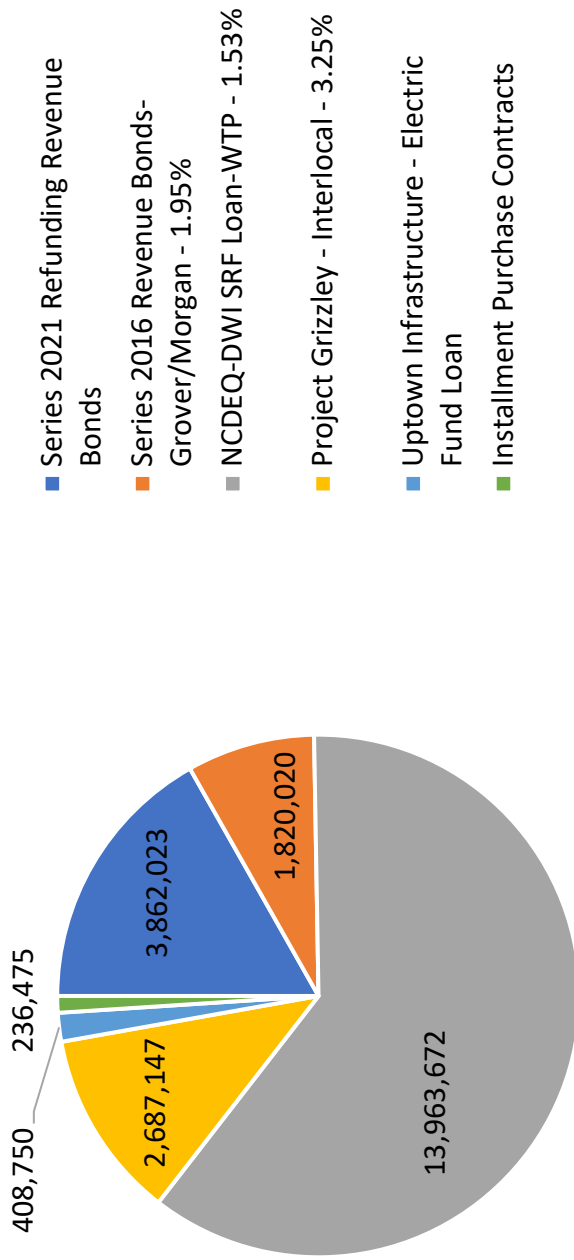
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FY 20 Installment Purchase									
Debt Retired In 2025	2,561.50	2,388.41	-	-	-	-	-	-	-
FY 21 Installment Purchase									
Debt Retired In 2026	14,465.00	14,465.00	14,366.13	-	-	-	-	-	-
FY 22 Installment Purchase									
Debt Retired In 2027	14,628.58	14,628.58	14,628.58	14,628.58	-	-	-	-	-
FY 23 Installment Purchase									
Debt Retired in 2028	17,676.21	17,676.21	17,676.21	17,676.21	17,676.21	17,676.21	17,676.21	17,676.21	-
Total Installment Debt	103,712.07	49,158.19	46,670.91	32,304.78	17,676.21	17,676.21	17,676.21	17,676.21	
Total Debt Service - Water Fund	2,657,560.47	2,581,587.86	2,178,803.86	2,140,302.43	2,140,302.43	2,106,939.59	2,066,678.19	1,736,242.78	

Water Fund Debt Service - next 5 years



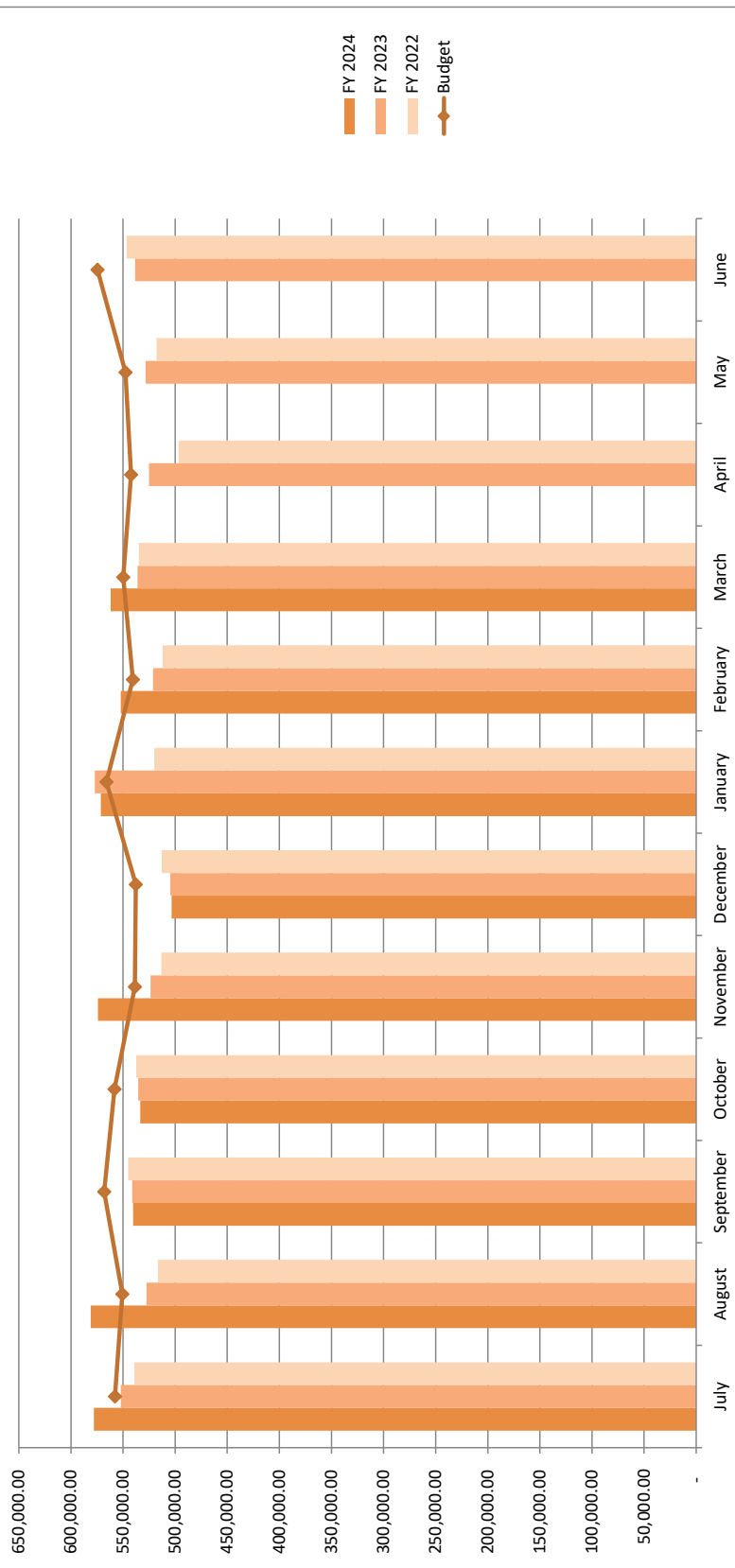
6/30/2023 Outstanding Debt Principal - Water



City of Shelby
Sewer Revenue Budget to Actual
FY 2024

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
FY 2024 Budget													
Inside Sewer													
Useage	74,985	73,529	53,846	72,732	69,675	68,967	76,473	69,621	72,374	68,969	70,110	77,240	848,522
Dollars	519,453.28	512,329.41	525,830.10	513,414.01	494,883.42	493,310.48	520,087.93	495,415.06	503,970.41	493,522.38	499,802.31	527,410.04	6,099,428.81
Outside Sewer													
Useage	2,711	2,672	3,205	3,524	3,405	3,525	3,652	3,563	3,662	3,648	3,527	3,406	40,500
Dollars	38,354.51	38,280.19	42,242.38	44,771.59	43,767.83	44,441.15	45,832.64	45,076.15	45,894.00	48,675.97	47,929.54	47,074.23	532,340.19
Totals													
Useage	77,696	76,201	57,051	76,257	73,080	72,492	80,125	73,184	76,036	72,617	73,637	80,646	889,022
Dollars	557,807.79	550,609.60	568,072.48	558,185.60	538,651.25	537,751.63	565,920.57	540,491.21	549,864.41	542,198.35	547,731.85	574,484.26	6,631,769.00
FY 2024 Actual													
Inside Sewer													
Useage	78,990	79,272	66,902	66,238	75,363	60,868	75,171	70,647	74,730	-	-	-	648,181
Dollars	531,231.82	535,281.67	487,364.47	482,675.17	524,498.62	454,462.84	515,326.30	496,572.70	510,356.56	-	-	-	4,537,770.15
Outside Sewer													
Useage	3,420	3,245	4,208	3,928	3,743	3,681	4,696	4,631	4,028	-	-	-	35,580
Dollars	46,729.65	45,780.22	52,939.43	50,727.60	49,539.65	48,851.38	56,079.24	55,520.26	51,468.96	-	-	-	457,636.39
Totals													
Useage	82,410	82,517	71,110	70,166	79,106	64,549	79,867	75,278	78,758	-	-	-	683,761
Dollars	577,961.47	581,061.89	540,303.90	533,402.77	574,038.27	503,314.22	571,405.54	552,092.96	561,825.52	-	-	-	4,995,406.54
Variance													
Inside Sewer													
Useage	4,005	5,743	13,056	(6,494)	5,688	(8,099)	(1,302)	1,026	2,356	(68,969)	(70,110)	(77,240)	(200,341.00)
Dollars	11,778.54	22,952.26	(38,465.63)	(30,738.84)	29,615.20	(38,847.64)	(4,761.63)	1,157.64	6,386.15	(493,522.38)	(499,802.31)	(527,410.04)	(1,561,658.66)
Outside Sewer													
Useage	709	573	1,003	404	338	156	1,044	1,068	366	(3,648)	(3,527)	(3,406)	(4,920.00)
Dollars	8,375.14	7,500.03	10,697.05	5,956.01	5,771.82	4,410.23	10,246.60	10,444.11	5,574.96	(48,675.97)	(47,929.54)	(47,074.23)	(74,703.80)
Totals													
Useage	4,714	6,316	14,059	(6,091)	6,026	(7,943)	(258)	2,094	2,722	(72,617)	(73,637)	(80,646)	(205,261.00)
Dollars	20,153.68	30,452.29	(27,768.58)	(24,782.83)	35,387.02	(34,437.41)	5,484.97	11,601.75	11,961.11	(542,198.35)	(547,731.85)	(574,484.26)	(1,636,362.46)

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 FY 2029-30

General Obligation Bonds

Revenue Bonds

Series 2021 Refunding Revenue Bonds

Principal	419,301.32	424,434.90	277,664.01	279,862.62	283,510.18	96,815.67
Interest	23,472.47	17,582.87	12,157.65	8,263.12	4,332.28	1,017.03
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 - 0%

0% Debt Retired in 2034

	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10	36,300.10
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NC DENR-DWI SRF Loan-Outfall Project - 0%

0% Debt Retired in 2035

	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90	156,521.90
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NC DENR-DWI SRF Loan-WWTP Upgrades - 0%

0% Debt Retired in 2036

	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90	469,832.90
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NC DENR-DWI SRF Loan-Biosolids - 0%

0% Debt Retired in 2041

	967,046.85	967,046.85	967,046.85	967,046.85	967,046.85	967,046.85
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Project Grizzley - Inter/Local - 3.25%

Principal	407,155.35	407,155.35	407,155.35	407,155.35	407,155.35	407,155.35
3.25% Interest	111,153.37	98,803.00	86,452.62	74,102.25	61,751.87	49,401.50
Debt Retired in 2032	518,308.72	505,958.34	493,607.97	481,257.59	468,907.22	444,206.47

Installment Purchase Contracts

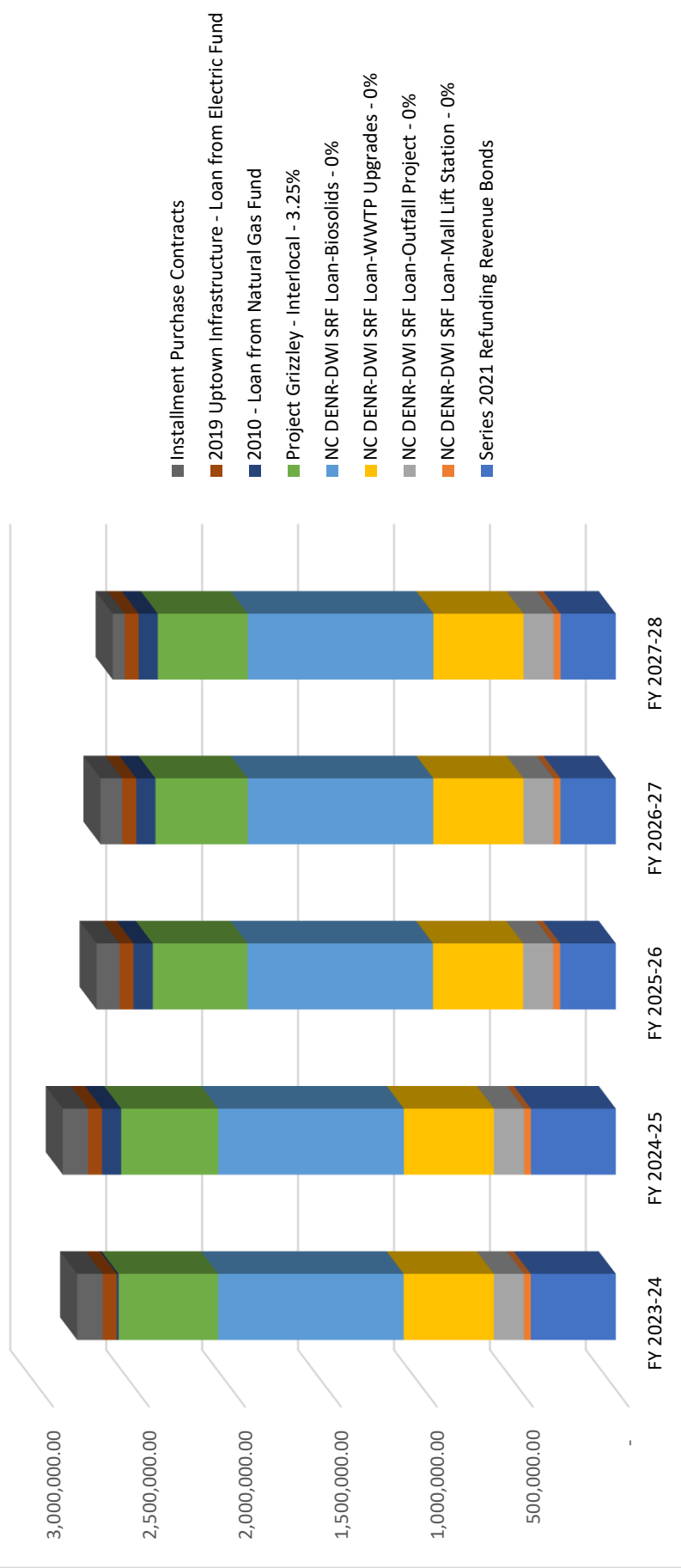
2050 - Loan from Natural Gas Fund

0% Debt Retired in 2064

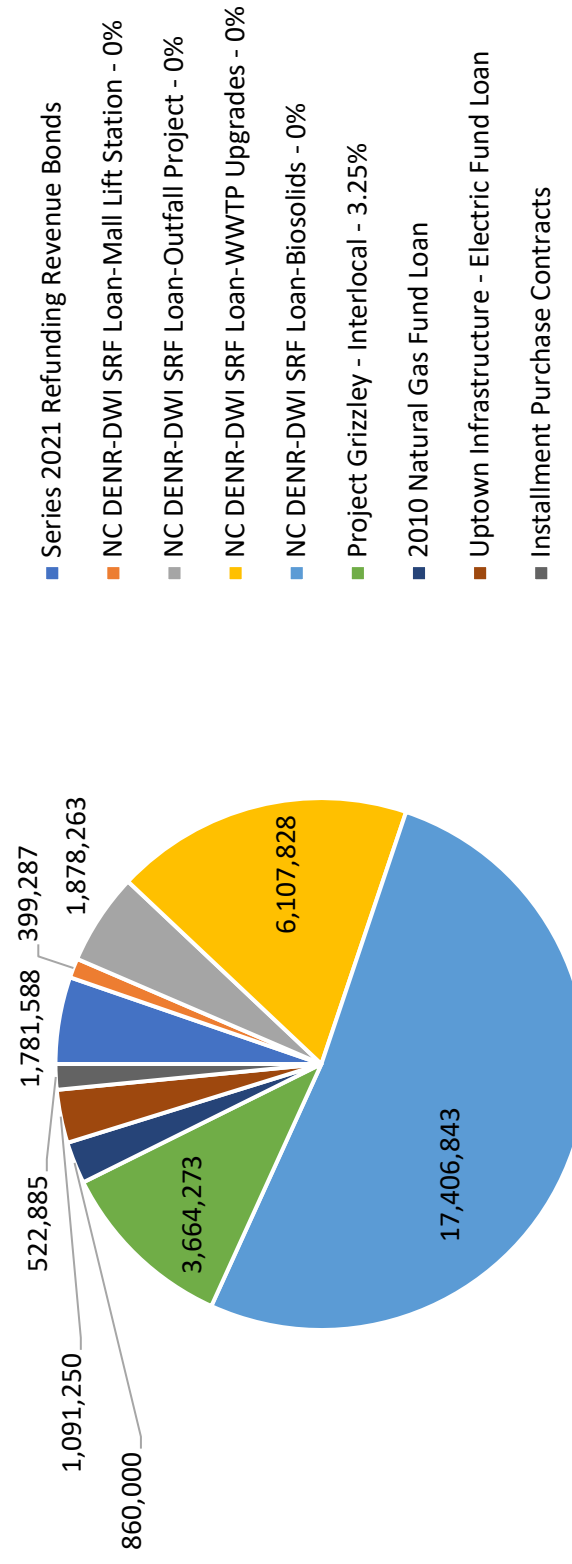
	10,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00
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2019 Uptown Infrastructure - Loan from Electric	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00	72,750.00
0% Debt Retired in 2038										
FY 19 Installment Purchase	1,408.74	-	-	-	-	-	-	-	-	-
Debt Retired In 2024										
FY 20 Installment Purchase	12,525.50	11,679.11	-	-	-	-	-	-	-	-
Debt Retired In 2025										
FY 21 Installment Purchase	6,215.00	6,215.00	6,172.52	-	-	-	-	-	-	-
Debt Retired In 2026										
FY 22 Installment Purchase	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19	50,913.19
Debt Retired In 2027										
FY 23 Installment Purchase	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37	62,697.37
Debt Retired in 2028										
Total Installment Debt	133,759.80	131,504.67	119,783.08	113,610.56	113,610.56	113,610.56	113,610.56	113,610.56	113,610.56	113,610.56
Total Debt Service - Sewer Fund	2,807,294.05	2,881,932.53	2,705,664.46	2,685,445.64	2,685,445.64	2,685,445.64	2,685,445.64	2,621,898.80	2,356,841.29	2,246,658.22

Sewer Fund Debt Service - next 5 years



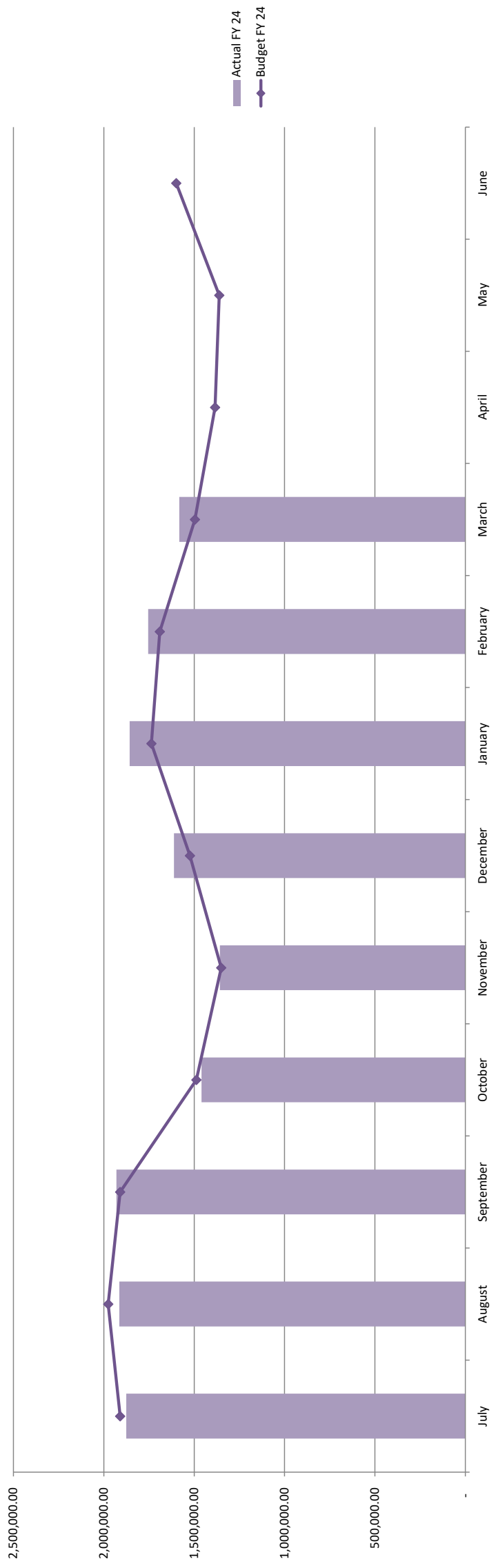
6/30/2023 Outstanding Debt Principal - Sewer



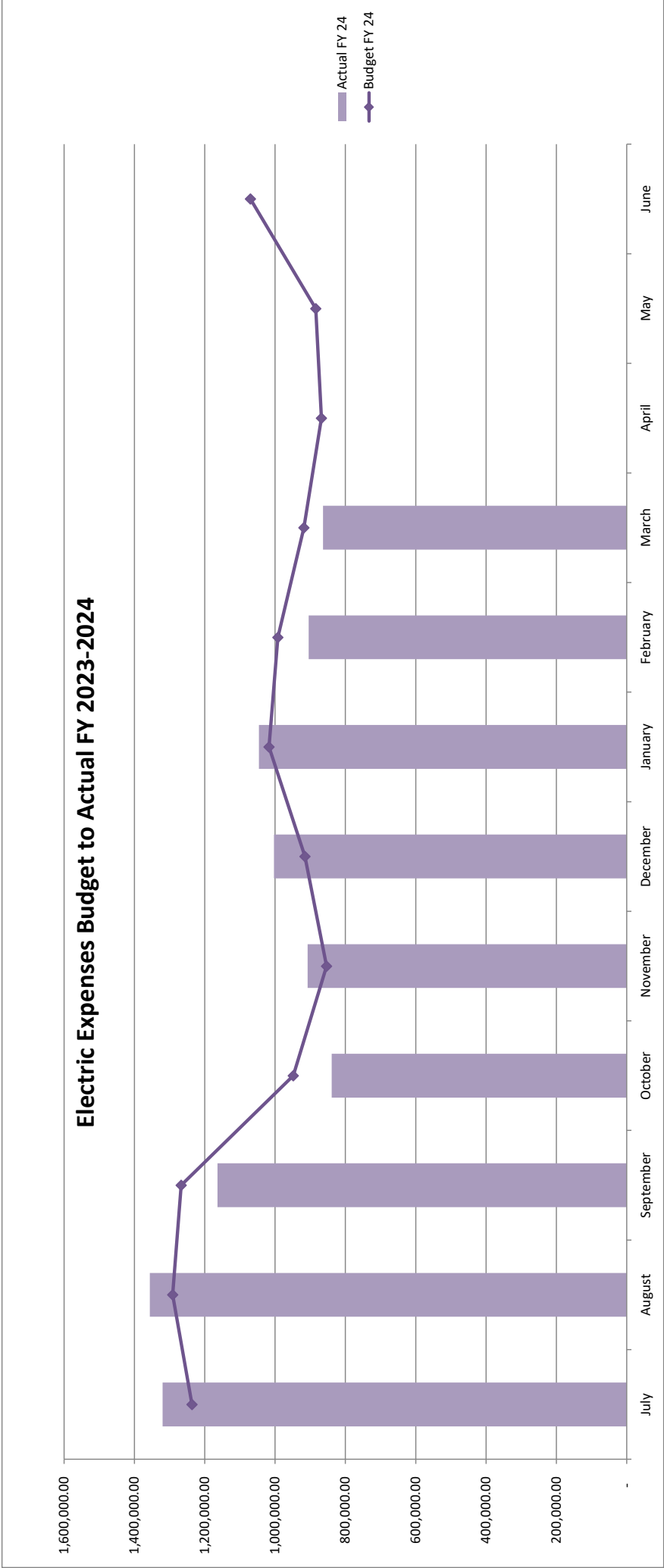
City of Shelby
Electric Revenues Budget to Actual
FY 2024

Revenues Budget FY 24	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	829,227.70	866,313.51	791,706.78	569,923.67	552,629.57	719,791.80	876,304.88	855,655.09	682,324.61	583,065.41	544,188.82	669,742.72	8,540,874.57
Commercial/Industrial	1,080,230.90	1,109,615.15	1,118,103.43	917,680.91	797,858.83	804,318.62	860,318.30	834,580.37	813,338.81	801,817.48	816,822.53	929,440.11	10,884,125.43
Totals	1,909,458.60	1,975,928.66	1,909,810.20	1,487,604.58	1,350,488.40	1,524,110.43	1,736,623.17	1,690,235.46	1,495,663.42	1,384,882.90	1,361,011.35	1,599,182.84	19,425,000.00
Actual FY 24	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	803,530.65	806,904.38	811,337.27	549,097.02	545,368.03	751,742.09	966,199.37	871,156.85	725,167.05				6,830,502.71
Commercial/Industrial	1,072,635.83	1,107,224.95	1,118,573.61	910,711.14	812,324.89	860,444.00	890,687.44	882,985.34	857,169.21				8,512,756.41
Totals	1,876,166.48	1,914,129.33	1,929,910.88	1,459,808.16	1,357,692.92	1,612,186.09	1,856,886.81	1,754,142.19	1,582,336.26	-	-	-	15,343,259.12
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	(25,697.05)	(59,409.13)	19,630.49	(20,826.65)	(7,261.54)	31,950.29	89,894.49	15,501.76	42,842.44	(583,065.41)	(544,188.82)	(669,742.72)	(1,710,371.86)
Commercial/Industrial	(7,595.07)	(2,390.20)	470.18	(6,969.77)	14,466.06	56,125.38	30,369.14	48,404.97	43,830.40	(801,817.48)	(816,822.53)	(929,440.11)	(2,371,369.02)
Totals	(33,292.12)	(61,799.33)	20,100.68	(27,796.42)	7,204.52	88,075.66	120,263.64	63,906.73	86,672.84	(1,384,882.90)	(1,361,011.35)	(1,599,182.84)	(4,081,740.88)

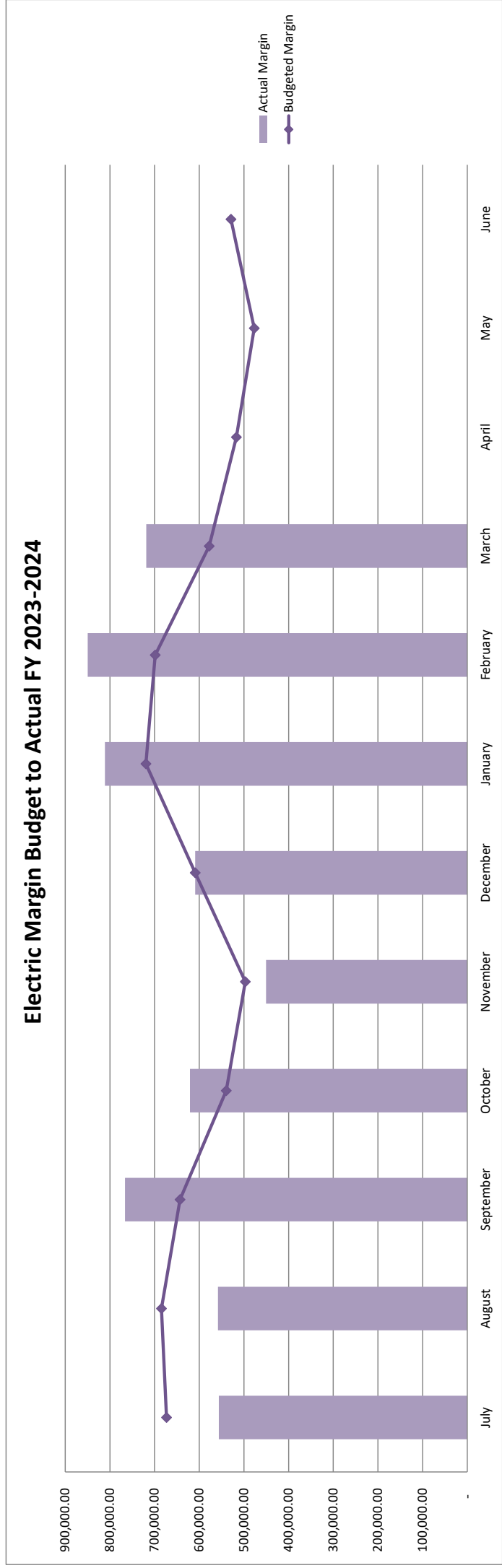
Electric Revenues Budget to Actual FY 2023-2024



Expenses													
Budget FY 24													
	July	August	September	October	November	December	January	February	March	April	May	June	Totals
NCMPA1	1,191,139.10	1,245,505.88	1,224,200.69	915,026.39	821,469.73	881,011.79	982,318.56	955,439.13	884,629.07	836,167.62	852,299.22	1,031,347.81	11,820,555.00
SEPA	45,008.68	45,752.43	42,651.96	33,111.34	32,101.77	33,961.59	34,856.92	36,394.40	33,458.70	31,998.50	31,796.70	38,907.01	440,000.00
Totals	1,236,147.78	1,291,258.31	1,266,852.65	948,137.73	853,571.50	914,973.38	1,017,175.48	991,833.53	918,087.78	868,166.12	884,095.92	1,070,254.81	12,260,555.00
Actual FY 24													
NCMPA1	1,285,497.02	1,319,307.36	1,127,638.57	801,495.69	868,387.68	965,194.21	1,004,778.65	869,842.13	826,316.43				9,068,457.74
SEPA	34,382.93	36,781.34	35,996.68	37,613.09	39,004.58	37,915.06	41,074.68	34,572.32	37,419.19				334,759.87
Totals	1,319,879.95	1,356,088.70	1,163,635.25	839,108.78	907,392.26	1,003,109.27	1,045,853.33	904,414.45	863,735.62	-	-	-	9,403,217.61
Expense Variance													
NCMPA1	(94,357.92)	(73,801.48)	96,562.12	113,530.70	(46,917.95)	(84,182.42)	(22,460.09)	85,597.00	58,312.64	836,167.62	852,299.22	1,031,347.81	2,752,097.26
SEPA	10,625.75	8,971.09	6,655.28	(4,501.75)	(6,902.81)	(3,953.47)	(6,217.76)	1,822.08	(3,960.49)	31,998.50	31,796.70	38,907.01	105,240.13
Totals	(83,732.17)	(64,830.39)	103,217.40	109,028.95	(53,820.76)	(88,135.89)	(28,677.85)	87,419.08	54,352.16	868,166.12	884,095.92	1,070,254.81	2,857,337.39



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	1,459,808.16	1,357,692.92	1,612,186.09	1,856,886.81	1,754,142.19	1,582,336.26	-	-	-	15,343,259.12
Actual Expenses	(1,319,879.95)	(1,356,088.70)	(1,163,635.25)	(839,108.78)	(907,392.26)	(1,003,109.27)	(1,045,853.33)	(904,414.45)	(863,735.62)	-	-	-	(9,403,217.61)
Actual Margin	556,286.53	558,040.63	766,275.63	620,699.38	450,300.66	609,076.82	811,033.48	849,727.74	718,600.64	-	-	-	5,940,041.51
Margin Variance	(117,024.29)	(126,629.71)	123,318.07	81,232.53	(46,616.24)	(60.23)	91,585.79	151,325.81	141,025.00	(516,716.78)	(476,915.43)	(528,928.02)	(1,224,403.49)



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

General Obligation Bonds

Revenue Bonds

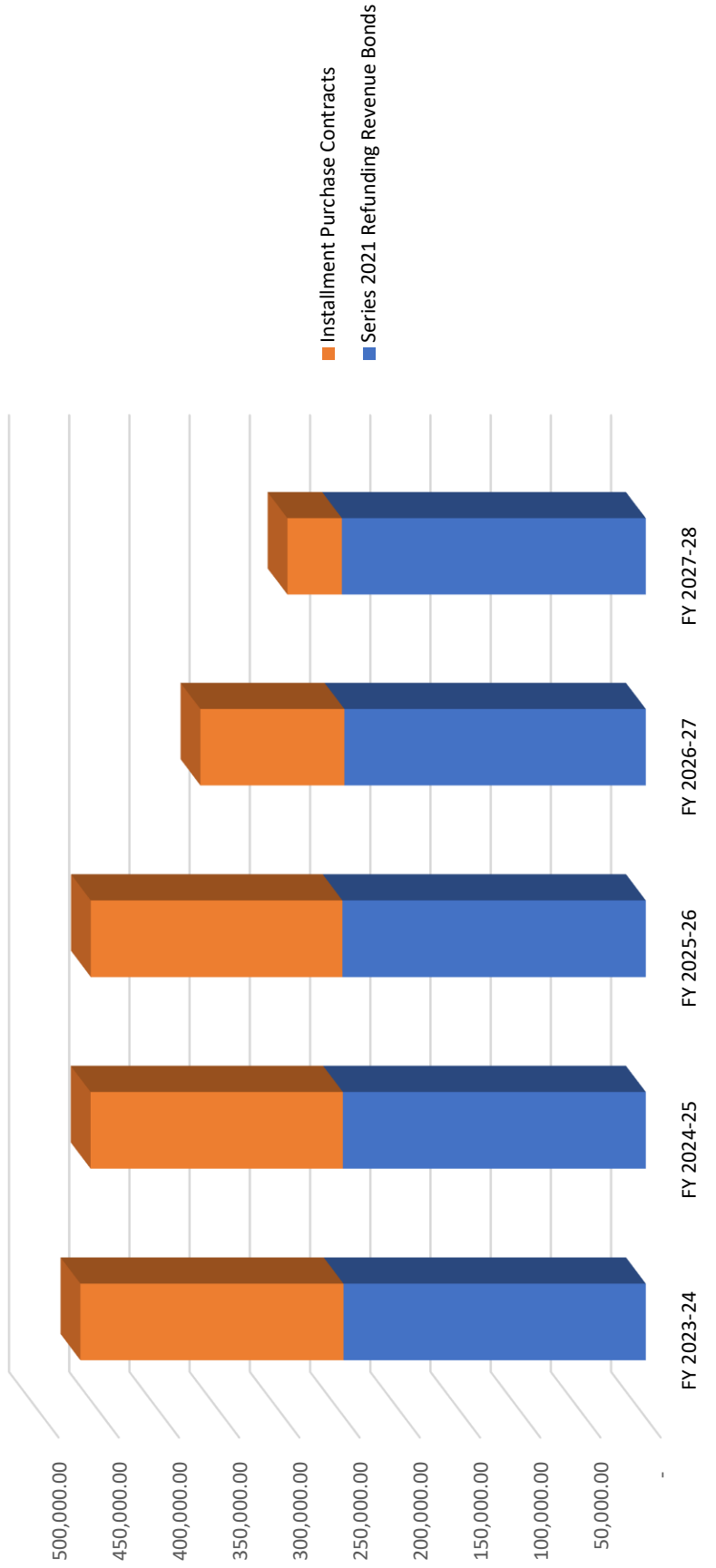
Series 2021 Refunding Revenue Bonds

Principal	231,676.33	235,407.58	239,138.82	240,834.84	246,262.10	249,314.94	-
Interest	19,384.83	16,129.49	12,819.53	9,466.84	6,076.16	2,618.99	-
Debt Retired In 2031	251,061.16	251,537.07	251,958.35	250,301.68	252,338.26	251,933.93	

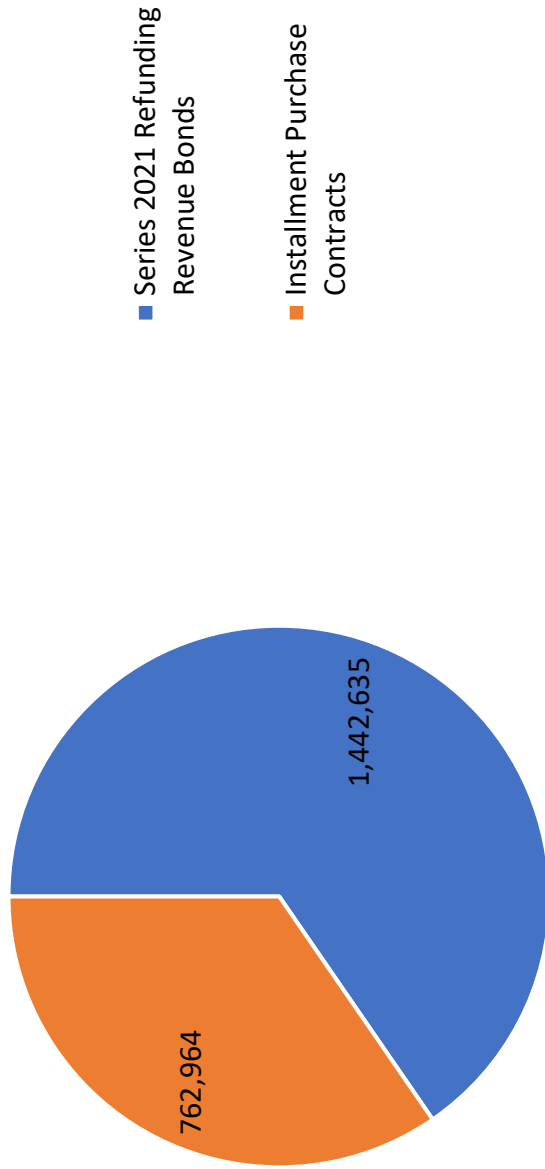
Installment Purchase Contracts

FY 19 Installment Purchase							
Debt Retired In 2024	8,921.99						
FY 21 Installment Purchase							
Debt Retired In 2026	89,952.50	89,952.50	89,337.65				
FY 22 Installment Purchase							
Debt Retired In 2027	74,290.23	74,290.23	74,290.23	74,290.23			
FY 23 Installment Purchase							
Debt Retired in 2028	45,253.75	45,253.75	45,253.75	45,253.75	45,253.73		
Total Installment Debt	218,418.47	209,496.48	208,881.63	119,543.98	45,253.73		
Total Debt Service - Electric Fund	469,479.63	461,033.55	460,839.98	369,845.66	297,591.99	251,933.93	-

Electric Fund Debt Service - next 5 years



6/30/2023 Outstanding Debt Principal - Electric



City of Shelby
Gas Revenues Budget to Actual
FY 2024

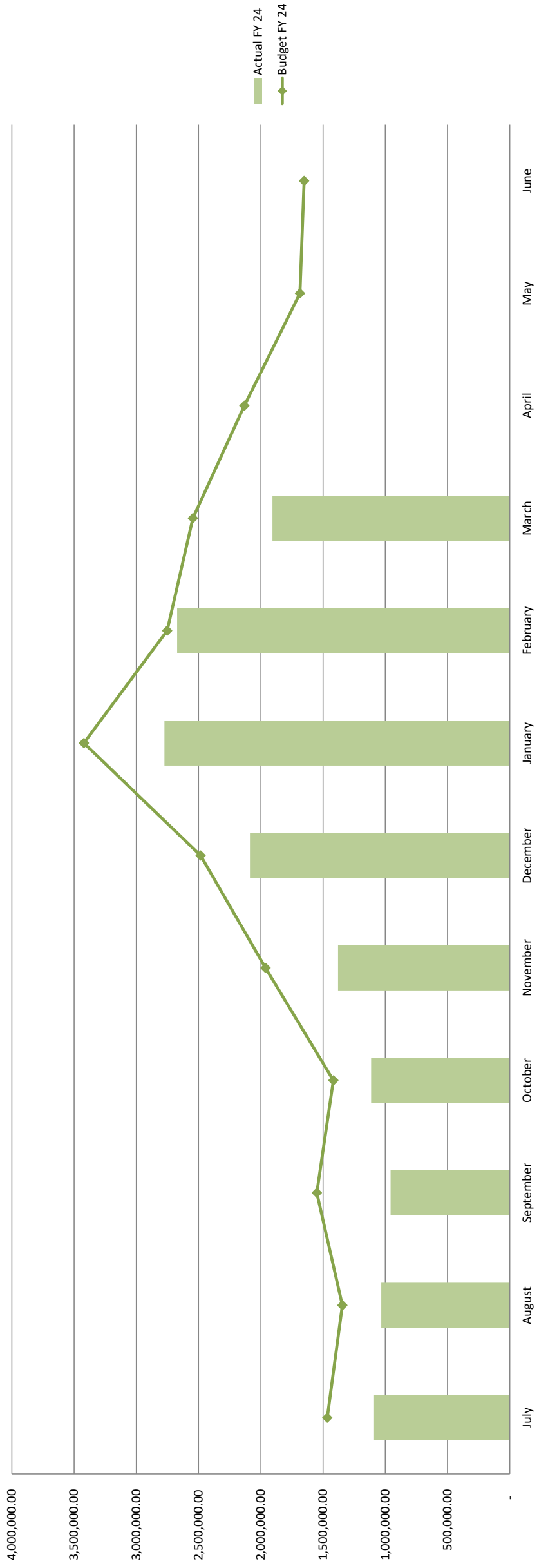
Revenues Budget FY 24	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	146,451.99	142,477.46	144,911.67	155,057.81	293,884.14	700,054.66	945,769.94	761,897.08	602,242.21	439,213.97	220,217.83	167,855.56	4,720,034.31
Commercial	190,909.53	207,335.74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

Actual FY 24	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	129,689.00	123,830.82	114,888.37	138,732.48	270,826.74	549,697.78	849,615.54	766,993.42	533,377.24	533,377.24	533,377.24	533,377.24	3,477,651.39
Commercial	152,810.73	153,701.31	162,129.03	239,213.63	226,322.86	482,159.42	754,491.70	743,575.05	526,425.34	526,425.34	526,425.34	526,425.34	3,440,829.07
High Load Factor	17,530.83	18,138.51	17,539.21	15,615.95	18,010.55	19,020.54	23,010.61	25,115.52	22,686.66	22,686.66	22,686.66	22,686.66	176,668.38
Interruptibles	58,154.26	51,703.03	63,740.28	56,384.94	66,086.05	79,052.44	90,506.20	66,610.99	75,893.64	75,893.64	75,893.64	75,893.64	608,131.83
Special Ind Class	738,224.05	685,662.08	599,858.73	664,076.32	798,365.95	956,927.43	1,057,052.94	1,070,306.74	747,859.16	747,859.16	747,859.16	747,859.16	7,318,333.40
Totals	1,096,408.87	1,033,035.75	958,155.62	1,114,023.32	1,379,612.15	2,086,857.61	2,774,676.99	2,672,601.72	1,906,242.04	-	-	-	15,021,614.07

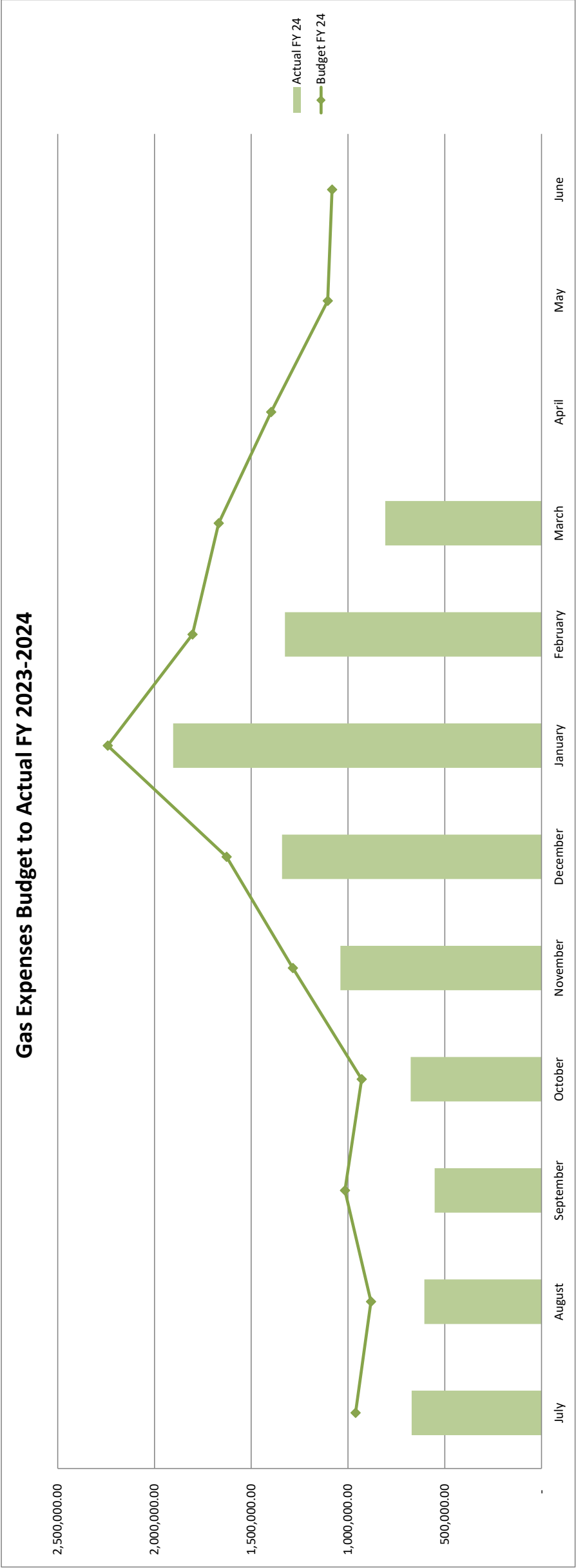
Revenue Variance	July	August	September	October	November	December	January	February	March	April	May	June	Totals
Residential	(16,762.99)	(18,646.64)	(30,023.30)	(16,325.33)	(23,057.40)	(150,356.88)	(96,154.40)	5,096.34	(68,864.97)	(439,213.97)	(220,217.83)	(167,855.56)	(1,242,382.92)
Commercial	(38,098.80)	(53,634.43)	(64,435.90)	3,022.90	(110,247.78)	(195,893.88)	(225,145.91)	(41,212.94)	(105,836.91)	(507,170.99)	(241,031.27)	(213,783.10)	(1,793,469.00)
High Load Factor	(11,310.73)	(5,332.38)	(409.14)	1,283.16	(42,402.98)	(48,573.99)	(47,634.50)	(52,325.77)	(45,664.01)	(72,903.25)	(68,661.43)	(68,634.66)	(462,569.71)

Interruptibles	(30,038.06)	(37,292.26)	(21,031.27)	(25,979.45)	(40,553.32)	(12,717.29)	2,738.94	(58,984.99)	(10,522.85)	(89,767.36)	(83,908.70)	(89,344.14)	(497,400.75)
Special Ind Class	(274,066.81)	(197,168.61)	(476,221.83)	(265,914.62)	(365,908.63)	10,942.66	(280,557.29)	67,231.05	(409,090.25)	(1,023,670.57)	(1,072,247.56)	(1,112,853.09)	(5,399,525.55)
Totals	(370,277.40)	(312,074.32)	(592,121.44)	(303,913.34)	(582,170.11)	(396,599.37)	(646,753.16)	(80,196.30)	(639,979.00)	(2,132,726.13)	(1,686,066.79)	(1,652,470.55)	(9,395,347.93)

Gas Revenues Budget to Actual FY 2023-2024

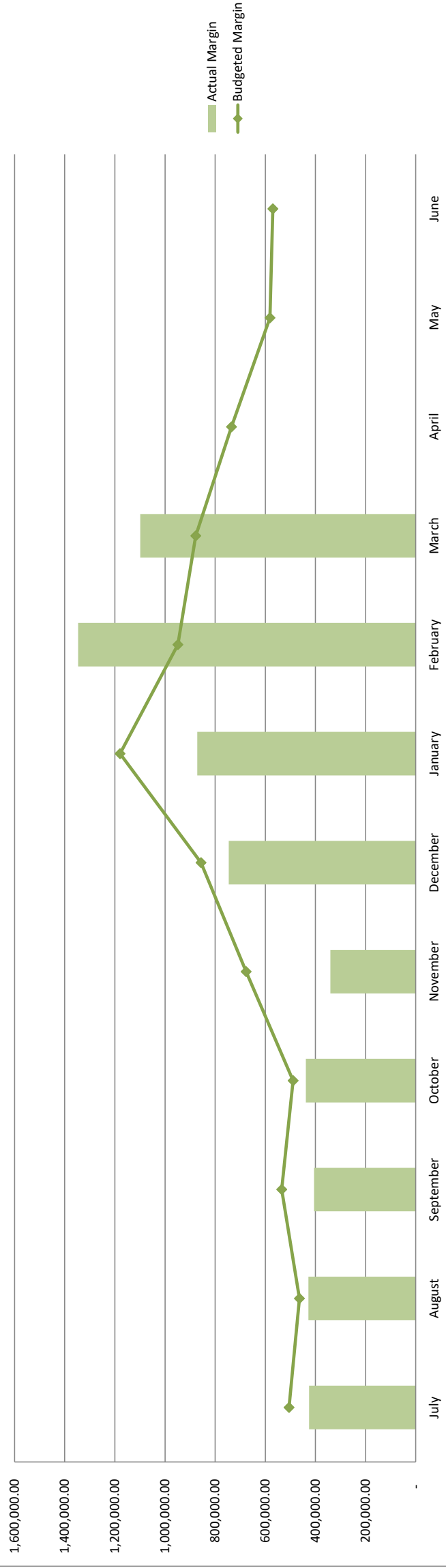


Expenses Budget FY 24	July	August	September	October	November	December	January	February	March	April	May	June	Totals
	961,093.37	881,426.65	1,015,868.93	929,148.62	1,285,520.95	1,627,365.10	2,242,002.20	1,803,859.48	1,668,493.26	1,397,537.42	1,104,849.52	1,082,834.50	16,000,000.00
Actual FY 24	670,914.51	605,246.61	552,368.38	676,065.61	1,039,073.00	1,340,830.60	1,903,641.34	1,325,823.89	807,713.12				8,921,677.06
Expense Variance	290,178.86	276,180.04	463,500.55	253,083.01	246,447.95	286,534.50	338,360.86	478,035.59	860,780.14	1,397,537.42	1,104,849.52	1,082,834.50	7,078,322.94



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	1,114,023.32	1,379,612.15	2,086,857.61	2,774,676.99	2,672,601.72	1,906,242.04	-	-	-	15,021,614.07
Actual Expenses	670,914.51	605,246.61	552,368.38	676,065.61	1,039,073.00	1,340,830.60	1,903,641.34	1,325,823.89	807,713.12	-	-	-	8,921,677.06
Actual Margin	425,494.36	427,789.14	405,787.24	437,957.71	340,539.15	746,027.01	871,035.65	1,346,777.83	1,098,528.92	-	-	-	6,099,937.01
Margin Variance	(80,098.54)	(35,894.28)	(128,620.90)	(50,830.33)	(335,722.16)	(110,064.88)	(308,392.31)	397,839.29	220,801.14	(735,188.71)	(581,217.28)	(569,636.05)	(2,317,024.99)

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

FY 2029-30

General Obligation Bonds

Revenue Bonds

Series 2021 Refunding Revenue Bonds

Principal	173,115.26	175,424.02	134,680.29	135,703.98	137,967.78	82,862.43
Interest	11,149.72	8,717.88	6,405.23	4,516.52	2,608.73	870.45
Debt Retired In 2031	184,264.98	184,141.90	141,085.52	140,220.50	140,576.51	83,732.88

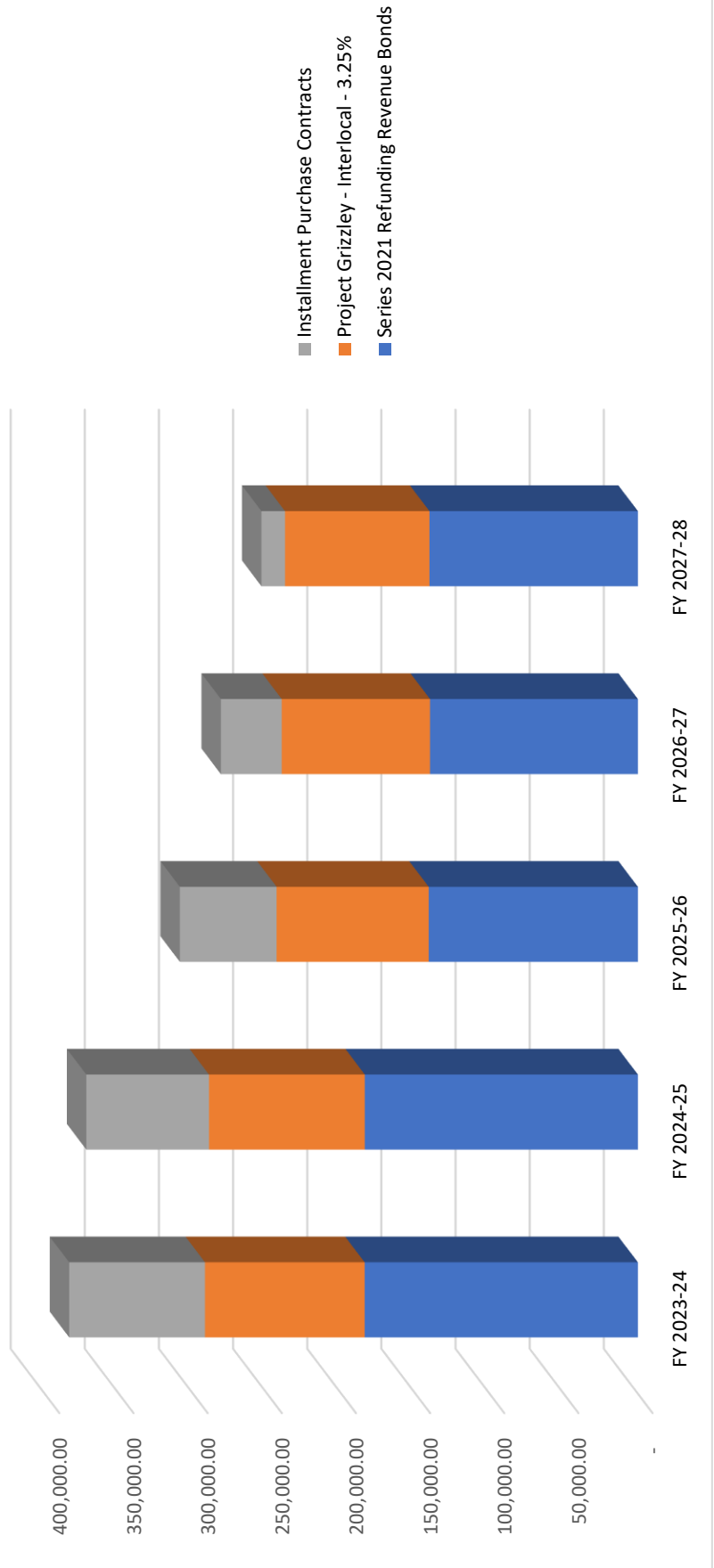
Project Grizzley - Interlocal - 3.25%

Principal	84,560.60	84,560.60	84,560.60	84,560.60	84,560.60	84,560.60
3.25% Interest	23,085.04	20,520.03	17,955.03	15,390.02	12,825.02	7,695.01
Debt Retired in 2032	107,645.64	105,080.63	102,515.63	99,950.62	97,385.62	92,255.61

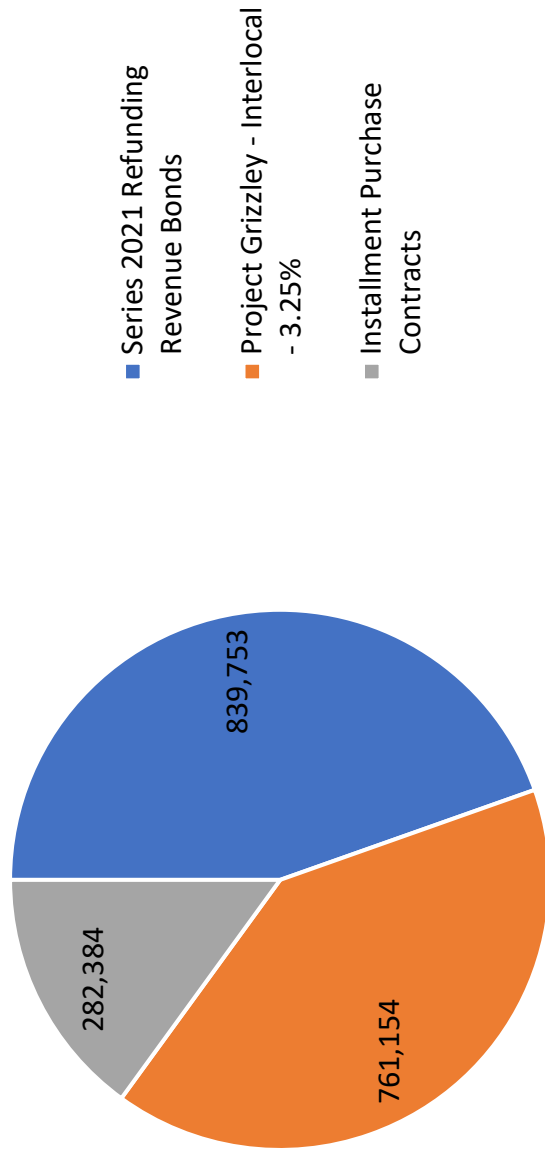
Installment Purchase Contracts

FY 19 Installment Purchase	7,621.62					
Debt Retired In 2024						
FY 20 Installment Purchase	18,518.00	17,266.67				
Debt Retired In 2025						
FY 21 Installment Purchase	24,392.50	24,392.50	24,225.77			
Debt Retired In 2026						
FY 22 Installment Purchase	25,145.86	25,145.86	25,145.86	25,145.86		
Debt Retired In 2027						
FY 23 Installment Purchase	15,882.00	15,882.00	15,882.00	15,882.00	15,882.02	
Debt Retired In 2028						
Total Installment Purchase Contracts	91,559.98	82,687.03	65,253.63	41,027.86	15,882.02	
Total Debt Service - Gas Fund	383,470.60	371,909.57	308,854.78	281,198.99	253,844.15	92,255.61

Natural Gas Fund Debt Service - next 5 years



6/30/2023 Outstanding Debt Principal - Gas



DEBT SERVICE - STORMWATER FUND FY 2023-24 FY 2024-25 FY 2025-26 FY 2026-27 FY 2027-28 FY 2028-29 FY 2029-30

Installment Purchase Contracts

FY 19 Installment Purchase 3,919.17

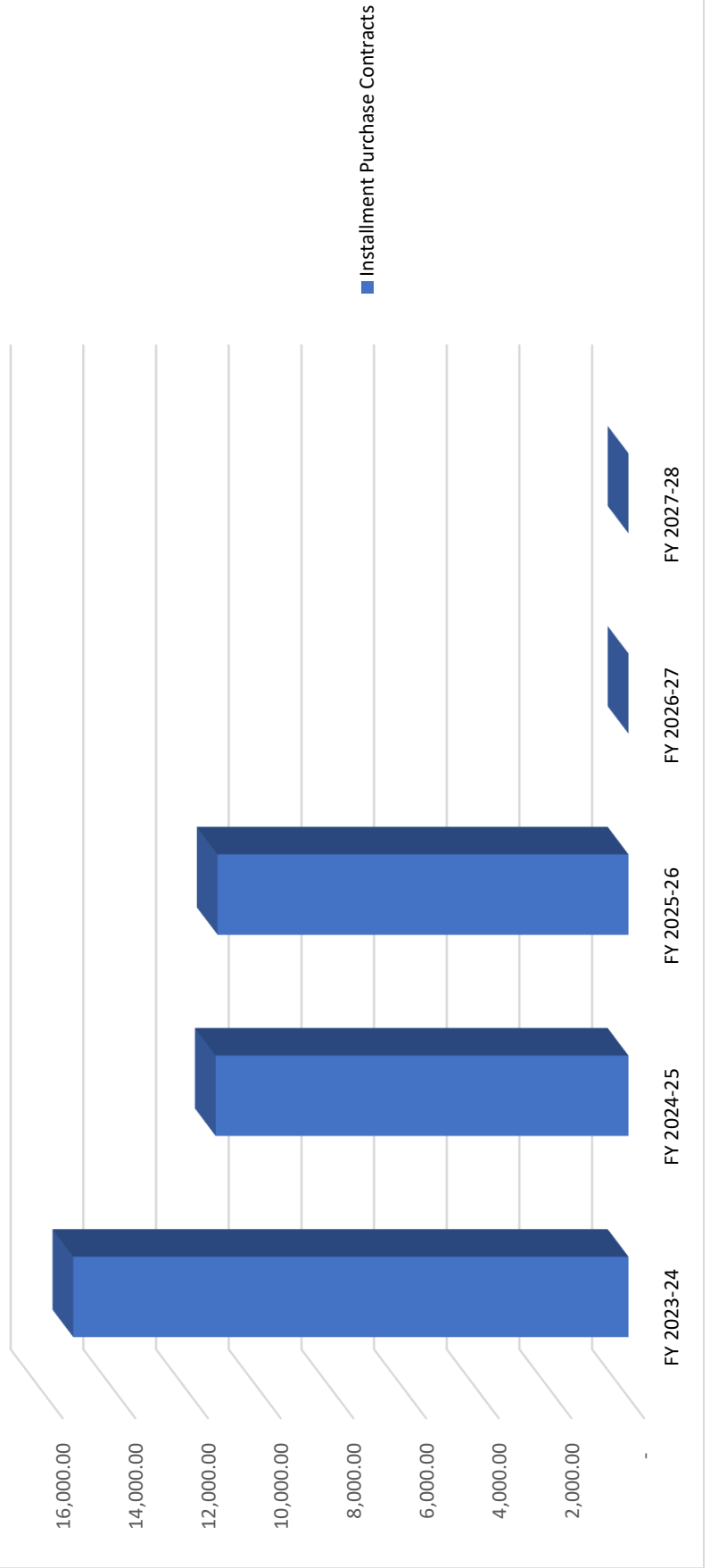
Debt Retired In 2024

FY 21 Installment Purchase 11,357.50 11,357.50 11,304.84

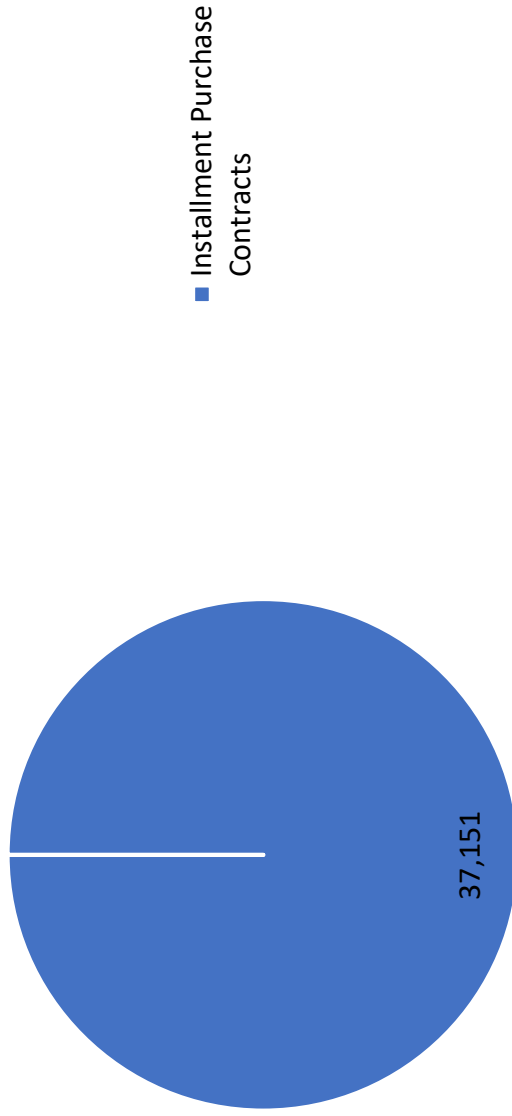
Debt Retired In 2026

Total Debt Service - Stormwater Fund 15,276.67 11,357.50 11,304.84

Stormwater Fund Debt Service - next 5 years



6/30/2023 Outstanding Debt Principal - Stormwater



City of Shelby
 For FY24 - March 2024 (75% of Fiscal Year)
 Enterprise Funds Expenditures by Division

<u>ACCOUNT DESCRIPTION</u>	<u>ORIGINAL APPROP</u>	<u>REVISED BUDGET</u>	<u>YTD EXPENDED</u>	<u>ENCUMB</u>	<u>AVAIL BUDGET</u>	<u>% USED</u>
Total 610711 WATER ADMINISTRATION	3,376,526	3,908,355	2,038,077.77	10,310.21	1,859,967	52.40 %
Total 610713 WATER LINES OPERATIONS	937,390	996,044	775,855.27	19,619.65	200,569	79.90 %
Total 610714 WATER PLANT OPERATIONS	2,342,416	2,408,726	1,583,579.01	255,852.70	569,294	76.40 %
Total 610 WATER FUND	6,656,332	7,313,126	4,397,512.05	285,782.56	2,629,831	64.00 %
Total 620721 SEWER ADMINISTRATION	3,121,474	3,909,500	1,758,063.38	23,525.23	2,127,912	45.60 %
Total 620723 SEWER LINES OPERATIONS	1,108,930	1,270,577	641,390.63	126,854.55	502,332	60.50 %
Total 620724 SEWER PLANT OPERATIONS	2,758,365	2,843,861	1,850,882.91	357,579.90	635,398	77.70 %
Total 620 SEWER FUND	6,988,769	8,023,938	4,250,336.92	507,959.68	3,265,642	59.30 %
Total 630731 ELECTRIC ADMINISTRATION	3,918,825	8,493,942	6,552,938.06	76,796.10	1,864,208	78.10 %
Total 630732 ELECTRIC PURCHASE	13,760,555	13,760,555	10,337,835.64	0.00	3,422,719	75.10 %
Total 630733 ELECTRIC LINES	3,582,620	4,916,795	2,673,299.82	1,016,165.34	1,227,330	75.00 %
Total 630 ELECTRIC FUND	21,262,000	27,171,293	19,564,073.52	1,092,961.44	6,514,258	76.00 %
Total 640741 NATURAL GAS ADMINISTRATION	5,135,252	5,899,107	3,992,850.79	13,769.83	1,892,486	67.90 %
Total 640742 NATURAL GAS PURCHASE	17,010,000	17,010,000	8,653,193.66	0.00	8,356,806	50.90 %
Total 640743 NATURAL GAS LINES	2,999,210	3,199,939	2,163,825.13	349,479.83	686,634	78.50 %
Total 640 NATURAL GAS FUND	25,144,462	26,109,045	14,809,869.58	363,249.66	10,935,926	58.10 %
Total 650751 STORMWATER ADMINISTRATION	919,527	1,317,588	789,436.34	172,567.88	355,584	73.00 %
Total 650 STORMWATER FUND	919,527	1,317,588	789,436.34	172,567.88	355,584	73.00 %

City of Shelby
Weather Variances
Fiscal Year to Date at March 31, 2024

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	0.70	(3.10)	109	64	-45	129	148	19
November	3.40	1.60	(1.80)	0	8	8	460	411	-49
December	4.00	8.50	4.50	1	0	-1	564	574	10
January	3.90	9.90	6.00	0	0	0	810	715	-95
February	3.90	1.10	(2.80)	0	0	0	586	454	-132
March	4.70	10.40	5.70	24	8	-16	464	307	-157
April	3.30	0.00	(3.30)	23	0	-23	223	0	-223
May	4.40	0.00	(4.40)	116	0	-116	51	0	-51
June	4.30	0.00	(4.30)	337	0	-337	0	0	0
Totals	48.20	42.09	(6.11)	1,817	1,258	(559)	3,292	2,612	(680)

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

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

* Source www.weather.com

** Source www.climate.fizber.com

Agenda Item: D-1

Unfinished Business

- 1) SECOND READING: Adoption of an ordinance to amend the City of Shelby Code of Ordinances to create the Carolina Harmony Trail Rules of Conduct: Ordinance No. 32-2024

Unfinished Business Item: (Jason Lunsford, City Attorney)

Summary of Available Information:

- Memorandum dated April 2, 2024, from Jason Lunsford, City Attorney to Rick Howell, City Manager
- Ordinance No. 32-2024

City Manager's Recommendation / Comments

Ordinance No.32-2024 is presented for a Second Reading by City Council. The ordinance becomes effective upon completion of the second reading. As a reminder it sets forth the rules of conduct expected of trail users while utilizing the Carolina Harmony Trail as well as other city trails. These are generally simple and common-sense rules. Penalties for violations would subject a person to a civil citation and fines and in some cases criminal penalties as prescribed except where the behavior is regulated by state law. A second reading is required by state law because of the criminal penalties provided for within the ordinance.

The City Attorney has developed the proposed ordinance and will answer any questions you may have at this time.

To: Rick Howell

From: Jason Lunsford, City Attorney

Date: April 2, 2024

RE: Carolina Harmony Trail Ordinance

INTRODUCTION:

The City of Shelby is planning construction of the Carolina Harmony Trail, a multiuse greenway starting from Uptown Shelby off East Marion Street and upon completion of all phases, will continue west and end at West Grover Street and to travel east and end at South Dekalb Street within Shelby city limits. All phases of the Carolina Harmony Trail will comprise 10.2 miles in length and pass through Shelby, Patterson Springs, and Earl, North Carolina. Presently, the City completed Phase 1A and is undergoing steps to complete the following phases. The trail has been used by many and well received based on collected feedback. Given the importance of public safety and the ability for all to enjoy the Trail, it is recommended that City Council adopt an Ordinance regulating the rules of conduct on the Trail.

An Ordinance amendment has been recommended for Council's approval that will specify the conduct to be followed while on the Trail and acts that are strictly prohibited. Signs will be displayed at the entrances of the Trail and at future entrances as additional phases are completed.

RECOMMENDATION:

Following any discussions and questions from City Council, it is recommended that City Council approve the Ordinance entitled: AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCE TO CREATE THE CAROLINA HARMONY TRAIL RULES OF CONDUCT.

ORDINANCE NO. 32-2024

**AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCES
TO CREATE THE CAROLINA HARMONY TRAIL RULES OF CONDUCT**

WHEREAS, the City of Shelby recognizes the importance of providing high quality parks and recreational activities for the use and enjoyment of its citizens; and,

WHEREAS, parks and outdoor activities bring significant economic impacts while contributing to the health and wellbeing of local citizens and visitors from across the region through recreational use of the trail; and,

WHEREAS, the City is developing the Carolina Harmony Trail starting from Uptown Shelby off East Marion Street and upon completion of all phases, will continue west and end at West Grover Street and to travel east and end at South Dekalb Street within Shelby city limits. All phases of the Carolina Harmony Trail will comprise 10.2 miles in length and pass through Shelby, Patterson Springs, and Earl, North Carolina; and,

WHEREAS, the City also recognizes the importance of providing clear and well understood rules to ensure that citizens can enjoy the Trail together; and,

WHEREAS, rules and regulations are necessary to ensure that the Trail remains accessible, safe, and enjoyable; and,

WHEREAS, the City of Shelby has authority pursuant to Article 8 of Chapter 160A of the North Carolina General Statutes to adopt ordinances to protect the health, safety, or welfare of its residents and visitors, including against unlawful use and access of its public roads, parks, and facilities.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of Shelby, North Carolina, that:

Section 1. The City of Shelby seeks to ensure the safety and continued use and enjoyment of the Carolina Harmony Trail through the implementation of a set Rules of Conduct while on any phase of the trail.

Section 2. The adopted rules are consistent with other rules in place for City Parks and trails and consistent with existing State laws.

Section 3. The City is authorized to enact laws to protect its citizens and the public property used and enjoyed by those citizens through Article 8 of the North Carolina General Statutes.

Section 4. This ordinance shall be effective on April 15, 2024.

Adopted this 15th day of April, 2024

Ordinance No. 32-2024
April 15, 2024
Page 2

O. Stanhope Anthony, III
Mayor

ATTEST

Carol Williams
City Clerk

APPROVED AS TO FORM

Jason Lunsford
City Attorney

Ordinance No. 32-2024 (Proposed Article I Sec. 32-4)

Sec. 32-4. Definitions:

Tobacco. Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component part or accessory of a tobacco product, including but not limited to cigarettes, cigars, little cigars, cheroots, stogies, periques, granulated, plug cut, crimp cut, ready rubbed, vapes, and other smoking tobacco; snuff; snuff flour, Cavendish; plug and twist tobacco; fine-cut and other chewing tobacco; shorts; refuse scraps, clippings, cutting and sweepings of tobacco, e-cigarettes, hookah and other kinds and forms of tobacco. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes and is being marketed and sold solely for such an approved purpose.

Sec. 32-5. Rules of Conduct:

- a. The following Rules shall be posted at all Trail entrances by the City Manager or designee:
 1. Only motorized vehicles intended for emergency assistance, safety, or maintenance are permitted, with the exception of personal mobility devices, such as wheelchairs or personal transportation devices used by Law Enforcement.
 2. No weapons allowed except as authorized by a valid concealed carry permit.
 3. Horseback riding, carts, carriages, or other horse-drawn apparatus are prohibited.
 4. The use of tobacco while on the trail is prohibited.
 5. Cyclists must travel at a safe speed. Maximum speed on trails is 15 mph.
 6. All cyclists under the age of 16 must wear a helmet.
 7. Bikes yield to pedestrians. Walkers and runners always have the right of way.
 8. Keep right and pass on the left.
 9. Announce yourself before passing. Politely warn trail users as you approach from behind, "Passing On The Left."
 10. Keep pets on short leash. Use 6-foot maximum leash length. Walk pets on the right-hand shoulder.
 11. Pet waste is to be removed and disposed of properly.
 12. In the event of an Emergency, call 911.
- b. The following activities are prohibited and any violation shall be punishable as a Class 3 misdemeanor with a maximum 20 days in jail, a fine up to \$50, or both, pursuant to N.C. Gen. Stat. § 160A-174 and N.C. Gen. Stat. § 14-4:

1. Littering.
2. The possession or consumption of alcoholic beverages.
3. Camping.
4. Open fires.
5. Failure to remove pet waste as provided in Chapter 4, Animals, of this Code.

(State Law reference – Littering N.C. § 14-399).

Sec. 32-6. Ban on registered sex offenders from use of Trail:

(a) Definitions. For purposes of this section, the following definitions apply:

Carolina Harmony Trail is a multi-use trail with access points in Shelby, Patterson Springs, and Earl. The sections maintained and within Shelby, North Carolina, hereinafter referred to as “the Trail,” are part of Shelby’s parks and recreation facilities and covers only those sections set aside and designated as a public trail by City Council and publicly-owned leased, operated or maintained property that is designated as a trail by the City including any adjacent public parking area as well as the driveway, entrance way or pedestrian walkway used by the public to access the trail.

Official meeting. A meeting that is required to be open to the public by the Open Meetings Law, pursuant to Chapter 143 Article 33C of the North Carolina General Statutes.

Registered sex offender is an individual who is registered by any state or federal agency as a sex offender and/or whose name is published or required to be published on any state or federal sex offender registry, including, but not limited to, the North Carolina Sex Offender and Public Protection Registry established pursuant to Chapter 14 Article 27A of the North Carolina General Statutes.

(b) Prohibition. No person registered as a sex offender, as defined above, with the State of North Carolina and/or any other state or federal agency as a registered sex offender shall enter into or upon any section of the Carolina Harmony Trail (“Trail”).

(c) Penalties. Violation of this section shall be a class 3 misdemeanor and subject to a fine of up to \$500 as provided by N.C. Gen. Stat. § 14-4. Each entry onto the Trail, regardless of the time period between such entries, shall constitute a separate offense under this article.

(d) Limited exceptions.

1. *Official meetings.* A registered sex offender who has the right to be present at an official meeting shall have the limited privilege of entering on and into the Trail for such time as is necessary to attend said meeting or function. However, any lingering or loitering resulting in exceeding the time in which the official meeting has ended shall be a violation of this section.

(e) *Severability.* Without limiting any other provision in this Code providing for the severability of any Code provisions, it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Article are severable, and if any phrase, clause, sentence, paragraph, or section of this Article shall be declared unconstitutional or invalid by a court of competent jurisdiction by judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Article, since the phrases, clauses, sentences, paragraphs, and sections of this Article would have been enacted by the City Council without the incorporation into this Article of any such unconstitutional or invalid phrase, clause, sentence, paragraph, or section.

Agenda Item: D-2

Unfinished Business

- 2) SECOND READING: Adoption of an ordinance to amend the City of Shelby Code of Ordinances to create the Uptown Shelby Social District: Ordinance No. 33-2024

Unfinished Business Item: (Jason Lunsford, City Attorney)

Summary of Available Information:

- Memorandum dated April 2, 2024, from Jason Lunsford, City Attorney to Rick Howell, City Manager
- Ordinance No. 33-2024

City Manager's Recommendation / Comments

Ordinance No.32-2024 is presented for a Second Reading by City Council. The ordinance becomes effective upon completion of the second reading. It was previously approved by Council and will create the Uptown Shelby Social District within the authority granted by NC General Statute 160A-205.4. In addition to creating the district and its boundaries the ordinance also specifies the rules and regulations that are mandated under the statute. Participation by local businesses is completely voluntary. There is no direct cost for implementation to the City. The proposed boundary exactly mimics the current Uptown Shelby Municipal Service District. A second reading is required by state law because of the criminal penalties provided for within the ordinance.

The City Attorney has developed the proposed ordinance and will answer any questions you may have at this time.

To: Rick Howell

From: Jason Lunsford, City Attorney

Date: April 2, 2024

RE: Uptown Shelby Social District Ordinance

INTRODUCTION:

In 2021 the North Carolina State Legislature granted cities the right to create a social district under North Carolina General Statute § 160A-205.4 and in accordance with N.C. Gen. Stat. § 18B-300.1. A Social District permits those 21 or older to consume alcohol, purchased from a permitted establishment within the social district, in a designated cup throughout the social district. This is seen as a beneficial way to encourage citizens to explore and enjoy uptown and promote the various businesses throughout the uptown area. Over 40 cities across North Carolina have already adopted a social district and the Uptown Shelby Association, Inc. has worked with the uptown businesses as well as City Council in moving forward with this initiative.

An Ordinance amendment has been recommended for Council's approval creating the Uptown Shelby Social District. The Ordinance specifies the rules and regulations that are mandated by the State of North Carolina and actions that are strictly prohibited. Participation is voluntary and signs will be displayed within the windows of the businesses identifying their level of participation. A map of the social district is found as an Exhibit to the Ordinance and a Management and Maintenance Plan detailing the implementation, updates, and other important information about the social district can be found online at the City's website or in person at the Clerk's office.

RECOMMENDATION:

Following any discussions and questions from City Council, it is recommended that City Council approve the Ordinance entitled: AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCE TO CREATE THE UPTOWN SHELBY SOCIAL DISTRICT. Following the approval of City Council, a copy of the Ordinance and the Management and Maintenance Plan must be sent to the North Carolina Alcoholic Beverage Control (ABC) Commission for prior approval. Once Approved by the ABC Commission, the City may formally authorize the Uptown Shelby Social District.

ORDINANCE NO. 33-2024

**AN ORDINANCE TO AMEND THE CITY OF SHELBY CODE OF ORDINANCE TO
CREATE THE UPTOWN SHELBY SOCIAL DISTRICT**

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-205.4 the City may adopt an ordinance designating one or more social districts for use in accordance with N.C. Gen. Stat. § 18B-300.1; and

WHEREAS, under the above laws, the North Carolina General Assembly authorized municipalities to designate social districts within the city limits to permit the sale and consumption of alcoholic beverages both within and outside of designated establishments and along the streets of the social district; and

WHEREAS, the City partnered with Uptown Shelby Association, Inc. to propose a social district serving the uptown area within the designated map; and

WHEREAS, the City believes that the creation of a social district will increase the economic vitality and growth of the uptown area of the City.

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

Section 1. The Uptown Shelby Social District shall be established and limited to the area depicted on the map dated and found on the City’s website or upon inspection with the City Clerk. The Uptown Shelby Social District is restricted to the following Exhibit A. Except as specifically stated herein, alcohol is prohibited on the Carolina Harmony Trail. The Section of the Carolina Harmony Trail beginning at West Marion and North Morgan Street heading North to Sumter Street is specifically excluded from the Social District. All other sections of the Carolina Harmony Trail heading from West Marion to Blanton Street is hereby incorporated into the Social District.

Section 2. The Social District shall be restricted to Monday through Sunday, from 10am Eastern Standard Time until 10:00pm Eastern Standard Time.

Section 3. Staff shall establish an approved management and maintenance plan to be submitted to the Alcoholic Beverage Control (ABC) Commission for final approval. The plan shall be maintained and posted, 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 City’s website.

Section 4. This ordinance shall be effective on _____, 2024.

Adopted on this 15th day of April, 2024.

Effective _____, 2024

Ordinance No. 33-2024
April 15, 2024
Page 2

O. Stanhope Anthony, III
Mayor

ATTEST

Carol Williams
City Clerk

APPROVED AS TO FORM

Jason Lunsford
City Attorney

ARTICLE ____ SOCIAL DISTRICT.

SECTION ____ Purpose and Intent.

- (a) Pursuant to the provisions of N.C. Gen. Stat. § 160A-205.4, a municipality may by ordinance, designate one or more social districts within the city for use in accordance with N.C. Gen. Stat. § 18B-300.1. The social district(s) established by the City are described herein, along with the days and hours of operation.
- (b) The Social Districts shall be created, designated, and managed in accordance with the requirements contained in N.C. Gen. Stat. § 160A-205.4 and Chapter 18B.
- (c) The City has established an approved management and maintenance plan(s). The plan(s) are maintained and posted, 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 City’s website.
- (d) Permittees shall be responsible for operating its business in accordance with all state and city laws, ordinances, rules, and regulations governing social districts.
- (e) The provisions of Section 30-5 – “Sale, use of alcoholic beverages on city property” shall remain in full effect.
- (f) To the extent required by applicable State law, any portion of the social district herein established that overlaps with a premise(s) subject to a permit for on-premises consumption of alcohol issued by the North Carolina Alcoholic Beverage Control Commission for a special event shall be suspended during the event to the extent the social district and the permitted premises are in conflict.

SECTION ____ Definitions.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning.

Customer means a person who purchases an alcoholic beverage from a permittee that is in a social district.

Non-permittee means and refers to a business that is located in a social district and does not hold any ABC permit.

Open container means any alcoholic beverage where the seal of the original manufacturer is broken or an alcoholic beverage that is possessed in a container other than the unopened manufacturer’s container. (State law reference N.C. Gen. Stat. § 18B-300).

Permittee means and refers to an establishment holding any of the following ABC permits issued by the North Carolina Alcoholic Beverage Control Commission:

1. An on-premises malt beverage permit issued pursuant to N.C. Gen. Stat. § 18B-1001(1).
2. An on-premises unfortified wine permit issued pursuant to N.C. Gen. Stat. § 18B-1001(3).
3. An on-premises fortified wine permit issued pursuant to N.C. Gen. Stat. § 18B-1001(5).
4. A mixed beverages permit issued pursuant to N.C. Gen. Stat. § 18B-1001(10).
5. A wine shop permit issued pursuant to N.C. Gen. Stat. § 18B-1001(16).
6. A distillery permit issued pursuant to Gen. Stat. § 18B-1100(5).

Persons means and refers to an individual, firm, partnership, association, corporation, limited liability company, other organization or group, or other combination of individuals acting as a unit.

Premises means and refers to a fixed permanent establishment, including all areas inside or outside the permitted establishment, where the permittee has control through a lease, deed, or other legal process.

Social district means and refers to a designated area established under Section ____ and is managed in accordance with the requirements contained in requirements contained in N.C. Gen. Stat. § 160A-205.4 and Chapter 18B.

SECTION ____ Established and Designated Social District.

The Social District shall be created, designated, and managed in accordance with requirements contained in N.C. Gen. Stat. § 160A-205.4 and Chapter 18B. Participation is voluntary and within the discretion of the property owner(s) and at no time is a non-permittee owner located within the boundaries of the Social District required to allow alcohol within its premises.

The Uptown Shelby Social District shall be established and limited to the area depicted on the map dated and found on the City's website or upon inspection with the City Clerk. All markings on the map shall be posted clearly delineating the boundaries of the social district and updated from time to time as necessary in coordination with the City's approved management and maintenance plans.

- (a) The Social District shall be restricted to the following days and times:
 - i. The Social District shall be restricted to Monday through Sunday, from 10am Eastern Standard Time until 10:00pm Eastern Standard Time.
 - ii. At all other times in which alcohol may be sold or consumed, such activities are restricted to the state laws and ordinances already prescribed and enforced. No alcohol shall be sold in a social district cup outside of the permitted hours.

- iii. Patrons may not leave a permittee and enter the social district with any open container outside of the stated hours unless a special permit is issued by the City.
- (b) Any alcoholic beverage sold and purchased for consumption within the Social District shall:
- i. Only be consumed within the boundaries depicted on the Social District Map, and
 - ii. Be disposed of before the person in possession of the alcoholic beverage exists the Social District.
 - iii. All containers must be discarded upon entering any permittee or non-permittee not participating or any permittee that may be participating but not allowing alcohol purchased from a different permittee (Sold Here & No Outside Beverage).

SECTION ____ Participation in General.

All property owners located within the Social District may voluntarily participate and participation shall be denoted by placing a corresponding sign on the property window. Property owners shall pick from one of four signs: (1) Sold Here, (2) Welcomed Here, (3) Not Permitted Here, and (4) Sold Here & No Outside Beverage. All signs shall be provided by the City or its designee and be uniform under the City's published plan. The following requirements apply to all property owners located within the Social District:

1. 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.
2. A permittee business may elect to allow a customer to bring and consume an alcoholic beverage into their establishment that was purchased at a different participating permittee within the social district meeting all the requirements set forth under this Article.

SECTION ____ Requirements for Permittee Sales, Sales of Open Containers.

Permittee businesses must comply 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 to be consumed off premises in a container meeting all the following requirements as provided within the Social District Plan:
 - a. The container clearly identifies the permittee from which the alcoholic beverage was purchased.

- b. The container clearly displays the approved Social District Logo.
 - c. The container is not comprised of glass.
 - d. The container displays the following statement, “Drink Responsibly – Be 21” in no less than 12-point font.
 - e. The container shall not hold more than 16 fluid ounces.
 - f. No alcohol shall be sold in a social district cup outside of the permitted hours.
3. Any sale of an alcoholic beverage for which consumption by the customer is not for the purpose of entering into the Social District may be poured and consumed within any container the business desires so long as the business meets all applicable laws and regulations.
 4. Nothing in this subsection or within this Article shall be construed to authorize the sale and delivery of alcoholic beverages in excess of the limitations set forth in N.C. Gen. Stat. § 18B-1010.

All containers must be discarded upon exiting the social district boundaries.

SECTION ____ Requirements for non-permittee.

1. All non-permittee businesses that are part of the Social District and that allow customers to bring alcohol into their premises (Welcomed Here) 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.
2. A participating non-permittee business shall display the uniform sign at all times during the times provided under Section ____ Established and Designated Social District.
3. During the days and hours when the Social District is active as provided for within this Article, a non-permittee business that allows customers to bring alcoholic beverages onto its premises (Welcomed Here) shall allow law enforcement officers to access to the areas of the premises accessible by customers.

SECTION ____ Restrictions on consumption of alcohol within a social district.

1. Only alcoholic beverages purchased from a permittee located within the Social District may be consumed within the Social District.
2. Only open containers meeting the requirements established within this Article and provided by a designated permittee are allowed within the Social District except for open containers sold by and consumed on the premises of the permittee, or under the existing Sidewalk Café ordinance 10-135.
3. No person may bring an alcoholic beverage into a non-permittee business that is not displaying the uniform sign or is displaying the sign “Not Permitted Here.”

4. Open containers of alcoholic beverages shall only be possessed and consumed within the hours established under this Article unless consumed on permittee's premises in compliance with all applicable permits and laws or a special permit is issued by the City.
5. Nothing in this Article or subdivision shall be construed as authorizing the sale and delivery of alcoholic beverage drinks in excess of the limitation established in N.C. Gen. Stat. § 18B-1010.
6. All containers must be discarded upon exiting the social district boundaries.

SECTION ____ Enforcement.

Code enforcement shall notify a permittee or non-permittee business owner in writing by certified mail who violates or fails to comply with the provisions of this Article. Violators shall be subject to one or a combination of the following:

- (a) The City specifically retains the right to revoke or suspend a permit any time it deems such revocation to be in the best interest of the public health, safety or welfare, or where the permittee has failed to comply with applicable city requirements or is found to have provided false or misleading information in the permit application.
- (b) Civil penalty of \$100 per occurrence for any permittee or non-permittee, which may be recovered by the City in a civil action in the nature of a debt if the permittee or non-permittee does not pay the penalty within 15 days from the date the violator is notified of the penalty.
- (c) Any person who violates or fails to comply with the provisions of this Article is guilty of a class 3 misdemeanor as provided by N.C. Gen. Stat. § 160A-175 and N.C. Gen. Stat. § 14-4.
- (d) Any person who aids, abets, assists in, or contributes to a violation of this Article shall be punished as an infraction as provided by N.C. Gen. Stat. § 14-3.1.

EXHIBIT A

Map of Social District



UPTOWN SHELBY SOCIAL DISTRICT



Map Information:
Datum: NAD 1983
Coordinate: State Plane
North Carolina (Meter)
Projection: Lambert Conformal Conic
US National Grid
Grid Zone Designation (GZD): 17S
100,000m Square ID: MVMU



Scale 1:4,800 1 inch = 400 feet 0 200 400 800 Feet

E. New Business

Agenda Item: E-1

- 1) Approval of a resolution awarding the contracts for the electric material order for Substation 8 reconductoring: Resolution No. 34-2024

New Business Item: (Rick Howell, City Manager; Ben Yarboro, Assistant City Manager)

Summary of Available Information:

- Memorandum dated May 1, 2024, from Ben Yarboro, Assistant City Manager to Rick Howell, City Manager
- Memorandum dated April 22, 2024, from Ronnie Davis, Engineer Services Operations Manager to Ben Yarboro, Assistant City Manager
- Request for Proposals
- Resolution No. 34-2024

City Manager's Recommendation / Comments

I have asked Mr. Yarboro to provide an overview of this project to City Council. While this is a relatively small project in terms of costs it is an important part of the improvement of the City's electric system. This is the second phase of four that will "reconductor" circuits being fed out of our four substations. Reconductoring was identified in the Electric System Asset Management Plan. Following Mr. Yarboro's presentation Council may act upon the proposed resolution.

Resolution No. 34-2024 is presented for City Council consideration at this time. If approved this resolution would award contracts (authorizing the City to purchase electric system materials) as follows:

- a. Distribution system wood poles to Wesco Distribution in the amount of \$35,093.03.
- b. Distribution system wire to Border States Electric in the amount of \$123,185.20.

The total materials cost for this project is \$158,378.23

It is my recommendation that Resolution No. 34-2024 be adopted and approved by City Council at this time.

Memorandum

To: Rick Howell, City Manager

From: Ben Yarboro, Assistant City Manager

RE: Substation 8 Copper Line Reconductoring

Date: May 1, 2024

Background

As detailed in the attached memo from Ronnie Davis, Energy Services Operations Manager, the City of Shelby completed an Electric System Planning Study in 2016 that evaluated the electric circuits originating from the City's 4 substations. Through this process, 47,000 feet of copper wire was identified for replacement.

The primary goal of this study was to determine system needs and projects that would improve the reliability and resilience of our aging electric system. The proposed reconductoring accomplishes this by replacing old, brittle copper wire with modern aluminum wire.

Phase 1 of this project was completed in December 2023 as the reconductoring of the circuits from our first substation (Substation #10) was completed. The currently proposed material order is for circuits originating from our second substation (Substation #8) and totals approximately 7,000 feet. The proposed conductor replacement locations are shown on the attached map.

At the bid opening on April 18, 2024, there was one (1) complete bid for the distribution wood poles and one (1) complete bid for the distribution wire. The lowest responsive bidder for the distribution wood poles was Wesco Distribution in the amount of \$35,093.03. The lowest responsive bidder for the distribution wire was Border States Electric in the amount of \$123,185.20. The total amount of both bids combined is \$158,278.23. As noted by Mr. Davis, the cost estimate provided by Progressive Engineering for this project was \$250,000, so the City was fortunate to receive favorable pricing. City staff plans to bid out the labor for this project in June 2024. Following award of the construction contract, the construction for this project is planned to begin in late summer or early fall of 2024 with a 120 day contract duration.

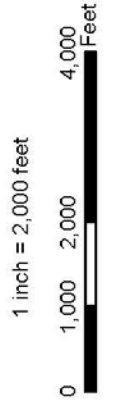
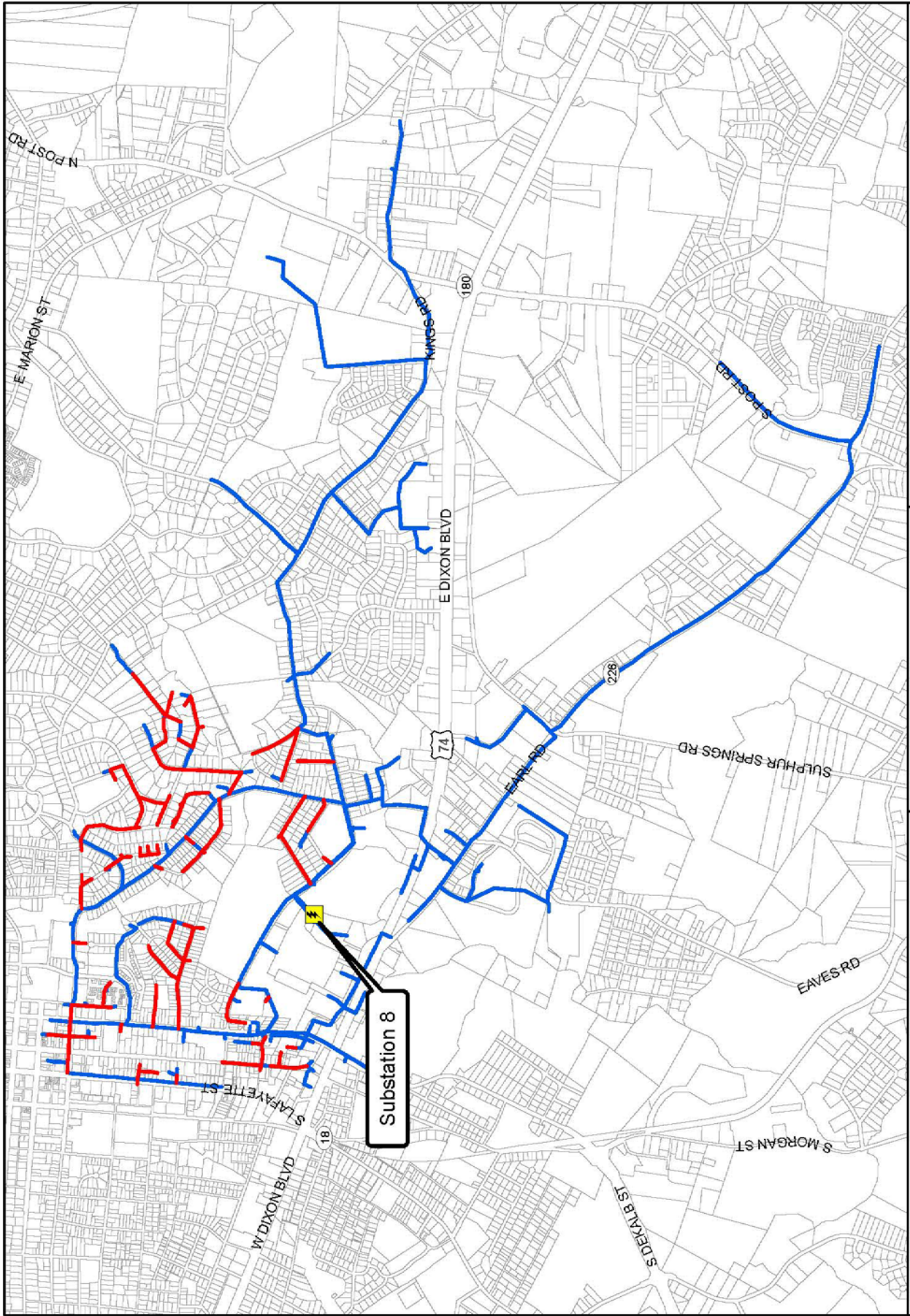
Recommendation

City Staff recommends that City Council approve the resolution awarding the bid for electric material order for the Station 8 Copper Reconductoring Project to Wesco Distribution in the amount of \$35,093.03 for wood poles and Border States in the amount of \$123,185.20 for distribution wire. The total amount of these two bids combined is \$158,278.23 and funding is available in the existing FY24 Electric Line budget.

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

Attachments:

- Substation #8 reconductoring map
- Memo from Ronnie Davis, Energy Services Operations Manager
- Border States Substation 8 Material Bid
- Wesco Distribution Substation 8 Material Bid



Reconfiguring of Circuits 8-1, 8-2, & 8-3

- Lines to be Reconstructed
- Lines Not to be Reconstructed
- Substation 8



Memorandum

To: Ben Yarboro, Assistant City Manager
From: Ronnie Davis, Energy Services Operations Manager
RE: Substation 8 Copper Line Reconductoring
Date: April 22, 2024

Background

In 2016, Progressive Engineering Consultants, Inc. completed an Electric System Planning Study on the City of Shelby Electric System. They found that the City had approximately 47,000 feet of #4 and #6 copper conductor throughout the City's Electric System. The #4 and #6 copper is small and has limited ampacity, and over time, the lines have become brittle and are more prone to being damaged during storms. While copper conductor has historically been the best choice for conductivity and ampacity, it is common practice in today's electric systems to replace aging smaller copper conductor with a larger aluminum conductor as it is less expensive than the copper equivalent. It is also lighter and easier to work with in most cases. Circuits from Substation 10, which was the first of four (4) substations in the reconductoring plan, was completed in December 2023. With circuits from Substation 8 planned to be the next part of the City's reconducting plan, the City contracted with Progressive Engineering to design the project. The Substation 8 portion of the reconductoring project will consist of approximately 7,000 feet of copper being replaced along multiple streets throughout Circuit 8-1, Circuit 8-2, and Circuit 8-3. The reconducting of the aging copper materials will bring the circuits up to modern standards and allow for more reliable electric service. The following streets will be a part of the Substation 8 reconductoring:

S. Washington St.	Brookside Dr.	Hillside Dr.	Beam Ct.
Willow Ln.	Miles Rd.	E. Elm St.	Grigg St.
Hillside Dr.	Parkview St.	Pinkney St.	Montrose Cir.
Gidney St.	Henderson St.	Peach St.	Grice St.
E. Graham St.	Kenwood Dr.	W. Circle Dr.	Harris St.
Perry St.	E. Circle Dr.	Miles Rd.	Ashley St.
Kings Rd.	Tryon St.	Kings Cir.	

Review

On April 2, 2024, City Staff advertised for bids for the Substation 8 Copper Reconductoring Project materials. The advertisement was listed on the City webpage and bid packages were provided to three (3) prospective bidders. At the bid opening on April 18, 2024, there was one (1) complete bid for the distribution wood poles and one (1) complete bid for the distribution wire. There were also two (2) no bids received for the distribution wood pole bid and one (1) no bid received for the distribution wire. The bids are attached to this memorandum and depict the bids and the unit prices that were received. The lowest responsive bidder for the distribution wood poles was Wesco Distribution in the amount of \$35,093.03. The lowest responsive bidder for the distribution wire was Border States Electric in the amount of \$123,185.20. The total amount of both bids is \$158,278.23. The cost estimate provided by Progressive Engineering for this project was \$250,000. City staff plans to bid out the labor for this project in June 2024. The construction for this project is planned to begin in August 2024, with a four-month project duration.

Distribution Wood Poles

Company Name	Submitted Bid
Wesco Distribution	\$35,093.03
Border States	No Bid
State Electric	No Bid

Distribution Wire

Company Name	Submitted Bid
Border States	\$123,185.20
Wesco Distribution	\$126,754.47
State Electric	No Bid

Recommendation

City Staff recommends that Shelby City Council approve the resolution awarding the bid for the Station 8 Copper Reconductoring Project materials to Wesco Distribution in the amount of \$35,093.03 for wood poles and Border States in the amount of \$123,185.20. The total amount of these two bids combined is \$158,278.23. The funding for these materials is already available in the System Improvements account of the Electric Line FY 2024 budget.

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

Attachments:

- Border States Substation 8 Material Bid
- Wesco Distribution Substation 8 Material Bid



**CITY OF SHELBY – STATION 8 COPPER RECONDUCTOR
ELECTRICAL COMPONENTS**

REQUEST FOR PROPOSAL

**CITY OF SHELBY PURCHASING DEPARTMENT
824 W Grover Street
Shelby, North Carolina 28152**

REQUEST FOR PROPOSALS
STATION 8 COPPER RECONDUCTOR
ELECTRICAL COMPONENTS
CITY OF SHELBY ELECTRIC DEPARTMENT
824 W Grover Street
Shelby, North Carolina 28150

April 3, 2024

To All Interested Bidders:

Bidders are invited to submit Bids for electrical components for the above referenced project with the attached General Conditions and Specifications.

Please submit one original signed copy of the quotes. Faxed or emailed Proposals will be accepted.

If any questions arise from the RFP, the bidder may submit to City of Shelby Electric Department 824 W. Grover Street Shelby NC 28150. C/O Marcus Kennedy. Any interpretation documents will be made by addendum to the RFP. All questions should be emailed to marcus.kennedy@cityofshelby.com.

Proposals will be received in the City of Shelby Purchasing Office until **2:00 pm, on April 18th, 2024**. All Proposals shall be clearly marked with STATION 8 COPPER RECONDUCTOR – ELECTRICAL COMPONENTS. Immediately following the closing of the RFP, the City of Shelby Purchasing Department will publicly open bids at the City of Shelby UOC Building 824 W Grover Street Shelby NC, 28150.

All Proposals must be delivered to the following address:

City of Shelby Purchasing Department
Attn: Caleb Carpenter
824 W Grover Street
Shelby, NC 28150

Proposals will be opened at the time and date, and location indicated above. The Proposals shall remain firm for not less than thirty (30) calendar days from the date of receipt of the Proposal. Bidders guarantee that all goods and services meet the requirements of the solicitation during the contract period.

**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Recondutor**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer Catalog No. Item Bid	Price Each	Extended Price
Distribution Wood Poles							
1	12	ea.	Pole : 35-5	Per City Specifications		NO QUOTE	
2	13	ea.	Pole : 40-3	Per City Specifications		NO QUOTE	
3	52	ea.	Pole : 45-3	Per City Specifications		NO QUOTE	
Distribution Wire							
1	3780' 3-500'	ft.	#6 Solid Bare Cu. Pole Grd. 315' reels	Stock	Southwire 6 Sol Bare	.66/Ft	2494.80
2	500' 350'	ft.	Transformer Riser Wire #4 Solid 500' reels	Stock	Nehring - 4 Riser wire	1.48/Ft	740.00
3	1962' 2-200'	ft.	#4 Solid Aluminum Tie Wire 654' per box (3x25# box)	Stock Per City Specifications	Nehring - 4 Alum Tie	4.13/per lb	309.75
4	671865' 64000'	ft.	#2 ACSR, Sparrow 9695' reels	3-4 weeks Per City Specifications	Nehring - Sparrow	.27/per ft	18,323.55
5	6095' 1-000'	ft.	1/0 ACSR Raven 6095' reel	3-4 weeks Per City Specifications	Nehring - Raven	.40/per ft	2438.00
6	3600' 3-300'	ft.	1/0 TPX * Quoting 1/0 OH - Newitina	3-4 weeks Per City Specifications	Priority - Neritine	1.47/per ft	5292.00
7	500' 400'	ft.	#6 DPX 1x500' coil	Stock Per City Specifications	Priority - Shepherd	.46/Ft	230.00
8	3000' 2-300'	ft.	4/0 TPX * Quoting 4/0 OH - Zuzara	3-4 weeks Per City Specifications	Priority - Zuzara	2.74/per ft	8220.00
9	1100' 200'	ft.	4/0 OPX * Quoting 4/0 OH - Appalosa	3-4 weeks Per City Specifications	Priority - Appalosa	3.67/per ft	4037.00
10	5965' 3-000'	ft.	336.4 ACSR Merlin 5965' reel	3-4 weeks Per City Specifications	Nehring - Merlin	1.02/per ft	6084.30

City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconnector

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer Catalog No. Item Bid	Price Each	Extended Price
Hardware & Equipment							
1	100	ea.	Compression Connectors	Blackburn WR159	Bundy YH0100	.84	84.00
2	15	ea.	Guy Strain Insulator, 24 in. <i>Quoting 36"</i>	Per City Specifications	Maclean GTE15-36	24.38	365.70
3	86	ea.	Guy Strain Insulator, 72 in. <i>Quoting 78"</i>	Per City Specifications	Maclean GTE15-78	28.96	2490.56
4	50	ea.	Ground Rod	Per City Specifications	Erico 615880	19.73	986.50
5	50	ea.	Ground Rod Clamp	Per City Specifications	Bundy GRCS58	2.31	115.50
6	3	ea.	Cluster Bracket Mounts for Transformers	Aluma-Form #15M3-6	15M3-6	628.32	1884.96
7	320	ea.	Medium Wedge Clamps <i>20-4/6</i>	Per City Specifications	Maclean 7197	3.28	1049.60
8	15	ea.	6 Pin 10 ft. 0 in. Crossarm Fiber, Tangent <i>3 1/2 x 4 1/2 x 10'</i>	Per City Specifications	Shakespeare HTB120N12602	293.85	4407.75
9	25	ea.	6 Pin 8 ft. 0 in. Crossarm Fiber Tangent <i>3 1/2 in. x 4 1/2 in. x 8 ft.</i>	Per City Specifications	Shakespeare STB096N12602	200.03	5000.75
10	25	ea.	6 Pin 10 ft. 0 in. Crossarm Fiber, Deadend <i>4 in. x 7 1/2 in. x 10 ft.</i>	Per City Specifications	Shakespeare XDB120G12402	567.23	14,180.75
11	100	ea.	Guy Markers	Per City Specifications	EMC 70-7Y	4.48	448.00
12	160	ea.	Insulator: 15 kV Pin Type, Polymer	Per City Specifications	Hendrix HPI-55-3	6.31	1009.60
13	105	ea.	Steel Crossarm Pin, Short Shank	Per City Specifications	Maclean J203Z	6.13	643.65
14	240	ea.	Insulator: 15 kV Class Suspension, Polymer	Per City Specifications	Maclean DS15M	16.39	3933.60
15	58	ea.	Machine Bolt: 3/4 in. x 14 in.	Per City Specifications	Maclean J8914	7.29	422.82
16	60	ea.	Machine Bolt: 3/4 in. x 12 in.	Per City Specifications	Maclean J8912	5.72	343.20
17	40	ea.	Machine Bolt: 5/8 in. x 10 in.	Per City Specifications	Maclean J8810	1.99	79.60
18	50	ea.	Machine Bolt: 5/8 in. x 12 in.	Per City Specifications	Maclean J8812	2.27	113.50
19	60	ea.	Machine Bolt: 5/8 in. x 14 in.	Per City Specifications	Maclean J8814	2.55	153.00


City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconductor

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer		Extended Price
					Catalog No.	Item Bid	
20	180	ea.	Bolt: Oval Eye 5/8 in. x 12 in.	Per City Specifications	Macleon J9412	5.44	979.20
21	150	ea.	Bolt: Oval Eye 5/8 in. x 14 in.	Per City Specifications	Macleon J9414	5.78	867.40
22	102	ea.	Oval Eye Nut 5/8 in.	Per City Specifications	Macleon J1092	3.45	351.90
23	75	ea.	Washer: Curved 3/16 in.	Per City Specifications	Macleon J6823	2.22	166.50
24	615	ea.	Washer: Square 2 1/4 in. sq. x 3/16 in.	Per City Specifications	Macleon J1075	.75	461.25
25	77	ea.	Anchor, Shackle	Per City Specifications	Macleon J2742	9.08	699.16
26	10	ea.	Oval Eye Nut: 3/4 in.	Per City Specifications	Macleon J1093	3.57	35.70
27	300	ea.	Deadend Strain Clamp #2 ACSR	Per City Specifications	Macleon AS0-398-1-N	11.41	3423.00
28	30	ea.	Deadend Strain Clamp 336.4 ACSR	Per City Specifications	Macleon AS0-898-1-N	22.21	666.30
29	42	ea.	Fuse Cutout *Rudky 15KV, 100A	Per City Specifications	Macleon 89021R108M	142.21	5972.82
30	30	ea.	Lightning Arresters	Per City Specifications	Macleon 24H010C00100	54.58	1637.40
31	420	ea.	Preformed Guy Deadend: 3/8 in. Strand	Per City Specifications	Preformed 602-1107	3.30	1386.00
32	96	ea.	Anchor: Single Helix, 8 in.	Per City Specifications	Hubbell E1020819	54.57	5229.12
33	96	ea.	Anchor Rod: 3/4 in. Dia. with Twineye Nut	Per City Specifications	Macleon D-75-D	34.04	3267.84
34	15	ea.	Wildlife Guard	Per City Specifications	Hubbell BC-15023	57.20	858.00
35	250	ea.	Spring Lock Washer 5/8 in.	Macleon Power J139	J139	.17	42.50
36	25	ea.	Double Arming Bolt: 20 in.	Per City Specifications	Macleon J5870	6.80	170.00
37	230	ea.	Guy Hooks	Hubbell GHS	Macleon P135A	6.86	1577.80
38	40	ea.	Insulated Clevis	Per City Specifications	Macleon J252	8.76	350.40
39	40	ea.	Porcelain Spool Insulator	Per City Specifications	Hendrix HPE-58-2	1.73	69.20
40	4	ea.	18 in. MIF Bracket - Equipment Mount	Aluma-Form FICA-MV-H18-CA	Macleon G1MA0119DD	97.20	97.20

**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconnector**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer		Price Each	Extended Price
					Catalog No.	Item Bid		
41	55	ea.	Pole Top Pin: 20 in. x 1 in.	Stock	Per City Specifications	Alumform AF740	14.27	784.85
42	30	ea.	Screw Lag: 1/2 in. x 4 in.	6-8 weeks	Per City Specifications	Maclean J8754	1.17	35.10
43	20	ea.	Sidewalk Clamp End Fitting	Stock	SWG2-20-5	SW62-20-5	26.11	522.20
44	20	ea.	Pipe Assembly: 10 ft. Steel 2 in. Pipe	Stock	Per City Specifications	Allied 2" GR-C	112.60/per 10' stick	2252.00
45	120	ea.	Servit Ground Connector #6 Solid	4-5 weeks	KS17 Burndy	KS17	1.63	195.60
46	95	ea.	Aluminum Overhead Stirrup Clamp	20-22 weeks	Per City Specifications	Hubbell AHL50209E	25.08	2382.60
47	95	ea.	Aluminum Hot Line Clamp	20-22 weeks	Per City Specifications	Hubbell AH4GP	23.06	2190.70
48	21	ea.	Automatic Splices	Stock	ATS4	Maclean 7652AP	8.02	168.42
49	1	box	Cut Point Staples (500 per box)	8-10 weeks	Per City Specifications	Maclean J1672G	387.50	387.50
50	50	ea.	Compression Connectors	Stock	WR279	Burndy YHDY	1.51	75.50

Total Lump Sum Price **\$123,185.20**

Company Name Border States Electric
 Authorized Signature 
 Date 4/15/24



**CITY OF SHELBY – STATION 8 COPPER RECONDUCTOR
ELECTRICAL COMPONENTS**

REQUEST FOR PROPOSAL

**CITY OF SHELBY PURCHASING DEPARTMENT
824 W Grover Street
Shelby, North Carolina 28152**

REQUEST FOR PROPOSALS
STATION 8 COPPER RECONDUCTOR
ELECTRICAL COMPONENTS
CITY OF SHELBY ELECTRIC DEPARTMENT
824 W Grover Street
Shelby, North Carolina 28150

April 3, 2024

To All Interested Bidders:

Bidders are invited to submit Bids for electrical components for the above referenced project with the attached General Conditions and Specifications.

Please submit one original signed copy of the quotes. Faxed or emailed Proposals will be accepted.

If any questions arise from the RFP, the bidder may submit to City of Shelby Electric Department 824 W. Grover Street Shelby NC 28150. C/O Marcus Kennedy. Any interpretation documents will be made by addendum to the RFP. All questions should be emailed to marcus.kennedy@cityofshelby.com.

Proposals will be received in the City of Shelby Purchasing Office until **2:00 pm, on April 18th, 2024**. All Proposals shall be clearly marked with STATION 8 COPPER RECONDUCTOR – ELECTRICAL COMPONENTS. Immediately following the closing of the RFP, the City of Shelby Purchasing Department will publicly open bids at the City of Shelby UOC Building 824 W Grover Street Shelby NC, 28150.

All Proposals must be delivered to the following address:

City of Shelby Purchasing Department
Attn: Caleb Carpenter
824 W Grover Street
Shelby, NC 28150

Proposals will be opened at the time and date, and location indicated above. The Proposals shall remain firm for not less than thirty (30) calendar days from the date of receipt of the Proposal. Bidders guarantee that all goods and services meet the requirements of the solicitation during the contract period.

**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconductor**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer		Price Each	Extended Price
					Catalog No.	Item Bid		
Distribution Wood Poles								
1	12	ea.	Pole : 35-5	Per City Specifications	35/5		\$252.67	\$3,032.04
2	13	ea.	Pole : 40-3	Per City Specifications	40/3		\$408.91	\$5,315.83
3	52	ea.	Pole : 45-3	Per City Specifications	45/3		\$514.33	\$26,745.16
Distribution Wire								
1	3,500	ft.	#6 Solid Bare Cu. Pole Grd.	Per City Specifications		Generic Cable	\$0.50	\$1,750.00
2	350	ft.	Transformer Riser Wire #4 Solid	Per City Specifications		4-01SOL110MIL-PE	\$1.56	\$546.00
3	2,000	ft.	#4 Solid Aluminum Tie Wire 1,953; 3 X 65' reels	Per City Specifications		F4SOLSDALUM-BK	\$0.18	\$351.54
4	64,000	ft.	#2 ACSR, Sparrow 67,865; 7 X 9695' Standard Wooden Reel	Per City Specifications		2ACSR-6/1 Sparrow	\$0.24	\$15,360.00
5	1,000	ft.	1/0 ACSR Raven	Per City Specifications		1/0ACSR-6/1 Raven	\$0.43	\$430.00
6	3,300	ft.	1/0 TPX	Per City Specifications		1/0-03ALUM-OH-XLP Neritina	\$1.19	\$3,927.00
7	400	ft.	#6 DPX	Per City Specifications		6-02ALUM-OH Sheperd XLP	\$0.22	\$88.00
8	2,200	ft.	4/0 TPX	Per City Specifications		4/0-03ALUM-OH-XLP Zuzara	\$2.26	\$4,972.00
9	200	ft.	4/0 OPX	Per City Specifications		4/0-04ALUM-OH-XLP Apaloosa	\$3.05	\$610.00
10	3,000	ft.	336.4 ACSR Merlin	Per City Specifications		336.4ACSR-18/1 Merlin	\$1.13	\$3,390.00

**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconnector**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer Catalog No. Item Bid	Price Each	Extended Price
Hardware & Equipment							
1	100	ea.	Compression Connectors	WR159	Blackburn WR159	\$0.75	\$75.00
2	15	ea.	Guy Strain Insulator, 24 in.	Qty 20	Per City Specifications GS16024CC2	\$29.75	\$595.00
3	86	ea.	Guy Strain Insulator, 72 in.		Per City Specifications GS30072CC2	\$63.67	\$5,475.62
4	50	ea.	Ground Rod		Per City Specifications 615880	\$18.74	\$937.00
5	50	ea.	Ground Rod Clamp		Per City Specifications G-5	\$1.58	\$79.00
6	3	ea.	Cluster Bracket Mounts for Transformers		Aluma-Form #15M3-6	\$446.90	\$1,340.70
7	320	ea.	Medium Wedge Clamps		Per City Specifications 7187	\$2.80	\$896.00
8	15	ea.	6 Pin 10 ft. 0 in. Crossarm Fiber, Tangent		Per City Specifications FTA25-4-120-A-HGM	\$243.18	\$3,647.70
9	25	ea.	6 Pin 8 ft. 0 in. Crossarm Fiber Tangent		Per City Specifications FTA25-4-96-A-IP	\$210.64	\$5,266.00
10	25	ea.	6 Pin 10 ft. 0 in. Crossarm Fiber, Deadend		Per City Specifications FDA30-2-120-EB-IP-FG	\$337.00	\$8,425.00
11	100	ea.	Guy Markers		Per City Specifications 70-7Y	\$4.20	\$420.00
12	160	ea.	Insulator: 15 kV Pin Type, Polymer		Per City Specifications INS-15-PF-1	\$5.40	\$864.00
13	105	ea.	Steel Crossarm Pin, Short Shank		Per City Specifications J222Z	\$9.20	\$966.00
14	240	ea.	Insulator: 15 kV Class Suspension, Polymer		Per City Specifications DEI-15	\$14.25	\$3,420.00
15	58	ea.	Machine Bolt: 3/4 in. x 14 in.	Qty 100	Per City Specifications AF8914	\$3.96	\$396.00
16	60	ea.	Machine Bolt: 3/4 in. x 12 in.	Qty 75	Per City Specifications AF8912	\$3.62	\$271.50
17	40	ea.	Machine Bolt: 5/8 in. x 10 in.	Qty 50	Per City Specifications AF8810	\$1.95	\$97.50
18	50	ea.	Machine Bolt: 5/8 in. x 12 in.		Per City Specifications AF8812	\$1.85	\$92.50
19	60	ea.	Machine Bolt: 5/8 in. x 14 in.		Per City Specifications AF8814	\$2.69	\$161.40


**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Recondutor**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer		Extended Price	
					Catalog No.	Item Bid		
20	180	ea.	Bolt: Oval Eye 5/8 in. x 12 in.	Qty 200	AF9412		\$3.79	\$758.00
21	150	ea.	Bolt: Oval Eye 5/8 in. x 14 in.		AF9414		\$4.99	\$748.50
22	102	ea.	Oval Eye Nut 5/8 in.		5876		\$1.67	\$170.34
23	75	ea.	Washer: Curved 3/16 in.	Qty 100	AF6823		\$1.35	\$135.00
24	615	ea.	Washer: Square 2 1/4 in. sq. x 3/16 in.		AF1076		\$0.67	\$412.05
25	77	ea.	Anchor, Shackle		J2742		\$7.75	\$596.75
26	10	ea.	Oval Eye Nut: 3/4 in.	Qty 50	AF1093		\$2.90	\$145.00
27	300	ea.	Deadend Strain Clamp #2 ACSR		ASO-398-1N		\$11.34	\$3,402.00
28	30	ea.	Deadend Strain Clamp 336.4 ACSR		ASO-684-1N		\$17.18	\$515.40
29	42	ea.	Fuse Cutout		CSG15-100A-110-CB-10KA		\$94.47	\$3,967.74
30	30	ea.	Lightning Arresters		215ELA10		\$116.25	\$3,487.50
31	420	ea.	Preformed Guy Deadend: 3/8 in. Strand		GDE-1107		\$3.11	\$1,306.20
32	96	ea.	Anchor: Single Helix, 8 in.					
33	96	ea.	Anchor Rod: 3/4 in. Dia. with Twineye Nut					
34	15	ea.	Wildlife Guard					
35	250	ea.	Spring Lock Washer 5/8 in.		J139		\$0.15	\$37.50
36	25	ea.	Double Arming Bolt: 20 in.		AF8870		\$4.23	\$105.75
37	230	ea.	Guy Hooks	Qty 250	GH5		\$9.50	\$2,375.00
38	40	ea.	Insulated Clevis		J1300		\$12.50	\$500.00
39	40	ea.	Porcelain Spool Insulator		INS-53-2		\$1.93	\$77.20
224	4	ea.	18 in. MIF Bracket - Equipment Mount		F1CA-MV-H18-C4		\$273.75	\$1,095.00

**City of Shelby, North Carolina
List of Owner Furnished Material List
Station #8 Copper Reconnector**

Item No.	Quantity	Unit	Description	Stock No.	Manufacturer		Price Each	Extended Price
					Catalog No.	Item Bid		
41	55	ea.	Pole Top Pin: 20 in. x 1 in.	Qty 60	J740Z		\$14.25	\$855.00
42	30	ea.	Screw Lag: 1/2 in. x 4 in.	Per City Specifications	106M-PILOTPOINT		\$0.15	\$4.50
43	20	ea.	Sidewalk Clamp End Fitting	SWG2-20-5	SWG2205		\$28.51	\$570.20
44	20	ea.	Pipe Assembly: 10 ft. Steel 2 in. Pipe	Per City Specifications				
45	120	ea.	Servit Ground Connector #6 Solid	KS17 Burndy	KS17		\$1.05	\$126.00
46	95	ea.	Aluminum Overhead Stirrup Clamp	Per City Specifications	AHLS397021E		\$33.99	\$3,229.05
47	95	ea.	Aluminum Hot Line Clamp	Per City Specifications	C-1520		\$11.44	\$1,086.80
48	21	ea.	Automatic Splices	Qty 100 ATS4	7652APCRS		\$7.88	\$788.00
49	1	box	Cut Point Staples (500 per box)	Per City Specifications	J1672		\$246.00	\$246.00
50	50	ea.	Compression Connectors	WR279	WR279		\$1.41	\$70.50

Total Lump Sum Price \$126,754.47

Company Name WESCO Distribution
 Authorized Signature 
 Date 4/17/24

RESOLUTION NO. 34 – 2024

**A RESOLUTION AWARDING THE CONTRACTS FOR THE
ELECTRIC MATERIAL ORDER FOR SUBSTATION 8 RECONDUCTORING**

WHEREAS, the City of Shelby operates an electric distribution system with a goal of providing safe and reliable electric service to its customers; and,

WHEREAS, an Electric System Study was completed in 2016 that revealed a need to replace approximately 47,000 feet of old # 4 and # 6 copper conductors with modern aluminum conductors, which are less expensive and more reliable; and,

WHEREAS, Substation 10 was completed in December 2023 and Substation 8 is the next of the four total substations to be recondotored; and,

WHEREAS, the project will consist of recondotoring approximately 7,000 feet of copper wire within circuits from Substation 8 with larger aluminum conductors; and,

WHEREAS, the City staff and Progressive Engineering Consultants Inc. have prepared complete design documents with a material list for the recondotoring of the circuits from Substation 8, and;

WHEREAS, The City of Shelby advertised and sent the material list to vendors on April 2, 2024 with a bid opening scheduled for April 18, 2024; and,

WHEREAS, at the bid opening held on April 18, 2024, Wesco Distribution was the lowest responsive bidder in the amount of \$35,093.03 for the distribution wood poles, and Border States was the lowest responsive bidder in the amount of \$123,185.20 for the distribution wire and appurtenances for a combined total of the two bids equaling \$158,278.23.

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

Section 1. The contracts for the electric material order for City of Shelby’s Substation 8 Recondotoring Project, as outlined in the bid specifications for this offering, is hereby awarded to Wesco Distribution in the amount of \$35,093.03 for the distribution wood poles, and to Border States in the amount of \$123,185.20 for the distribution wire and appurtenances, 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 May, 2024.

Resolution No. 34-2024
May 6, 2024
Page 2

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: E-2

- 2) Approval of a resolution authorizing the City Manager to negotiate a contract for a consultant to update the Comprehensive Land Use Plan: Resolution No. 35-2024

New Business Item: (Rick Howell, City Manager; Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated May 1, 2024, from Justin Longino, Assistant City Manager to Rick Howell, City Manager
- City of Shelby Comprehensive Land Use Plan Proposal
- Request for Qualifications
- Rating Sheet used for Evaluations
- Resolution No. 35-2024

City Manager's Recommendation / Comments

Resolution No. 35-2024 is presented for City Council consideration at this time. If approved this resolution would authorize the selection of Stewart based on qualifications for the development of an updated Comprehensive Land Use Plan for the City.

Staff has conducted a thorough RFQ selection process using objective criteria in the review of the 8 proposals submitted by competing firms. I have great confidence in our process and in the staff who participated in the process.

It is my recommendation that Resolution No. 35-2024 be adopted and approved by City Council at this time.

TO: Mr. Rick Howell, City Manager

FROM: Justin Longino, Assistant City Manager

DATE: May 1, 2024

SUBJECT: Comprehensive Land Use Plan Update

Background

On March 4, 2024 the City released an RFQ (Request for Qualifications) to receive proposals from qualified firms to update the City's Comprehensive Land Use Plan (comp plan). This plan was originally adopted in 2009 and NCGS 160D-501 requires that comp plans be "reasonably updated." With the age of the plan and ongoing growth and development within the City, an update to this plan is certainly needed.

The RFQ was advertised for 30 days; submittals were due April 5, 2024. We received 8 proposals from qualified consulting firms. The companies ranged in size and price. The lowest firm quoted \$81,400 and the highest firm quoted \$200,000. Because we used the RFQ process, our goal was to choose a firm that most closely aligned with our needs as a city and not solely on price. Factors used in the evaluation process were (as spelled out in the RFQ; a blank rating sheet is attached):

- Advanced Comprehensive Planning: experience, skills, similar cities, etc.
- Public Participation: experience and skills in *meaningful* participation
- Economic Vitality: strategies and programs for improving the economic vitality of Shelby.

The group of evaluators consisted of City staff from administration, planning, utilities, and economic development. Opinions varied on the top firm, though we mostly agreed on the top 4. We discussed the firms various qualifications, experience, and ability to meet the needs of the community for about 1.5 hours.

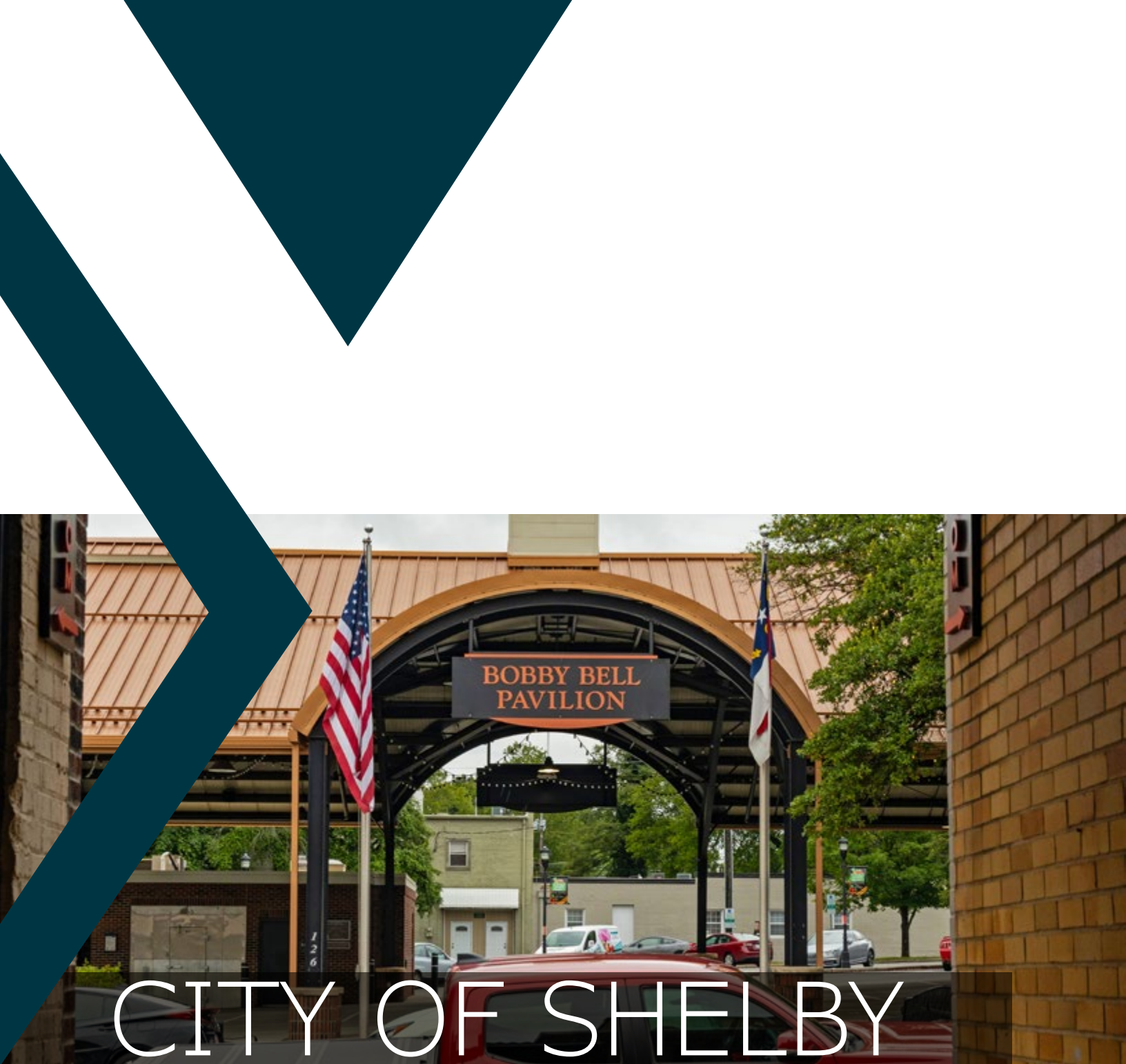
Recommendation

Our recommendation is to move forward with Stewart (proposal attached) and negotiate a final contract with this firm. Their quoted price was \$127,000. We felt as though *every* firm could benefit from a meeting with staff to discuss specific public participation strategies in more detail, and the selected firm had an already solid approach to engagement (page 20 of their proposal). Stewart has recently worked with Clayton (population 23,000), Brevard (population 8,000), Huntersville (population 62,000), and Pittsboro (population 5,000), among others and has great past experience as well. These jurisdictions have populations

and growth trends similar to Shelby's. Stewart's main office is in Raleigh, NC. However, they would partner with a firm based in Charlotte (Boudreaux) for public engagement, economic development, and other resources. This type of partnership with comp plans is typical. We feel both firms' experience will be beneficial, their price is competitive, and the deliverable will meet our needs. Boudreaux's proximity to us will also be beneficial for public engagement activities.

Attachments

- Stewart proposal
- Request for Qualifications
- Blank rating sheet used for evaluation



CITY OF SHELBY

Comprehensive Land Use Plan

April 5, 2024



Prepared for:



City of Shelby
Attn: Justin Longino

300 South Washington Street
Shelby, NC 28151

STEWART

223 S. West Street
Suite 1100
Raleigh, NC 27603

April 5, 2024

City of Shelby
Justin Longino, Assistant City Manager
submitted via email to justin.longino@cityofshelby.com

RE: Request for Qualifications for a Comprehensive Land Use Plan

Mr Longino,

The City of Shelby is beginning an essential process of conducting a comprehensive land use planning process. Since the last comprehensive land use plan was adopted in 2009, the City has undergone major changes. In 2023, Site Selection Magazine named Shelby the number one small town in North Carolina and number nine in the nation due to economic development success. A strategic update of the Comprehensive Land Use Plan can help guide the City of Shelby into it's next phase of development while building on it's roots that have created a strong, prosperous community.

As you will see in this statement of qualifications, our planning process will be driven by a robust community engagement process involving residents, business owners, staff, and other key stakeholders. We will use this input to develop a new user-friendly and highly visual plan that will guide and manage growth, land use, infrastructure, open space, and recreational efforts over the next 10 to 20 years.

STEWART is well-positioned to provide the City with an innovative community engagement strategy and a well-managed, clear process, which will lead to visually engaging guidance documents with actionable strategies that assist with implementation. Our firm's recent experience includes projects in Harrisburg, Huntersville, Brevard, Johnston County, Lillington, Smithfield, Clayton, Pittsboro, Franklin County, and many more. To supplement our experience, we have included **BOUDREAU** on the team to lend their expertise related to citizen and *stakeholder engagement*, *historic preservation* and *architectural design* - three things that will be important to a successful process and product.

AS YOU REVIEW OUR PROPOSAL, CONSIDER THE FOLLOWING BENEFITS THIS TEAM OFFERS YOU:

- **Experienced Planning and Landscape Architecture Team** - Our staff is proficient in comprehensive planning, zoning, and GIS mapping, and understands the interplay between land use, potential growth/preservation areas, infrastructure needs, and other elements necessary to craft an effective plan that addresses priorities.
- **Focus on Small to Mid-Sized Communities** - Our team specializes in helping small- to mid-size communities modernize land use policies and regulations to create stronger, more environmentally sensitive and fiscally sound futures. In addition, Stewart understands the complexities of allocating financial resources to achieve large visions. Accordingly, Stewart will work with the City to meet the project schedule and budgetary requirements of the project.
- **Core Values** - Stewart has developed a rich culture of servant leadership that closely aligns with the services that local governments provide. Our core values of Trust, Humility, Respect, Excellence, Accountability, and Discipline, or THREAD, drive the way we interact with our clients, partners, and coworkers.
- **Focus on Collaboration** - We collaborate with other consultants through every phase in order to bring everyone's expertise to the table for a richer experience. We work with consultants with whom we have previously worked and have developed a strong relationship. Stewart and Boudreaux have collaborated on nearly 10 plans in the past 5 years.

We are excited for the opportunity to provide planning services for this project and look forward to your favorable consideration. Please do not hesitate to call or email me with any questions or comments.

Sincerely,
STEWART



Jake Petrosky, AICP
Associate Vice President | Practice Leader, Community Planning
Principal-in-Charge/Project Manager

STEWART'S CONTACT PERSON

Jake Petrosky, AICP

223 S. West Street
Raleigh, NC 27603
919.866.4812 • jpetrosky@stewartinc.com

STEWART FIRM OVERVIEW

Strengthening communities by serving, leading, and working in a creative and collaborative way.

Stewart is located throughout the Carolinas, comprising nearly 175 employees with seven office locations. With a unique interdisciplinary collaborative approach that results in stronger and more creative design solutions, Stewart serves domestic and international clientele, offering a full range of services to meet the needs of our clients, including:

- Civil Engineering
- **Community Planning**
- Geomatics
- Landscape Architecture
- Structural Engineering
- Transportation

Founded in 1994 by Willy E. Stewart, PE, the firm is owned by a select group of professionals who are personally involved in our clients' success.

Stewart has developed a rich culture of servant leadership, summarized by the acronym, THREAD: Trust, Humility, Respect, Excellence, Accountability, Discipline. These core values are at the heart of how we work with each other, our clients, our partners, and our community. THREAD has evolved into a curriculum that is taught to employees through our THREAD Institute.

The company has been recognized multiple times as a Best Place to Work in the Triangle and Charlotte markets by American City Business Journals. *Engineering News-Record* has nationally recognized Stewart as a Top 500 Design Firm since 2019.



STEWART

ORGANIZATION

Stewart is an S-Corp

SIZE

175 employees

OFFICE LOCATION

Headquarters

Downtown Raleigh
223 S. West Street
Suite 1100
Raleigh, NC 27603
919.380.8750

SCOPE OF WORK

- Land Use and Urban Design
- Public Engagement
- Historic Preservation
- Environmental Planning
- Infrastructure and Transportation

BOUDREAUX FIRM OVERVIEW

Stewart and BOUDREAUX have partnered on 14 projects since 2020, including the Fountain Inn Comprehensive Plan, and Surfside Beach Comprehensive Plan.

WE CULTIVATE RELATIONSHIPS. We create with flair. Our technique encourages exploration, and we challenge ourselves to deliver more than you expect.

WE DESIGN INSPIRING PLACES. We do it together. Collaboration is at our core and we appreciate our firm family and the organizations we serve.

WE ENRICH COMMUNITIES. Serving local governments is a particular area of passion for BOUDREAUX. Whether master planning a city, re-imagining existing spaces, preserving a historic structure or designing administrative offices from scratch, we are skilled at building consensus amongst diverse stakeholders. We plan and design spaces that reinforce the values of your community with a belief that good design does not have to be expensive.

Our master planning starts with getting to know your community, its personality, history and aspirations. With a certified planner at the helm, our efforts are distinguished by broad and engaging stakeholder input. Our ability to listen to diverse voices and build enthusiasm toward a shared vision lays the foundation for meaningful planning. We set a road map for the future, one that is most importantly implementable.



ORGANIZATION

BOUDREAUX is an C-Corp

SIZE

22 employees

OFFICE LOCATION

2459 Wilkinson Blvd
Charlotte, NC 28208
704.837.0080

SCOPE OF WORK

- Public Engagement
- Economic Development
- Downtown
- Cultural Resources
- Historic Preservation
- Architectural Design

COMMUNITY PLANNING OVERVIEW

Stewart’s community planning team responds to our clients’ needs for building healthy, equitable, resilient, and connected communities. Now, more than ever, our towns, cities, and counties are adapting to changing demographics, land use trends, environments, and technologies.

Many firms can write and update land use plans and development codes. Stewart is different in that we also utilize these documents on a daily basis. Stewart brings together planners, urban designers, landscape architects, and engineers to provide a data-driven and design-oriented approach that results in better plans and stronger communities. Our planners work with municipalities and counties across the Carolina's, focusing on small to mid-sized communities and building on Stewart’s firm-wide focus of interdisciplinary collaboration.

As former public sector planners, we also possess insight into the complexities of governing. Our experience allows us to manage competing interests, clearly explain complex concepts, and develop realistic implementation strategies. We consistently strive to build long-lasting relationships with our clients and the communities where we work.

SERVICES

Long Range Services

- Comprehensive and Land Use Plans
- Small Area Plans
- Urban Design
- Downtown and Streetscape Plans
- CAMA Land Use Plans
- GIS Mapping
- Scenario Planning / Land Use Suitability Analysis

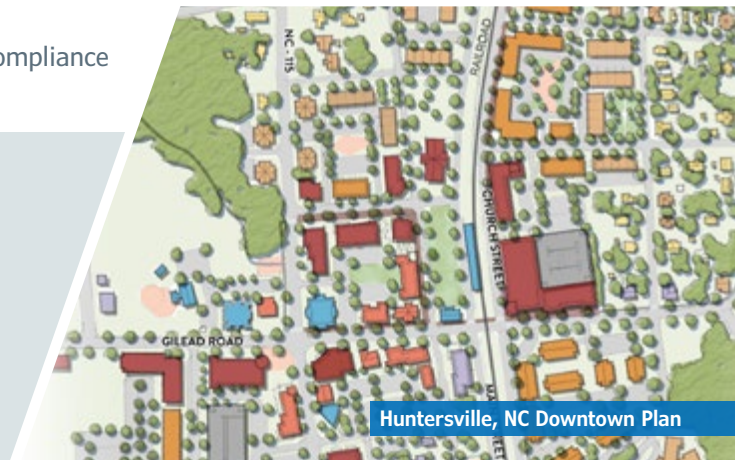
- Historic Preservation
- Community Engagement and Meeting Facilitation

Current Planning Services

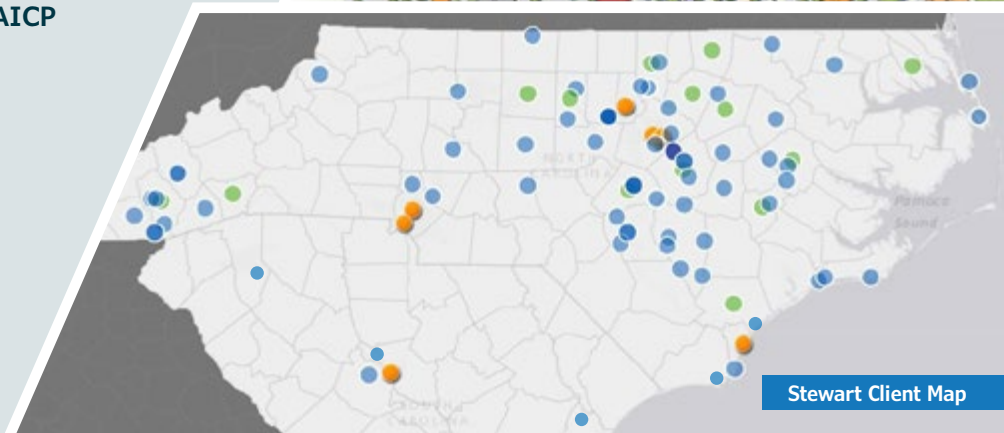
- Land Development Ordinance Assessments
- Unified Development Ordinances
- Code Writing
- Development Plan Compliance Review



Fountain Inn Public Engagement



Huntersville, NC Downtown Plan



Stewart Client Map

MEET THE TEAM



JAKE PETROSKY, AICP
 Practice Leader, Community Planning
 jpetrosky@stewartinc.com
 919.866.4812



ANDREA RADFORD
 Planning Team Lead
 aradford@stewartinc.com
 919.866.4743



JAQUASHA COLON, AICP
 Planner I
 jcolon@stewartinc.com
 919.866.4780

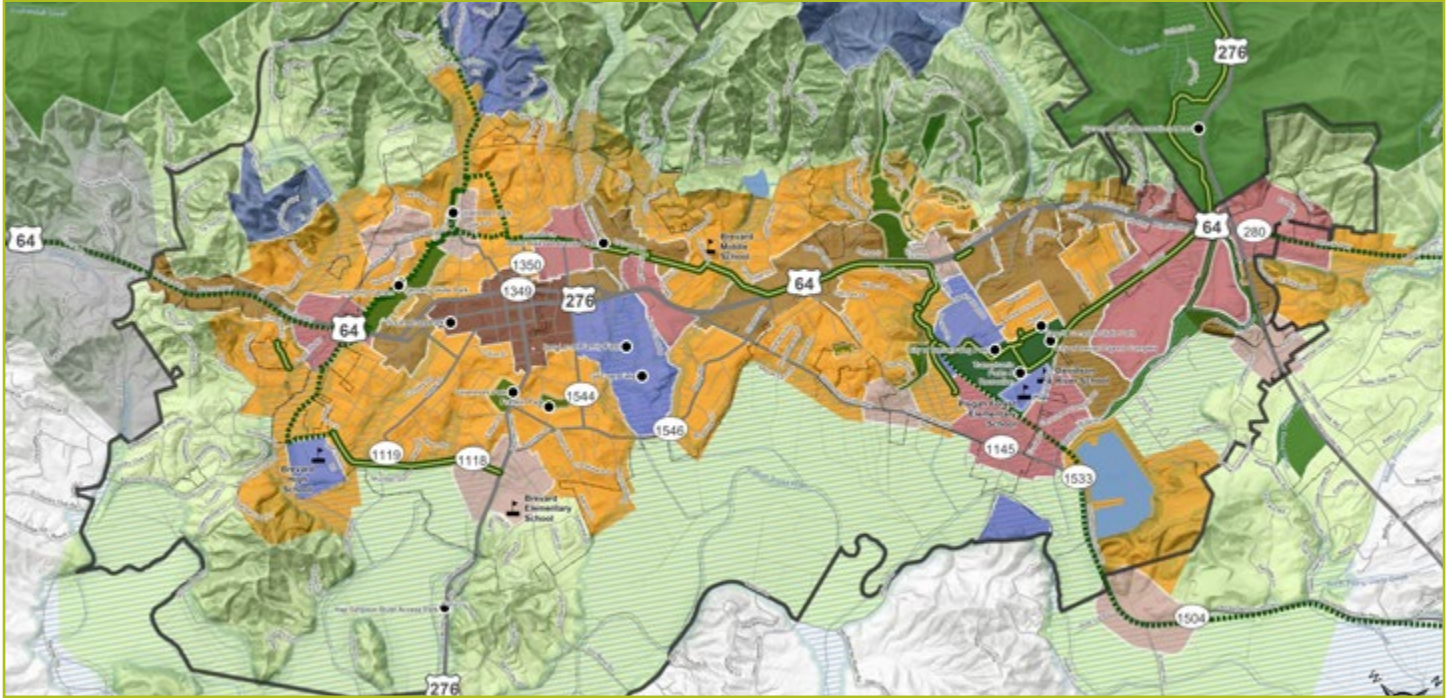


BECCA MOUNTZ
 Planner I
 bmountz@stewartinc.com
 919.866.4785



RACHEL MANN, CZO
 Planner II
 rmann@stewartinc.com
 919.866.4761

COMPREHENSIVE LAND USE PLAN
 BREVARD, NORTH CAROLINA



CLIENT REFERENCE

City of Brevard
 Paul Ray
 95 W. Main Street
 Brevard, NC
 828.885.5630
 paul.ray@cityofbrevard.com

LENGTH OF PROJECT

Start: December 2021
 Completion: May 2023

POPULATION

8,000

SIZE

5.36 mi²

PROJECT OVERVIEW

The City of Brevard recently completed a major update of its Comprehensive Plan. Housing has become a major issue for this popular mountain town, where buildable lands are limited, visitor demand for short-term rentals is high, and large-scale multi-family projects are seen by some as a threat to the small-town charm. The plan includes a new framework for land use and development that acknowledges environmental constraints and limited developable area. A form-based approach to new regulations encourages missing middle housing, walkability and downtown revitalization. Health and active transportation projects were priorities to continue making the City a world-class outdoor recreation destination. Input from the Rosenwald community, a historically African-American neighborhood on the north side of downtown was sought and used to develop affordable housing and neighborhood improvement recommendations.



STEWART

COMPREHENSIVE PLAN UPDATE
 CLAYTON, NORTH CAROLINA



CLIENT REFERENCE

Town of Clayton
 Patrick Pierce, MPA, CEcD
 Economic Development Director
 111 East Second Street
 Clayton, NC 27520
 919.553.5002 x5901
 ppierce@townofclaytonnc.org

LENGTH OF PROJECT

Start: April 2020
 Completion: March 2022

POPULATION

23,000

SIZE

15.03 mi²

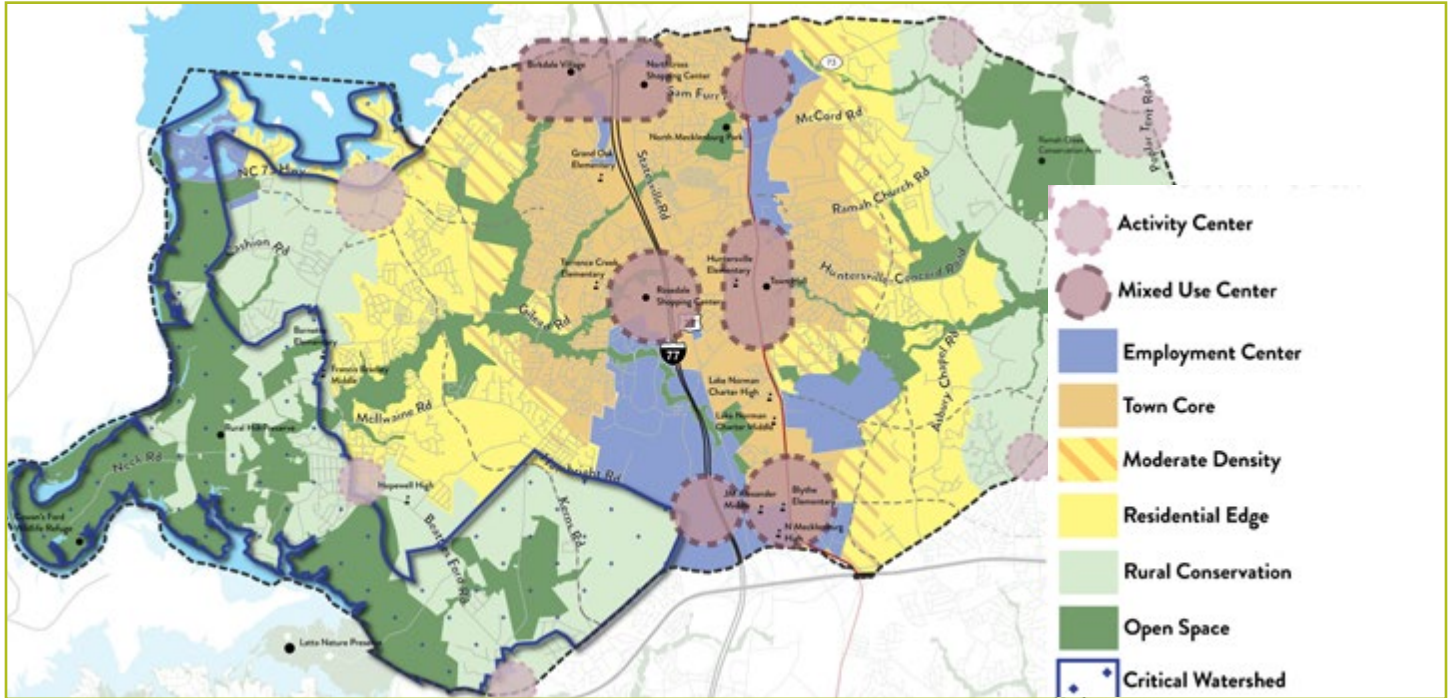
PROJECT OVERVIEW

The Town of Clayton wished to update their Comprehensive Plan which will serve a major tool in guiding growth and development activities for the Town over next two decades. Located just outside of Raleigh, North Carolina and the Research Triangle Park (RTP), Clayton is the largest town in Johnston County with a population just over 20,000. According to North Carolina's Office of Budget and Management, Johnston County is currently projected to be the fastest-growing county in North Carolina over the next ten years.

Stewart was hired by the Town to provide planning services to update the Town's comprehensive plan. Our team's tasks included consultation on major parts of the plan update including a robust public engagement plan, Future Land Use Map, small area planning, ordinance updates, land use suitability analysis, detailed character areas and actionable implementation strategies. .



COMPREHENSIVE COMMUNITY PLAN UPDATE HUNTERSVILLE, NORTH CAROLINA



CLIENT REFERENCE
 Town of Huntersville
 Brian Richards, Planning Director
 105 Gilead Rd
 Huntersville, NC 28078
 704.766.2218
 brichards@huntersville.org

LENGTH OF PROJECT
 Start: Fall 2019
 Completion: March 2023

POPULATION
 62,000

SIZE
 41.55 mi²

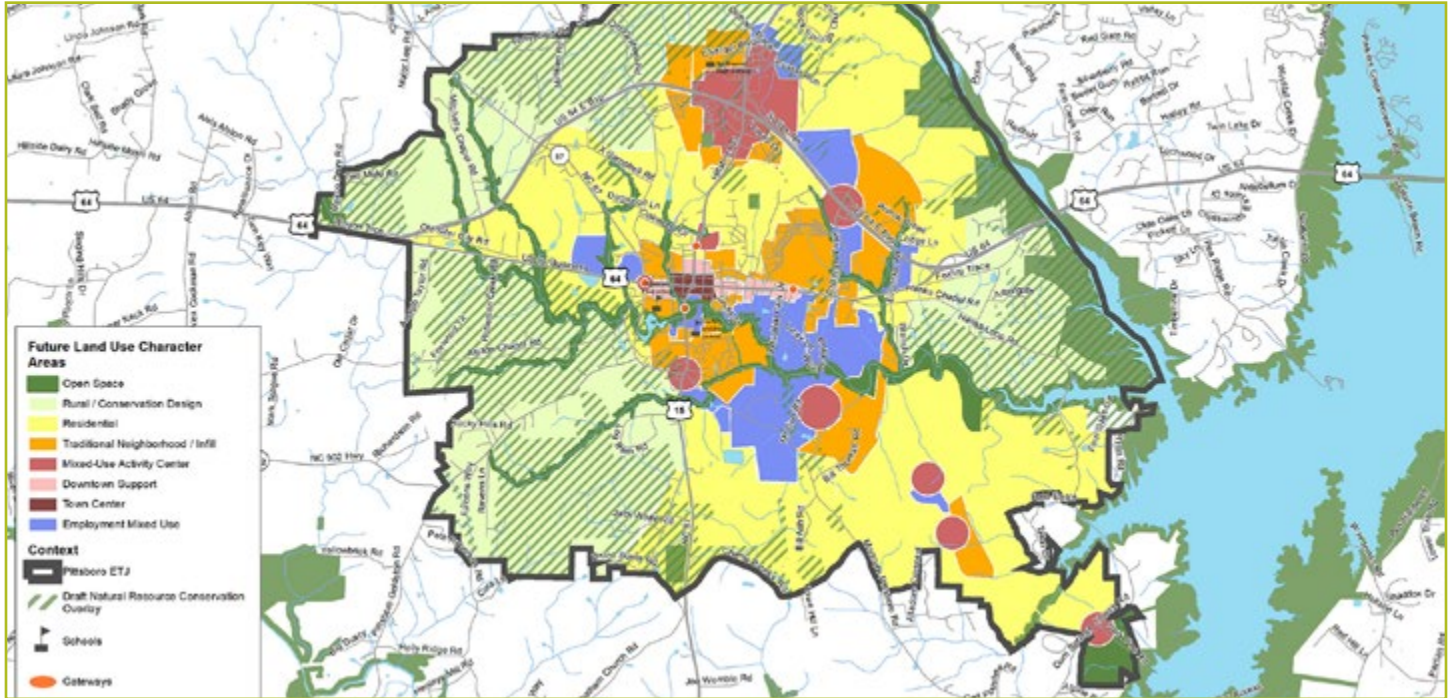
PROJECT OVERVIEW
 Stewart was engaged by the Town of Huntersville to update their comprehensive plan. The town is experiencing significant growth and has several NCDOT projects planned for its future. The existing comprehensive plan did not address growth on the scale the town is currently exhibiting and did not prepare the Town for the rapid change it has seen in the past decade. The intent of the plan is to direct growth responsibly while maintaining the Town’s natural resources and character that have been its longtime attraction.

The planning process was multidisciplinary. Stewart applied best practices in growth management, coordinated land use and transportation planning, and urban design and placemaking to the process and the final result. In order to engage the large population, the team conducted in-person and online public engagement, which included multiple surveys and a multi-day charrette in downtown Huntersville. The final product had recommendations and goals that addressed all aspects of livability for Huntersville residents. It also included a focused Downtown concept that shows building orientation, scale, and key public space improvements that would help revitalize the historic Downtown.



STEWART

LAND USE PLAN
 PITTSBORO, NORTH CAROLINA



CLIENT REFERENCE

Town of Pittsboro
 Janie Phelps, CZO, Former Pittsboro
 Planning Director, now Liberty Asst.
 Town Manager
 jphelps@townoflibertync.org
 336.622.4276

LENGTH OF PROJECT

Start: June 2022
 Completion: February 2023

POPULATION

5,000

SIZE

4.5 mi²

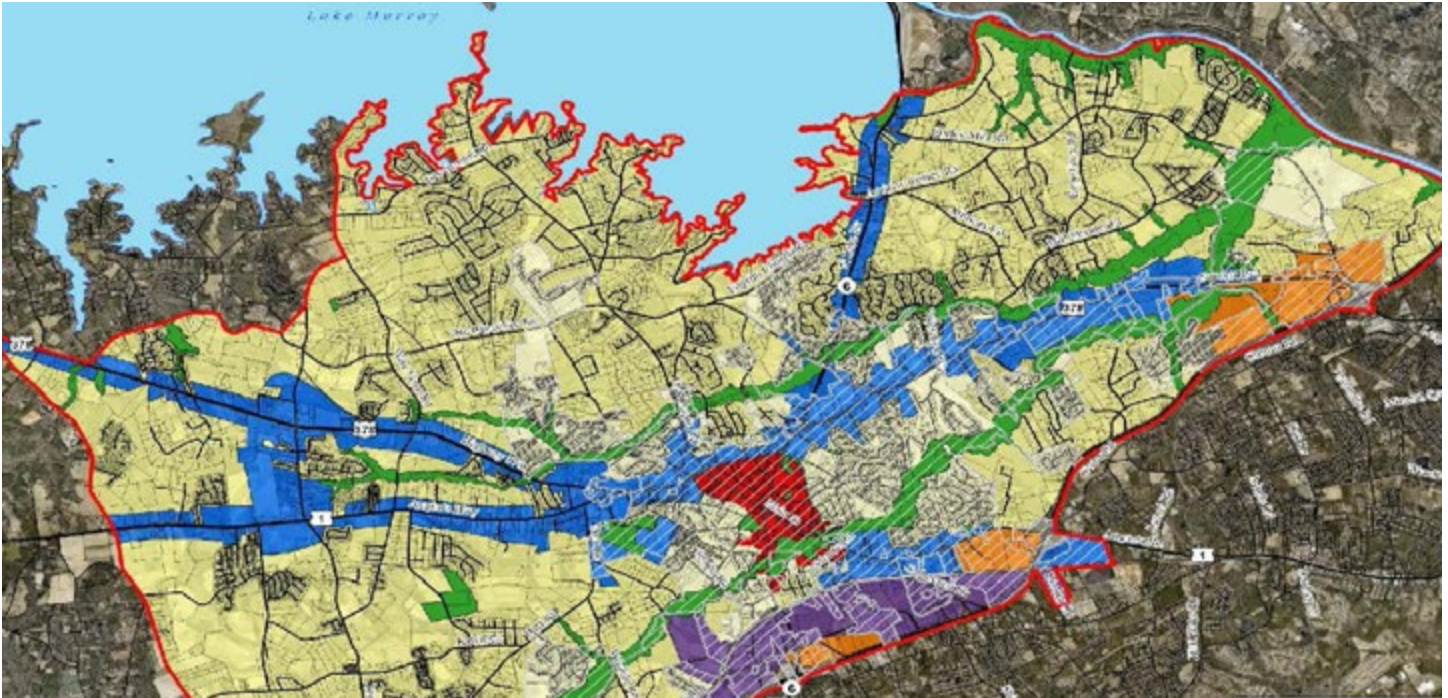
PROJECT OVERVIEW

Stewart led the development of an updated Land Use Plan for the Town of Pittsboro. The Town of Pittsboro has grown significantly over the last 20 years and is poised for continued growth due to Chatham Park, a planned mixed-use development that totals 7,000 acres, and recent economic development announcements that are scheduled to bring 9,000 jobs to three nearby megasites. The Land Use Plan update includes a community survey, public meetings, stakeholder interviews and analysis of downtown opportunities, land use suitability, and conservation priorities for the fast-growing town. The plan also lays the groundwork for utility discussions related to areas of service and needed additional sewer capacity that will take place over the coming years.



STEWART

LAND USE PLAN & ZONING ORDINANCE UPDATE LEXINGTON, SOUTH CAROLINA



CLIENT REFERENCE

Town of Lexington
 Britt Poole, Town Administrator
 803-951-1665
 bpoole@lexsc.com

LENGTH OF PROJECT

Start: Spring 2021
 Completion: Spring 2022

POPULATION

24,626

SIZE

8.8 mi²

PROJECT OVERVIEW

The Town sought to update their land development regulations in conjunction with an update to the Town’s land use plan (completed by Boudreaux for the Town of Lexington). The Town has experienced negative impacts related to growth, especially traffic congestion, and also wanted to create the conditions for high-value neighborhoods to flourish.

Stewart was responsible for updating the Town’s land development regulations and consultation to the update of the Town’s land use plan. Input was provided to the Future Land Use Map and character areas, as well as updating the zoning districts to achieve the goals of the revised land use plan. In particular, attention was paid to increasing readability, user-friendliness, administrative simplification, and creating character rich zoning districts.



STEWART



COMPREHENSIVE PLAN
 FOUNTAIN INN, SOUTH CAROLINA



CLIENT REFERENCE

City of Fountain Inn
 Shawn Bell
 City Administrator
 Shawn.Bell@fountaininn.org
 864-862-4421

LENGTH OF PROJECT

Start: January 2023
 Completion: February 2024

POPULATION

12,000

SIZE

8.5 mi²



STEWART

PROJECT OVERVIEW

Stewart and BOUDREAUX, recently completed a new Comprehensive Plan for the City of Fountain Inn. Fountain Inn is one of the fastest growing areas in the Upstate of South Carolina. The population is expected to double in the next 25 years due to a thriving downtown, good schools, cultural assets and a high quality of life. This plan created a strategic framework to deal with the challenges of growth, address infrastructure needs, improve equitable access to open space, parks and opportunity, and define the next chapter of evolution of downtown Fountain Inn.

The INNvision Comprehensive Plan included a visioning process with innovative outreach activities like popup meetings at festivals, stakeholder interviews, focus groups and open houses. Recommendations focus on preparing the City for continued growth and a refinement of policies and development regulations to ensure quality development downtown and in expanding residential areas. A land use suitability analysis informed an updated Future Land Use Map and led to an innovative approach to identifying a Conservation Design Overlay where new residential development is encouraged to employ conservation design principles and cluster development away from sensitive natural resources. The Plan also included a Resiliency element that was recently added to the list of required Comprehensive Plan elements in South Carolina.



JAKE PETROSKY AICP | PROJECT MANAGER

As Practice Leader of Community Planning, Jake is responsible for Land Use Planning and Urban Design at Stewart. His duties include project management, analysis, conceptual design and public engagement activities. He has 20 years of experience in creating data-driven, design-oriented plans and ordinances for towns, cities, and counties throughout the southeast. He has a professional interest in how well-designed, connected places and open spaces can improve quality of life and create stronger communities.

**Town of Huntersville, Community Plan Update | Huntersville, NC**

Project Manager | Stewart was engaged by the Town of Huntersville to update their comprehensive plan. The town is experiencing significant growth and has several NCDOT projects planned for its future. The intent of the plan was to direct growth responsibly while maintaining the Town's natural resources and character that have been its longtime attraction.

Town of Franklin, Comprehensive Land Use Plan | Franklin, NC

Project Manager | Stewart worked with the Town of Franklin on a new Town Plan. Stewart has led a multi-disciplinary team to create a strategic plan that seeks to diversify the economy, guide growth and development, protect natural resources, and build on the successful downtown. The plan includes conceptual plans for the re-purposing of a town-owned site for a park, missing middle housing, a visualization of a park and redevelopment centered around The Nikwasi Indian Mound—a historic Cherokee site—and a future cultural center/museum that has been proposed by the tribe. Stewart led the development of the land use, housing, natural and cultural resources elements of the plan. Stewart also led project management, public involvement activities and landscape architecture/urban design services.

Town of Smithfield, Comprehensive Growth Management Plan | Smithfield, NC

Project Manager | Stewart worked on a new Comprehensive Growth Management Plan for the Town of Smithfield. Jake created a custom GIS-based CommunityViz model to assist in the development of land use recommendations. A build-out model allowed the quantification of the residential and non-residential carrying capacity of land within the study area. The team compared existing zoning with alternative future land use policies to understand the economic, fiscal and environmental impacts.

INNvision: Comprehensive Land Use Plan | Fountain Inn, SC

Project Manager | The INNvision Comprehensive Plan included a visioning process with innovative outreach activities like popup meetings at festivals, stakeholder interviews, focus groups and open houses. Recommendations focus on preparing the City for continued growth and a refinement of policies and development regulations to ensure quality development downtown and in expanding residential areas. A land use suitability analysis informed an updated Future Land Use Map and led to an innovative approach to identifying a Conservation Design Overlay where new residential development is encouraged to employ conservation design principles and cluster development away from sensitive natural resources.

Town of Clayton, UDC 160D Update and Comprehensive Plan | Clayton, NC

Project Planner | In response to significant growth pressures, the Town engaged Stewart to facilitate an update to their Unified Development Code and Comprehensive Growth Plan. The first phase involved becoming compliant with new state growth management legislation and was followed by a comprehensive plan update. The project included significant public participation and input, and Stewart handled all components.

EDUCATION

Master of Urban Planning
University of Florida

Bachelor of Community and
Regional Planning
Appalachian State
University

REGISTRATION

American Institute of
Certified Planners (AICP):
#026937

PROFESSIONAL MEMBERSHIPS

American Planning
Association

PRESENTATIONS

*Growth and Utility
Demand Forecasting Using
CommunityViz, 2023*
Professional Engineers of
NC Conference

AWARDS

*Plan Chatham, 2018 APA
County Planning Division
CPD Award of Excellence**

*Plan Chatham, 2018 Marvin
Collins Outstanding
Planning Award**

ANDREA RADFORD | PLANNING TEAM LEAD

Andrea has more than ten years combined experience in technical writing, long range land use planning, and architectural review. She is detail-oriented and focuses on smart growth strategies, sustainable place-making, and community building through data and community driven processes. She has a professional interest in revitalization and place-making to help communities accommodate growth while maintaining or improving their existing character.

**Lenoir County Zoning Ordinance Update | Lenoir County, NC**

Team Lead | Stewart led the update of the Lenoir County Zoning Ordinance. The ordinance update focused on incremental improvements and built on direction from the county strategic plan to encourage clear and consistent standards. The update also formalized the zoning process around the Global Transpark and implemented recommendations from the Harvey Parkway Area Study.

Town of Highlands, Comprehensive Plan | Highlands, NC

Planner | Stewart worked to create a new comprehensive plan for the Town of Highlands. The Plan envisions a vibrant scenic mountain village and provides recommended solutions for many long-standing and emerging issues. The plan had to balance long-range recommendations that build on decades of stewardship of the built and natural environments with actionable short to medium-term implementation steps to address the most pressing issues on the Highlands plateau. Land use recommendations address how to reinforce the built form and character of Downtown Highlands, support existing neighborhoods and protect natural resources in the surrounding area. Other topics that were addressed include downtown improvements, short-term rentals, greenways and trails and infrastructure priorities.

City of Brevard, Comprehensive Land Use Plan | Brevard, NC

Planner | The City of Brevard recently completed a major update of its Comprehensive Plan. Housing has become a major issue for this popular mountain town, where buildable lands are limited, visitor demand for short-term rentals is high, and large-scale multi-family projects are seen by some as a threat to the small-town charm. The plan includes a new framework for land use and development that acknowledges environmental constraints and limited developable area.

City of Washington, CAMA Land Use Plan | Washington, NC

Planner | The Stewart team led the City of Washington in the development of combining their current Comprehensive Land Use Plan and CAMA Land Use Plan into one document. The update included extensive outreach throughout the community. The Plan's Future Land Use Map encourages enhancing major corridors and focuses on adaptation of areas likely to be inundated by future sea level rise. Plan recommendations include increasing active and passive recreation, preservation of environmentally sensitive land, improvements to stormwater management, updating zoning districts in vulnerable areas, and continuing investments in the downtown.

Town of Clayton, UDC 160D Update and Comprehensive Plan | Clayton, NC

Project Planner | In response to significant growth pressures, the Town engaged Stewart to facilitate an update to their Unified Development Code and Comprehensive Growth Plan. The first phase involved becoming compliant with new state growth management legislation and was followed by a comprehensive plan update. The project included significant public participation and input, and Stewart handled all components.

EDUCATION

Master of Urban and Regional Planning
University of Florida

Graduate Certificate, GIS for Urban and Regional Planners
University of Florida

Bachelor of Arts in Interior Design
University of Charleston

PROFESSIONAL MEMBERSHIPS

American Planning Association

AFFILIATIONS

Wake Forest Historic Preservation Commission

JAQUASHA COLÓN AICP | PUBLIC ENGAGEMENT

Jaquasha is a planner with a background in urban, landscape, and architectural design, and believes all communities deserve a standard of great design. Part of any planning process should include robust engagement that educates and empowers the community to make decisions best suited to their needs. She has over six years experience in planning and design, focusing primarily on complete streets retrofits, corridor studies, land use planning, and urban design. She has participated in and facilitated over ten multi-day project charrettes and dozens of public meetings, and has done both in person and virtually.

**Town of Huntersville, Community Plan Update | Huntersville, NC**

Planner | Stewart was engaged by the Town of Huntersville to update their comprehensive plan. The town is experiencing significant growth and has several NCDOT projects planned for its future. The existing Comprehensive Plan did not address growth on the scale the town is currently exhibiting and did not prepare the Town for the rapid change it has seen in the past decade. The intent of the plan is to direct growth responsibly while maintaining the Town's natural resources and character that have been its longtime attraction.

Envision Johnston: Comprehensive Land Use Plan | Johnston County, NC

Planner | Jaquasha was part of the Stewart team that completed a data inventory, reviewed adopted plans to develop an understanding of existing policies informing growth and development in Johnston County, and created suitability maps for various types of development. With input from the public during multiple public input sessions, the team developed future land use scenarios for the study area, then drafted a set of policy recommendations and presented high-level recommendations and strategies to the public.

Town of Princeville, Comprehensive Plan and Ordinance Update | Princeville, NC

Planner | The Town of Princeville wished to develop a Comprehensive Plan that will serve as a major tool in guiding Town activities over next several decades. In addition, there was a need to bring their Zoning Ordinance into compliance with NCGS Chapter 160D and adopt a Subdivision Ordinance. Princeville is located Edgecombe County, North Carolina and is the oldest town incorporated by African Americans in the United States. It was established by freed slaves after the Civil War and incorporated in 1885. Stewart's plan will help the Town prepare for future growth while respecting its history.

City of Fayetteville, Center City Parks & Trails Plan | Fayetteville, NC

Planner | The plan is meant to be a blueprint for the future Center City Parks system. It focuses on enhancements of key parks, including the signature Cross Creek Linear Park, and outlines how to utilize additional public lands and natural resources through programming and public realm improvements. Goals of the plan include creating an identity and attractions, improving access and knitting together different parts of downtown and nearby neighborhoods to improve quality of life, health, and pedestrian safety.

Town of Highlands, Comprehensive Plan | Highlands, NC

Planner | Stewart worked to create a new comprehensive plan for the Town of Highlands. The Plan envisions a vibrant scenic mountain village and provides recommended solutions for many long-standing and emerging issues. The plan had to balance long-range recommendations that build on decades of stewardship of the built and natural environments with actionable short to medium-term implementation steps to address the most pressing issues on the Highlands plateau. Land use recommendations address how to reinforce the built form and character of Downtown Highlands, support existing neighborhoods and protect natural resources in the surrounding area. Other topics that were addressed include downtown improvements, short-term rentals, greenways and trails and infrastructure priorities.

EDUCATION

Master of Landscape Architecture
North Carolina State University

Master of Urban Design
University of North Carolina at Charlotte

Bachelor of Science in Architectural Studies
Florida Agricultural & Mechanical University

REGISTRATION

American Institute of Certified Planners (AICP):
#33262

CERTIFICATIONS

NCI Charrette System Training Certificate, National Charrette Institute, Michigan State University

ORGANIZATIONS

Associate ASLA Member, NC ASLA Member, American Society of Landscape Architects

Member, American Planning Association (North Carolina)

STEPHEN FABER PLA | GRAPHIC DESIGN LEAD

Stephen has more than 14 years of experience across multiple project types. Through research, design and real estate advisory services, Stephen combines design and strategic planning to drive positive outcomes for clients, users, and the environment in projects of varying scales from residential design to large master-planned communities. Stephen's work includes mixed-use development, education planning and design, urban infill design, residential design, resort planning, brownfield reclamation, public open space and park design, greenways and roadway corridors, campus and community master-planning, and ecological restoration.

**Pitt County, Southwest Bypass Plan | Pitt County, NC**

Landscape Designer | Stewart was engaged by Pitt County (in conjunction with Greenville, Ayden, Winterville, and NCDOT) to prepare the Southwest Bypass Corridor Land Use Plan. Pitt County and the surrounding area is experiencing growth in anticipation of the Southwest Bypass. The bypass will improve mobility and alleviate congestion but also presents challenges. Existing land use policy and regulations did not address the type, scale and design of non-residential uses typically associated with a transportation facility of the magnitude of the bypass. The intent of the plan is to help local governments take advantage of development opportunities along the corridor while ensuring that future development is managed appropriately and is compatible with existing communities and long term plans for growth in the County and partner municipalities.

Town of Ayden, Land Use Plan & UDO Update | Ayden, NC

Graphics | Stewart developed a new Land Use Plan and Unified Development Ordinance for the Town of Ayden, NC. By utilizing the Stewart team's experience in long-range planning and development, the project prompts the community to address multiple topics over a long-time horizon, and contemplate how a development ordinance could incrementally achieve the vision in the near term. This parallel process relies on a well-structured public engagement strategy, data-rich mapping, and strong visual communication skills to help the community see both the big picture and the essential details of implementation.

City of Fayetteville, Center City Parks & Trails Master Plan | Fayetteville, NC

Lead Designer/Project Landscape Architect | The Center City Parks and Trails Plan builds on the previous work and city planning studies and provides a framework for expanding the Cross Creek Linear Park and connecting existing and planned parks in the downtown area with Fayetteville State University, surrounding neighborhoods and other key destinations.

Town of Lillington, Downtown Block Redevelopment | Lillington, NC

Lead Designer & Manager | Stewart was hired by the Town of Lillington to develop a Downtown Master Plan that analyzes and makes recommendations for land use, public realm improvements, and potential redevelopment and economic development opportunities in the downtown area. Stephen is responsible for managing and executing the full scope of work for the redevelopment of a downtown block that is part of the master plan vision. He is leading a team of consultants through this on-going project.

EDUCATION

Master of Real Estate Development
Clemson University

Bachelor of Landscape Architecture, minor in Horticulture
University of Arkansas

REGISTRATION

Professional Landscape Architect:
North Carolina #2054

ORGANIZATIONS

Adjunct Lecturer
NC State University
School of Design

NC State University School of Design Mentor Program

Urban Land Institute
Triangle Mentorship Program

- Round Table Committee Member

Leadership Triangle
Alumni Board

- Vice President - Past
- Executive Board Member

RACHEL MANN CZO | PLANNER II



Rachel has more than five years of professional planning experience from working in both the public and private sectors. Her experience in urban planning, community development, public engagement, and historic preservation informs her thoughtful approach to her work as Planner II. Rachel's academic and professional experience in the planning profession has instilled the importance of effective communication and outreach, which is not only comprised of speaking with communities but also includes the creation of engaging maps, visuals, and other storytelling methods.



- Land Use Plan | Georgetown County, SC
Planner
- Comprehensive Plan | Harnett County, NC
Planner
- Comprehensive Plan | Irmo, SC
Planner
- Comprehensive Land Use Plan | Siler City, NC
Planner
- CAMA Land Use Plan | Kitty Hawk, NC
Planner
- Zoning Ordinance Update | Fairfield County, NC
Planner

EDUCATION

Master of Science in Planning & Development (in progress, Spring 2025)
East Carolina University

Bachelor of Arts in Communication
North Carolina State University

REGISTRATION

Certified Zoning Officer (CZO):
NC #675

BECCA MOUNTZ | PLANNER I



Becca attended East Carolina University and graduated with a B.S. in Urban and Regional Planning, with a minor in Geography and a certificate in Geographic Information Sciences. She interned with the planning group at Stewart May 2019 – March 2020 and has recently joined the team as a full time employee.



- Land Development Plan | Alamance County, NC
Planner
- Land Use Plan & Development Ordinance Update | Ayden, NC
Planner
- Comprehensive Land Use Plan | Siler City, NC
Planner
- CAMA Land Use Plan | Southern Shores, NC
Planner
- Unified Development Ordinance | Guilford County, NC
Planner
- Zoning Ordinance | Lenoir County, NC
Planner

EDUCATION

Bachelor of Science in City/Urban, Community and Regional Planning
East Carolina University

AREAS OF EXPERTISE

Development Regulations
GIS

★ Indicates Project with Stewart

HEATHER MITCHELL AIA, LEED AP | PRINCIPAL



With over 28 years of experience, Heather serves as President and Principal-In-Charge for projects. As Principal-In-Charge, Heather is a master of leading large teams and coordinating complex design efforts. Her ability to identify unique client attributes results in customized and creative solutions for our clients. As President, Heather demonstrates leadership in shaping the strategic direction of the firm, leads business development, and oversees the financial position of the company. Heather's planning, preservation and design experience includes higher education, workplace, faith-based, and local government.



EDUCATION

Master of Architecture
Syracuse University

Bachelor of Science in
Architecture
University of Virginia

REGISTRATION

American Institute of
Architects: SC, NC

Comprehensive Plan Update, Land Use & Zoning Ordinance | Lexington, SC ★

Principal in Charge

Comprehensive Plan | Fountain Inn, SC ★

Principal in Charge

Comprehensive Plan | Surfside, SC ★

Principal in Charge

Comprehensive Plan | Irmo, SC ★

Principal in Charge

Comprehensive Plan: Land Use Element | Georgetown County, SC ★

Principal in Charge

Downtown Master Plan | Bishopville, SC

Principal in Charge

IRENE TYSON AICP, ASSOC. AIA | PROJECT MANAGER



As a certified planner, Irene brings over 25 years of experience delivering visionary master plans to each of our clients. Her experience identifying areas of opportunity and establishing future goals for our clients allows her to bring a vision to life. Irene's enthusiasm inspires new perspectives as to what is possible within a community, church or university campus. Her project experience includes authoring master plans strategic vision plans and facilitation of public meetings and stakeholder groups for various clients, including local municipalities, higher education institutions, churches and community organizations.



EDUCATION

Bachelor of Architecture
Mississippi State University

REGISTRATION

American Institute of Certified
Planners (AICP): NC #185665

Comprehensive Plan Update, Land Use & Zoning Ordinance | Lexington, SC ★

Project Manager

Comprehensive Plan | Fountain Inn, SC ★

Project Manager

Comprehensive Plan | Surfside, SC ★

Project Manager

Comprehensive Plan | Irmo, SC ★

Project Manager

Comprehensive Plan: Land Use Element | Georgetown County, SC ★

Project Manager

Downtown Master Plan | Bishopville, SC

Project Manager

RYAN BLAND AICP | SENIOR PLANNER



Ryan takes his experience as a past South Carolina city planning director to come across the aisle and create meaningful long-term planning infrastructure. He has walked a mile in the shoes of local government champions to create positive and lasting change in their communities. Ryan understands the importance of having buy-in from leadership and successfully finds ways to engage towns and cities. Building a vision through the lens of the residents, businesses, and stakeholders that resonates is his specialty. An implementable plan is the fuel that gives cities and towns the power to grow responsibly and develop in the right direction.



- Comprehensive Plan Update, Land Use & Zoning Ordinance | Lexington, SC ★**
Senior Planner
- Comprehensive Plan | Fountain Inn, SC ★**
Senior Planner
- Comprehensive Plan | Surfside, SC ★**
Senior Planner
- Comprehensive Plan | Irmo, SC ★**
Senior Planner
- Comprehensive Plan: Land Use Element | Georgetown County, SC ★**
Senior Planner
- Downtown Master Plan | Bishopville, SC**
Senior Planner

EDUCATION

Master of Community/Regional Planning
Iowa State University

Bachelor of Science in Community/Regional Planning
Missouri State University

REGISTRATION

American Institute of Certified Planners (AICP): NC #169037

GEORGE SCHAFER PH.D., RA, LEED AP | ARCHITECT



George leverages extensive design and management skills throughout all phases of professional practice to ensure that the vision and goals of each project are clearly outlined and translated into the design. Currently a Senior Lecturer the School of Architecture at Clemson University, George brings a knowledge of current design trends, methodologies and building technologies to our projects and clients. His professional and academic experience features an expertise in the design of complex civic, cultural and educational facilities.



- Master Plan | Greenwood, SC**
Architect
- Master Plan | Hanahan, SC**
Architect
- Master Plan Update, Costal Carolina University | Conway, SC**
Architect
- Opportunity Zone Prospectus | Orangeburg, SC**
Architect
- Downtown Development Studies | Aiken, SC**
Architect

EDUCATION

Ph.D. in Planning, Design & the Built Environment
Clemson University

Master of Architecture
Harvard University

REGISTRATION

American Institute of Certified Planners (AICP): NC #185665

RACHEL JOHN | GRAPHIC DESIGNER



Rachel's work is guided by a strong belief in design as a problem-solving tool, as a way of recognizing and forming relationships between ideas and reality, and as a method for improving the connections between people and the places they live. She embraces art and technology equally, providing guidance to clients that pursue influential change. Her diverse aesthetic approach aims to elevate brand offerings by distilling core messaging down to its clearest and freshest visual form.



Comprehensive Plan Update, Land Use & Zoning Ordinance | Lexington, SC ★

Graphic Designer

Comprehensive Plan: Land Use Element | Georgetown County, SC ★

Graphic Designer

Downtown & Riverfront Master Plan | Conway, SC

Graphic Designer

Town Center Master Plan | Hannahan, SC

Graphic Designer

Downtown & Facilities Master Plan | Innman, SC

Graphic Designer

Opportunity Zone Prospectus | Orangeburg, SC

Graphic Designer

EDUCATION

Master of Community/Regional Planning
Iowa State University

Iowa State University

Bachelor of Science in Community/Regional Planning
Missouri State University

Missouri State University

REGISTRATION

American Institute of Certified Planners (AICP): NC #169037



Town Center Conceptual Rendering | Hannahan, SC

PROJECT APPROACH

The Stewart + BOUDREAUX team will facilitate the creation of a well-organized, user-friendly plan guided by community engagement and input. This plan will update the 2009 Comprehensive Plan and accomplish the following:

- *Provide a shared vision for the future of Shelby*
- *Include updated, clear goals and policies related to future land use, growth management, development design, fiscal solvency and other strategic priorities*
- *Integrate key recommendations and components from currently separate Economic Development, Rail Trail, Parks and Transportation plans*
- *Identify realistic implementation steps tailored to public input and capabilities of the City, nonprofit and private sector partners*

The Stewart + BOUDREAUX team will accomplish this by executing a three-phase project scope that can be customized to meet the City's expectations.

PHASE I - PROJECT INITIATION & ANALYSIS PHASE II - VISIONING & PLAN DEVELOPMENT PHASE III - IMPLEMENTATION & ADOPTION

Communication is a key part of any successful planning project. Throughout this project, our team will hold bi-weekly coordination calls with City staff. Our team will work together with City of Shelby staff in all facets of the project including identification of stakeholders, data analysis and mapping, and the creation of policies and implementation strategies that are actionable, attainable, and tied to responsible parties and budgetary implications.

Community engagement is an ongoing, collaborative process between the consultant team and the staff and citizens of the City of Shelby. Ultimately, a successful public process enhances community support and buy-in and bolsters the confidence of City leaders to implement future projects and prioritize resources. The Stewart team will support the City's efforts to involve residents, business owners, and other stakeholders using engaging and transparent methods to ensure all are aware of the land use plan project and are given multiple opportunities to ask questions, voice preferences and priorities, and be part of the process.

Our approach begins with refining the community engagement process during the project kickoff in conjunction with staff. Visual branding of the project will be reflected in outreach materials and a specially created website or web page on the City website to raise awareness of the process and garner excitement throughout the community. Our team will assist with the formation of a diverse and balanced Steering Committee and stakeholder groups.

Updated recommendations for the plan topic areas, including land use, mobility, infrastructure, economic development,

historic preservation, housing, natural resources, recreation and education will be drafted based on feedback from staff, the steering committee and elected officials. Actionable items to be completed within the next 3 to 5 years will be crafted and collected in the implementation plan.

COMMUNITY ENGAGEMENT PROGRAM

Elements of the community engagement program may include, but are not limited to, a mix of the following methods:

- **Leadership and Stakeholder Interviews:** discuss the issues one-on-one with strategic groups
- **Steering Committee:** a diverse committee composed of members of elected and appointed boards, citizens, business owners, and other key stakeholders is recommended to meet regularly during the planning process and assist in developing the plan
- **Visioning Workshops:** an on-site design-oriented workshop open to the public to gather input on with interactive exercises to indicate preferences for concepts, support for recommendations and projects, and refine a vision for the community
- **Walkabouts:** stakeholders and the consultant team walk the downtown area to observe real physical opportunities and constraints
- **Surveys:** prepare a survey customized for the community with 24/7 access to ensure a cross-section of the citizenry is polled
- **Project Website/Social Media:** provide website updates to staff for City website, Facebook page, Instagram page, and/or Twitter
- **Focus Group Meetings:** targeted meetings with members of the community at key stages in the planning process to guide the development of the plan and associated recommendations
- **Pop-Up Meetings:** go to where community members are already gathering (like festivals, civic group meetings, school, and senior events)
- **Community Meeting:** meeting where draft plan elements will be presented, and feedback documented to help guide the shape of the plan and priority implementation steps

PHASE I - PROJECT INITIATION & ANALYSIS

Prior to beginning the planning process, our team will meet with staff to refine the work plan, milestones, deliverables, community engagement process, schedule, and communication methods. The team will work with staff to identify and assemble relevant background documents for review. Spatial data and adopted plans will be collected from the City, County, State, and regional and federal agencies as appropriate. Assessments of past planning efforts and the existing regulatory framework will be vital to understanding challenges, opportunities, and recent successes. This information will also be useful later in the process when crafting a feasible approach to implementation.

To initiate the planning process, the Stewart team will conduct an initial round of meetings with staff, the Steering Committee, and stakeholders to review schedule, identify key issues to be addressed, and to understand expectations.

Phase I meetings will include the following:

- Kick-off Meeting & Community Tour
- Stakeholder Interviews
- Steering Committee Meeting
- Planning Board or Council Meeting

Public Participation Plan

As part of this project, a public participation and engagement plan will be created. A minimum of three public work sessions are anticipated with this project: two to gather early input and a third single meeting to present the results. It is also



Visioning Workshops will provide an open venue for citizens to discuss issues and priorities for elements of the City Plan. This image shows a Visioning Workshop recently completed for the Fountain Inn Comprehensive Plan. Participants provided input on land use priorities, housing and development design preferences and downtown issues in an interactive forum.

anticipated an info booth will be organized at community event to garner input and increase awareness

Community Profile

During this phase, Stewart will prepare a Community Profile (CP), incorporating updated statistics and findings from recent City efforts. The CP will include the City history, baseline demographic and economic data (population, employment, income, socioeconomic data, retail trends, etc). We will use data from the City of Shelby, Cleveland County, US Census Bureau, State of North Carolina, ESRI and other available sources. Information collected regarding the economy, business patterns, employment and demographics will provide insight into potential issues and opportunities. The data will be studied to benchmark progress and provide context to policy recommendations developed later in the process.

Community Survey

The team will work closely with City staff to develop a Community Survey to gather feedback from the public regarding community vision, goals, and key issues to be addressed by plan policies, future regulatory efforts, and priority investments. The survey may include a visual preference survey that provides images of a variety of different development types or elements. The Community Survey can be made available on-line, in print form, and as a component of a public meeting. Optionally, the Project Team could work with a third-party provider (e.g. PublicInput.com) to create an interactive website and survey that could include a community forum and/or map-based activities to identify land use preferences.



Huntersville 2040 Community Plan Future Land Use Map

PHASE II - VISIONING & PLAN DEVELOPMENT

Community Visioning

We believe that a concentrated effort focused on community visioning and concept development will build excitement and create momentum. Following the completion of Phase 1, key team members will conduct two public workshop(s) that will focus developing priorities and understanding issues in different areas of county.

Workshops will focus on issues, opportunities, visioning and recommendations, concepts, and action items. Based on the public input received, we will prepare draft vision and goals as well as a framework for recommendations in the Comprehensive Plan.

Land Use & Housing

The Stewart team will conduct a detailed analysis of issues and opportunities in various portions of the City and study area. Residential growth areas, redevelopment and commercial opportunities, transportation corridors, economic development catalysts, and conservation priorities will be studied and mapped.

Capacity & Land Use Suitability

The Project Team will conduct analysis of existing land use and land supply to understand capacity for growth in key areas of the City. It is anticipated that data related to recently approved development will be compiled and used to inform the land use and capacity study. A custom GIS-based suitability analysis will determine areas most suitable for different types of development based on a variety of inputs. It is anticipated that suitability maps will be created for residential, commercial, industrial and conservation/open space. Exact land use types and inputs will be determined based on consultation with City staff. Typical inputs include proximity to existing and proposed roadways and utility infrastructure; proximity to schools, parks, and commercial areas; adjacent land uses; and understanding of existing land

use patterns and environmental constraints. The suitability analysis and input on land use and development design preferences from public meetings will be utilized to inform future land use recommendations including use-mix, scale, and design character.

Future Land Use and Housing

The project team will provide guidance on the future land use recommendations for the City. A growth framework map will be developed and revised to update the adopted Future Land Use Map. This will be a graphic representation of the City's vision as to where growth should occur. The map will be supplemented with descriptions of land use character areas that will be brought to life using precedent imagery and/or conceptual diagrams that specify intended use mix, scale, density, and other physical design characteristics. Development of the Future Land Use Map and associated character areas will be guided and informed by local goals, technical analysis, staff, and Steering Committee perspective. Regional and national best practices will be reviewed and recommendations will provide guidance for future updates to the City's land use and development regulations. A conceptual design of a key area of City will be created to illustrate land use recommendations.

This element of the plan will include an analysis of historic and current development trends, occupancy and sales, housing type mix, and property value trends. Specific recommendations will build on the Future Land Use Map and be tailored to meet housing goals. Recommendations may include ways to allow for more affordable and/or workforce housing in defined areas through targeted code updates, incentives or partnerships.

Downtown and Cultural Resources

Cultural resources encompass the diverse elements of Shelby's identity, drawing from its rich and distinctive history. The plan will recognize and identify an approach to strategically leverage the city's historic downtown and neighborhoods, culturally significant sites and structures, the vibrancy of Center City, as well as educational, religious, and entertainment institutions.

Transportation

The planning of a transportation system requires a coordinated effort between many entities. The links between transportation, land use, and economic development are complex. The City's current and previous planning efforts will be reviewed and our team will study and make recommendations for Shelby's streets, greenways, and pedestrian infrastructure to support quality of life by improving multi-modal transportation. Collector streets recommendations and future cross-sections for key roadways are expected to be included in this task.

Infrastructure & Services

This element of the comprehensive plan will include analysis identification of priority infrastructure for water and wastewater; stormwater; solid waste disposal; police and fire protection; as well as, governmental and educational facilities. Future demand for water and sewer will be projected for a Business as Usual land use scenario (based on zoning or the adopted FLU map) will be created as well as a scenario for the draft or preferred Future Land Use map. This modeling will inform utility policy and growth management recommendations.

Economic Development

Economic development and coordination with public investment is critical to the future fiscal health of the City of Shelby. The BOUDREAUX team will incorporate deliverables of the recent economic development planning efforts into the Comprehensive Plan. The result of the analysis will be tailored recommendations for diversifying and improving Shelby's economic resiliency, with particular emphasis on the downtown, how to build on the City's unique assets and a balanced approach to land use and business recruitment. Recommendations may address land use regulation, new public investments, public/private partnerships, incentives, and organizational strategies.

The plan will build on the foundation laid by the Shelby Economic Development Strategy, the Center City Master Plan, and other local planning efforts, and will assess the characteristics of the local workforce, employment trends, and assessment of local job providers with a focus on attracting new development and job opportunities to bolster sustainable local economic growth.

Recreation & Natural Resources

Open space, recreation facilities and natural resources are important not only to residents and visitors but also the economic competitiveness of the City. This element of the Plan will focus on how the City can meet its current and future recreation and open space needs. In addition, we will provide guidance on how the City can protect sensitive areas and promote recreational opportunities. We will coordinate with staff to obtain GIS mapping of existing facilities, information on park level-of-service and maintenance needs, priority park improvements, greenway corridors, existing parks and facilities, interconnection opportunities, and strategic open space priorities.

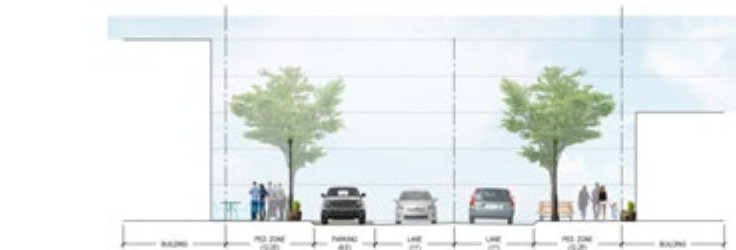
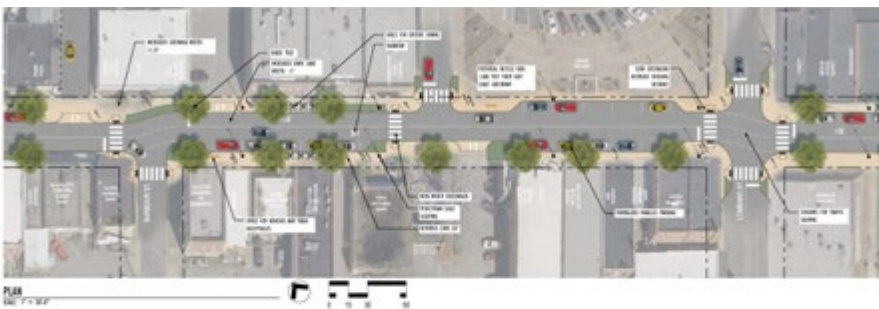
The team will ensure consistency between adopted plans and implementation steps. The plan will include recommendations on how to improve resiliency and address the need for development standards should prioritize open space preservation in different forms depending on context.

Phase II Meetings will include the following:

- **Visioning Workshops**
- **Walking Tour**
- **Steering Committee Meetings 3 and 4**

PHASE III - IMPLEMENTATION & ADOPTION

After the plan is in draft format the Stewart team will conduct a work-session with planning staff and other City departments to discuss strategic goals, capital resources, and implementation steps. Key staff will be available to present the plan at Planning Board and City Council meetings.

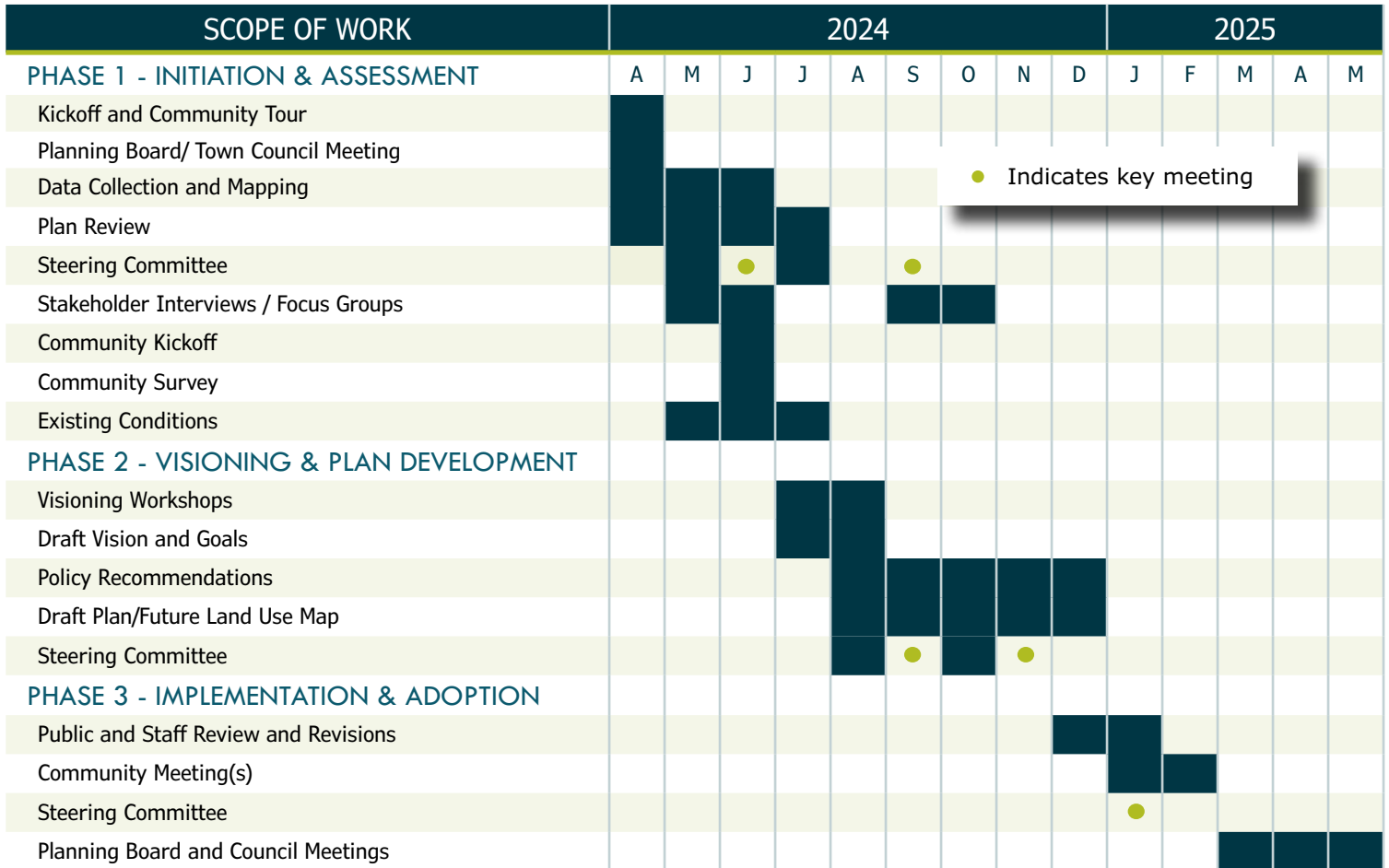


PROPOSED SECTION/ELEVATION
 CLAYTON STREETSCAPE
 05.13.18



Stewart and BOUDREAUX have talented planners, landscape architects and architects on staff that can build on past and current efforts to revitalize parts of the City and accomplish land use, housing, streetscape, economic development and cultural resources goals.

SCHEDULE



● Indicates key meeting

COST

PROJECT PHASES / TASKS	FEE
PHASE 1 - INITIATION & ASSESSMENT	\$36,000
PHASE 2 - VISIONING & PLAN DEVELOPMENT	\$62,000
PHASE 3 - IMPLEMENTATION & ADOPTION	\$25,000
EXPENSES	\$4,000
TOTAL	\$127,000
ADDITIONAL/OPTIONAL TASKS	
Downtown Conceptual Design	\$8,000 - \$10,000
CommunityViz and/or ArcGIS Urban Modeling	\$10,000 - \$30,000
Additional Public Meeting	\$10,000
Additional In-person Meetings	\$1,000 per person
Additional Virtual Meetings	\$500 per person

HOURLY RATES

NAME	ROLE	HOURLY RATE
Jake Petrosky AICP	Principal in Charge/PM	\$205.00
Andrea Radford	Planning Lead	\$125.00
Jaquasha Colón AICP	Public Engagement Lead	\$105.00
Stephen Faber PLA	Graphic Design Lead	\$175.00
Rachel Mann CZO	Planner II	\$110.00
Becca Mountz	Planner I	\$105.00
Heather Mitchell, AIA	BOUDREAUX Principal in Charge	\$210.00
Irene Dumas Tyson, AICP	BOUDREAUX Project Manager	\$170.00
Ryan Bland, AICP	BOUDREAUX Senior Planner	\$170.00
Rachel John	BOUDREAUX Graphic Designer	\$125.00
George Schafer, PH.D, RA, LEED AP	BOUDREAUX Project Architect	\$170.00



“ Stewart was a pleasure to work with. They were very thorough, to the point that we ended up disregarding our original timeline for project completion in favor of taking our time and doing it right. Jake Petrosky learned our city, its character and our goals of a thriving, mountain community. Our department is busy with so many competing priorities that hiring Stewart was a good decision. Our City Council was pleased with the public engagement and the deliverables, and they successfully used our new Comprehensive Land Use Plan to help them prioritize during budget discussions. ”

PAUL RAY
City of Brevard



STRONGER BY DESIGN
stewartinc.com

Request for Qualifications (RFQ)

for a

**COMPREHENSIVE
LAND USE PLAN**

for the

**CITY OF SHELBY
NORTH CAROLINA**

Date issued: March 4, 2024

Revised: 3/13/2024

Proposals due: April 5, 2024 by 5:00pm

INTRODUCTION & PROJECT DESCRIPTION

The City of Shelby is seeking submittals from a qualified planning or consulting team who will conduct a comprehensive land use planning process for the City.

The city desires a workable, creative, and dynamic plan to guide future long-term growth and development throughout the next fifteen to twenty years. The intent of this project is to draft a plan that will serve as a strong foundational document and be the primary policy guide for short and long-range planning, zoning, and development decision-making within the City's planning boundaries. The Land Use Plan shall also serve as a necessary first step and guide toward the systematic revision of the City's existing land development regulations.

The new plan will provide clear and predictable guidance to developers, stakeholders, and citizens. It will help maintain collaborative and respectful relationships within the community and establish policies and priorities for controlled and coordinated development, infill, and revitalization. Furthermore, it is essential that the land use plan align with all the City's goals and plans such as transportation, parks, and economic development.

The City desires to complete and adopt the plan twelve (12) to eighteen (18) months from the date of this RFQ and the proposed timeline submitted should reflect that adoption date.

GENERAL BACKGROUND

Shelby, North Carolina is located in the foothills of the Blue Ridge Mountains in western North Carolina. It is centered between three large metropolitan areas of Charlotte, NC, Asheville, NC and Greenville/Spartanburg, SC. Shelby is the official county seat of Cleveland County. Shelby's certified estimated 2021 population is 21,947, and the City is approximately 22.5 square miles in size. Significant annexations completed during the 1990's allowed the City to increase its population at a time that otherwise would have shown significant decline. The City is beginning to see similar trends in growth and development during recent years.

The City of Shelby's last Comprehensive Land Use Plan was completed and adopted in April 2009. A summary of other plans adopted over the last two decades is included as an Appendix. Most of these plans can be found on the City's website.

SCOPE OF WORK

The consulting team shall provide the full range of planning services necessary for completion of the project. Although there is an existing Comprehensive Land Use Plan, it was last updated over 15 years ago. Much of Shelby has changed in that timeframe and the City continues to grow and develop. This should be viewed as more than an update to an existing plan and the level of detail in proposals should reflect that.

Interested consulting teams will involve a multi-disciplinary group within their own firm or by cooperating with other firms to form a consulting team. The consulting team shall have the following skills and abilities:

- **Advanced Comprehensive Planning:** Experience and skills in preparation of comprehensive plans for growing communities.
- **Public Participation:** Experience and skills in meaningful public participation to

ensure that the community's vision is included within the Comprehensive Plan for urbanized areas.

- **Economic Vitality:** Experience and skills in strategies and programs for improving the economic vitality of the City and making it attractive for new development (business and residential) and job creation.

The consulting firm will be required to present, at a minimum, a draft and final plan to the Planning and Zoning Board and City Council. Public workshops are an expected part of the input process. These should allow for multiple channels of engagement to maximize the reach and input received. Regular progress reports are also anticipated. The resulting plan should be presented in a format that is user-friendly, easily comprehended and accessible to the general public. The extensive use of maps, graphics, and other devices that enhance the readability and ease of use of the Plan are highly desirable.

COMPLETION SCHEDULE

It is expected that the consultant or consulting team will complete its tasks and present the Comprehensive Plan ready for adoption within 12 to 18 months of issuance of this RFQ.

SELECTION CRITERIA

All submittals may be reviewed on the following set of criteria:

- The qualifications and experience of the consultant(s) in performing comprehensive land use plans of a similar scope and scale, meeting the objectives outlined herein.
- The proposed cost to provide the services requested.
- The ability of the consultant(s) to meet the expected project completion schedule.
- The qualifications and experience of the personnel to be assigned by the consultant(s) to the project.
- The location of an office within the State of North Carolina, relative to Shelby.

CONTENT

Submittals shall include the following:

- A cover letter signed by a member of the consulting firm empowered to commit the firm to a contractual arrangement with the City. The cover letter should also include the name, address, and telephone number of the person who will be responsible for regular communication with the City.
- A brief history of the consulting firm(s) including:
 - ✓ Organization, size, and office locations; and
 - ✓ The office location where the work associated with the project would be performed.
- Description of the range of services provided, relevant work experience, capabilities and expertise which qualify the consultant(s) to undertake the project. Relevant work experience should include projects with similar sized cities undertaken within the last

five years. For each project, include the name, title and telephone number of a representative that the City may contact to discuss their experience.

- Identify the individual or individuals who would be providing services to the City, listing his or her individual work experience with similar cities.
- Identify the primary project contact with the consulting firm that will be the lead person from the firm with the City.
- A scope of services that provides the consultant's approach and methodology to execute the attached work program. The proposal may be creative and suggest alteration to or enhancement of the work program. Project approach might include data sources, public participation, goal and policy directions, suggesting optional elements, etc.
- Indicate the format of the monthly reporting procedure to which the project team will adhere.
- Costs per work element and a not-to-exceed cost proposal to provide the services described herein. The proposal should also include billing options.
- A timeline for the preparation and implementation of the tasks/activities being proposed per the Scope of Work detailed in this RFQ.

SELECTION PROCEDURES

Proposals must be received **no later than 5:00 PM (EST) on April 5, 2024** to be eligible for consideration. No late or incomplete submissions shall be accepted. Any questions on the request should be directed to Justin Longino at 704-484-6834 or justin.longino@cityofshelby.com. Failure to follow these procedures may result in disqualification of the consultant from the RFQ process.

Electronic copies of the submittal (preferred) may be directed to:
Justin Longino, Assistant City Manager, justin.longino@cityofshelby.com

Alternatively, submissions can be sent to:
City of Shelby, Attn: Justin Longino
300 South Washington Street, Shelby, NC 28150
PO Box 207, Shelby, NC 28151

Selection of a consultant will be made at the discretion of the City, which reserves the right to accept or reject any and all proposals. All submissions or parts thereof become the property of the City.

A short list of consultants may be asked to make presentations to a consultant selection committee. It is anticipated that consultant selection will occur within 30 days of either the proposal submission deadline or the date of presentation.

The City of Shelby is an equal opportunity employer and does not discriminate on the basis of race, color, sex, national origin, religion, age, or disability in employment or provisions of service.

APPENDIX – SUMMARY OF ADOPTED PLANS

- The City of Shelby adopted its **Unified Development Ordinance (UDO)** in November 2001 and has amended it a number of times over the years. *Note: the City expects to undertake a UDO rewrite following the completion of the Comprehensive Land Use Plan, but writing a new UDO is not part of the scope of work of this RFQ.*
- In November 2005 the City adopted the **Strategic Growth Plan**. These policies are designed to be used primarily as a foundation for future decisions on City facilities and services primarily related to the management of growth and development.
- In 2006 the City developed a **Neighborhood Action Plan** whose purpose was to begin the process of organization and coordination of current city programs and to begin to plan for the future of Shelby’s neighborhoods in a thoughtful and purposeful way.
- The 2008 **Urban Forest Management Plan** provided the City of Shelby with a review of the existing city tree resource in the center city, and presented a cost-effective framework of tree maintenance and replacement options to allow the City to maximize the benefits of its urban forest in the next decade.
- **US 74 Bypass Small Area Plans:**
 - 2014 - Washburn Switch Road
 - 2015 - Polkville Road/NC Highway 226
- In 2016, the City adopted an updated **Center City Master Plan** designed to evaluate the market conditions of Center City Shelby, look at recent investment through the lens of current successes and opportunities, and make recommendations for the community to take Uptown Shelby and its surrounding neighborhoods to the next level.
- **Gaston-Cleveland-Lincoln Comprehensive Transportation Plan (CTP – adopted 2019, revised 2020, <https://gclmpo.org/projects-plans-programs/gclmpo-plans-programs/comprehensive-transportation-plan-ctp/>)**
 - The CTP serves the present and anticipated travel demand in and around the MPO region. The plan is based on population growth, economic conditions and prospects, and patterns of land development in and around the region and shall provide for the safe and effective use of the transportation system.
- In 2018, the **Rail Trail Master Plan** was completed to advance the conversion of a historic 10+ mile rail corridor into a rail trail through analysis, public input, recommendations, and use/benefit projections.
- The 2018 **City of Shelby Economic Development Strategic Plan** outlines strategies in population growth, business recruitment and retention, sites and buildings, entrepreneurial development, place-making, marketing, and education. These strategies seek to complement and build upon the city’s long-range plans.
- In 2020, **Shelby Parks & Recreation Master Plan** serves as a guide for park and recreation facility development. The Plan considers past planning efforts, existing

recreational assets, community recreation preferences, and public input to guide recommendations for future facility enhancements and development. Plan recommendations focus on capital infrastructure development and connectivity between existing and new parks.

- Also in 2020, the City adopted the **Shelby Bicycle + Pedestrian Plan**, which focuses on improving walking and cycling conditions. The plan provides a comprehensive approach to identifying needs and deficiencies in the City's bike & pedestrian infrastructure, examining possible improvements, and prioritizing implementation strategies with viable funding sources.
- The City completed its most recent **Transportation Asset Management Plan** in 2021, which served to grade and rank City-maintained streets in order to appropriately plan for future transportation asset improvement projects.
- The **Public Art Plan** was adopted in 2021 to help enhance public spaces through art, involve artists in the planning process, establish a funding plan, and create a framework for the new Public Art Advisory Board.

Submittal Evaluation Form

for

Request for Qualifications (RFQ)

for a

**COMPREHENSIVE
LAND USE PLAN**

for the

**CITY OF SHELBY
NORTH CAROLINA**

CONTENT

All responses should include the following information (each are more fully described in the RFQ):

- Cover letter
- A brief history of the consulting firm(s) including:
 - Organization, size, and office locations; and
 - The office location where the work associated with the project would be performed.
- Content should include:
 - Description of the range of services provided,
 - Relevant work experience,
 - Capabilities and expertise which qualify the consultant(s) to undertake the project.
 - Relevant work experience should include projects with similar sized cities undertaken within the last five years.
 - For each project, include the name, title and telephone number of a representative that the City may contact to discuss their experience.
- Identify the individual or individuals who would be providing services to the City, listing his or her individual work experience with similar cities.
- Identify the primary project contact with the consulting firm that will be the lead person from the firm with the City.
- A scope of services that provides the consultant's approach and methodology to execute the attached work program. The proposal may be creative and suggest alteration to or enhancement of the work program. Project approach might include data sources, public participation, goal and policy directions, suggesting optional elements, etc.
- Indicate the format of the monthly reporting procedure to which the project team will adhere.
- Costs per work element and a not-to-exceed cost proposal to provide the services described herein. The proposal should also include billing options.
- A timeline for the preparation and implementation of the tasks/activities being proposed per the Scope of Work detailed in this RFQ.

SELECTION CRITERIA

The RFQ stated that all submittals may be reviewed on the following set of criteria. Please review the above criteria and then provide a rating for each of the categories below.

Rating Criteria:	Rating:
The qualifications and experience of the consultant(s) in performing comprehensive land use plans of a similar scope and scale.	___ / 15
Comments:	
The content of the proposal matches the information requested.	___ / 15
Comments:	
The proposed cost to provide the services requested.	___ / 5
Comments:	
The ability of the consultant(s) to meet the expected project completion schedule.	___ / 15
Comments:	
Qualifications and experience of the personnel to be assigned by the consultant(s) to the project.	___ / 10
Comments:	
The location of an office within the State of North Carolina, relative to Shelby.	___ / 5
Comments:	
Creativity of the process used for public input and feedback.	___ / 10
Comments:	
Overall Proposal Assessment (i.e. flow, appearance, ease of understanding, etc.)	___ / 5
Comments:	
TOTAL RATING: <i>(will automatically calculate)</i>	___ / 80

Reviewer: _____ **Firm:** _____ **Date:** _____

Overall Comments:

RESOLUTION NO. 35-2024

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR A CONSULTANT TO UPDATE THE COMPREHENSIVE LAND USE PLAN

WHEREAS, North Carolina General Statute 160D-501 requires comprehensive plan updates for local governments to maintain the authority to enforce zoning regulations; and,

WHEREAS, the City of Shelby is seeking a qualified, professional consulting firm who will assist the City in updating the Comprehensive Land Use Plan which was originally developed in 2009; and,

WHEREAS, the selected consultants will assist the City in the update of a comprehensive land use plan, reviewing the vision, goals, implementing actions, and future land uses of the City; and,

WHEREAS, the consultant(s) awarded this contract will have the primary responsibility of developing the Comprehensive Land Use Plan document and will work in coordination with the City of Shelby's Planning Department; and,

WHEREAS, the City of Shelby advertised a Request for Qualifications for consulting services to update the City's Comprehensive Land Use Plan from March 4, 2024 to April 5, 2024 and received 8 proposals from qualified firms; and,

WHEREAS, City of Shelby staff reviewed the proposals for experience, qualifications, public engagement, and a range of other factors; and,

WHEREAS, the City Manager is the administrative head of the city government and the City's Budget Officer.

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

Section 1. The City Manager is hereby authorized to negotiate and execute a contract with a qualified firm for development of the Comprehensive Land Use Plan.

Section 2. This resolution shall become effective immediately on the date of its adoption.

Adopted and approved this 6th day of May, 2024.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: E-3

- 3) Consideration of appointments to City advisory boards and commissions:
 - a) Housing and Redevelopment Advisory Commission

New Business Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum dated April 29, 2024, from Carol Williams, City Clerk to Rick Howell, City Manager
- Applications for Shelby Housing and Redevelopment Advisory Board
- Shelby Housing and Redevelopment Advisory Board Roster 2023

City Manager's Recommendation / Comments

Volunteers are an essential part of the work the City performs each year. As always this is just a reminder that we all should work to recruit qualified and quality people to serve whenever possible. Solicitation of both qualified and interested citizens to serve on these important advisory boards remains a priority for 2024. I would challenge each of you to recruit viable candidates who possess the knowledge and willingness to serve during the coming months.

I cannot emphasize enough the importance of appointing quality people to these very important citizen boards and commissions. It is incumbent upon Council as the appointing authority to ensure members are responsible members of the community who will make decisions that reflect the established and recognized values of the City. These appointees after all reflect upon Council as the appointing authority as well as the City as they conduct business month to month.

**OFFICE OF THE
CITY CLERK**



Memo

To: Rick Howell, City Manager
From: Carol Williams, City Clerk
Date: April 29, 2024
Re: Appointments to City Advisory Boards

BOARD REVIEW: Housing and Redevelopment Board –

The terms of three incumbents, Darrell Gerald, Brenda Marable and Michael Shawn Collins concluded March 2024. Mr. Collins wishes to continue serving on the board. Mr. Gerald and Mrs. Marable wish to step down.

There are two applications on file in the Clerk's Office –

- **Debra Littlejohn (Ward 2)**
- **Phyllis Williams (Ward 2)**

POSSIBLE ACTION:

Council can begin the nominating process or take appointive action for three new terms concluding March 2027.

Attachment:

- A. Housing and Redevelopment Board roster 2023

*** Date**

03/27/2023

*** Full Name**

Debra Littlejohn

*** Full Address**

205 Garden View Ln
Shelby NC 28152

Word 2



*** Do you live within Shelby's city limits?**

Yes

If you live in Shelby, how many years and months?

Ever since I was about two years old, I have lived in Shelby until I went to college. When my mother had a stroke and heart attack in May 2020, I moved back home to take care of her.

Date of Birth

01/31/1964

Home Phone

SKIPPED

Mobile Phone

(864) 490-1943

Work Phone

(704) 866-3168

*** Email**

grant360solutions@outlook.com

Occupation

I have worked as a grant coordinator/manager for over 15 years. Currently, I work as a Grant Coordinator in Gaston County Department of Finance.

Why are you interested in serving on the Shelby Housing and Redevelopment Advisory Board?

I have the desire to help the homeless especially the veterans in our city. Due to the lack of affordable housing, I would like to bring my grant knowledge to help. For the last month, I have been helping an individual secure housing which has made me aware of a greater need here in Shelby.

Please list any previous board service (If applicable)

None

Interests, skills, expertise or experiences that may be of assistance to the Shelby Housing and Redevelopment Advisory Board's success

I have the heart and passion in helping people who need someone to be a voice for them. I believe that my grant knowledge can be a great asset.

*** Type your name for signature**

Debra Littlejohn

*** Date**

04/18/2023

*** Full Name**

Phyllis L. Williams

*** Full Address**

1030-3 Sue Lane
Apt. 6
Shelby North Carolina 28151

*** Do you live within Shelby's city limits?**

Yes

If you live in Shelby, how many years and months?

At least 6 years pr more within city limits.

Date of Birth

01/24/1983

Home Phone

SKIPPED

Mobile Phone

(704) 418-9782

Work Phone

SKIPPED

*** Email**

pwillia2@gardner-webb.edu

Occupation

Volunteer Community Advocate / Volunteer Emergency Services

Why are you interested in serving on the Shelby Housing and Redevelopment Advisory Board?

I am interested in serving on the housing board to assist other community members with more creative ways and build a broader community system that will better serve all low income and homeless people of this city. There is a great need for additional housing resources here and I am interested in assisting to meet that demand for the common people.

Please list any previous board service (If applicable)

I have never served nor do I presently serve on any city board.

Interests, skills, expertise or experiences that may be of assistance to the Shelby Housing and Redevelopment Advisory Board's success

Worked over 20 yrs w/homeless community & w/in this community for over 18 yrs volunteer serving individuals & families w/ accessing proper resources & housing services. Our city/county is in a major housing crisis & I'm not sure if many are aware that 60% of the common people need some type of rental assistance here. This is a rural community & creating additional housing resources and services is the start to developing more housing to change families and their life systems.

*** Type your name for signature**

Phyllis Williams

SHELBY HOUSING AND REDEVELOPMENT ADVISORY BOARD 2023

MEMBERS	ADDRESS	TERM	PHONE
Debra Littlejohn Grant360solutions@outlook.com	205 Garden View Lane Shelby, NC 28152	March 2026	W: 704 866-3168 C: 864 490-1943
Sharon Leigh sleigh@peoplesbanknc.com	1031 Hunter Valley Road Shelby, NC 28150	March 2026	H: 704 484-8663 W: 704 484-6200
Tanzy Wallace tanzylbw@gmail.com	1104 South Lafayette Street Shelby, NC 28150	March 2026	C: 704 300-5439
Darrell Gerald gerald78@carolina.rr.com	124 Brookhill Road Shelby, NC 28150	March 2024	H: 704 406-9650 W: 704 477-0482
Brenda Marable bmorable@bellsouth.net	1804 Troy Road Shelby, NC 28150	March 2024	H: 704 487-7057 C: 704 473-6722
Michael Shawn Collins shawn.collins@ncdps.gov	113 Hillside Drive Shelby, NC 28150	March 2024	H: 704 472-2694 W: 704 480-5698 Ext. 201
Talmadge C. Strickland IV tcstrickland4@carolina.rr.com	1803 Arbor Way Drive Shelby, NC 28150	March 2025	H: 704 473-9170 W: 704 482-3031
Matthew Albinger albymatt69@gmail.com	801 W. Warren Street Shelby, NC 28150	March 2025	C: 704-718-8998
Derrick L. Haynes Dhay1257@yahoo.com	300 Atlantic Avenue Shelby, NC 28150	March 2025	C: 704 974-8195

Meetings are held February, May, August, and November on the second Tuesday of the month at noon, or as necessary, at the Housing Department Center, 801 Logan Street, Shelby, NC.

Board is comprised of nine members as of September 15, 1991, each serving three (3) year terms.

City Council Liaison: Emilie Bullock – Ward 1
1007 Castlewood Drive
Shelby, NC 28150
828 447-2619
emilie.bullock@cityofshelby.com

Staffed by:

Bryan Howell, Director of Housing
P O Box 1192
Shelby, NC 28151-1192
Office: 704 669-6590
Cell: 704 473-6490
bryan.howell@cityofshelby.com

Michelle Hudson, Secretary to the Board
P O Box 1192
Shelby, NC 28151-1192
Office: 704 669-6592
Cell: 704 477-2156
michelle.hudson@cityofshelby.com

Agenda Item: F

City Manager's Report

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

Agenda Item: G

Council Announcements and Remarks

H. 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