

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 Comment:

1

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

C. Public Hearing:

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for parcel 26023, further identified as 2221 Kings Rd.: Ordinance No. 51-2024 2 - 16
- 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for Parcel Numbers 30167 and 30168 (1769 S. Lafayette Street): **Applicant has withdrawn their application – no action required at this time 17 – 20

D. Consent Agenda:

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

**Shelby City Council Agenda
August 19, 2024
Page 2**

- 1) Approval of the Minutes of the Regular Meeting of August 5, 2024 21 - 28**
- 2) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby’s City Hall Chamber Renovation, Windows and Doors Replacement Project: Ordinance No. 52-2024 29 - 32**
- 3) Approval of a resolution authorizing the acceptance of an agreement between the Town of Boiling Springs and the City of Shelby for equipment maintenance and upkeep of the Boiling Springs Surge Relief Valve: Resolution No. 55-2024 33 - 43**
- 4) Approval of Special Event Applications:**
 - a) Shiloh Baptist Church Community Block Party, requested date: September 21, 2024 44 - 53**
 - b) Uptown Carriage Rides and Christmas Tree Lighting, requested date: Nov. 30th, Dec. 6th, 13th and 20th, 2024 54 - 60**
 - c) Shelby Christmas Parade, requested date: December 1, 2024 61 - 69**
 - d) Pinnacle Homecoming Parade, requested date: December 6, 2024 70 - 78**
- 5) Management Reports:**
 - a) Raper-Roark Financial Report – July 2024 79 - 82**
 - b) Mayor’s appointees to Comprehensive Land Use Plan Steering Committee 83 - 84**
- 6) Acceptance of the Certificate of Sufficiency regarding Petition of Annexation of applicant, Wayne and Iris Beam 85 - 99**
- 7) Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council 100 - 101**

END OF CONSENT AGENDA

E. Unfinished Business: 102

None

F. New Business:

- 1) Approval of a resolution naming a certain City of Shelby park facility in honor of Mr. Mitchell Terrill, Sr.: Resolution No. 56-2024 103 - 147
- 2) Adoption of an ordinance to repeal Article II Sections 34-41 and 34-32, "Determination; bond" and "Going on private residence without invitation," of the City Code of Ordinances: Ordinance No. 53-2024 148 - 153
- 3) Approval of a resolution to abolish the Redevelopment Commission of the City of Shelby: Resolution No. 57-2024 154 - 157
- 4) Consideration of appointments to City advisory boards and commissions: 158 - 164
 - a) Planning and Zoning Board
 - b) Parks and Recreation Advisory Board

G. City Manager's Report 165

H. Council Announcements and Remarks 165

I. Closed Session: 165

- 1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).

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

J. Adjournment:

165

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 Comment:

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

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

C. Public Hearings:

Agenda Item: C-1

- 1) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for parcel 26023, further identified as 2221 Kings Rd.: Ordinance No. 51-2024

Presenting: (Brian Burgess, Director of Planning & Development)

Summary of Available Information:

- Memorandum dated August 12, 2024, from Brian Burgess, Director of Planning & Development to Rick Howell, City Manager
- Location Map, Zoning Map, Future Land Use Map
- General Application
- Staff Report
- Certified Recommendation
- Notice to Surrounding Properties & Mailing List
- Ordinance No. 51-2024

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. Burgess' memorandum noting that the zoning map amendment is **inconsistent** with the City's current land use plan but consistent with current development patterns. While City staff recommended approval the Planning and Zoning Board voted unanimously to deny the rezoning as submitted. 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)).

TO: Mr. Rick Howell, City Manager

FROM: Brian Burgess, Director of Planning & Development

DATE: August 12, 2024

SUBJECT: 2221 Kings Rd. – Zoning Map Amendment

Background

The subject property is located at 2221 Kings Rd. The site is just to the east of Magnolia Plantation in the eastern portion of Shelby. The property is approximately 1.68 acres. The applicant is proposing to rezone from R10 to GB.

The request is adjacent to property already zoned GB. The properties to the south and east of this parcel are zoned GB, with R10 located to the north and west. This site is located within the medium density residential classification on the Future Land Use Map, though nearby development patterns show commercial use to be reasonable as well.

Recommendation

The GB zoning district is inconsistent with the future land use plan, though consistent with current development patterns. Staff recommends approval of the rezoning because it is compatible with other adjacent uses. The Planning & Zoning Board have recommended denial of this rezoning, citing concerns over compatibility with neighboring uses and zoning districts.

Attachments

Location Map
Zoning Map
Future Land Use
Application
Planning Board Staff Report
Planning Board Recommendation
Notice to Surrounding Properties
Mailing List
Notice of Public Hearing



2221 Kings Rd Location Map



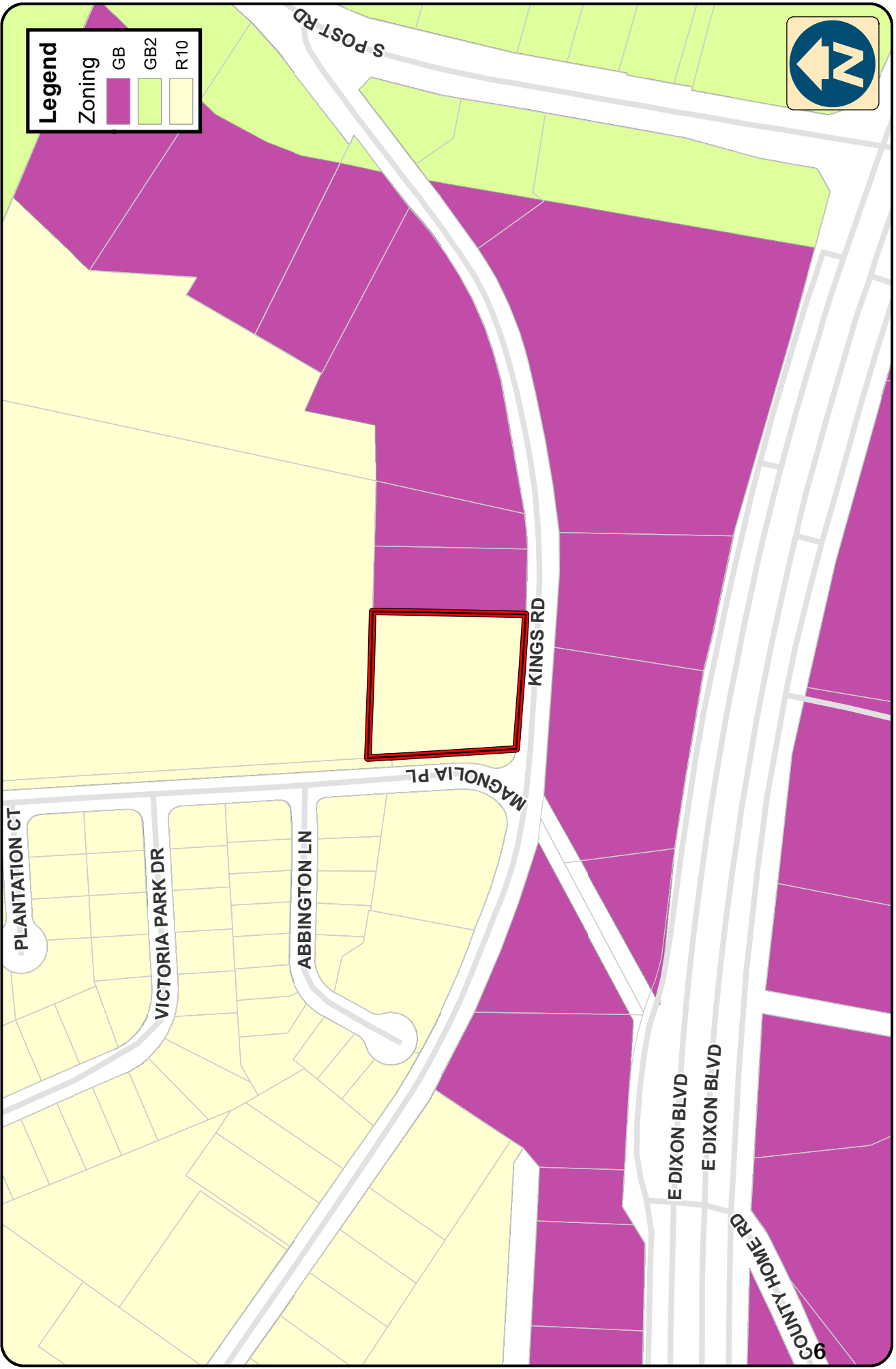
Scale 1:3,000 1 inch = 250 feet



Date: 5/29/2024

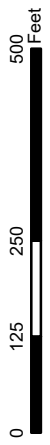


Zoning Map 2221 Kings Rd



Legend	
Zoning	
GB	
GB2	
R10	

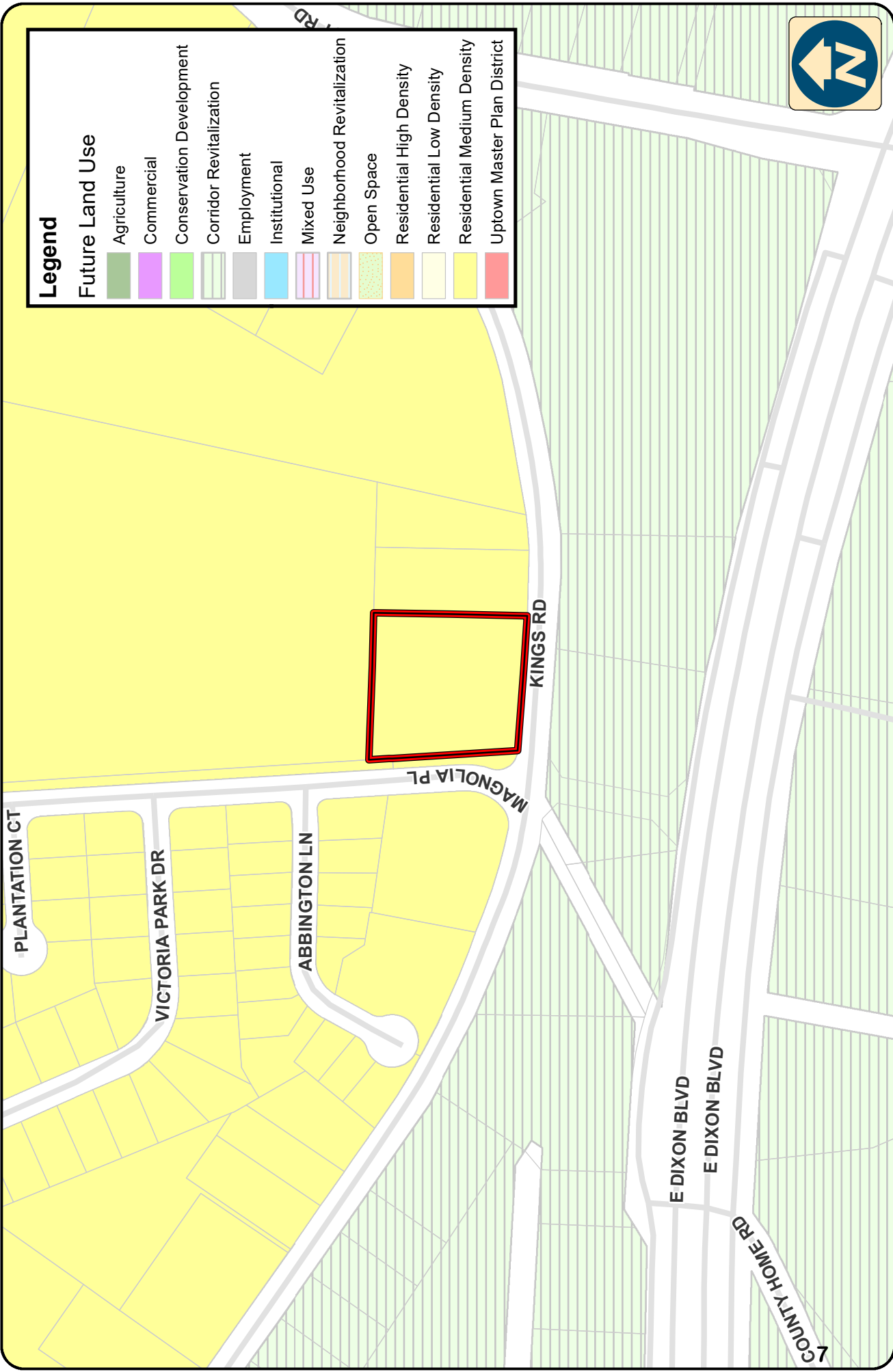
Date: 5/29/2024



Scale 1:3,000 1 inch = 250 feet



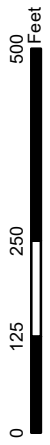
Future Land Use Map 2221 Kings Rd



Legend

- Future Land Use
- Agriculture
- Commercial
- Conservation Development
- Corridor Revitalization
- Employment
- Institutional
- Mixed Use
- Neighborhood Revitalization
- Open Space
- Residential High Density
- Residential Low Density
- Residential Medium Density
- Uptown Master Plan District

Scale 1:3,000 1 inch = 250 feet



Date: 6/4/2024



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

2221 Kings Road, Shelby, NC 28150

Applicant(s) Name: 2225 Kings Road, LLC

Address: 11188 Water Trace Drive, Tega Cay, SC 29708

Email: TrulanticCRE@gmail.com

Phone: 980-242-6596

Owner(s) Name: Joe Nguyen

Email: TrulanticCRE@gmail.com

Phone: 980-242-6596

Relationship to Property: [X] Owner [] Developer, Contractor, etc. [] Other:

Request for (Check all that apply):

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

Project Information (Fill in applicable information):

Parcel Number: 26023
Proposed Zoning: General Business
Proposed Land Use: Redevelopment
Previous Use: Single Family Residential
Approx. Building Sq. Ft.: 1,984
Approx. Project Acreage: 1.678
Business Name: 2225 Kings Road, LLC
Construction Sq. Ft.: TBD
Valuation: TBD

Provide a detailed description of the proposed project. Attach additional pages or documentation if necessary.
We would like to combine the parcel at 2221 Kings Road, Shelby, NC to the adjacent commercial parcel at 2225-2227 Kings Road, Shelby, NC. The goal is to develop the lot to a conforming usage allowed by the city to service the area residences and businesses.

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

Signature of Applicant

4/22/2024
Date

Received by:

Date

Staff Report



To: Shelby Planning & Zoning Board
From: Brian Finnegan
Planner

Date: June 11, 2024
Meeting: June 20, 2024
File: #1204

OWNER/APPLICANT: Joe Nguyen – Trulantic CRE

LOCATION: 2221 Kings Rd

PARCEL ID #: 26023

PRESENT ZONING: R10

REQUESTED ZONING: GB

SURROUNDING ZONING: **North:** R10 **South:** GB **East:** GB **West:** R10

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

ANALYSIS: Parcel 26023 is a 1.68 acre parcel of land located at the intersection of Magnolia Place and Kings Road, inside the city limits. The property currently has a vacant single-family home on the lot. There is a residential community to the west, Magnolia Plantation, and a proposed major subdivision with over 130 lots just to the north currently under review. Development to the east and south of this property is all commercial.

The existing zoning is Residential R10, which is primarily designed to allow for medium density residential development with minimum lot sizes of 10,000sqft. There a limited recreational and institutional uses permitted in the R10 district compared to the requested General Business (GB) district. GB allows for high density residential including multifamily development, as well as a wide range of retail, office, professional services, and wholesale uses. This request is contiguous with the zoning district to the east and south, and would provide a continuation of the existing commercial district along Kings Rd. This property is in a transitional area along Kings Road that would support either residential or commercial development at this site.

On the Future Land Use Map parcel 26023 is designated Residential Medium Density. However, the commercial properties to the east also have the Residential Medium Density designation, but existing uses are commercial and they are within the GB zoning district. Even though the proposed rezoning is inconsistent with the Future Land Use Plan rezoning the property to GB would allow for development

STAFF COMMENTS: The request is technically inconsistent with the adopted Comprehensive Land Use Plan and Future Land Use Map. However, the proposed zoning, if approved, would be consistent with commercial development in the area immediately fronting Kings Road. Given the trend of expanding commercial use on this corridor staff recommends approving the rezoning as proposed.

Certified Recommendation

City of Shelby Planning & Zoning Board



Case File: # 1204

Amendment: A Zoning Map Amendment for property located at 2221 Kings Road (Cleveland County parcel 26023) from Residential R10 to General Business (GB) zoning district.

Recommendation: The Planning and Zoning Board recommends denial of the proposed Zoning Map Amendment for property located at 2221 Kings Rd (Cleveland County parcel 26023) from Residential R10 to General Business (GB) zoning district.

Findings &

Reasons:

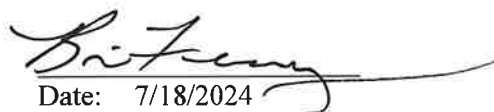
1. The proposed zoning map amendment is inconsistent with surrounding zoning.
2. The proposed zoning map amendment is inconsistent with surrounding uses.

Motion: Ms. Schweppe made the motion to recommend denial of the proposed zoning designation of General Business (GB) on the basis that the proposal is inconsistent with surrounding zoning and uses.

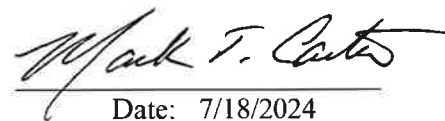
Second: Mr. Hamrick

Action: This motion passed unanimously.

Signatures: Brian Finnegan
Planner


Date: 7/18/2024

Mark Carter
Planning and Zoning Board Chair


Date: 7/18/2024



July 30, 2024

RE: Parcel 26023 – 2221 Kings Rd – Proposed Zoning Map Amendment

The City Council of the City of Shelby will conduct a public hearing during its regular meeting on August 19, 2024, at 6:00 p.m. at 318 South Washington Street in the Don Gibson Theatre to consider a proposed zoning map amendment from Residential R10 to General Business GB for property located at 2221 Kings Rd, Cleveland County Parcel 26023.

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

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

Sincerely,

Brian Finnegan

Planner

Enclosures

2225 KINGS ROAD LLC
11188 WATER TRACE DR
TEGA CAY SC 29708

APPLE ROBERT WAYNE APPLE
CONNIE ROBEY
106 VICTORIA PARK DR
SHELBY NC 28150

BEATTIE JOANN BEATTIE GEORGE
104 VICTORIA PARK DR
SHELBY NC 28150

BEBO'S INC
1538 STONY POINT RD
SHELBY NC 28150

BIGGERSTAFF KATHY P TRUST
18111 W POND RIDGE C
GURNEE IL 60031

BOWDEN ANGELA M
151 VICTORIA PARK DR
SHELBY NC 28150

BOWEN JEAN ELIZABETH
103 PLANTATION CT
SHELBY NC 28150

BULLARD EMILY L
138 VICTORIA PARK DR
SHELBY NC 28150

CANIPE NELL A
118 VICTORIA PARK DR
SHELBY NC 28150

CARDWELL DAVID WITHE
CARDWELL BEVERLY FALLS
130 VICTORIA PARK DR
SHELBY NC 28150

CHAFFIN DEBORAH L
101 VICTORIA PARK DR
SHELBY NC 28150

CHAMPION CAROLE
109 VICTORIA PARK RD
SHSELBY NC 28150

CLARK LADONNA BROWN CLARK
ANDRECIOUS DEMONS
114 VICTORIA PARK DR
SHELBY NC 28150

CLARY DEBRA ANN
214 S LAFAYETTE ST S
SHELBY NC 28150-4366

CONDREY CAROLYN R
120 VICTORIA PARK DR
SHELBY NC 28150

CONSTANT GRACE BLANT
134 VICTORIA PARK DR
SHELBY NC 28150-6219

DILLS JOHN H OGLE ANGELA
CHARLENE
115 VICTORIA PARK DR
SHELBY NC 28150

EARLE ALBERT HENRY EARLE AMBER
KAY
108 VICTORIA PARK DR
SHELBY NC 28150

FARRELL WANDA MORRIS
104 ABBINGTON LANE
SHELBY NC 28150

HAWKINS MICHAEL V HAWKINS
PEGGY B
123 VICTORIA PARK DR
SHELBY NC 28150

HENDRICK BYRON H HENDRICK
SHEILA M
509 22ND AVE S
N MYRTLE BEACH SC 29582-4217

HINSON CHRISTINE P
111 VICTORIA PARK DR
SHELBY NC 28150

JOLLEY JANICE PARKER
106 ABBINGTON LN
SHELBY NC 28150

KENDRICK JOSEPH DALE KENDRICK
JEWELL B
101 ABBINGTON LN
SHELBY NC 28150

KINGS ROAD SHELBY LL
231 POST OFFICE DR S
INDIAN TRAIL NC 28079

LAVENDER MARTHA C
101 PLANTATION CT
SHELBY NC 28150

LEDFORD JERI M
116 VICTORIA PARK DR
SHELBY NC 28150

MADDEN HERBERT COURT MADDEN
SHIRLEY THOMAS
103 VICTORIA PARK DR
SHELBY NC 28150

MAGNOLIA PARTNERS
201 W MARION ST
SHELBY NC 28150-5091

MAGNOLIA PLANTATION OWNERS
ASSOCIATION
201 W MARION ST
SHELBY NC 28150

MARTIN DOROTHY L
102 PLANTATION CT
SHELBY NC 28150

MCSWAIN RANDY J MCSWAIN
SARAH B
110 VICTORIA PARK DR
SHELBY NC 28150

MINOR MARY ANN
112 VICTORIA PARK DR
SHELBY NC 28150

NGUYEN QUOC MANH TRAN VINH
PHUONG THI
136 VICTORIA PK DR
SHELBY NC 28150

NORTH POINT CUSTOM B LLC
PO BOX 1936
SHELBY NC 28151-1936

NORTH POINT CUSTOM B LLC
1531 S POST RD
SHELBY NC 28152

PATEL GHUNSHYAMBHAI PATEL
URMILABEN G
113 VICTORIA PARK DR
SHELBY NC 28150

PECK GREGORY C PECK BRENDA S
110 ABBINGTON LN
SHELBY NC 28150

PIERCE DONNA M
100 ABBINGTON LN
SHELBY NC 28150

RHODES TIMOTHY O RHODES LAVITA
S
304 HORSESHOE DR
SHELBY NC 28150-5945

SCHENA ANGELA
108 ABBINGTON WAY
SHELBY NC 28150

SHELBY ROAD PROPERTI
201 W MARION ST STE
SHELBY NC 28150-5094

SHIELDS FAMILY IRREV TRUST DATED
1-24-20
2214 HOLLY LN
SHELBY NC 28150

SNYDER SUSAN H
127 VICTORIA PK DR
SHELBY NC 28150

STATE EMPLOYEES CRED 1729 E
DIXON BLVD LOCATION
PO BOX 26807
RALEIGH NC 27611-6807

STATE EMPLOYEES CRED
PO BOX 27665
RALEIGH NC 27611-7663

STILL ELIZABETH Z
1512 E DIXON BLVD
SHELBY NC 28152

STROUPE DIAN SHORT
102 VICTOR PARK DR
SHELBY NC 28150

SURRATT ISAAC MASON
106 PLANTATION CT
SHELBY NC 28150

TENNAL JULIUS R TENNAL ANNETTE
S
125 VICTORIA PARK DR
SHELBY NC 28150

TESSENER ANNETTE M
121 VICTORIA PARK DR
SHELBY NC 28150

THE CAROL SPANGLER H
REVOCABLE TRUST
140 VICTORIA PARK DR
SHELBY NC 28150

THE CHARLES & JENNIF LIVING
TRUST
105 PLANTATION CT
SHELBY NC 28150

THURSTON QUINTON L THURSTON
CLARA S
103 ABBINGTON LN
SHELBY NC 28150

WYATT OREN M WYATT VICKIE K
100 VICTORIA PARK DR
SHELBY NC 28150

WYATT ROBERT WYATT CYNTHIA
102 ABBINGTON LANE
SHELBY NC 28150

I certify that the letter to adjacent
property owners was mailed to the
above reference addresses on July 31,
2024.



NOTICE OF PUBLIC HEARINGS ZONING MAP AMENDMENTS

The City Council of Shelby, North Carolina will conduct a public hearing during its regular meeting at 6:00 p.m., Monday, August 19, 2024 in the Don Gibson Theatre at 318 South Washington Street, Shelby, North Carolina to consider the following:

A proposed zoning map amendment from R10 Residential Zoning to Corridor Protection District CPD for two properties located at 1765 & 1769 S Lafayette St, Cleveland County Parcels 30167 & 30168, totaling 1.3 acres.

A proposed zoning map amendment from R10 Residential to GB General Business for property at 2221 Kings Rd, Cleveland County Parcel 26023, totaling 1.68 acres.

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

Persons interested in being heard on these matters are invited to comment on the proposed rezonings at the hearings, whether for or against. Comments may be presented orally at the hearings, in writing prior to the hearings, 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, August 5, 2024 and the same ad again on Monday, August 12, 2024.

**Mail invoices with affidavits to Brian Finnegan, City of Shelby, PO Box 207, Shelby, NC 28151.
Thank you.**

ORDINANCE NO. 51-2024

**A PROPOSED ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF SHELBY, NORTH CAROLINA FOR
PARCEL 26023, FURTHER IDENTIFIED AS 2221 KINGS RD.**

WHEREAS, the City of Shelby has received an application requesting the rezoning of property at 2221 Kings Road (Parcel 26023) located in Cleveland County and within 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 not consistent with the Comprehensive Land Use Plan for the proposed land use and not consistent with the surrounding zoning and uses; and,

WHEREAS, in accordance with N.C. Gen. Stat. § 160D-602, a public hearing on this proposed rezoning was held by City Council on August 19th 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 being consistent with the development pattern of the surrounding properties 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 parcel on Kings Rd (Parcel 26023) is hereby amended from R10 to GB (General Business).

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 August 19th, 2024 upon its adoption and approval.

Ordinance No. 51-2024
August 19, 2024
Page 2

ADOPTED AND APPROVED this the 19th day of August 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Agenda Item: C-2

- 2) Consideration of a proposed ordinance amending the zoning map of the City of Shelby, North Carolina for Parcel Numbers 30167 and 30168 (1769 S. Lafayette Street): **Applicant has withdrawn their application – no action required at this time

Presenting: (Brian Burgess, Director of Planning & Development)

Summary of Available Information:

- Memorandum dated May 14, 2024, from Brian Burgess, Director of Planning & Development to Rick Howell, City Manager
- Application
- Notice of Public Hearing

City Manager's Recommendation / Comments

This hearing was advertised prior to the Planning and Zoning Board meeting and the matter was presented to it. However, prior to any action being taken the applicant withdrew the application in favor of amending the request at a later date.

There is no need to hold this hearing. It was left on the agenda because of the advance public hearing notice already published.

No action required.

TO: Mr. Rick Howell, City Manager

FROM: Brian Burgess, Director of Planning & Development

DATE: August 12, 2024

SUBJECT: 1769 S. Lafayette. – Zoning Map Amendment

Background

A petition for rezoning of 1769 S. Lafayette has been received by my office, and presented to the Planning & Zoning Board for consideration. The applicant has expressed the desire to make changes to the application that would significantly alter the proposal reviewed by the Planning & Zoning Board, however, requiring staff to restart the review process. The applicant has asked that this rezoning be removed for consideration until an amended application can be made and reviewed.

Recommendation

A public hearing has been scheduled for this meeting and duly advertised, but the applicant has requested this item be removed for consideration until a later date. Staff recommends letting any residents with interest know that the proposal will be considered in the future as an amended application.

Attachments

Application



City of Shelby
Planning and Development Services Department

General Application

Address of Subject Property:

1769 + 1765 S. Lafayette Street

Applicant(s) Name: Janice Wright

Address: 117-1 Tangewood Lane

Email: janicewright57@yahoo.com

Phone: 704-284-0068

Owner(s) Name: Janice Wright

Email: janicewright57@yahoo.com

Phone: 704-284-0068

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

Request for (Check all that apply):

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

Project Information (Fill in applicable information):

Parcel Number: _____

Proposed Zoning: CPD

Proposed Land Use: _____

Previous Use: _____

Approx. Building Sq. Ft.: _____

Approx. Project Acreage: _____

Business Name: _____

Construction Sq. Ft.: _____

Valuation: _____

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

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

Janice Wright
Signature of Applicant

6/5/24
Date

Received by:

Date



City of Shelby
Planning and Development Services

Appointed Agent Form

Address of Subject Property:

1769 + 1765 S. Lafayette Street

I, Janice Wright, owner of the property located at said address and identified by the Cleveland County Tax Assessor's Office as PIN: ^{1769: 2535488479} ~~1765: 2535489667~~ located in Cleveland County, North Carolina, do hereby appoint Brittany Beam to represent me in filing an application for a permit with the City of Shelby Planning and Development Services Department.

I further authorize Brittany Beam to act as my agent in all matters, formal and informal, and to receive all official correspondence as it relates to the ZONING PERMIT REVIEW and APPROVAL PROCESS.

Janice D. Wright
Signature of Property Owner

6-10-24
Date

Applicant(s) Name: Janice Wright
Address: 117-1 Tangewood Lane
Shelby, NC 28152
Email: janicewright@yahoo.com
Phone: 704-284-0068

STATE OF North Carolina
COUNTY OF Cleveland

I, Katie B. Ingle, a Notary Public for said County and State, do hereby certify that Janice Wright, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 10th day of June, 2024.

(SEAL)

Katie B. Ingle
Notary Public

My Commission Expires: 8/24/27

D. Consent Agenda:

Agenda Item: D-1

- 1) Approval of the Minutes of the Regular Meeting of August 5, 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 August 5, 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

August 5, 2024
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew L. Hopper, Sr., David Causby, David White, Charles Webber, 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 Finance Elizabeth (Beth) Beam, CPA, Chief of Police Brad Fraser, Director of Water Resources Brian Wilson, Director of Planning and Development Services Brian Burgess, Public Information and Communications Officer Chip Nuhrah, Economic Developer Brandon Ruppe, Electric Department Operations Manager Ronnie Davis, Utility Project Coordinator Cameron Howell, and Jennipher H. Harrill, Social Media Manager, Blue Eyes Media Connections

Absent: Councilmember Violet Arth

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:

Mayor Anthony requested the addition of a Special Presentation to recognize Scott Edwin Ledford on his retirement from employment with the City of Shelby.

1) Motion to adopt the proposed agenda as amended.

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

Special Presentation: Mayor Anthony recognized and congratulated Scott Edwin Ledford on the occasion of his retirement from employment with the City of Shelby and read aloud the prepared resolution.

B. Consent Agenda:

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

- 1) Approval of the Minutes of the Regular Meeting of July 15, 2024
- 2) Approval of a resolution directing the City Clerk to determine sufficiency of a voluntary annexation petition from Wayne and Iris Beam: Resolution No. 51-2024 (Borders Road and East Marion Street)
- 3) Adoption of a budget ordinance amendment for the City of Shelby's First Broad Outfall Sewer Improvement Project: Ordinance No. 50-2024
- 4) Management Reports:
 - a) Monthly Financial Summary – June 2024

END OF CONSENT AGENDA

C. Unfinished Business:

- 1) Approval of a resolution awarding the contract for the City of Shelby's S. Morgan Street and Market Street Water and Sewer Rehabilitation Project to Father and Son Enterprises, LLC: Resolution No. 52-2024

Presentation – Rick Howell, City Manager:

- This resolution will award the contract for the project described in the amount of \$871,310.00
- ARP funding was previously approved by Council for this project to rehabilitate water and sewer lines along Morgan Street and Market Street
- A good amount of this work needs to be done in advance of both the Depot Park work and the Rail Trail work in that area
- Staff followed City policy and North Carolina General Statutes when bidding the project and the recommendation from staff is to award the contract to Father and Son Enterprises, LLC
- The contract is for 130 days

ACTION TAKEN: Upon a motion made by Mrs. Bullock, City Council voted unanimously to approve Resolution No. 52-2024 entitled, "A RESOLUTION AWARDED THE CONTRACT FOR THE CITY OF SHELBY'S S. MORGAN STREET AND MARKET STREET WATER AND SEWER REHABILITATION PROJECT TO FATHER AND SON ENTERPRISES, LLC."

D. New Business:

1) Approval of a resolution authorizing selection of HDR Engineering, Inc. of the Carolinas for professional engineering services for the feasibility study with preliminary engineering report to extend utilities to the US-74 Bypass interchanges: Resolution No. 53-2024

Presentation – Cameron Howell, Utility Project Coordinator

- **NCDOT US-74 Bypass Project began in July 2013.**
 - **Started East of Mooresboro and will be finished West of Stoney Point Rd at US-74 Business.**
 - **East of Mooresboro to Polkville Rd (NC-226) has been opened.**
 - **Plans to have US-74 Bypass to NC-180/NC-150 opened by the end of 2024.**

- **The US-74 Bypass supports and promotes economic development around Shelby.**
 - **Walmart Distribution Center, Clearwater Paper, and Greenheck Fan Corporation to name a few.**
 - **More development is expected in the future as other sections are completed.**
 - **With this economic development growth new potential subdivisions could be brought to the area.**

- **Currently the City of Shelby lacks the utility coverage to meet these demands at the US-74 Bypass Interchanges and beyond.**

- **City staff decided a feasibility study and an engineering report was needed to determine how to extend the utilities to the US-74 Bypass Interchange areas and show what services were necessary to provide utility services to these areas.**

- **The areas that the study includes are Washburn Switch Road, Polkville Road, Fallston Road and Highway 150/180, if needed, the study can be expanded.**

- **The following is an example of what the feasibility study report would include:**

City of Shelby Water:

- **Details of existing system in the area:**
 - ❖ **Size**
 - ❖ **Material**

- ❖ Age/condition
- Water Modeling:
 - ❖ Available Flows
 - ❖ Available Pressure
 - ❖ Available Capacity
 - ❖ Is looping feasible?
- System extension layout and cost estimate

And then repeat the process shown above for all of the other City utilities: sewer, electric and natural gas.

A final report of the feasibility study will show:

- Utility Planning
 - Line extensions and new/upgraded facility requirements for each utility.
 - Review of existing and proposed flows in the service area.
 - Review general operating conditions of current infrastructure and conduct tests as appropriate to determine capacities.
 - Right-of-Way acquisitions.
 - Utility Easements.
- Recommend long-term and short-term improvements to existing facilities.
- Preliminary layouts and cost estimates for each utility.
- Determine all necessary applications needed to secure required permits and approvals for construction by NCDEQ, NCDOT, and any other necessary permitting agency.

UTILIZATION OF FINAL PLAN will be helpful in these situations:

- As developers inquire about projects at interchanges, we will be able to use this study for:
 - Prioritization of Projects
 - Budget Planning
 - Schedule Projects
 - Apply for Funding

RECOMMENDATION OF ENGINEER SELECTION PROCESS:

- Staff advertised Request for Qualification on May 28, 2024
- Three (3) Statement of Qualifications received on June 27, 2024
- Unanimous recommendation by staff review committee for selection of HDR Engineering, Inc. of the Carolinas to perform the Professional Engineering Services for this project
 - Subconsultants include:
 - Progressive Engineering Consultants, Inc. (Electrical)

- Joel E. Wood & Associates (Geotechnical)
- Bankhead Surveying, PA (Surveying)
- Avioimage Mapping Services, Inc. (Aerial Survey)
- City Staff prepared a resolution selecting HDR Engineering, Inc. of the Carolina for Council’s consideration.

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve Resolution No. 53-2024 entitled, “A RESOLUTION AUTHORIZING SELECTION OF HDR ENGINEERING, INC. OF THE CAROLINAS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE FEASIBILITY STUDY WITH PRELIMINARY ENGINEERING REPORT TO EXTEND UTILITIES TO THE US-74 BYPASS INTERCHANGES.”

2) Approval of a resolution authorizing disbursement of Travel and Tourism funding for Fiscal Year 2024-2025: Resolution No. 54-2024

Presentation – Rick Howell, City Manager:

- This resolution shows how the travel and tourism funding is distributed this year
- The funding levels for each organization were kept the same as they received last year, but included the Chamber of Commerce for visitor support
- There was a slight decline from the previous year in our receipts of funding
- The City expects to have additional accommodation facilities in the next couple years which will increase the amount received
- The City also included some occupancy money in the construction of the Rail Trail this year

ACTION TAKEN: Upon a motion made by Mr. Hopper, City Council voted unanimously to approve Resolution No. 54-2024 entitled, “A RESOLUTION AUTHORIZING DISBURSEMENT OF TRAVEL AND TOURISM FUNDING FOR FISCAL YEAR 2024-2025.”

E. City Manager’s Report

- Mr. Howell will have an in-depth update at our next meeting, but nothing to report at this time.

F. Council Announcements and Remarks

Mayor Anthony reminded Council of the upcoming events:

- **American Legion World Series starts Thursday, August 15**
- **Host City Welcome at the LeGrand Center - Wednesday, August 14**
- **American Legion World Series Festival – Saturday, August 10**
- **City of Shelby Staff Softball Tournament – Saturday, September 14**

G. Closed Session:

- 1) **To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body regarding the case of Nicholas and Michelle Taylor vs City of Shelby and LGI Homes, which privilege is hereby acknowledged pursuant to North Carolina General Statute § 143-318.11(a)(3).**
- 2) **To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).**

ACTION TAKEN: Mr. White made a motion to enter a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony invited all Council members present, along with Mr. Howell, Mr. Lunsford, Mr. Longino, Mr. Yarboro, Mr. Ruppe, Mrs. Williams and Mrs. Jones to attend. The motion passed unanimously, and Council moved into closed session at 6:23 p.m.

At the conclusion of the Closed Session item, Mr. White made a motion for City Council to return to the regular session at 6:49 p.m. and seal the minutes.

H. Adjournment:

- 1) **Motion to adjourn**

ACTION TAKEN: Upon a motion made by Mrs. Bullock, City Council voted unanimously to adjourn the meeting at 6:50 p.m.

Respectfully submitted,

**Carol Williams
City Clerk**

**O. Stanhope Anthony, III
Mayor**

Minutes of August 5, 2024

DRAFT

Agenda Item: D-2

- 2) Adoption of an ordinance establishing a capital project ordinance and budgets for the City of Shelby's City Hall Chamber Renovation, Windows and Doors Replacement Project: Ordinance No. 52-2024

Consent Agenda Item: (Justin Longino, Assistant City Manager)

Summary of Available Information:

- Memorandum dated August 14, 2024, from Justin Longino, Assistant City Manager to Rick Howell, City Manager
- Ordinance No. 52-2024

City Manager's Recommendation / Comments

Ordinance No. 52-2024 is presented for City Council consideration via the Consent Agenda. If approved this ordinance would appropriate \$ 700,000 of fund balance and net retained earnings in equal amount from the General Fund, Water Fund, Sewer Fund, Electric Fund and Natural Gas Fund for the purpose of replacing/refurbishing all City Hall windows and doors as well as renovation of current City Council chambers which was damaged because of a water line break in the ceiling several months ago. Work in the chambers would include changes to two bathrooms to comply with ADA requirements as well as renovations that likely may include electrical, lighting, sound system, technology enhancements, interior finishes and furnishings. This project has been slow to develop but we do now have an architect under contract to perform the work. The City has retained the architectural services of Upland Architects to develop a scope of work to address the issues identified while protecting the integrity of the building.

It is my recommendation Ordinance No. 52-2024 be adopted and approved by City Council at this time.



Post Office Box 207 · Shelby, NC 28151-0207

TO: Mr. Rick Howell, City Manager
FROM: Justin Longino, Assistant City Manager
DATE: August 14, 2024
SUBJECT: Project Budget Ordinance for City Hall Renovations

This project budget ordinance appropriates funds for renovations to the Council Chambers and for replacement of windows and doors at City Hall. The work has been evenly distributed amongst the general fund and utility funds.

The plans for Council Chambers are currently underway. Staff has retained Upland Architect and Freespace Design to assist with the design of the space. The current concept is to have a room that is updated, technologically advanced, and somewhat modular to accommodate various uses of the room. We will share concepts with Council once they are available.

Upland Architecture has also been assisting with a scope of work to replace the windows and doors at City Hall. This PBO will allow us to move forward with a formal bid package to receive quotes for that work.

ORDINANCE NO. 52-2024

AN ORDINANCE ESTABLISHING A CAPITAL PROJECT ORDINANCE AND BUDGETS FOR THE CITY OF SHELBY'S CITY HALL CHAMBER RENOVATION, WINDOWS AND DOORS REPLACEMENT PROJECT

WHEREAS, in accordance with applicable provisions of the North Carolina Budget and Fiscal Control Act, the City of Shelby finds it advisable and necessary to establish a capital project ordinance and budgets for the City of Shelby's City Hall Chamber Renovation and Windows and Doors Replacement Project; and

WHEREAS, it is necessary for the City to establish a budget for this capital project and appropriate applicable funds needed for the administration and construction of this project in order to comply with applicable provisions of the North Carolina Local Government Budget and Fiscal Control Act; and,

WHEREAS, G.S. 159-13.2 provides that a City may undertake municipal facility renovation, by way of a capital project ordinance providing the necessary balanced budget and funding for the life of the project;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA: The City of Shelby has identified a need to renovate the Council Chamber located in City Hall and replace the windows and doors in City Hall. Accordingly, the following budget modifications are approved in accordance with the chart of accounts heretofore established for the City of Shelby.

Section 1. Appropriating Revenues:

General Fund Balance Appropriated	11001000-39900	\$140,000
Water Fund Balance Appropriated	61006000-39900	\$140,000
Sewer Fund Balance Appropriated	62006000-39900	\$140,000
Electric Fund Balance Appropriated	63006000-39900	\$140,000
Natural Gas Fund Balance Appropriated	64006000-39900	\$140,000
Transfer to General Capital Projects	110495-49111	\$140,000
Transfer to General Capital Projects	610711-49111	\$140,000
Transfer to General Capital Projects	620721-49111	\$140,000
Transfer to General Capital Projects	630731-49111	\$140,000
Transfer to General Capital Projects	640741-49111	\$140,000

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

Revenues:		
Transfer from General Fund	11101000-38110-CHCWD	\$140,000
Transfer from Water Fund	11101000-38610-CHCWD	\$140,000
Transfer from Sewer Fund	11101000-38620-CHCWD	\$140,000
Transfer from Electric Fund	11101000-38630-CHCWD	\$140,000
Transfer from Natural Gas Fund	11101000-38640-CHCWD	\$140,000
Appropriation:		
Professional Services	111412-42000-CHCWD	\$ 75,000
Construction	111412-53000-CHCWD	\$625,000

Ordinance No. 52-2024
August 19, 2024
Page 2

Section 4. The provisions of this capital project ordinance shall be entered in the minutes of the Shelby City Council and copies filed with the City Manager as Budget Officer, the Finance Director, and the City Clerk for their direction and guidance in receiving revenues and expending the monies due thereunder.

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

Adopted and Approved this the 19th day of August, 2024.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM:

Jason Lunsford
City Attorney

Agenda Item: D-3

- 3) Approval of a resolution authorizing the acceptance of an agreement between the Town of Boiling Springs and the City of Shelby for equipment maintenance and upkeep of the Boiling Springs Surge Relief Valve: Resolution No. 55-2024

Consent Agenda Item: (Brian Wilson, Director of Water Resources)

Summary of Available Information:

- Memorandum dated August 9, 2024 from Brian Wilson, Director of Water Resources to Rick Howell, City Manager and Ben Yarboro, Assistant City Manager
- Boiling Springs and Shelby Water Pressure Agreement
- Resolution No. 55-2024

City Manager's Recommendation / Comments

Resolution No.55-2024 is presented for City Council consideration as a routine matter via the Consent Agenda. If approved this resolution would authorize the City Manager to execute the proposed agreement between the Town of Boiling Springs and the City of Shelby specific to the installation and ongoing maintenance of a surge relief valve within the pumping station near the Shelby Airport which is owned by the Town. The purpose of the valve installation is to reduce pressure spikes being experienced by customers.

The City Attorney has prepared the agreement and City Staff has reviewed it with the Town Manager and Town Attorney.

It is my recommendation that Resolution No. 55-2024 be adopted and approved by the City Council via the Consent Agenda.

Memorandum

To: Rick Howell, City Manager

CC: Ben Yarboro, Assistant City Manager

From: Brian Wilson, Director of Water Resources

RE: Acceptance of Agreement Between the Town of Boiling Springs and the City of Shelby for Equipment Maintenance and Upkeep of the Boiling Springs Surge Relief Valve

Date: August 9, 2024

Background

In March 2023, a homeowner in the Riverbend Subdivision reported significant spikes in water pressure at various times throughout the day. Additionally, staff noted multiple line breaks in the subdivision and southwest portions of Shelby consistent with pressure fluctuations. To investigate, City staff installed pressure data loggers on the fire hydrants located in the southwest area of Shelby. The data loggers revealed consistent pressure spikes throughout the day, with fluctuations between 85 PSI and 120 PSI. These spikes coincided with the Town of Boiling Springs filling their water tank with water supplied by the City of Shelby at the pumping station located on College Avenue. Water Resources staff met with Kimley-Horn and Associates, Inc. and representatives from the Town of Boiling Springs to discuss solutions to the pressure spikes. Kimley-Horn and Associates, Inc. recommended installing a surge relief valve at the Boiling Springs pumping station to mitigate pressure spikes.

Review

To implement this solution, the City of Shelby will purchase, install, and maintain the surge relief valve that will be installed at 906 College Avenue, Shelby, NC 28152. This location is a booster pump station that is owned and operated by the Town of Boiling Springs. The City of Shelby will need to enter into an agreement with the Town of Boiling Springs to establish the terms for purchasing, installing, and maintaining this surge relief valve. An agreement was prepared by Jason Lunsford, City of Shelby Attorney, outlining the maintenance and upkeep

responsibilities for the valve once it is installed. This agreement has been reviewed by the Town of Boiling Springs Town Manager and their attorney, who have no objections to its terms.

Recommendation

Water Resources staff recommend that City Council approve the agreement as is and allow the City Manager to sign the agreement between the Town of Boiling Springs and the City of Shelby for the installation, maintenance, and upkeep of the surge relief valve.

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

Attachments:

- Boiling Springs and Shelby Water Pressure Agreement

**AGREEMENT BETWEEN TOWN OF BOILING SPRINGS AND CITY OF SHELBY
FOR EQUIPMENT MAINTENANCE AND UPKEEP**

This Agreement ("Agreement") is made and entered into on this ____ day of _____, 2024, by and between: Town of Boiling Springs, a municipal corporation and the City of Shelby, a municipal corporation.

RECITALS

WHEREAS, the Town of Boiling Springs and the City of Shelby are both authorized to operate a water supply and distribution system pursuant to N.C. Gen. Stat. § 160A-311; and

WHEREAS, the City of Shelby and the Town of Boiling Springs are authorized pursuant to Article 3 Chapter 160 of the North Carolina General Statutes to enter into contracts and such contracts may extend multiple fiscal years and such contracts may be between units of local government pursuant to N.C. General Statutes Chapter 160A, Article 20; and

WHEREAS, Town of Boiling Springs is the owner of the Booster Pump Station located on 906 College Ave, Shelby, NC 28152; and

WHEREAS, the City of Shelby operates a water and sewer system and water from the City of Shelby flows through the Town of Boiling Springs Booster Pump Station; and

WHEREAS, the City of Shelby proposes to install a surge relief valve located inside the Town of Boiling Springs Booster Pump Station to reduce water hammer in the City pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties hereto agree as follows:

ARTICLE 1. SCOPE OF WORK.

- 1.1 City of Shelby agrees to have a surge relief valve installed and be responsible for all necessary work, including but not limited to maintenance, repairs, and any required upkeep of the surge relief valve.
- 1.2 The City of Shelby will secure the surge relief valve and all necessary corresponding equipment needed for installation at a cost to the City of Shelby of approximately twelve thousand dollars (\$12,000.00) payable through the City of Shelby.
- 1.3 The City of Shelby will further provide the installation of the necessary surge relief valve at a cost to the City of Shelby of approximately eight thousand dollars (\$8,000.00) payable through the City of Shelby.
- 1.4 City of Shelby will ensure that all work performed related to the surge relief valve installation is conducted in a professional and workmanlike manner, in accordance with industry standards.

Such work will be conducted by a service representative of the valve manufacturer under the supervision and at the direction of the City of Shelby. Any needed service will be provided by the City of Shelby with such costs payable by the City of Shelby. except under no circumstance shall the City of Shelby be responsible for any acts of gross or willful negligence or intentional acts caused by the Town of Boiling Springs, its agents, assigns, employees, representatives, officers, directors, or successors in interest and any such resulting costs will be the responsibility of Boiling Springs.

ARTICLE 2. CITY OF SHELBY'S COSTS AND EXPENSES.

2.1 The City of Shelby will provide and maintain the continued operation and performance of the surge relief valve and the City of Shelby shall bear all costs and expenses related to the maintenance, repair, and upkeep of the surge relief valve, including but not limited to parts, labor, and any necessary tools or machinery.

2.2 The Town of Boiling Springs shall not be responsible for any of City of Shelby's costs in connection with the performance of work on the surge relief valve except as provided under section 2.3 herein.

2.3 Boiling Springs will cooperate with the City of Shelby to the extent needed to accomplish the purpose of this Agreement and not hinder the City of Shelby from performing its obligations herein.

ARTICLE 3. PERSONNEL AND POLICIES.

3.1 The City of Shelby employees responsible for providing assistance, maintenance, repairs, or like services while within the jurisdiction of the Town of Boiling Springs shall enjoy and receive the same level of coverage for work performed within the jurisdiction of the City of Shelby at the same salary or rate of pay and to include such benefits as worker's compensation as provided for under N.C. Gen. Stat. § 160A-463.

3.2 All City of Shelby employees shall be bound by the same policies and procedures for work performed in and for the Town of Boiling Springs as though they were performing such work within the City of Shelby. Any employment disputes, grievances, claims, or the like shall be governed by the City of Shelby Personnel Policy Manual and failure to comply with said terms and responsibilities may result in the denial of any claims or rights as well as other disciplinary actions up to and including termination from employment.

ARTICLE 4. ACCESS TO EQUIPMENT.

4.1 The Town of Boiling Springs shall provide continued access to the City of Shelby at all times to provide such service and maintenance pursuant to N.C. Gen. Stat. § 160A-466 and the terms of this Agreement.

4.2 Emergency repairs, ruptures, or other exigent circumstances that may occur during the course of this Agreement may cause need for the City of Shelby to come onto the property of the Town

of Boiling Springs for the purposes of performing emergency repairs or replacement of the surge relief valve. In such circumstances, the City of Shelby shall be permitted the right to determine the best course of action to repair or replace such equipment, at its sole discretion and expense, and shall not be liable for any unreasonable disruptions to or loss of water services to the Town of Boiling Springs.

ARTICLE 5. DURATION.

5.1 This Agreement shall continue for a term of fifteen (15) years and shall renew automatically for a period of five years from the date of this Agreement unless terminated by either party pursuant to the provisions of Article 8 herein.

ARTICLE 6. NON-TRANSFERRABLE.

6.1 This Agreement is non-transferrable and may not be assigned by either party without the prior written consent of the other party.

ARTICLE 7. NOTICE.

7.1 All notices, demands, and requests given or made in connection with this Agreement shall be made in writing signed by the party serving the same, and mailed First Class, postage prepaid, through the United States Postal Service to the addresses provided herein.

If to the City of Shelby
Attn: Rick Howell, City Manager
300 South Washington Street
Shelby, NC 28150
Rick.Howell@cityofshelby.com

If to the Town of Boiling Springs
Attn: Zachary Parker, Town Manager
214 East College Avenue
Shelby, NC 28152
PO Box 114
Boiling Springs, NC 28017
Zachary.Parker@boilingspringsnc.gov

7.2 Each party shall be responsible for updating the other regarding any change to the above name or address upon which notice is to be provided.

ARTICLE 8. TERMINATION.

8.1 Either party may terminate this Agreement by providing ninety (90) days' written notice to the other party pursuant to the notice requirements of Article 6 above.

8.2 Upon termination, City of Shelby shall promptly return any of Town of Boiling Springs' property in its possession and cease all work on the surge relief valve. The surge relief valve shall become the property of the Town of Boiling Springs upon termination of this Agreement and the Town of Boiling Springs shall incur and bear all costs and responsibility of any maintenance expenses, repair, or replacement of the surge relief valve as well as any changes, modifications, or alterations to the designed relief system.

8.3 Termination of this Agreement does not have any effect on any other current or future agreement or contract to provide water to the Town of Boiling Springs.

ARTICLE 9. GOVERNING LAW.

10.1 This Agreement shall be construed by and under the laws of the State of North Carolina and venue for any action related to this Agreement shall be Cleveland County Superior Court.

ARTICLE 10. ENTIRE AGREEMENT.

11.1 This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, understandings, and negotiations, whether written or oral, relating to the subject matter hereof.

ARTICLE 11. AMENDMENTS.

12.1 This Agreement may not be amended or modified except by a written agreement signed by both parties.

ARTICLE 12. ELECTRONIC VERSION OF AGREEMENT.

13.1 Either the Town of Boiling Springs or the City of Shelby may convert a signed original of this Agreement to an electronic record pursuant to a North Carolina Department of Natural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of this Agreement shall be deemed for all purposes to be an original signed contract.

ARTICLE 13. PERFORMANCE OF GOVERNMENT FUNCTIONS.

14.1 Nothing contained in this Agreement shall be deemed or construed in any way to stop, limit, or impair either the Town of Boiling Springs or the City of Shelby from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions, or shall limit either municipality's discretion in the exercise of such powers and functions.

ARTICLE 14. COUNTERPARTS.

15.1 This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be an original, but all such counterparts shall constitute one and the same agreement.

ARTICLE 15. GOVERNING BOARD APPROVAL.

16.1 This Agreement shall not take effect without the express approval of the Governing Board for the Town of Boiling Springs and the Governing Board for the City of Shelby.

ARTICLE 16. ARTICLE HEADINGS.

17.1 The use of Article Headings herein are only for the convenience and refence of the Agreement and do not define, limit, or describe the scope of this Agreement, or the intent of any provision of this Agreement.

ARTICLE 17. PRE-ADUIT REQUIREMENT.

18.1 This Agreement has not been fully executed and is not effective until the Pre-Audit Certificate (if required by N.C. Gen. Stat. 159-28) has been affixed and signed by the City of Shelby Finance Director

Signatures to follow.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals as of the day and year set forth above.

TOWN OF BOILING SPRINGS
ZACHARY PARKER
TOWN MANAGER

CITY OF SHELBY
RICK HOWELL
CITY MANAGER

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Beth Beam, Finance Director

RESOLUTION NO. 55 – 2024

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN AGREEMENT
BETWEEN THE TOWN OF BOILING SPRINGS AND THE CITY OF SHELBY
FOR EQUIPMENT MAINTENANCE AND UPKEEP OF THE
BOILING SPRINGS SURGE RELIEF VALVE**

WHEREAS, the City of Shelby water distribution system as experienced multiple line breaks in the Riverbend Subdivision and southwest portions of Shelby consistent with pressure fluctuations; and,

WHEREAS, the City of Shelby staff installed pressure data loggers on fire hydrants in the southwest area of Shelby, which revealed repeated pressure spikes; and,

WHEREAS, these water pressure spikes were found to coincide with the operation of an existing valve at a booster pump station located at 906 College Avenue that supplies the Town of Boiling Springs water; and,

WHEREAS, City staff, in consultation with Kimley-Horn and Associates, Inc. and representatives from the Town of Boiling Springs, identified the installation of a surge relief valve at the Boiling Springs pumping station as a solution to mitigate the pressure spikes; and,

WHEREAS, City staff and Town of Boiling Springs staff drafted an agreement for the purchase, install, and maintain the surge relief valve at the Town of Boiling Springs booster pump station located at 906 College Avenue; and,

WHEREAS, City staff has reviewed the agreement outlining the responsibilities for the maintenance and upkeep of the surge relief valve and hereby request for City Council to authorize entering the agreement with the Town of Boiling Springs.

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

Section 1. The City Council of the City of Shelby desire for the City Manager to execute the proposed agreement between the Town of Boiling Springs and the City of Shelby for the installation, maintenance, and upkeep of the surge relief valve.

Section 2. The City Manager of the City of Shelby or their designee is hereby authorized and directed to execute the agreement and to take all necessary actions to implement the terms of the agreement.

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

Adopted and Approved this the 19th day of August, 2024.

Resolution No. 55-2024
August 19, 2024
Page 2

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: D-4

4) Approval of Special Event Applications:

- a) Shiloh Baptist Church Community Block Party, requested date: September 21, 2024
- b) Uptown Carriage Rides and Christmas Tree Lighting, requested date: Nov. 30th, Dec. 6th, 13th and 20th, 2024
- c) Shelby Christmas Parade, requested date: December 1, 2024
- d) Pinnacle Homecoming Parade, requested date: December 6, 2024

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum(s) dated August 9, 2024, from Carol Williams, City Clerk to Rick Howell, City Manager
- 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: August 9, 2024

Re: Special Event Application

BACKGROUND:

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

- ✓ Community Block Party, requested date: September 21, 2024

REVIEW:

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

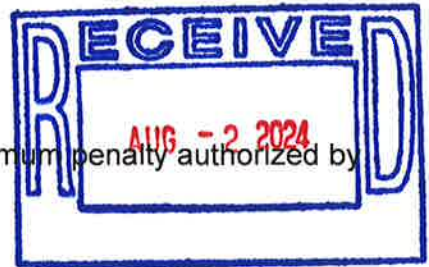
RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of August 19, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received August 2, 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:

Community Block Party

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

The Community Block Party is an outreach effort to build relationships, share the gospel, & publicize church ministries through community engagement

3. LOCATION OF EVENT (ATTACH MAP):

Shiloh Baptist Church
914 Frederick St.
Shelby, NC 28150

4. PLEASE INDICATE:

Approximately how many people will attend the event? 250

Approximately how many vehicles will be present? 70-80

Approximately how many animals will be present? N/A

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

Single lane N/A

All lanes in travel direction _____

Whole street _____

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

Name: Shiloh Baptist Church

Address: 914 Frederick St, Shelby, NC 28150

Phones: (704) 487-4108 (Daytime) (704) 418-5139 (Evening)

shilohbaptistchurch.shelby@gmail.com
E-mail address

Name: Jean Mitchell

Address: 1106 Hardin Drive, Shelby, NC 28150

Phones: (704) 482-5891 (Daytime) (704) 418-5139 (Evening)

jermit1@hotmail.com
E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) 9-21-24

Alternate day(s) and date(s) 9-22-24

Requested hours of operation, from 12 AM/PM to 6 AM/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. See attachment

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

Church members and custodians will clean-up the area.

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? 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 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: Local EMS

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: Local EMS

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

barriacades for street closure.
trash cans

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.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

July 26, 2024

County: Cleveland

Subject: Request to temporarily use/close state-maintained route SR 1848 (Fredrick Street) from NC 18 (Grover Street) to (Crawford Street) Saturday September 21st 2024 from 12:00 pm to 6:00 pm for the Shiloh Baptist Church Community Block Party 2024

Jean Mitchell
Shiloh Baptist Church
1106 Hardin Dr.
Shelby, NC 28150

Dear: Ms. Mitchell

We are in agreement with the proposed event/closure based on the information and map provided. You must have law enforcement and/or other adequately trained personnel to properly handle any/all closures and traffic control. All detours must be properly signed.

Thank you for your interest in highway safety, and we hope you have a safe and successful event. If you have other questions or concerns regarding this matter, please contact this office.

Respectfully yours,

M. E. Stafford, PE
Division Engineer

By: James A. Jamison Jr.
Assistant Division Traffic Engineer

JAJ

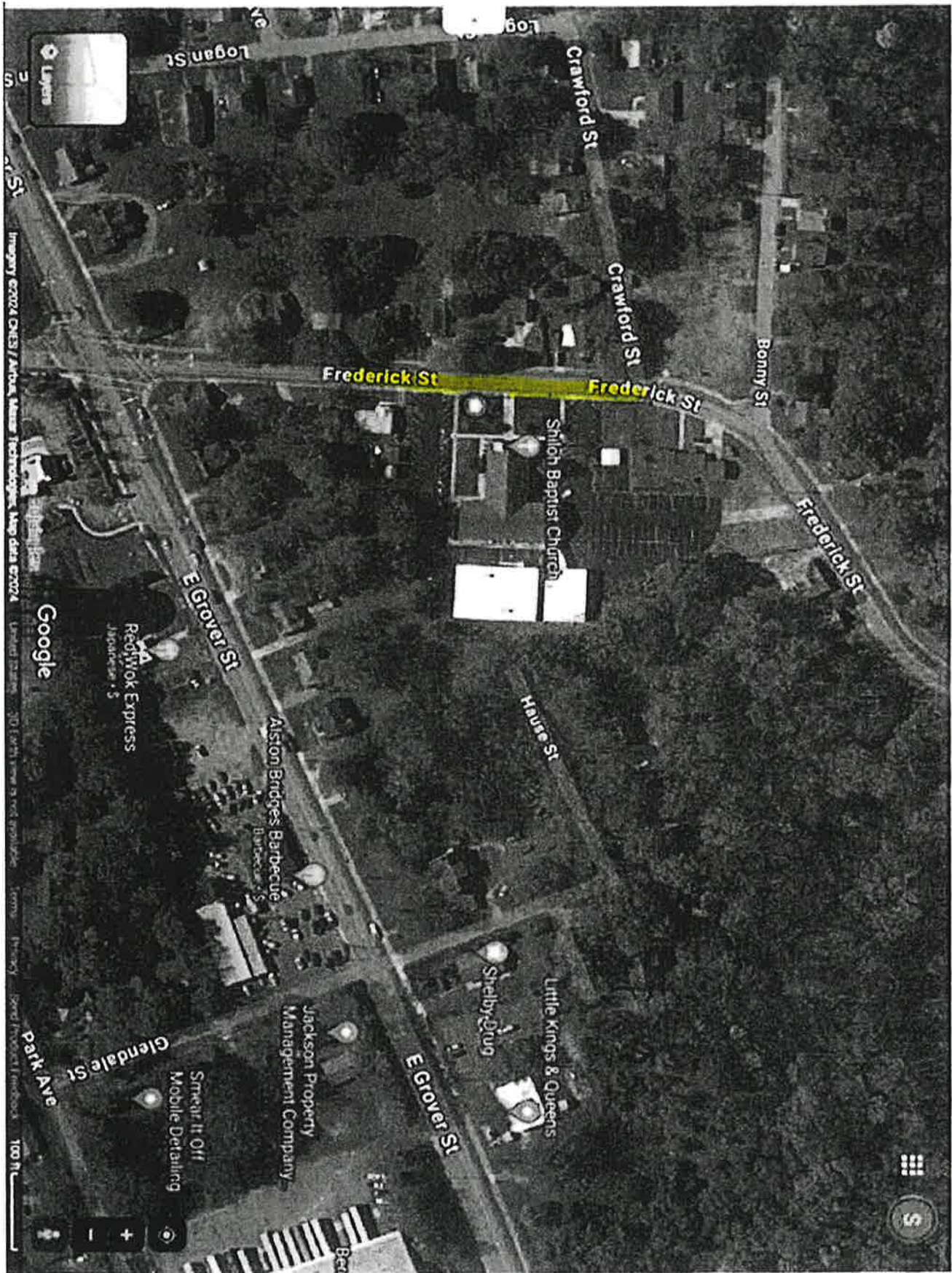
cc: Mr. Wesley Clary Assistant District Supervisor
Mr. John Wortman, County Maintenance Engineer
Mr. Scott Poston, Division Traffic Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION TWELVE
P. O. BOX 47
SHELBY, NC 28151-0047

Telephone: (980) 552-4200
Fax: (704) 480-5401
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1710 EAST MARION STREET
SHELBY, NC 28151



Special Events Notification

TO: NC DOT:

Notification of the event will be given to residents of neighborhood homes by Shiloh Baptist Church members. There are only 2 homes that may be impacted by the closing of a portion of Frederick Street during our Community Block Party. The church will make notifications by speaking to the residents about the event and will make arrangements for them to be able to leave their residents at any time during our event.

Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: August 9, 2024

Re: Special Event Permit Application

BACKGROUND:

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

- ✓ Uptown Carriage Rides and Tree Lighting, requested date: Friday, November 30th, and Saturday, December 6th, 13th and 20th, 2024

REVIEW:

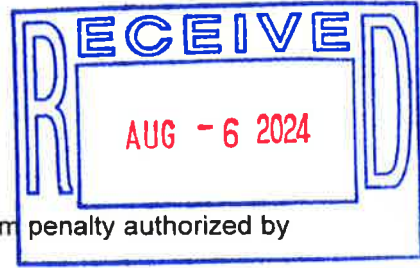
All responding City departments have received, reviewed, and approved the referenced application.

RECOMMENDATION:

Please place the attached Special Event Permit Application on the Consent Agenda of August 19, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received August 6, 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:

Annual Tree Lighting & Uptown Shelby Carriage Rides

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

Annual Uptown Tree Lighting & Carriage Rides for families

3. LOCATION OF EVENT (ATTACH MAP):

Both lanes of Washington Street between Warren & Marion

4. PLEASE INDICATE:

Approximately how many people will attend the event? 100 +

Approximately how many vehicles will be present? 2 mule-drawn carriages

Approximately how many animals will be present? 2 mules

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 ✓ - Washington b/w Warren & Marion

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

Name: Uptown Shelby Association

Address: 211 S. Trade St. Shelby NC

Phones: 704-484-3100 (Daytime) 704-472-0240 (Evening)

chastic@uptownshelby.com
E-mail address

Name: _____

Address: _____

Phones: _____ (Daytime) _____ (Evening)

E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) Nov 30, 2024 (Sat.) Dec. 6/13/20 (Friday)

Alternate day(s) and date(s) _____

Requested hours of operation, from 5:00 AM/PM to 9:00 AM/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: 911
Address: _____
Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: 911
DOCTOR (S): _____
PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

4 barricades / 2 road closed signs / 12-15 cones

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: Uptown Tree Lighting & Carriage Rides

Authorize Event/Vendor Coordinator: Uptown Shelby Association

Phone No.: 704-484-3100 Mobile No.: 704-472-0240

Email: cbastic@uptownshelby.com

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:

1 x \$15.00 x Number of Days 1 = \$ 15

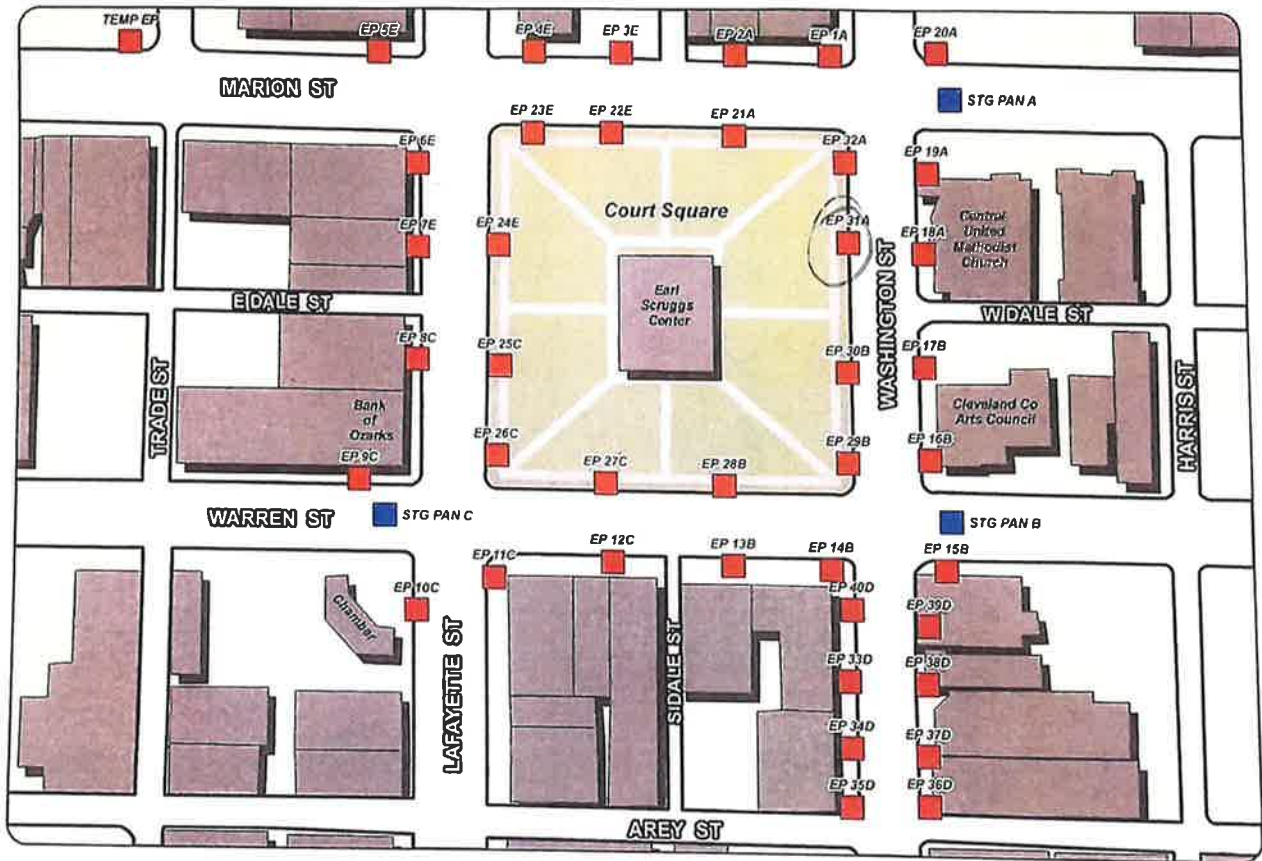
Total Number of Stage Panels:

_____ 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.

City of Shelby Uptown Event Panels



Legend

- Event Panel
- Stage Panel

Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: August 7, 2024

Re: Special Event Permit Application

BACKGROUND:

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

- ✓ Shelby Christmas Parade, requested date: Sunday, December 1, 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 August 19, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received July 11, 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:

Uptown Shelby Christmas Parade

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

Community parade to celebrate & kick off the Holiday Season.

3. LOCATION OF EVENT (ATTACH MAP):

Uptown Shelby - please see attached maps of lineup location and route.

4. PLEASE INDICATE:

Approximately how many people will attend the event? 3,000 +

Approximately how many vehicles will be present? 250 +

Approximately how many animals will be present? Est. of 15 dogs & 10 horses

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 Lafayette from Grand to Grigg. along with side streets for staging - Seaboard, East. Market & N. Washington

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

Name: Carly Bostic / Kaitlyn McNeilly - Uptown Shelby Assoc.

Address: 211 S. Trade St. Shelby NC 28150

Phones: 704-484-3100 704-472-0246
(Daytime) (Evening)

cbostic@uptownshelby.com kmcneilly@uptownshelby.com
E-mail address

Name: Kim Davis - Dragonfly Marketing

Address: 205 S. Washington St. Shelby NC 28150

Phones: 704-473-8248
(Daytime) (Evening)

kim@dragonflymarketing.cc
E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) Sunday Dec. 1st 2024

Alternate day(s) and date(s) Sunday Dec. 8th 2024

Requested hours of operation, from 12:00 AM/PM to 7:00 AM/PM
• Staging 12p - 4pm • Parade 2:30-6p • Cleanup 6-6:30p

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 - not by event organizers

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: City of Shelby Police / Fire and/or Cleveland County EMS

Address: _____

Phones: _____

Indicate medical services that will be provided for the event.

AMBULANCE: City of Shelby Police / Fire and/or Cleveland County EMS

DOCTOR (S): _____

PARAMEDICS: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

- Road closures & barricades
- Police support for end of parade/dismantle
- Police setup a barricade, closures & main intersections for safety

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

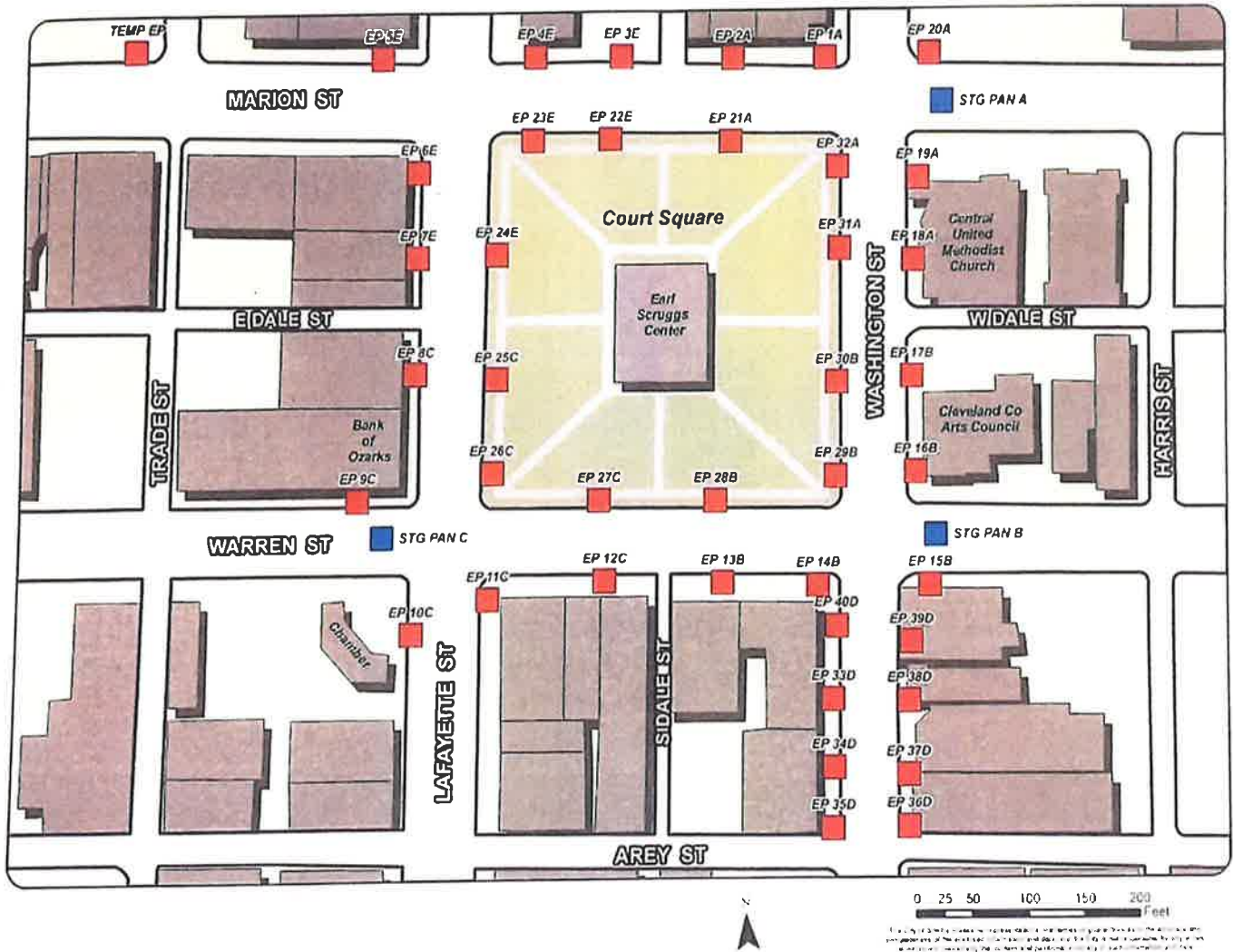
Total Number of Event Panels:
_____ x \$15.00 x Number of Days _____ = \$ _____

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.

City of Shelby Uptown Event Panels



Legend



Event Panel



Stage Panel

12. ANY ADDITIONAL COMMENTS:

- We will notify all business & residential in Uptown that will be affected by street closures.
- Uptown Shelby staff & volunteers will pickup all trash during & after parade.
- We will communicate & enforce animal waste be cleaned up.

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.

Carly Bastic
SIGNATURE

Carly Bastic
APPLICANT

704-472-0246
PHONE

211 S. Trade Street Shelby NC 28152
PHYSICAL ADDRESS

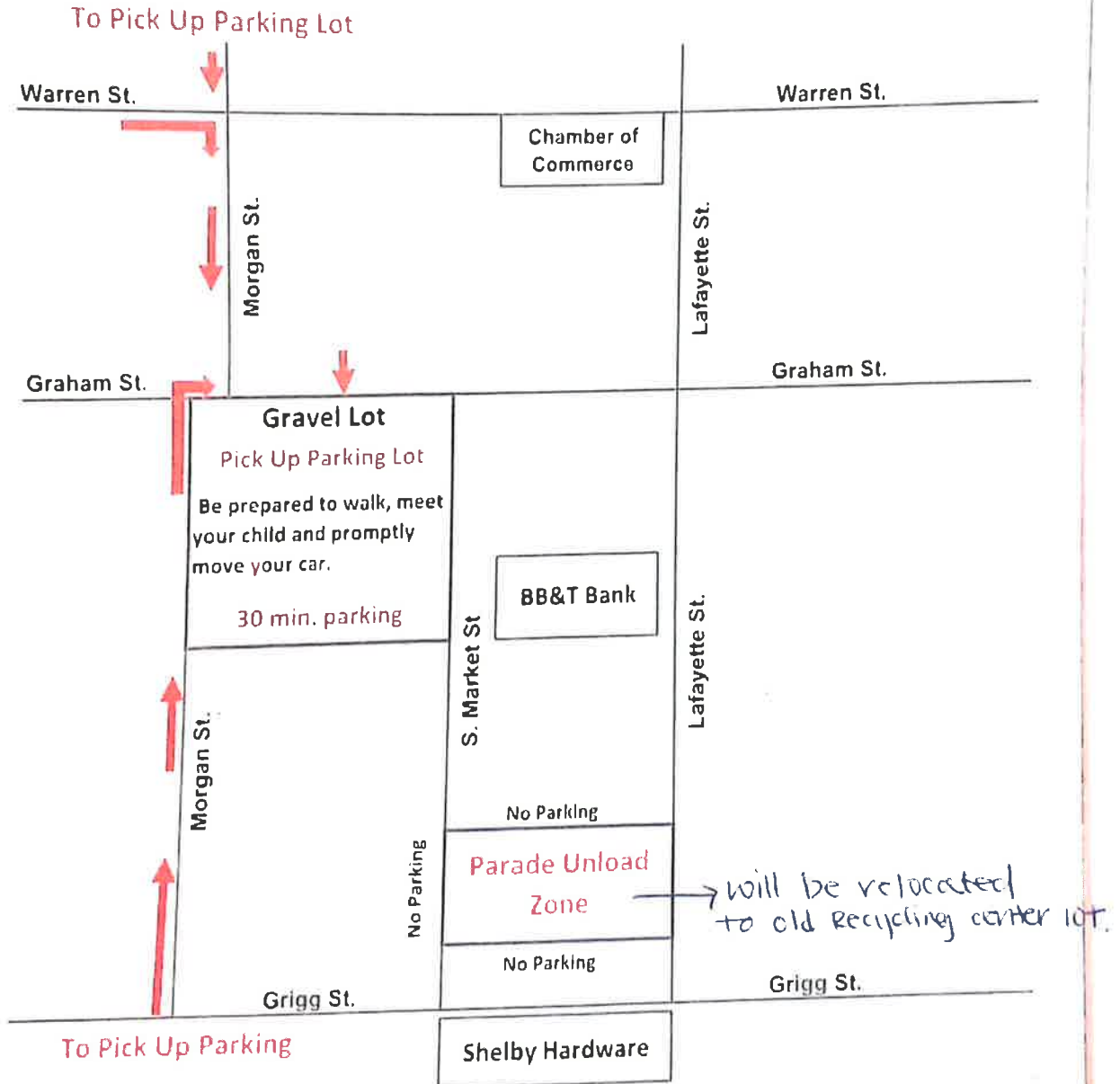
cbastic@uptownshelby.com
E-MAIL ADDRESS

07/10/2024
DATE

Participant Pick Up Instructions

The 2023 Shelby Christmas Parade will travel south on Lafayette Street from the corner of Sumter St. and Lafayette St. At the end of the parade, entries will be routed behind the old movie theater lot just south of BB&T Bank. At that point, participants will unload floats and vehicles. Parents who wish to meet and pick up their children can park in the gravel lot on the corner of S Market St. and Graham St. and walk down to the unloading lot.

There will be a lot of traffic and congestion. Please be prepared to park, walk to meet you child and promptly move your vehicle so other parents may do the same.



Memo

To: Rick Howell, City Manager

From: Carol Williams, City Clerk

Date: August 9, 2024

Re: Special Event Application

BACKGROUND:

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

- ✓ Pinnacle Homecoming Parade, requested date: December 6, 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 August 19, 2024 for Council's review and approval.

ATTACHMENT:

- A. Special Event Permit Application packet received August 5, 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:

Pinnacle Classical Academy's Homecoming Parade

2. PURPOSE AND BRIEF DESCRIPTION OF EVENT:

The purpose of the event is to celebrate the winter sports of Pinnacle Classical Academy as well as our homecoming court.

3. LOCATION OF EVENT (ATTACH MAP):

Starting at Marietta Street and parading straight down Lafayette to Graham and then Market Street.

4. PLEASE INDICATE:

Approximately how many people will attend the event? 500

Approximately how many vehicles will be present? 25

Approximately how many animals will be present? 0

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 Please block the entire street for the parade

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

Name: Pinnacle Classical Academy

Address: 2401 Joes Lake Road, Shelby, NC 28152

Phones: 704-702-1818 501-339-5145
(Daytime) (Evening)

hfouts@pinnacleclassicalacademy.com
E-mail address

Name: _____

Address: _____

Phones: _____
(Daytime) (Evening)

E-mail address

6. PLEASE LIST THE FOLLOWING:

Requested day(s) and date(s) Friday, December 6, 2024

Alternate day(s) and date(s) Saturday, December 7, 2024

Requested hours of operation, from 1:00 pm AM/PM to 3:30 pm AM/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: _____

11. CITY SERVICES/EQUIPMENT REQUESTED FOR THIS EVENT:

Block Streets _____
Police Presence _____

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: Not Requested

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.

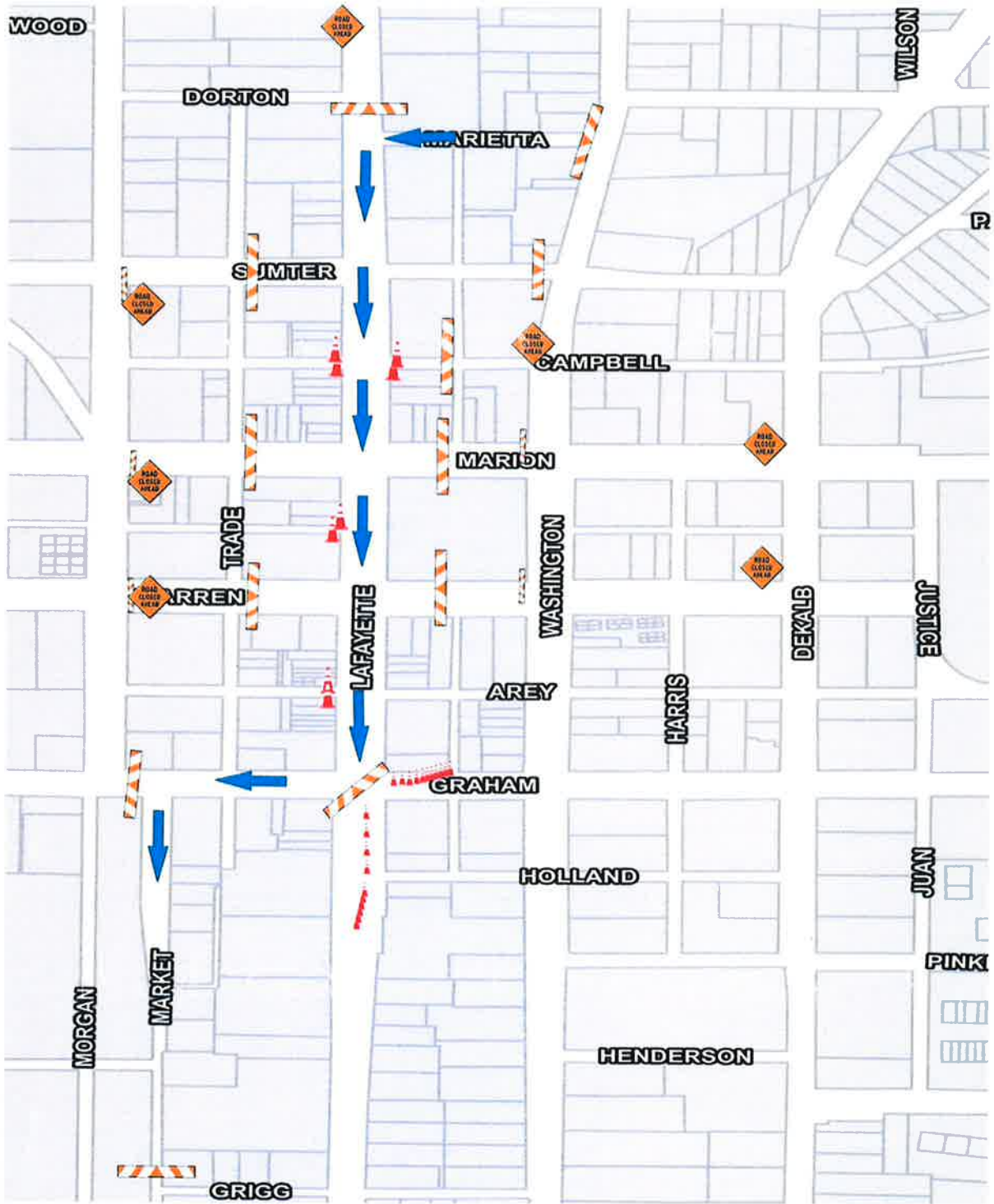
Full Day Rentals only

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.



Pinnacle Parade Route

12. ANY ADDITIONAL COMMENTS:

We will only need the streets closed from 2:00 pm to 2:45 pm. The rest of the time will
be used staging and cleaning up.

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.

Angela P. Brooks

SIGNATURE

Angela P. Brooks

APPLICANT

704-740-4035

PHONE

Pinnacle Classical Academy, 2401 Joes Lake Road, Shelby, NC 28152

PHYSICAL ADDRESS

abrooks@pinnacleclassicalacademy.com

E-MAIL ADDRESS

5/15/24

DATE

Dare to Soar



PINNACLE
CLASSICAL ACADEMY

SAMPLE

PUBLIC NOTICE
Road Closure Notification

October 31, 2024

Halcyon Salon
115 North Lafayette Street
Shelby, NC 28152

To Whom It May Concern,

Please be advised that a portion of Marietta Street, Lafayette Street, Graham and Market Street will be closed to traffic around Shelby's Court Square. This closure will start Friday, December 2nd at 2:00 pm and will reopen Friday, December 2nd at 2:45 pm. This closure is to facilitate Pinnacle Classical Academy's Homecoming Parade. Please come out enjoy the parade and celebrate our 2023 Homecoming Court!

You may contact Mrs. Fouts at Pinnacle Classical Academy at 704-702-1818 should you have any questions or require further information.

Respectfully,

Angela P. Brooks
Dean of Secondary Education

Agenda Item: D-5

5) Management Reports:

- a) Raper-Roark Financial Report – July 2024
- b) Mayor’s appointees to Comprehensive Land Use Plan Steering Committee

Consent Agenda Item: (Rick Howell, City Manager)

Summary of Available Information:

- Raper-Roark Trust Fund Financial Report, July 31, 2024
- Comprehensive Land Use Plan Update and Mayor’s Appointees to Comprehensive Land Use Steering Committee

City Manager’s Recommendation / Comments

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

**Raper - Roark Trust Fund
Financial Report
July 31, 2024**

**Raper Roark Trust Fund
Balance Sheet
As of July 31, 2024**

ASSETS

Current Assets	
Checking/Savings	<u>63,821.71</u>
Total Checking/Savings	63,821.71
Other Current Assets	
CD - Bank of Ozarks	687,482.88
Total Other Current Assets	<u>687,482.88</u>
Total Current Assets	<u>751,304.59</u>

TOTAL ASSETS 751,304.59

**LIABILITIES & EQUITY
EQUITY**

Available for Appropriation	63,821.71
Fund Corpus	<u>687,482.88</u>
Total Equity	<u>751,304.59</u>

TOTAL LIABILITIES & EQUITY 751,304.59

**Raper Roark Trust Fund
Profit & Loss
Quarter Ended July 2024**

Ordinary Income	
Contributions Income	
Total Ordinary Income	<u>0.00</u>
Net Ordinary Income	<u><u>0.00</u></u>
Other Income/Expense	
Interest Income	<u>8,252.41</u>
Total Other Income	<u>8,252.41</u>
Other Expense	
Transfer to Fund Corpus	
Total Other Expense	<u>0.00</u>
Net Other Income/Expense	<u><u>8,252.41</u></u>
Net Income	<u><u>8,252.41</u></u>

Comprehensive Land Use Plan Update

The City of Shelby is working on its new Comprehensive Land Use Plan. This page provides regular updates on the project, including announcements for community engagement activities. Please bookmark this page and check in frequently to find the latest news.

What is a Comprehensive Land Use Plan?

A Comprehensive Land Use Plan outlines a community's vision for its future, as well as policies and recommendations for achieving that vision. It will guide land use policy, funding, resource decisions, and infrastructure investment for the City of Shelby. Created through a community planning process, the Plan prioritizes public engagement to capture the shared vision for the City. This Comprehensive Land Use Plan will serve as an update to the 2009 Comprehensive Land Use Plan. It will incorporate recommendations from existing planning documents and strategically plan for the future. The Plan will define a framework for land use and development in different parts of the City and address other priorities including:

- land use and housing
- downtown and cultural resources
- transportation
- infrastructure and services
- economic development, and
- recreation and natural resources.

Project Schedule

This planning process began in June 2024 and will conclude in June 2025. During this next year, the City and its project team will create this Comprehensive Land Use Plan in three overlapping phases. First, the team will collect and review data on the City. A Steering Committee of local community representatives will be formed and will meet to help guide the entire process. The next phase, visioning and plan development, will include the majority of public events and engagement opportunities. This phase will lay the foundation for the plan as it will establish the vision and priorities that will shape the long-term recommendations. At the conclusion of this phase, the public will have an opportunity to give input on the draft plan and recommendations. The final phase is implementation and adoption. This will include the final recommendations as well as a plan for implementing key strategies in the plan. Once complete, the entire Comprehensive Plan will be presented to the Planning Board and City Council for adoption.

Project Website

A project website is under development and will be a resource for the community survey as well as documents and materials created during the process. Check back often for updates!

Comprehensive Land Use Plan

See the link [here](#) for the Adopted City of Shelby Comprehensive Land Use Plan (2009)

**MAYOR'S APPOINTEES TO
COMPREHENSIVE LAND USE PLAN STEERING COMMITTEE**

The following individuals have been appointed to serve on the steering committee for the Comprehensive Land Use Plan update process:

1. Jamey Davis, Capitol Funds Inc
2. Michelle Garey, Bank OZK
3. Spencer Borders, Foothills Commercial Real Estate
4. Karla Haynes, CC Community Development Corp.
5. Damon Scott, Allstate
6. Carly Bostic, Uptown Shelby Association
7. Brandon Ruppe, City of Shelby Economic Development
8. Brian Wilson, City of Shelby Director of Water Resources
9. Brian Burgess, City of Shelby Director of Planning and Community Development

Agenda Item: D-6

- 6) Acceptance of the Certificate of Sufficiency regarding Petition of Annexation of applicant, Wayne and Iris Beam

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum dated August 12, 2024, from Carol Williams, City Clerk to Rick Howell, City Manager
- Certificate of Sufficiency
- Petition for Borders Road and Marion Street property (parcels 22186, 22301, and 22284)
- Supporting Documents

City Manager's Recommendation / Comments

Acceptance and acknowledgement of the Certificate of Sufficiency by the City Clerk is all that is required of City Council at this time. It is my recommendation that this be done via the Consent Agenda.

**OFFICE OF THE CITY CLERK
SHELBY, NORTH CAROLINA**

MEMO

To: Rick Howell, City Manager
From: Carol Williams, City Clerk
Date: August 12, 2024
Re: Wayne and Iris Beam – Petition for Voluntary Annexation

BACKGROUND:

Wayne and Iris Beam submitted a Petition of Contiguous Annexation for parcel numbers 22186, 22301, and 22284 located on Borders Road and Marion Street, Shelby, North Carolina. City Council adopted and approved Resolution No. 51-2024 on August 5, 2024 directing the City Clerk to determine sufficiency of the contiguous annexation petition from Wayne and Iris Beam.

REVIEW:

In accordance with the North Carolina General Statute 160A-31, staff has investigated the petition submitted by Wayne and Iris Beam and prepared a certificate in this matter, finding the petition sufficient for further annexation proceedings.

RECOMMENDATION:

Staff recommends proceeding with the annexation process for this property. A public hearing is scheduled to receive public comment on said petition at an upcoming City Council meeting.



CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Shelby, North Carolina:

I, Carol Williams, City Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is a contiguous annexation to the City of Shelby primary corporate limits, as defined by North Carolina General Statute 160A-31.
- c. The petition is signed by and includes the address of the owner of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Shelby, this 12th day of August, 2024.



Carol Williams

Carol Williams
City Clerk



City of Shelby
Planning and Development Services Department

Petition for Annexation
(Satellite or Contiguous)

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

Address of Subject Property:

Parcels 22186, 22301, 22284

Applicant(s) Name: Todd Doupona
Address: 8307 Hampton Fare Lane
Waxhaw, NC 28173
Email: tdoupona@wdgse.com
Phone: 919-901-8299

Owner(s) Name: Wayne E. Beam/Iris C. Beam
Email:
Phone:

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

Provide a brief description of the subject property. Attach additional pages or documentation if necessary.
This is a proposed single family subdivision located on approximately 46 acres at 1853 East Marion Street in Light Oak, North Carolina.

Signature of Owners:

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

Wayne E. Beam
Signature of Owner
Signature of Owner

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

Iris C. Beam
Signature of Owner
Signature of Owner

If Owner is a Corporation:

Registered Name of Corporation

(Corp. Seal)

Signature of President/Vice President

Attested by:
Signature of Secretary/Assistant Secretary

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

STATE OF North Carolina

COUNTY OF Cleveland

I, Serella M. Greene, a Notary Public for said County and State, do hereby certify that Wayne E. Beam and Iris C. Beam, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 15th day of March, 2024.

(SEAL)



Serella M. Greene
Notary Public

My Commission Expires: October 24, 2026

If Owner is a Partnership:

I, _____, a Notary Public for said County and State, do hereby certify that _____, being one/all of the partners of the General Partnership known as _____, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, _____.

(SEAL)

Notary Public

My Commission Expires: _____

If Owner is a Corporation:

I, _____, a Notary Public for said County and State, do hereby certify that _____, personally appeared before me this day and acknowledged he (or she) is _____ of _____, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____, sealed with its Corporate Seal and attested by as its _____.

Witness my hand and official seal, this the _____ day of _____, _____.

(SEAL)

Notary Public

My Commission Expires: _____



City of Shelby

CONTIGUOUS ANNEXATION CHECKLIST Requirements for filing an application

- 1. One (1) completed **checklist** (this form).
- 2. One (1) completed **application**, signed by the applicant.
- 3. Application fee of **\$500.00**. Make checks payable to "City of Shelby".
The check is in the mail
- 4. One (1) copy of a **metes and bounds description** or a reference to the location within a recorded subdivision plat of the specific property for which annexation is requested.
- 5. One (1) copy of information as to the location of a **recorded document** by which undersigned owner(s) acquired ownership of the property in question (i.e. Record Book 1106, Page 923 or File No. 91 E 296, and/or any other source).
- 6. Three (3) copies of an **annexation plat**, no larger than 24" by 36" and drawn to scale, that shows metes and bounds. **Must be sealed by a registered engineer, surveyor, architect, or landscape architect licensed to practice in the State of North Carolina.*
- 7. One (1) copy of the **Cleveland County Tax Map**, at 8.5" by 11", showing the location of the subject property.
- 8. One (1) copy or PDF version, at 8.5" by 11", of the **metes and bounds, annexation plat, tax map, and any additional information** submitted for review.
- 9. **Contact person/Appointed Agent** (See Appointment of Agent Application) identified. This person will be contacted to provide additional information and will receive the written Decision Letter.

REVIEW OFFICER CERTIFICATION
 STATE OF NORTH CAROLINA COUNTY OF CLEVELAND

REVIEW OFFICER OF CLEVELAND COUNTY CERTIFY THAT MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____
 CERTIFICATE OF COMPLETION

I (WE) HEREBY CERTIFY THAT I (AM WE ARE) THE OWNER(S) OF THE PROPERTY DESCRIBED HEREON, OR AN AGENT THEREOF, HAVE REVIEWED THIS SUBDIVISION RECORD AND THE DESCRIPTION OF THE CITY OF SHELBY, AND THAT I (WE) FREELY ADOPT THIS PLAN OF SUBDIVISION, AND THAT I (WE) HEREBY CERTIFY THAT THE RESIDUAL TRACT SUBDIVIDED USING THE MINOR SUBDIVISION PLAN APPROVAL PROCESS WITHIN TWO YEARS OF THE DATE OF RECORDATION

OWNER _____ DATE _____
 CERTIFICATE OF MINOR PLAN APPROVAL

I HEREBY CERTIFY THAT THE MAJOR SUBDIVISION SHOWN ON THIS PLAN DOES NOT INCLUDE THE CREATION OF NEW PUBLIC STREETS OR ANY CHANGE IN EXISTING PUBLIC STREETS, THAT THE SUBDIVISION IS IN COMPLIANCE WITH THE SHELBY ZONING DEVELOPMENT ORDINANCE, AND THAT THEREFORE THIS PLAN HAS BEEN APPROVED BY THE SHELBY PLANNING DEPARTMENT. THIS PLAN IS TO BE RECORDED IN OFFICE OF THE REGISTER OF DEEDS WITHIN THIRTY DAYS OF THE DATE BELOW.

UDO ADMINISTRATOR _____ DATE _____

I, KEITH BURNS, REGISTERED LAND SURVEYOR NO. L-5265, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED "X" OR "0":
 A THAT THIS PLAN IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND OR PARTS THEREOF, OR A PART THEREOF, THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
 B THAT THIS PLAN IS OF A SURVEY THAT IS LOCATED IN SUCH A PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO PARCELS OF LAND.
 C THAT THE PLAN IS OF A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND.
 D THAT THIS PLAN IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS A SURVEY OF A TRACT OF LAND, A SURVEY OF A TRACT OF LAND, A SURVEY OF A TRACT OF LAND, OR A SURVEY OF A TRACT OF LAND.
 E THAT THE INFORMATION AVAILABLE TO THE SURVEYOR IS SUCH THAT IT IS UNABLE TO MAKE A DETERMINATION TO THE BEST OF HIS OR HER PROFESSIONAL JUDGMENT AS TO PROVIDORS CONTAINED IN (A) THROUGH (D) ABOVE.

FOR REVIEW ONLY

KEITH BURNS
 P.L.S. No. L-5265

I, KEITH BURNS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY. I HAVE REVIEWED THE SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THIS SURVEY:
 SURVEY METHOD: REAL-TIME KINEMATIC
 GPS PROCEDURE: REAL-TIME KINEMATIC
 DATE OF SURVEY: 1/03/2023
 DATUM/EPOCH: NAD83/2011
 GEOD. MODEL: 11B
 COMBINED GRID FACTOR: 0.99984130
 UNITS: US SURVEY FEET

FOR REVIEW ONLY

KEITH BURNS
 P.L.S. No. L-5265

NIF
 CLEVELAND COUNTY
 FAIR ASSOCIATE
 DB 1822 PG 329
 ZONE R20

NIF
 PC MC MARION RIDGE LLC
 DB 1822 PG 2657
 ZONE R6

NIF
 ROSE IRIS B
 LEIGH MARY B ETALS
 DB 162 PG 8083
 ZONE R20
 PER DIS

NIF
 PEARSON CHRISTY H
 DB 1828 PG 2518
 ZONE R10

NIF
 CARNY ROBERT
 DEAN JTWRS
 CARNY MICHAEL G
 DB 1885 PG 325
 ZONE R10

NIF
 HERRERA JARY M.
 BARAHONA
 DB 1881 PG 2522
 ZONE R10

NIF
 SHELBY MMR
 PARTNERSHIPS
 DB 1398 PG 659

NIF
 PEREZ CLAUDIA DEL CARMEN ARREZ
 OLIVERA SAUL JAMIE
 DB 1861 PG 326
 ZONE R20

NIF
 STEVEN DOUGLAS GEOR
 STEVENSON LORETTA
 DB 1783 PG 5413
 ZONE R20

NIF
 HENDERSON JAMIE FEW
 DB 181 PG 959
 ZONE R20

NIF
 GOLD MARK ED
 DB 1822 PG 2122
 ZONE R20

NOTES

- THIS PARCEL APPEARS TO BE IN FEMA FLOOD ZONE X (FIRM MAP 170255000L, 170255000L, COMMUNITY 170064, 1703032, EFFECTIVE DATE 02-20-2008)
- ELEVATIONS ARE BASED ON NAVD 88 DATUM.
- COORDINATES ARE BASED ON NC GRID NAD 83 (2011)
- ZONING CLASSIFICATION PER THE CLEVELAND COUNTY GIS. THE CURRENT ZONING CLASSIFICATION OF SURVEYED PROPERTY IS COUNTY R20
- PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
- THE PURPOSE OF THIS PLAN IS TO ANNEX PARCEL 2556948968 TO THE CITY OF SHELBY.

REFERENCES

- DB 1171 PG 0399
- DB 161 PG 4903
- DB 162 PG 4903
- DB 1812 PG 740
- DB 1812 PG 742
- DB 1812 PG 742
- DB 1783 PG 415
- DB 1888 PG 2132
- DB 1888 PG 156
- DB 1822 PG 1123
- DB 1828 PG 2518
- DB 1828 PG 2518
- DB 20 PG 171897
- DB 982 PG 481
- DB 1833 PG 2885
- DB 1278 PG 500
- DB 20 PG 156
- DB 20 PG 156
- DB 38 PG 194
- DB 1828 PG 2518
- DB 20 PG 171897

TOTAL AREA TO BE ANNEXED TO THE CITY OF SHELBY: 41.374 AC.



LEGEND

- ▲ CALCULATED POINT
- RFB
- OPEN TOP R/F FOUND
- ▲ AXE FOUND
- IRON ROD FOUND
- ▲ ANGLE IRON FOUND
- CONC. MONUMENT FOUND
- IRON REBAR SET

PROPERTY LINE

CITY LIMITS

GRAPHIC SCALE 1"=100'

SHEET TOP 2

**AN ANNEXATION PLAN PREPARED FOR:
 WEEKS DEVELOPMENT GROUP**

PARCEL ID No. 2556948968

1853 E MARION STREET
 CLEVELAND COUNTY, NORTH CAROLINA
 CURRENT OWNER OF RECORD
 ROSE IRIS B
 LEIGH MARY B ETALS

FED WORK NO. 1853 E MARION STREET
 DRAWN BY: K. BURNS
 DATE: 01/27/2023
 PROJECT NO.: CL-23008
 SCALE: 1"=100'

I, KEITH BURNS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY. I HAVE REVIEWED THE SURVEY AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THIS SURVEY:
 SURVEY METHOD: REAL-TIME KINEMATIC
 GPS PROCEDURE: REAL-TIME KINEMATIC
 DATE OF SURVEY: 1/03/2023
 DATUM/EPOCH: NAD83/2011
 GEOD. MODEL: 11B
 COMBINED GRID FACTOR: 0.99984130
 UNITS: US SURVEY FEET

FOR REVIEW ONLY

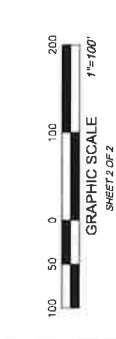
KEITH BURNS
 P.L.S. No. L-5265

ATLAS SURVEYING, INC.

1333 YORK CENTER DRIVE, SUITE E
 CHARLOTTE, NC 28203
 PHONE: (800) 945-8475
 WEBSITE: WWW.ATLASSURVEYING.COM



- LEGEND**
- ▲ CALCULATED POINT
 - IRON REBAR FOUND
 - OPEN TOP PIPE FOUND
 - ▲ AXE FOUND
 - ▲ IRON ROD FOUND
 - ▲ ANGLE IRON FOUND
 - ▲ CON. MONUMENT FOUND
 - IRON REBAR SET
 - PROPERTY LINE
 - CITY LIMITS



**AN ANNEXATION PLAT PREPARED FOR:
WEEKS DEVELOPMENT GROUP**

PARCEL ID NO. 255849686

1853 E MARION STREET

CLEVELAND COUNTY, NORTH CAROLINA

CURRENT OFFICIAL RECORD:

ROSE IRIS B
LEIGH MARY B ETALS

I, KEITH BURNS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE PROPERTY. THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION LISTED REFERENCES. THE RATIO OF PRECISION OR LISTED REFERENCES IS 1:1000. THIS MAP WAS DRAWN AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-20 AS AMENDED.

FOR REVIEW ONLY

KEITH BURNS
P.L.S. No. L-5265

CAROLINA SURVEYING & CONSULTING, INC.
100 UNIVERSITY CITY CENTER
SUITE 200
Raleigh, NC 27601
TEL: 919-876-4370
FAX: 919-876-4371

ATLAS SURVEYING, INC.

13331 YORK CENTER DRIVE, SUITE E
CHARLOTTE, NC 28273
PHONE: (800) 948-6475
WEBSITE: WWW.ATLASSURVEYING.COM

- NOTES**
- THIS PLAT APPEARS TO BE IN FINAL RECORD ZONE X PER MAP 370056-000, 370056-000, COMMUNITY 370054, 370052, EFFECTIVE DATE 02-20-2006.
 - ELEVATIONS ARE BASED ON NAVD 88 DATUM.
 - COORDINATES ARE BASED ON NC GRID NAD 83(2011).
 - ZONING CLASSIFICATION PER THE CLEVELAND COUNTY GIS, THE CURRENT ZONING CLASSIFICATION OF SURVEYED PROPERTY IS COUNTY R20.
 - PROPERTY IS SUBJECT TO ALL RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY AND ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY.
 - THE PURPOSE OF THIS PLAT IS TO ANNEX PARCEL 2558496866 TO THE CITY OF SHELBY.

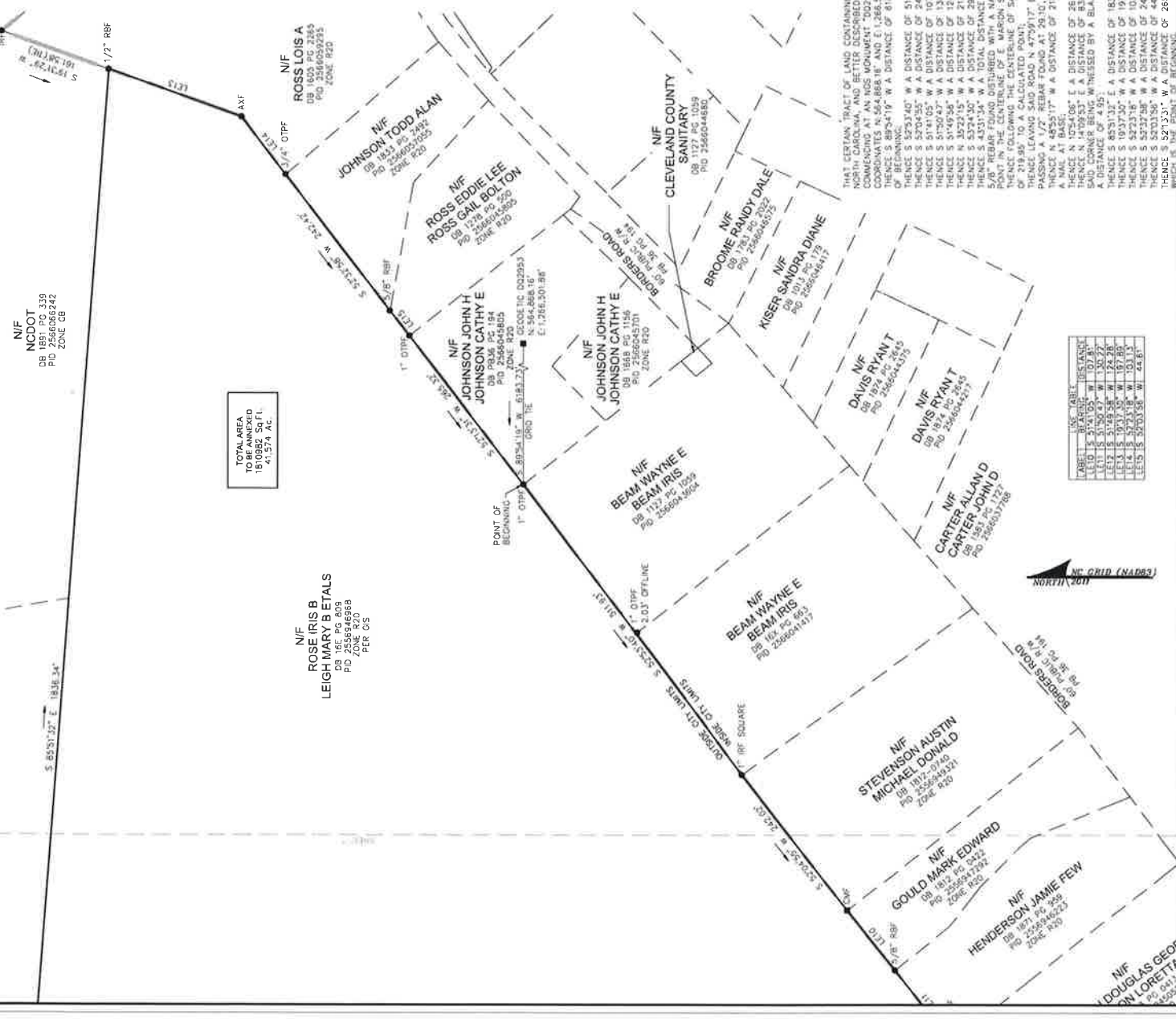
- REFERENCES**
- 09 1171 PG 0399
 - 09 1171 PG 0693
 - 09 1812 PG 740
 - 09 1812 PG 422
 - 09 1783 PG 415
 - 09 1888 PG 2132
 - 09 1888 PG 329
 - 09 1888 PG 1923
 - 09 1828 PG 2546
 - 09 2020 PG 171867
 - 09 0982 PG 461
 - 09 1605 PG 2365
 - 09 1778 PG 5007
 - 09 1888 PG 166
 - 09 1888 PG 336
 - 09 1888 PG 194

REVIEW OFFICE DESIGNATION

STATE OF NORTH CAROLINA, COUNTY OF CLEVELAND

REVIEW OFFICER OF CLEVELAND COUNTY,
CERTIFY THAT MAP OR PLAT TO WHICH THIS PLAT IS REFERRED COMPLETES ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER: _____ **DATE:** _____



TOTAL AREA TO BE ANNEXED IS 1.1 AC. 41,374 AC.

LINE	BEARING	DISTANCE	MARK
1	S 19°37'24\"	101.307	IRON ROD
2	S 52°42'32\"	59.542	IRON ROD
3	S 52°42'32\"	24.432	IRON ROD
4	S 52°42'32\"	34.952	IRON ROD
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80	S 52°42'32\"	34.952	IRON ROD
81	S 52°42'32\"	34.952	IRON ROD
82	S 52°42'32\"	34.952	IRON ROD
83	S 52°42'32\"	34.952	IRON ROD
84	S 52°42'32\"	34.952	IRON ROD
85	S 52°42'32\"	34.952	IRON ROD
86	S 52°42'32\"	34.952	IRON ROD
87	S 52°42'32\"	34.952	IRON ROD
88	S 52°42'32\"	34.952	IRON ROD
89	S 52°42'32\"	34.952	IRON ROD
90	S 52°42'32\"	34.952	IRON ROD
91	S 52°42'32\"	34.952	IRON ROD
92	S 52°42'32\"	34.952	IRON ROD
93	S 52°42'32\"	34.952	IRON ROD
94	S 52°42'32\"	34.952	IRON ROD
95	S 52°42'32\"	34.952	IRON ROD
96	S 52°42'32\"	34.952	IRON ROD
97	S 52°42'32\"	34.952	IRON ROD
98	S 52°42'32\"	34.952	IRON ROD
99	S 52°42'32\"	34.952	IRON ROD
100	S 52°42'32\"	34.952	IRON ROD

NC GRID (NAD83)
NORTH 2011

RESOLUTION NO. 51-2024

**A RESOLUTION DIRECTING THE CITY CLERK TO DETERMINE
SUFFICIENCY OF A VOLUNTARY ANNEXATION PETITION FROM
WAYNE & IRIS BEAM**

WHEREAS, the City of Shelby has received a petition for voluntary annexation from Wayne & Iris Beam; and,

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

WHEREAS, the subject property, on Borders Rd. and Marion Rd., having Cleveland County parcel numbers 22186, 22301, and 22284, and as further identified within the petition, meets the standards set forth in the above referenced statute; and,

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

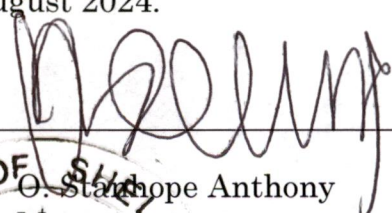
NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The City Clerk is hereby directed to investigate this petition and to certify the results of such investigation in writing to City Council at the regular meeting on August 19, 2024.

Section 2. That upon receipt of a favorable report as to the sufficiency of the petition from the City Clerk a public hearing is hereby scheduled to receive public comment on said petition in accordance to GS 160A-58.2 on August 19, 2024.


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

Adopted and approved this the 5th day of August 2024.

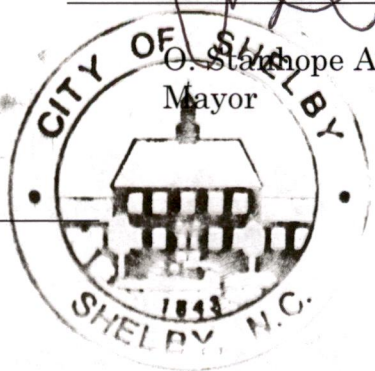


O. Stanhope Anthony
Mayor

ATTEST:



Carol Williams, City Clerk



DATE 8/06/24
TIME 8:03:47
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5
WRIGHT MARGARET GEORGIANA LOCATION... 1853 E MARION ST SHELBY ETJ
ADDITIONAL NAMES DEED YEAR/BOOK/PAGE.. 2016 16E 874 ASSESSMENT TRSH 1.00 .00 .00
1853 E MARION ST PLAT BOOK/PAGE.. LEGAL DESC:41.49 AC E MARION ST OWNER ID.. 1314068
DISTRICT.. 51 COUNTY SCH DIST (WATER)

SHELBY TOWNSHIP... 6 SHELBY NBRHOOD... 26 6 MAPS #06
DESCRIPTION NC 28152- RESIDENTIAL

MAINTAINED.. 5/15/2023 BY SHERRYL VALUED.. 7/21/2021 BY MAYES
VISITED..... 5/01/1998 BY TYPE OF REVIEW ROUTING#..
PARCEL STATUS... ACTIVE CATEGORY.. GROUP 100

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

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
16E 874	12/31/2016	WILL				IRIS B ROSE HEIRS & MARY B LEI
DEATH STATE: NC	COUNTY: CLEVE	DATE OF DEATH: 10/08/2016				DEATH CERTIFICATE#:
16E 809	11/03/2016	WILL				ROSE IRIS B & MARY B LEIGH & W
DEATH STATE: NC	COUNTY: CLEVE	DATE OF DEATH: 9/28/2016				DEATH CERTIFICATE#:
14E 272	10/21/2016	WILL				WRIGHT AARON & IRIS B ROSE & M
DEATH STATE: NC	COUNTY: MECKL	DATE OF DEATH: 3/20/2014				DEATH CERTIFICATE#:
1171 0399	12/08/1995	QUIT CLAIM DEE				WRIGHT DIANA B IRIS B ROSE MAR
89E 622	12/01/1989	SALE				QUALIFIED

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

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV	
1		02	AC BASE	1.000	15,250.00	.00	.00	100.00	.00	.00	.00	.00	15,250	
2		02	AC OPEN	23.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	149,730	
3		02	AC WOODS	20.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	130,200	
4		02	AC UND	1.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	6,510	
TOTAL ACRES..												45.000	TOTAL LAND FMV..	301,690

----- IMPROVEMENT # 1 MAJOR IMPR-M -----

MAIN FIN AREA.. 2,583.00 ACT/EFF YR/AGE.. 1974 1991 30 VISITED.. BY
STRAT..... 02 DESCRPT.... SINGLE FAMILY DWELLING-WF MAINTAINED.. 5/15/2023 BY SHERRYL
MAIN PERIM..... 236.00 MAIN GROUND SF.... 2,583.000
LOCATION #..... MARION ST E 1853 #BED: #BTH: #HBTH:

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CPL
AC 02	BRICK GARAGE FINISHE	100	506.00	21.95			99.00				10,995	
AC 06	COVERED PORCH	100	270.00	17.15			94.00				4,352	
AC 06	COVERED PORCH	100	48.00	17.15			135.00				1,111	
AC 06	COVERED PORCH	100	56.00	17.15			135.00				1,296	
MA 37W	SINGLE FAMILY DWELLI	100	2583.00	77.00	1.00		96.00			100	190,935	
EW 01	BRICK	100	236.00	32.49							7,667	
- FD 04	PERIMETER FOOTING	100	2583.00	.00							0	
- FP 04	ONE STORY SINGLE	100	1.00	2790.00							2,790	

DATE 7/01/24
TIME 11:25:22
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5
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ADDITIONAL NAMES DEED YEAR/BOOK/PAGE.. 2016 16E 874 ASSESSMENT TRSH 1.00 .00 .00
1853 E MARION ST PLAT BOOK/PAGE.. LEGAL DESC:41.49 AC E MARION ST OWNER ID.. 1314068
DISTRICT.. 51 COUNTY SCH DIST (WATER)

SHELBY TOWNSHIP... 6 SHELBY NBRHOOD... 26 6 MAPS #06
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DEATH STATE: NC	COUNTY: MECKL	DATE OF DEATH: 3/20/2014				DEATH CERTIFICATE#:
1171 0399	12/08/1995	QUIT CLAIM DEE				WRIGHT DIANA B IRIS B ROSE MAR
89E 622	12/01/1989	SALE				QUALIFIED

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

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV	
1		02	AC BASE	1.000	15,250.00	.00	.00	100.00	.00	.00	.00	.00	15,250	
2		02	AC OPEN	23.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	149,730	
3		02	AC WOODS	20.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	130,200	
4		02	AC UND	1.000	6,200.00	.00	.00	.00	105.00	.00	.00	105.00	6,510	
TOTAL ACRES..												45.000	TOTAL LAND FMV..	301,690

----- IMPROVEMENT # 1 MAJOR IMPR-M -----

MAIN FIN AREA.. 2,583.00 ACT/EFF YR/AGE.. 1974 1991 30 VISITED.. BY
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MAIN PERIM..... 236.00 MAIN GROUND SF.... 2,583.000
 LOCATION #..... MARION ST E 1853

#BED: #BTH: #HBTH:

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
AC 02	BRICK GARAGE FINISHE	100	506.00	21.95			99.00				10,995	
AC 06	COVERED PORCH	100	270.00	17.15			94.00				4,352	
AC 06	COVERED PORCH	100	48.00	17.15			135.00				1,111	
AC 06	COVERED PORCH	100	56.00	17.15			135.00				1,296	
MA 37W	SINGLE FAMILY DWELLI	100	2583.00	77.00	1.00		96.00			100	190,935	
EW 01	BRICK	100	236.00	32.49							7,667	
- FD 04	PERIMETER FOOTING	100	2583.00	.00							0	
- FP 04	ONE STORY SINGLE	100	1.00	2790.00							2,790	

DATE 8/06/24 CLEVELAND COUNTY PAGE 2
 TIME 8:03:47 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5

IMPROVEMENT # 1 MAJOR IMPR-M

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
- HC 07	PACKAGED HEAT/COOL	100	2583.00	2.22							5,734	
- PL R	RES PLUMB-EXTRA FIXT100		5.00	889.08							0	
- PL R	RES PLUMB-EXTRA FIXT100		5.00	889.08							4,445	
	RCN...		PCT COMPLETE				100	x			229,326	
	QUAL... QG	B3	B+-				120.00	x			275,191	
	DEPR... D2		30 YEARS OLD				35.00	-	96,316		96,316	T
--FMV...	MA	26	26 MARKET ADJ				120.00	x			214,650	

DATE 7/01/24 CLEVELAND COUNTY PAGE 2
 TIME 11:25:22 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5

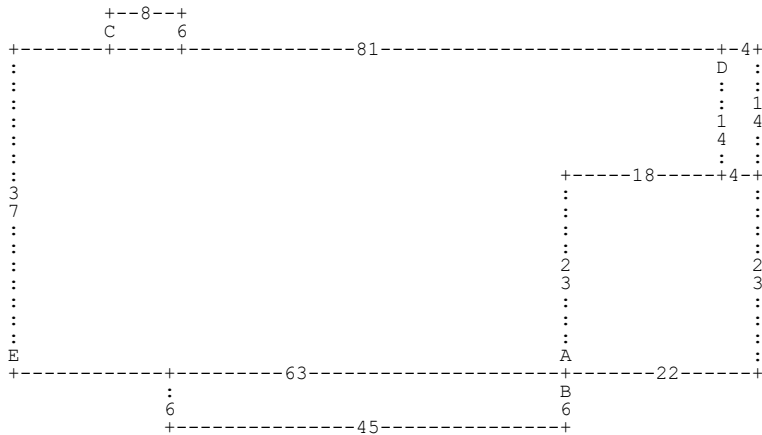
IMPROVEMENT # 1 MAJOR IMPR-M

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
- HC 07	PACKAGED HEAT/COOL	100	2583.00	2.22							5,734	
- PL R	RES PLUMB-EXTRA FIXT100		5.00	889.08							0	
- PL R	RES PLUMB-EXTRA FIXT100		5.00	889.08							4,445	
	RCN...		PCT COMPLETE				100	x			229,326	
	QUAL... QG	B3	B+-				120.00	x			275,191	
	DEPR... D2		30 YEARS OLD				35.00	-	96,316		96,316	T
--FMV...	MA	26	26 MARKET ADJ				120.00	x			214,650	

DATE 8/06/24 CLEVELAND COUNTY PAGE 3
 TIME 8:03:47 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5

IMPROVEMENT # 1 MAJOR IMPR-M



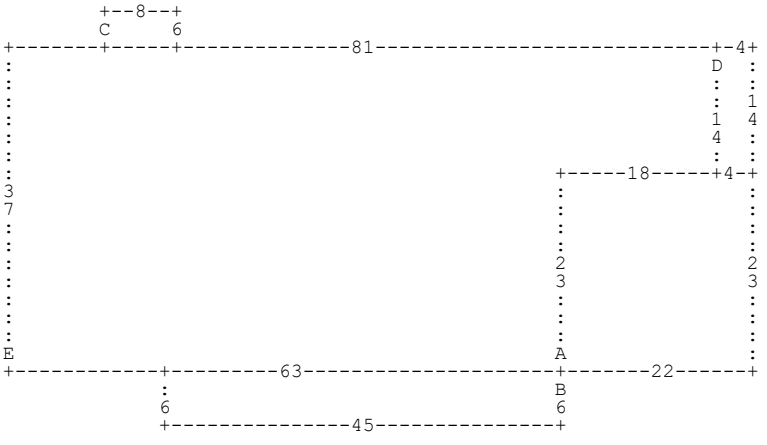
COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
AC 02	BRICK GARAGE FINISHE											
M R	63.00 D U		23.00 D R	22.00			23.00	D L	22.00			
AC 06	COVERED PORCH											
M R	63.00 D D		6.00 D L	45.00			6.00	D R	45.00			
AC 06	COVERED PORCH											
M U	37.00 M R		12.00 D U	6.00			8.00	D D	6.00	D L	8.00	
AC 06	COVERED PORCH											

M U 37.00 M R 81.00 D D 14.00 D R 4.00 D U 14.00 D L 4.00
 ----- MA 37W SINGLE FAMILY DWELLI FLOOR: 1.00 ----- TRAVERSE -----
 D U 37.00 D R 81.00 D D 14.00 D L 18.00 D D 23.00 D L 63.00

----- IMPROVEMENT # 2 MISC IMPR-Y -----
 MAIN FIN AREA.. ACT/EFF YR/AGE.. 1970 1991 30 VISITED.. BY
 STRAT..... 02 DESCRPT.... SHED MAINTAINED.. 5/15/2023 BY SHERRYL
 LOCATION #..... MARION ST E 1853 #BED: #BTH: #HBTH:

DATE 7/01/24 CLEVELAND COUNTY PAGE 3
 TIME 11:25:22 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5
 ----- IMPROVEMENT # 1 MAJOR IMPR-M -----



----- AC 02 BRICK GARAGE FINISHE ----- TRAVERSE -----
 M R 63.00 D U 23.00 D R 22.00 D D 23.00 D L 22.00
 ----- AC 06 COVERED PORCH ----- TRAVERSE -----
 M R 63.00 D D 6.00 D L 45.00 D U 6.00 D R 45.00
 ----- AC 06 COVERED PORCH ----- TRAVERSE -----
 M U 37.00 M R 12.00 D U 6.00 D R 8.00 D D 6.00 D L 8.00
 ----- AC 06 COVERED PORCH ----- TRAVERSE -----
 M U 37.00 M R 81.00 D D 14.00 D R 4.00 D U 14.00 D L 4.00
 ----- MA 37W SINGLE FAMILY DWELLI FLOOR: 1.00 ----- TRAVERSE -----
 D U 37.00 D R 81.00 D D 14.00 D L 18.00 D D 23.00 D L 63.00

----- IMPROVEMENT # 2 MISC IMPR-Y -----
 MAIN FIN AREA.. ACT/EFF YR/AGE.. 1970 1991 30 VISITED.. BY
 STRAT..... 02 DESCRPT.... SHED MAINTAINED.. 5/15/2023 BY SHERRYL
 LOCATION #..... MARION ST E 1853 #BED: #BTH: #HBTH:

DATE 8/06/24 CLEVELAND COUNTY PAGE 4
 TIME 8:03:47 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5
 ----- IMPROVEMENT # 2 MISC IMPR-Y -----

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
MS 23	SHED		1.00									
	QUAL.. QG	100	MISC IMPR QUALITY	10			100.00	x				0
	DEPR.. 25		23 YRS OLD & UP				90.00	-		0		0 T
	--FMV...		PCT COMPLETE				100				300	

----- IMPROVEMENT # 3 MISC IMPR-Y -----
 MAIN FIN AREA.. ACT/EFF YR/AGE.. 1975 1995 26 VISITED.. BY
 STRAT..... 02 DESCRPT.... STOCK/FEED BARN MAINTAINED.. 5/15/2023 BY SHERRYL
 LOCATION #..... MARION ST E 1853 #BED: #BTH: #HBTH:

COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CMPL
MS 27	STOCK/FEED BARN		1.00									
	QUAL.. QG	100	MISC IMPR QUALITY	10			100.00	x				0
	DEPR.. 25		23 YRS OLD & UP				90.00	-		0		0 T
	--FMV...		PCT COMPLETE				100				0	

----- IMPROVEMENT # 4 MISC IMPR-Y -----
 MAIN FIN AREA.. ACT/EFF YR/AGE.. 1978 1997 24 VISITED.. BY

STRAT..... 02		DESCRIPTION... STOCK/FEED BARN		MAINTAINED... 5/15/2023		BY SHERRYL						
LOCATION #.....		MARION ST E 1853		#BED:	#BTH:	#HBTH:						
COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CML
MS 27	STOCK/FEED BARN		720.00									
	QUAL.. QG	100	MISC IMPR QUALITY 10				100.00	x				0
	DEPR.. D		OVERVERRIDE DEPRECIATIO		100.00							
	COND.. D	50	DEPRECIATION OVERRID x	50.00			50.00	-		0		0 T
			PCT COMPLETE				100					
	--FMV...										2,340	
TOTAL PARCEL VALUES----		LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE				2023 VALUE		
	FMV.....	301,690		217,290		518,980				518,980		
	APV.....	301,690		217,290		518,980				518,980		

DATE 7/01/24 CLEVELAND COUNTY PAGE 4
 TIME 11:25:22 PROPERTY CARD PROG# AS2006
 USER SHERRYL FOR YEAR 2024

ROSE IRIS B HEIRS PARCEL ID.. 22186 PIN... 6- 8 1 5

----- IMPROVEMENT # 2 MISC IMPR-Y -----												
COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CML
MS 23	SHED		1.00									
	QUAL.. QG	100	MISC IMPR QUALITY 10				100.00	x				0
	DEPR.. 25		23 YRS OLD & UP				90.00	-		0		0 T
			PCT COMPLETE				100					
	--FMV...										300	

----- IMPROVEMENT # 3 MISC IMPR-Y -----

MAIN FIN AREA..		ACT/EFF YR/AGE.. 1975 1995 26		VISITED..		BY						
STRAT..... 02		DESCRIPTION... STOCK/FEED BARN		MAINTAINED... 5/15/2023		BY SHERRYL						
LOCATION #.....		MARION ST E 1853		#BED:	#BTH:	#HBTH:						
COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CML
MS 27	STOCK/FEED BARN		1.00									
	QUAL.. QG	100	MISC IMPR QUALITY 10				100.00	x				0
	DEPR.. 25		23 YRS OLD & UP				90.00	-		0		0 T
			PCT COMPLETE				100					
	--FMV...										0	

----- IMPROVEMENT # 4 MISC IMPR-Y -----

MAIN FIN AREA..		ACT/EFF YR/AGE.. 1978 1997 24		VISITED..		BY						
STRAT..... 02		DESCRIPTION... STOCK/FEED BARN		MAINTAINED... 5/15/2023		BY SHERRYL						
LOCATION #.....		MARION ST E 1853		#BED:	#BTH:	#HBTH:						
COMPONENT	TYPE/CODE/DESC	PCT	UNITS	RATE	STR#	STR%	SIZ%	HGT%	PER%	CDS%	COST	%CML
MS 27	STOCK/FEED BARN		720.00									
	QUAL.. QG	100	MISC IMPR QUALITY 10				100.00	x				0
	DEPR.. D		OVERVERRIDE DEPRECIATIO		100.00							
	COND.. D	50	DEPRECIATION OVERRID x	50.00			50.00	-		0		0 T
			PCT COMPLETE				100					
	--FMV...										2,340	

TOTAL PARCEL VALUES----		LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE				2023 VALUE		
	FMV.....	301,690		217,290		518,980				518,980		
	APV.....	301,690		217,290		518,980				518,980		

DATE 8/06/24
TIME 8:03:47
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

BEAM WAYNE E PARCEL ID.. 22284 PIN... 6- 9 1 15
BEAM IRIS LOCATION... BORDERS RD SHELBY ETJ
1853 E MARION ST DEED YEAR/BOOK/PAGE.. 1993 1127 1059 ASSESSMENT NONE .00 .00 .00
PLAT BOOK/PAGE.. OWNER ID.. 1043101
LEGAL DESC:LOT BORDERS RD DISTRICT.. 5 CITY OF SHELBY (CO SCH)

TOWNSHIP... 6 SHELBY
SHELBY NC 28152-6216 NBRHOOD... 26 6 MAPS #06
DESCRIPTION RESIDENTIAL

MAINTAINED.. 5/15/2023 BY SHERRYL VALUED.. 7/21/2021 BY MAYES
VISITED..... 5/01/1998 BY TYPE OF REVIEW ROUTING#..
PARCEL STATUS... ACTIVE CATEGORY.. GROUP 100

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

DEED BK/PAGE	SALE DATE	SALES INSTRUMENT	DISQUALIFIED	SALE AMOUNT	STAMP AMOUNT	DEED NAME
1127 1059	4/15/1993	PARENT PARCEL	IMP SOLD NOT AP			BEAM WAYNE E & IRIS C
16X 663	1/01/1979	SALE	QUALIFIED	12.00		

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

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV	
1		12	FF F	234.000	135.00	120.00	.00	100.00	.00	.00	.00	120.00	37,908	
			DPTH..	363			OTHER ADJ...	.00	.00	.00	.00	.00		
2		12	FF F	30.000	135.00	116.00	.00	.00	.00	.00	.00	116.00	4,698	
			DPTH..	282			OTHER ADJ...	.00	.00	.00	.00	.00		
TOTAL ACRES..												.000	TOTAL LAND FMV..	42,606

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE	2023 VALUE
FMV.....	42,606		0		42,606	42,606
APV.....	42,606		0		42,606	42,606

DATE 7/01/24
TIME 11:25:22
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

BEAM WAYNE E PARCEL ID.. 22284 PIN... 6- 9 1 15
BEAM IRIS LOCATION... BORDERS RD SHELBY ETJ
1853 E MARION ST DEED YEAR/BOOK/PAGE.. 1993 1127 1059 ASSESSMENT NONE .00 .00 .00
PLAT BOOK/PAGE.. OWNER ID.. 1043101
LEGAL DESC:LOT BORDERS RD DISTRICT.. 5 CITY OF SHELBY (CO SCH)

TOWNSHIP... 6 SHELBY
SHELBY NC 28152-6216 NBRHOOD... 26 6 MAPS #06
DESCRIPTION RESIDENTIAL

MAINTAINED.. 5/15/2023 BY SHERRYL VALUED.. 7/21/2021 BY MAYES
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PARCEL STATUS... ACTIVE CATEGORY.. GROUP 100

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16X 663	1/01/1979	SALE	QUALIFIED	12.00		

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

LND #	ZONE	STRAT CODE	LAND TYPE/CODE	LAND QTY	LAND RATE	DPT%	SHP%	LOC%	SIZ%	OTH%	TOP%	TOT ADJ	CURRENT FMV	
1		12	FF F	234.000	135.00	120.00	.00	100.00	.00	.00	.00	120.00	37,908	
			DPTH..	363			OTHER ADJ...	.00	.00	.00	.00	.00		
2		12	FF F	30.000	135.00	116.00	.00	.00	.00	.00	.00	116.00	4,698	
			DPTH..	282			OTHER ADJ...	.00	.00	.00	.00	.00		
TOTAL ACRES..												.000	TOTAL LAND FMV..	42,606

TOTAL PARCEL VALUES----	LAND /	OVR	IMPROVEMENTS /	OVR	TOTAL LAND/IMPROVE	2023 VALUE
FMV.....	42,606		0		42,606	42,606
APV.....	42,606		0		42,606	42,606

DATE 8/06/24
TIME 8:03:47
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

BEAM WAYNE E PARCEL ID.. 22301 PIN... 6- 9 1 23
BEAM IRIS LOCATION... BORDERS RD SHELBY ETJ
1853 E MARION ST DEED YEAR/BOOK/PAGE.. 1969 16X 663 ASSESSMENT NONE .00 .00 .00
PLAT BOOK/PAGE.. OWNER ID.. 1043101
LEGAL DESC:LOT BORDERS RD DISTRICT.. 5 CITY OF SHELBY (CO SCH)

SHELBY TOWNSHIP... 6 SHELBY NBRHOOD... 26 6 MAPS #06
DESCRIPTION NC 28152-6216 RESIDENTIAL

MAINTAINED.. 5/15/2023 BY SHERRYL VALUED.. 7/21/2021 BY MAYES
VISITED..... 5/01/1998 BY TYPE OF REVIEW ROUTING#..
PARCEL STATUS... ACTIVE CATEGORY.. GROUP 100

----- SALES HISTORY -----
DEED BK/PAGE SALE DATE SALES INSTRUMENT DISQUALIFIED SALE AMOUNT STAMP AMOUNT DEED NAME
16X 663 1/01/1969 SALE QUALIFIED 12.00

----- LAND SEGMENTS -----
LND # ZONE STRAT CODE LAND TYPE/CODE LAND QTY LAND RATE DPT% SHP% LOC% SIZ% OTH% TOP% TOT ADJ CURRENT FMV
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DPTH.. 400 OTHER ADJ... .00 .00 .00 .00
TOTAL ACRES.. .000 TOTAL LAND FMV.. 42,471

TOTAL PARCEL VALUES---- LAND / OVR IMPROVEMENTS / OVR TOTAL LAND/IMPROVE 2023 VALUE
FMV..... 42,471 0 42,471 42,471
APV..... 42,471 0 42,471 42,471

DATE 7/01/24
TIME 11:25:22
USER SHERRYL

CLEVELAND COUNTY
PROPERTY CARD
FOR YEAR 2024

PAGE 1
PROG# AS2006

BEAM WAYNE E PARCEL ID.. 22301 PIN... 6- 9 1 23
BEAM IRIS LOCATION... BORDERS RD SHELBY ETJ
1853 E MARION ST DEED YEAR/BOOK/PAGE.. 1969 16X 663 ASSESSMENT NONE .00 .00 .00
PLAT BOOK/PAGE.. OWNER ID.. 1043101
LEGAL DESC:LOT BORDERS RD DISTRICT.. 5 CITY OF SHELBY (CO SCH)

SHELBY TOWNSHIP... 6 SHELBY NBRHOOD... 26 6 MAPS #06
DESCRIPTION NC 28152-6216 RESIDENTIAL

MAINTAINED.. 5/15/2023 BY SHERRYL VALUED.. 7/21/2021 BY MAYES
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PARCEL STATUS... ACTIVE CATEGORY.. GROUP 100

----- SALES HISTORY -----
DEED BK/PAGE SALE DATE SALES INSTRUMENT DISQUALIFIED SALE AMOUNT STAMP AMOUNT DEED NAME
16X 663 1/01/1969 SALE QUALIFIED 12.00

----- LAND SEGMENTS -----
LND # ZONE STRAT CODE LAND TYPE/CODE LAND QTY LAND RATE DPT% SHP% LOC% SIZ% OTH% TOP% TOT ADJ CURRENT FMV
1 12 FF F 260.000 135.00 121.00 .00 100.00 .00 .00 .00 121.00 42,471
DPTH.. 400 OTHER ADJ... .00 .00 .00 .00
TOTAL ACRES.. .000 TOTAL LAND FMV.. 42,471

TOTAL PARCEL VALUES---- LAND / OVR IMPROVEMENTS / OVR TOTAL LAND/IMPROVE 2023 VALUE
FMV..... 42,471 0 42,471 42,471
APV..... 42,471 0 42,471 42,471

Agenda Item: D-7

7) Notice of Cancellation in the Regular Meeting Schedule of Shelby City Council

Consent Agenda Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Notice of Cancellation

City Manager's Recommendation / Comments

After reviewing with staff, the upcoming agenda schedule and any upcoming items requiring action by City Council it is my recommendation that the regular meeting slated for Monday, September 2, 2024, be cancelled and Monday, September 16, 2024, be moved to September 9, 2024, via the Consent Agenda. If approved by City Council your next regularly scheduled meeting would be held on Monday, September 9, 2024.

**Notice of Cancellation
in the
Regular Meeting Schedule
of
Shelby City Council**

This notice is to inform the general public and the media and is conducted in accordance with the mandates of North Carolina General Statutes 160A-71 and 143-318.12 (a), that the regularly scheduled Shelby City Council meeting of September 2, 2024 has been cancelled in observance of the Labor Day holiday. The regularly scheduled Shelby City Council meeting of September 16, 2024 has been cancelled and rescheduled to September 9, 2024.

The regular meeting schedule, as adopted by the Council, remains in place for all other regular meetings of the Council and will resume:

**Monday, October 7, 2024, at 6:00 p.m.
Don Gibson Theater
318 South Washington Street
Shelby, North Carolina**

Dated: August 12, 2024

**O. Stanhope Anthony III
Mayor**

E. Unfinished Business

None

Agenda Item: F-1

New Business

- 1) Approval of a resolution naming a certain City of Shelby park facility in honor of Mr. Mitchell Terrill, Sr.: Resolution No. 56-2024

New Business Item: (Charlie Holtzclaw, Director of Parks & Recreation)

Summary of Available Information:

- Memorandum dated August 5, 2024, from Charlie Holtzclaw, Director of Parks & Recreation to Rick Howell, City Manager and Carol Williams, City Clerk
- Naming/Renaming Recommendation for a Municipal Park
- Supporting Documents
- Shelby Parks & Recreation Advisory Board Agenda(s) and Minutes
- Resolution No. 56-2024

City Manager's Recommendation / Comments

Resolution No. 56-2024 comes before City Council for consideration as new business. In accordance with adopted City policy an application for facility naming was submitted by a group of citizens asking that the current "Holly Oak Park Ballfield" be renamed "Mitchell Terrill, Sr. Field." The application was reviewed by staff and presented to the Parks and Recreation Advisory Board. The Advisory Board, as required by policy, held three community input workshops for public comment on the proposal. Council will hear the results of those workshops and the recommendation of the Advisory Board. Following receipt of the information City Council may act as it deems appropriate. If approved Resolution No. 56-2024 would officially rename this facility as the "Mitchell Terrill, Sr. Field". Appropriate signage would then be designed and installed in the coming months.

It is my recommendation that Resolution No. 56-2024 be adopted and approved by City Council at this time.



Memorandum

To: Rick Howell, City Manager
Cc: Carol Williams, City Clerk
From: Charlie Holtzclaw, Director Parks & Recreation
Date: August 5, 2024
Subject: Facility Naming Recommendation

Executive Summary of issue – Background

On April 2, 2024, I received a Facility Naming Application Form requesting the Parks and Recreation Advisory Board consider the “Holly Oak Park Ballfield” be renamed “Mitchell Terrill, Sr. Field.”

Per the Facility Naming Policy, the Advisory Board held three consecutive monthly “Community Workshops” to discuss and review the application. During these meetings on May 15, June 26 and July 17, approximately 41 citizens attended with 11 speaking to endorse the naming recommendation to the Board. In addition, emails and letters were received supporting the Application.

At the third and final Workshop on July 17, the Advisory Board took action and voted unanimously to recommend to City Council that the request be approved.

As indicated on the application, among many other things, Mr. Terrill, Sr. volunteered his time and money to coach and officiate youngster’s baseball, football and basketball for many years, as well as volunteering for the annual Fourth of July Celebration and other events. He was a Deacon, Choir Leader, and key member of the building of Eskridge Grove Baptist Church and the sanctuary at Palmer Grove Baptist Church. Mr. Terrill, Sr. served in the U.S. Navy, Attended A&T University – Greensboro with a degree in Engineering, and was the first African-American ever to coach youth baseball at Shelby City Park. He received a City Council Achievement Award at the 2006 Foothill’s Merry Go Round Honors Awards, and was named a “Hero” at the Holly Oak Park Celebration in 2008.

Perhaps most famously, Mr. Terrill, Sr. was well known for inventing and building the “Flying Jenny” a lawn mower motor powered four-seat swing set that children from the community loved and enjoyed.

Mr. Palmer was described in the application as “a wonderful humanitarian, great coach and a surrogate father”, and “a man that had a love for God and was a man after God’s own heart”.

Recommendation

Having adhered to policy, the Shelby Parks and Recreation Advisory Board wholeheartedly endorsed this naming application on July 17, 2024.

Therefore, it is my recommendation and request to you that consideration be given to the approval of the recommendation to rename the “Holly Oak Park Ballfield” to “Mitchell Terrill, Sr. Field”. Should this request be approved, staff will obtain and install the appropriate signage and ensure that a dedication ceremony takes place at the appropriate time.

**City of Shelby Policies And Procedures
For Naming Parks and Recreation Facilities**

I. General Policies

- 1. The Shelby Parks and Recreation Advisory Board shall be responsible for the process of receiving, evaluating and recommending names for public parks and recreation areas and facilities to the Shelby City Council.**
- 2. Advisory board recommendations shall be sent to the Shelby City Manager for city staff review and referral to Shelby City Council.**
- 3. Final decisions regarding the naming of city parks and recreation system areas and facilities shall be made by Shelby City Council.**
- 4. The Advisory Board will accept recommendations from any Shelby citizen, groups of citizens or organizations desiring to recommend a name for a park, recreation area or facility in honor of a person or in recognition of an historical event, natural phenomenon, geographic location, organization, thing, etc.**
- 5. The Advisory Board may conceive and recommend names for parks and recreational facilities.**
- 6. Municipal parks and facilities may be named for individuals provided those individuals have made exceptional contributions in terms of service, money, land, time or overall constructive and unselfish service to the community.**
- 7. To consider naming a major new park or facility for an individual or organization based on monetary contributions, the threshold shall be the donation of 50 percent or more of the developmental costs.**
- 8. When the names or areas within an already existing park or facility are to be named, the names must in some manner denote its affiliation with the encompassing area or facility.**
- 9. To be considered, names for new parks, recreation areas or facilities must not duplicate or be closely related to or pronounced similarly to any other names within the city parks and recreations system so as to minimize public confusion.**

10. Only under extraordinary circumstances will the Advisory Board consider recommending naming anything within the parks and recreation system for an individual within the first 12 months following the individual's death.
11. Living individuals, including retired or retiring employees, may be considered for recreation areas or facilities naming honors if the caliber and magnitude of their service and/or contributions can be substantiated as having been exceptional.
12. The Advisory Board may on occasion find it appropriate to recommend that an individual's service or contributions be recognized with a plaque within a park or facility when the naming of an entire park or facility would be inappropriate.
13. Additional names may not be added to the names of parks and facilities already named for an individual.
14. Only those recreational areas or facilities named for something other than an individual may be renamed.
15. The names of parks or facilities named for individuals shall be considered permanent unless irrefutable revelations should arise of misconduct or misdeeds so reprehensible and stigmatizing of the individual's memory and so potentially damaging to the park or facility bearing his or her name as to demand change.

II Procedural Guidelines

1. The Advisory Board will receive naming recommendations only on forms available at City Park from the Director of Parks and Recreation. Each such recommendation must be accompanied by information indicating why a particular name should be designated for a particular area or facility.
2. Prior to placing a naming recommendation on the agenda for an Advisory Board meeting, the Parks and Recreation Director shall give notice to the Board through a *Request for Advisory Board Action*, which must be accompanied by appropriate forms and information.
3. Naming recommendation(s) and supporting material will be received at the first of three consecutive monthly meetings (a period of 90 days) of the Advisory Board during a timed agenda period not to exceed 30 minutes and identified and publicized as a *Community Workshop*.

4. Having received appropriate recommendation forms and supporting materials during the first *Community Workshop*, the Advisory Board will receive verbal or written input during the *Community Workshop* segments of the second and third consecutive monthly meetings. Normally the Advisory Board will evaluate the recommendation(s) and take action at the third monthly meeting.
5. Should interested citizens wish to provide supportive or opposition comments or concerns without appearing personally at the second or third *Community Workshops*, the Advisory Board will accept such comments via letters, facsimiles or e-mails in advance to either of those *Community Workshops*.
6. Public notification of such meetings shall be made by the Parks and Recreation Director via the issuance of public service announcements through local media, site signage, the internet and other means.

City of Shelby
Naming/Renaming Recommendation
For A Municipal Park, Other Recreation Area Or Facility

I. How the system works:

1. **The processing entity for all parks, recreational areas and facilities is the Shelby Parks and Recreation Advisory Board.**
2. **Completed recommendation forms must be submitted to the Shelby Parks and Recreation Director at Shelby City Park at 850 West Sumter St. or mailed to PO Box 207, 28151.**

Recommendations will be accepted from any Shelby citizen, groups of citizens or organizations desiring to recommend a name for a park, recreation area or facility in recognition of an historical event, natural phenomenon, geographic location, organization, thing, etc.

3. **Final decisions regarding the naming of city parks and recreation system areas and facilities are made by Shelby City Council.**

II. Individual(s) or Group(s) Submitting The Recommendation:

Contact Person: Ronald Harrill

Title: Retired Banker

Business/Organization Represented: Community Representatives

Address: c/o 2311 Holly Lane, Shelby, NC 28150

Telephone: Home: _____ Business: _____ Cell: _____

Cell: 704-692-7052

Fax:

Email: rharrill50@aol.com

Describe attachments to be submitted with this form: _____

Signature of person submitting the recommendation

Ronald Harrill Date 4/9/2024

RONALD HARRILL

Print Name

Date received by Parks and Recreation Director: April 2, 2024 CH

Date presented to Parks Advisory Board: May 15, 2024 CH

How are the recommending party or parties connected to this proposal?

The life of Mr. Mitchell Terrill, Sr., impacted the children, as well as adults of his community. He volunteered his time and his own finances and served as a community magnet and role model. The connecting parties are Citizens of Cleveland County who benefitted from the recreational and outdoor opportunities provided to them by Mr. Mitchell Terrill, Sr. while volunteering at Holly Oak Park; and also served as an umpire for baseball and a referee for basketball and football. He coached Little League Baseball at Holly Oak Park and Shelby City Park. The Holly Oak Park benefactors have submitted testimonials about the impact of Mr. Terrill and Holly Oak Park on their lives.

(See Attachment A - Testimonials)

III. Identify the individual(s) and/or other factors (historical event, etc.) and the site or facility involved in this recommendation;

Individual: Mr. Mitchell Terrill, Sr.

Factors: His home and backyard was a park and a resource for community kids when they did not have access nor funding to spend outside the community. His used personal funding to take the neighborhood children to and from Holly Oak Park to play baseball, football, basketball and other playground activities.

Historical Events:

- (a) Mr. Terrill was an annual volunteer for the expanded Fourth of July activities which included safety and security for a large population consisting of more than 30 visiting buses from neighboring cities from Western North Carolina.**
- (b) He provided annual supervision and coaching for baseball, basketball, and football league championship games for approximately 10 years in a row.**
- (c) He annually coordinated and provided instructional training for young kids to learn to play sports.**
- (d) Upon recommendation by Mr. Bill Proctor, Mr. Terrill was the first (1st) black Youth Baseball Coach at Shelby City Park.**

Site Facility: Holly Oak Park Baseball Field/Shelby City Park

(See Attachment B Holly Oak Park ball field)

Is this person(s) living or deceased? Deceased

Current Address: Deceased

Employment/retirement status: Mr. Terrill, Sr. worked at Shelby Concrete Products for many years and he retired from Fiber Industries in Earl, NC. He spent over 35 years total at these two facilities. (see attachment – newspaper article, October 1959)

Due to his rotating work schedule at Fiber Industries, he would be unable to coach; nevertheless, he was able to work out an agreement with the Holly Oak Park Director that would enable him to continue coaching the teams by playing morning and afternoon games. This was, indeed, a testament to his community youth dedication.

(See Attachment C- Shelby Concrete Products)

Summarize present involvements: Mr. Terrill died May 1, 2011

IV. Biographical/factual information supporting this recommendation:

1. If this naming/renaming recommendation involves anything other than an individual, please explain briefly why such recognition is warranted and attach substantiating material:

N/A

IV. 2. If this naming/renaming recommendation involves an individual(s), please provide pertinent information in the following categories and attach additional support material if necessary:

The individual(s) activity, position of leadership, dates of involvement and achievements of prime importance to this recommendation:

- (a) A native of Shelby, NC, born on October 13, 1925
- (b) Graduated Camp School- Earl, NC
- (c) Attended A & T University-Greensboro, NC-Degree in Engineering

Church activities:

- (a) Ground breaking ceremony-Eskridge Grove Bapt. Ch.
- (b) Choir Leader
- (c) Deacon-Eskridge Grove Bapt. Ch. for more than ten (10) years
- (d) Quartet singer w/Faithful Gospel Singers, various others
- (e) A key member of building the sanctuary at Palmer Grove Bapt. Ch. He was showcased on the front page of the Shelby Daily Star newspaper for outstanding volunteer work (see article dated August 1, 1993, attached).

Organizations and positions held:

- (a) U.S. Navy
- (b) Coach-Little League Baseball, basketball, football w/Holly Oak Park
- (c) Member-Fellowship of Christian Athletes,
- (d) Music artist w/Faithful Gospel Singers and various quartet groups
- (e) Church choir leader.

Awards and honors:

- (a) Lifetime Achievement Award held at First National Bank-2006
- (b) Award Recognition – Holly Oak Park Heroes – 2008
- (c) See Legacy of Mitchel Terrill (Attachment D)

Describe attachments to be submitted with this form:

Attachment A – Testimonials

Attachment B – Site Facility – Holy Oak Park Baseball Field

Attachment C – Employment/Retirement Status–Shelby Concrete Products

Attachment D – Legacy – Mitchell Terrill, Sr.

ATTACHMENT A
COMMUNITY SUPPORT LETTERS
TESTIMONIES

TESTIMONIAL

Mitchell Terrill was a wonderful humanitarian, as well as a great coach. Growing up, I was orphaned when my mother passed away resulting from a car crash. My Grandmother raised me and Mitchell was a surrogate father. He would make sure that I attended everything that I was involved in. He was my escort at my high school Debutante Ball. He was a father to me and for me. He made sure that I was able to get to and from college by driving me to Durham where I attended college.

As a young girl, I would be at his home and he would always be fixing and repairing something. I would ask questions about what he was doing. He was always patient and kind. He would explain what he was doing. I was very curious when he was fixing his car. Pretty soon after so many questions, he would send me to play with the girls.

He always spent time with family and spent a lot of time with the community kids. The young boys would love to come around. He had so much compassion for sports. The boys who played on his team and played in his back yard called him Mr. Mitch.

Even after I grew up and began my own family, he was a father to my daughter. He added her to his household every year during the summer months when school was out and kept her until school opened in the fall.

He taught us a lot about love, caring and providing for family, as well as others whenever possible. He is so deserving for this recognition.

Modestenia Bush

TESTIMONIAL

First I met Mr. Mitch when I tried out for Little League baseball. He would pick me up. I played shortstop. He taught me how to hit a curveball. He took his passion for baseball and created a passion in me.

He was a father away from home. I had great respect for him. I loved playing for him because his team won more games than any other team. He was more than just a great coach; he was a mentor

Steve Degree

March 22, 2024

This letter is to express my support of the Holly Oak softball field being named after Mr. Mitchell Terrill, affectionately known as " Mr. Mitch." I came to know Mr. Mitch when I joined Palmer Grove Baptist Church in the early 90's. I later joined the All Male Choir which is where our friendship flourished. Mr. Mitch was the patriarch of the group as he served as a father figure to us all. He always led by example and always encouraged us to "stretch-out" farther than we thought we could go. He saw our potential as a choir and was not going to settle for nothing short of our best. I was told he showed that same tenacity on the baseball field as well.

Mr. Mitch made an indelible impression on me through his faithfulness to God, family and those around him including his former baseball players. He often spoke of his love for the game and the young men he coached and mentored. Mr. Mitch is more than worthy to have the Holly Oak softball field named in his memory. He was a man of strong christian values and possessed the skills to be a leader of men. His impact on my life will not be forgotten.

Sincerely,
Carlos Merritt

Donnie Thurman Sr.
1414 Clearbrook Drive,
Shelby NC 28150

I am privileged and honored to have the opportunity to write this letter as it relates to the naming of the ball field at Holly Oak Park in memory of Mitch Terrill Sr.

On a personal level, I am proud of a lot of things as I think back on the years that I had the benefit of having Mr. Mitch Terrill Sr. in my life. Three things though stand out and will be things that I will always cherish. First, I will always remember all the things that Mr. Mitch taught me. The most memorable thing was to always put God first. I still reflect and reminisce about the times that I spent with Mr. Mitch and the deep conversations that we had about life. He taught me how to live a life that is pleasing to God. He always challenged me to stick to the word of God. One of Mr. Mitch's famous sayings to me was, "say what you mean and mean what you say, and let your words be your bond". He always referred to James 1:8 "A double minded man is unstable in all his ways." (New King James Version)

Secondly, Mr. Mitch made a huge impact on my life in many ways. I still to this day treasure the involvement that he made in my life. He illustrated the importance of a man loving his family and putting his family first above all. Mr. Mitch truly displayed the life of *A Man That Had a Love for God and Was a Man After God's Own Heart*. This was not visioned by me as just a catchy slogan. His life was a true replica displayed of the love that he had for God in how he treated other's and took time out for others. He was committed in every aspect in the life of his family, church, and community.

Lastly, it is vital that the ball field at Holly Oak Park be named after Mr. Mitch Terrill Sr. because I never once saw him compromise his integrity as a family man, servant leader, and coach. I have had many hearts felt, tear jerking conversations with young men that Mr. Mitch had the opportunity to coach / mentor. They all share testimonials of how Mr. Mitch never faltered and never wavered from doing things the right way and with the utmost respect and integrity through his efforts in making a difference in their lives.

Although Mr. Mitch has left this world his spirit still resonates in me and all the other young men that he coached on the ball field at Holly Oak Park. Mr. Mitch never coached me on a ball field. But he most certainly coached me in the game of life. He deposited many tools within me to be successful in life. I salute you once again Mr. Mitch and thank you for leaving such big shoes to fill. After the ceremony takes place and this ballfield is named after Mr. Mitch Terrill Sr. I promise to continue to walk in Mr. Mitch's footsteps and unselfishly bring other young men along with me as Mr. Mitch Terrill Sr. had the courage to do.

Mr Mitchell Terrill

From: Strickland Maddox (strick11@bellsouth.net)

To: hazterill@bellsouth.net

Date: Monday, March 25, 2024, 10:40 PM EDT

Sorry I'm just getting this out to you. Its been one of those days. I got to thinking about playing at the park and I had some real good times there and Mr. Mitch was always there during those times. Although I never played for the Colts I always wanted to play for them. I PLAYED FOR THE Giants one year (Mr Palmer) and the Jets for two years (Mr Black) I always wanted to play for the Colts but it didn't happen. But Mr Mitch always would work with me and helped to develop into a pretty good player. He always cared for all the boys and would work to make us better. I used to look forward to practicing against the and with them.

Fw: Mitchell Terrill

From: rharrill50@aol.com (rharrill50@aol.com)

To: modesteniabush71@yahoo.com

Date: Monday, April 1, 2024 at 12:35 PM EDT

See below

[Sent from the all new AOL app for iOS](#)

Begin forwarded message:

On Sunday, March 31, 2024, 11:38 PM, chamr83177@aol.com <chamr83177@aol.com> wrote:

Mr Mitch was a husband, father, Christian, neighbor, little league baseball coach and my friend. He took a group of young boys and molded us into a baseball team that primarily played at Holly Oak park. We came from different sections of Shelby and practiced when he finished his job.

He demanded respect and he got it. Some of the best days of my childhood was playing on the COLTS against the other teams and their coaches.
Thank you Mr Mitch for being not only in my life but all of us you touched.

Calvin Hamrick

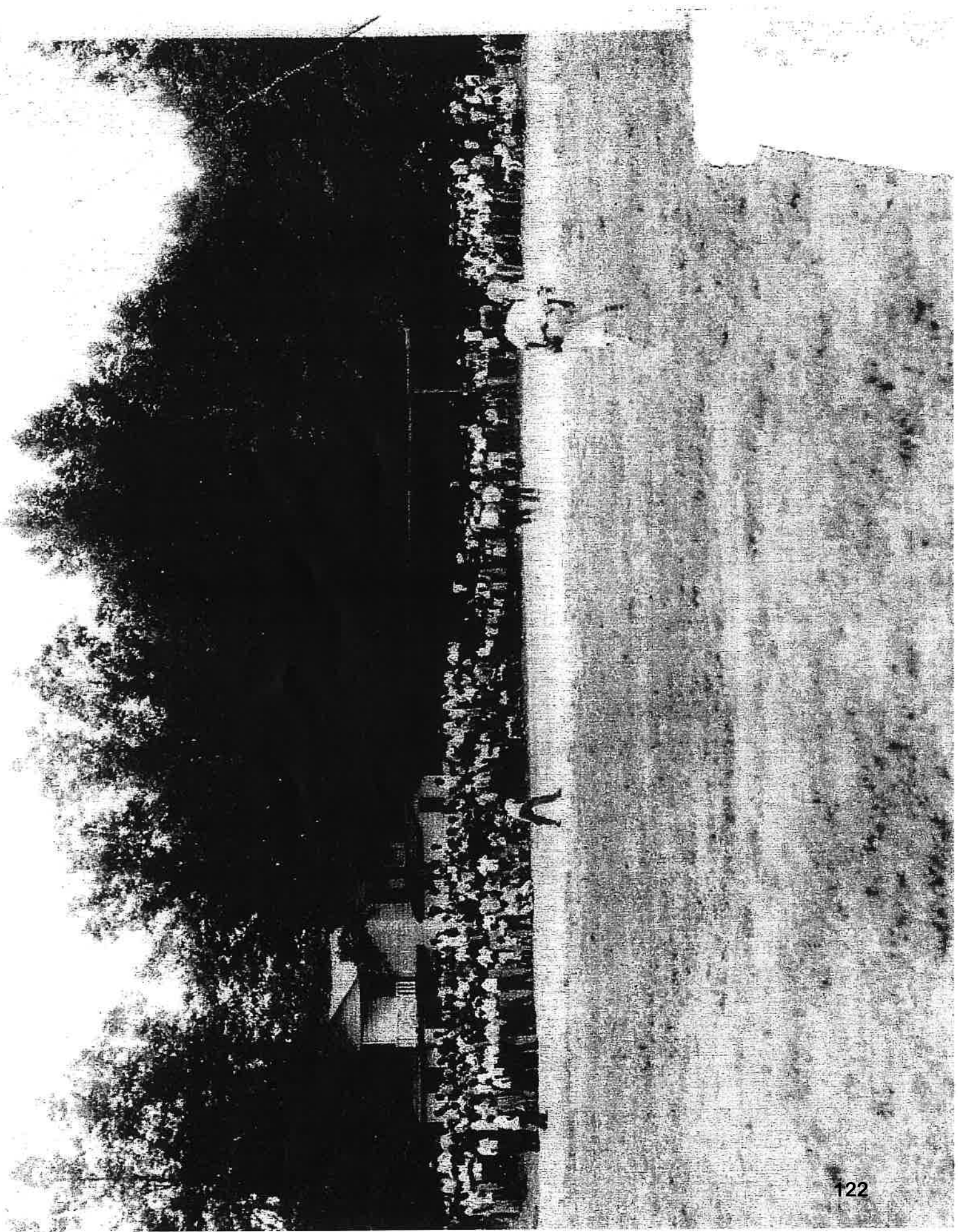
Sent from my Verizon, Samsung Galaxy smartphone

Mr Mitch was a husband, father, Christian, neighbor, little league baseball coach and my friend. He took a group of young boys and molded us into a baseball team that primarily played at Holly Oak park. We came from different sections of Shelby and practiced when he finished his job. He demanded respect and he got it. Some of the best days of my childhood was playing on the COLTS against the other teams and their coaches. Thank you Mr Mitch for being not only in my life but all of us you touched. Calvin Hamrick Sent from my Verizon, Samsung Galaxy smartphone

ATTACHMENT B
HOLLY OAK PARK BALL FIELD

Holly Oak Park

Holly Oak Park is located on Holly Oak Road just off of Highway 226 South and Eaves Road. This 50 acre park features a newly renovated (2004) Center with gymnasium and stage; game room; and administrative offices. The Center is heavily used by local and non-local patrons on a daily basis. To the north of the Center are two fenced Fishing Ponds; the newly developed Green Thumb Nature garden; a newly installed Playground; and a small Maintenance Building. Adjacent to the playground is an Activity Center that is used for family reunions and other events. The entire west side of the park is wooded. It contains clearly identified Walking Trails with sitting benches leading from the Main Center to a large Picnic Pavilion and other open spaces. In addition there is a lighted Softball Field. This park is bordered by Hickory Creek which could be used as a future Greenway connecting Palmer, Kings Road and Holly Oak Park



ATTACHMENT C
EMPLOYMENT/RETIREMENT STATUS

Shelby Concrete Products

This Firm Counts Success Of County Block By Block

Each morning shortly after 7 a. m. 14 loaded trucks line up in the yards of Shelby Concrete Products Co.

Headed for construction sites within a 50-mile radius of Shelby, they're loaded with a day's output of the concrete company—16,000 blocks per day, or enough to build five six-room houses.

The sprawling company lies between the Southern and Seaboard railway tracks on Lee Street. Freight cars shuffle daily on the tracks, supplying the firm with sand, gravel and cement.

The firm's customers are contractors, builders, architects and engineers — as well as private homeowners. It has finished concrete block for the Glass Fiber Glass Division, the Dover Mill expansion, and for garden-walks, back porch steps or garages, since its beginning in June, 1951.

The primary products of the company are concrete blocks and Tuff-Lite blocks. The concrete blocks are regulation 8" by 8" by 16" blocks weighing 37 pounds, and made of sand, stone and cement.

Tuff-Lite is a trade name for a block of the same size which weighs 29 pounds. An expanded clay product, the lightweight aggregate is manufactured at temperatures of 2,500 to 2,600 degrees until it is vitrified. After this process it is discharged in large cakes, crushed, washed and screened for proper size.

All concrete products manufactured by the company meet federal and state specifications and have underwriters' approval.

The blocks, steam-cured and thermostatically controlled to insure consistency and strength throughout, come in 91 different styles and sizes.

The company started from scratch nine years ago.

completed—the boiler stood out in the open. The company's office was a small construction shack bought from a builder. Sadie Lutz, the firm's office manager since its beginning, worked in the shack—so cold in the winter that soft drinks froze in the corner.

MUCH EXPANSION

Now the firm has expanded to include a modern concrete-block, naturally, office building, a large warehouse, a manufacturing plant, five silos that will hold in train cars of raw material—1,230 tons, and a fleet of trucks.

The plant is so completely automated that two men can oversee the operation. Nine hundred blocks come off the line each hour.

mixer is controlled by an electronic brain that measures the amount of water to be added and makes no mistake even if the raw material is previously dampened.

Four lift trucks, which cost about as much as a new luxury car, handle all the blocks, from the machine that makes them to the truck. The blocks are stored on concrete platforms to keep them clean.

The firm also sells a related line of building supplies such as a mortar mix, white sand and Dura-wall, a re-inforcing wire for block and brick walls. This stock is housed in their warehouse.

The company employs 30 people and most of them have been with the company since its beginning, reported George Corn, president

and general manager.

Included in the number are truck drivers, six yard men, four plant operation men, two loaders, a general superintendent, Dick Estes, two office persons and an equipment supervisor.

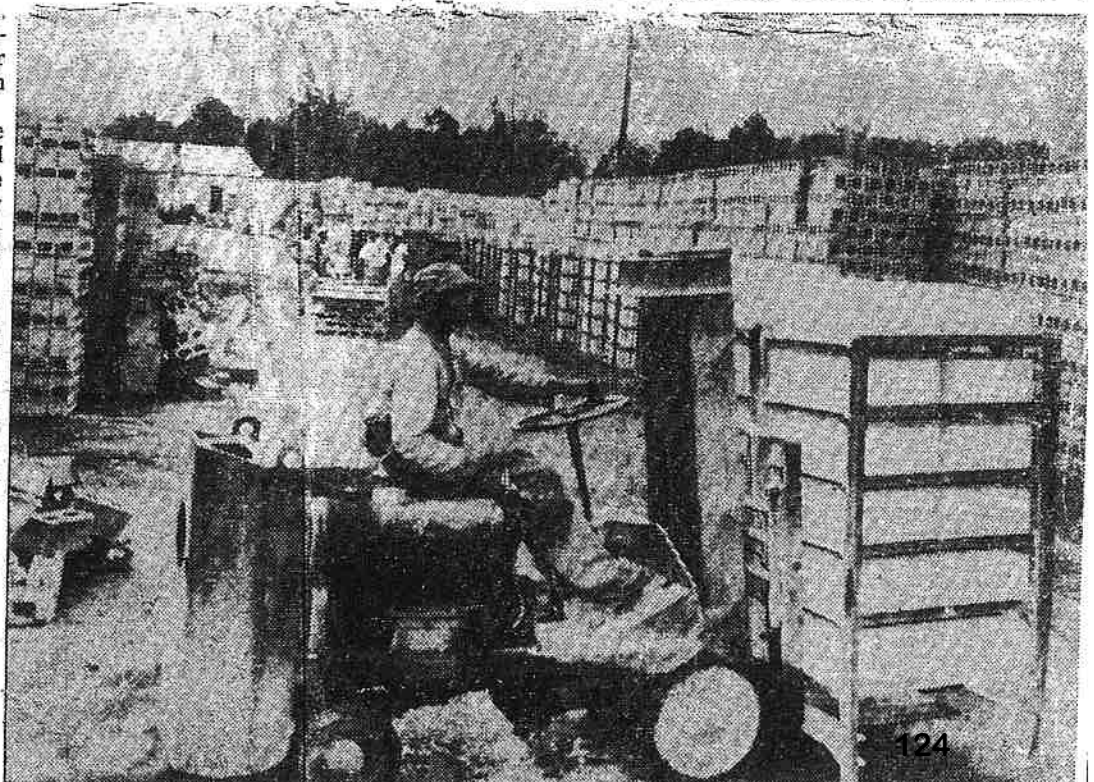
They work two eight-hour shifts

ANY NUMBER

"We'll sell one block or a million," said Corn, stressing the fact that the company serves the small as well as the large builder.

Concrete block and Tuff-Lite are almost ideal for all building purposes, he said, because of the light weight, their texture, their resistance to fire and their insulative value.

Tuff-Lite, in addition, is ideal for schools, churches, offices



ATTACHMENT D
BIOGRAPHICAL INFORMATION
INDIVIDUAL AWARDS AND ACHIEVEMENTS
LEGACY

LEGACY – MITCHELL TERRILL, SR.

Mitchell Terrill, Sr., Was the ninth (9th) child of twelve (12) children born on October 13, 1925, to Hellener Armour Terrill and Randall Terrill. He graduated from Camp School located in Township Three South of Shelby, NC. At Camp School, he played basketball. He attended A & T University in Greensboro, NC, pursuing an engineering degree. He was married to Mammie L. Harris Terrill and together they had five (5) children: Hazelene Terrill Smith, Shirley A. Terrill, Tyler Terrill (deceased), Mitchell Terrill, Jr. and Bishop Xavier H. Terrill (deceased).

He was a jack of all trades; he was blessed with making and fixing anything. He was a devoted family man and a very hard worker and stayed focused on the assignment at hand. He was employed as a Fixer at the former Shelby Concrete Products for many years. He was very gifted with repair work and could repair and fix all machinery. Later he was employed at Fiber Celanese where he retired.

Mitchell Sr., was always making and building something. He built his outside storage building from concrete and built an annex to his home including a sun room. He entered his creative making into the Cleveland County Fair and won numerous blue ribbons. He made entertainment for his children by making and creating their toys. His biggest invention was what he called the "Flying Jenny," which was a motorized four-seated swing built from the engine of a lawn mower and swung around-and-around in a circle. He built the seats and frame and welded them together. For this invention he was nominated by Mr. Wayne Merritt for the Merry-Go-Round Festival and he was recognized and received a plaque for the 50th Anniversary of Holly Oak Park. On October 25, 2008, he was honored by the Merry-Go-Round Association for Holly Oak Park Heroes. He was active in the Fellowship of Christian Athletes and was also honored in a ceremony held at the First National Bank in Shelby, NC.

All the neighborhood kids referred to him as Mr. Mitch's. They would come to his back yard to enjoy a good ride and to play with all the other games he had set up. His back yard was a "park" for community children. He was a community magnet and role model. He was a phenomenal mentor to all the neighborhood children, as well as, a resource for community kids when they did not have other means to attend sports and other recreational activities. He often used his own funding for children to get them to and from the park, as well as provide a good hotdog and drink. He had the biggest heart and always tried to help anyone he could. He believed in family and community and made sure he supported others in their efforts to make the community better.

While Mr. Mitch was working and spending time with his own sons, i.e., playing basketball and baseball, taking his family to church, gospel concerts and other recreational activities, his love for sports grew stronger and stronger. He was a resourceful man with a massive overflow of love for family and community. When funds were short, his daughter, Hazelene T. Smith, recalls

frequent family drives to the airport in Charlotte, NC, to watch the departures and arrivals of the airplanes.

Coach Mitch's love for the sports grew more and more. He took an interest in other boys from all communities within the city to start a team with the Holly Oak Park. He would go to different neighborhoods, providing a ride to all who could pile into the car. When he first started taking neighborhood kids to the park, his own sons were too young to play but were exposed to coaching and playing the games. His sons became great baseball players. Bishop Zavier Terrill the youngest of two (2) sons was a great catcher and the oldest son, Mitchell Jr., was a great player at all positions.

Mr. Terrill coached a team called "The Colts." He trained them well and their playing record enabled them to go on to a state championship. He worked as Umpire during summer games at the Holly Oak Park and opened the center on Sundays for the young people to play games. He worked all day on the Fourth of July when many buses from throughout Cleveland County and outlying areas would come to visit this park. He volunteered work for the concession stands during Holy Oak events, e.g. Memorial Day, Easter Egg hunts. His last coaching was at the Shelby City Park with an integrated team.

Mr. Terrill was a deacon at Eskridge Grove Baptist Church where he grew up attending church with his mother and family. He took part in the groundbreaking ceremony for the existing church and he led the Senior Spiritual Choir. He loved to sing and he sang quartet with several local groups including the Faithful Gospel Singers. He was always looking for a singing program on Sundays. He later joined Palmer Grove Baptist Church where he was the leader of the Men's Choir and always grasp the opportunity to encourage all to do the right thing. He served his County and received an honorable discharge from the United States Navy.

Mr. Terrill's favorite Major League Baseball (MLB) team was the Atlanta Braves. He made many trips to Atlanta, GA, to watch his team; sometimes taking family and friends with him.

Mr. Terrill made a great impact on children mentoring them and helping them in any way he could. If you ever met Mr. Terrill, you would never forget him. People today still talk about the impact he made on their lives. Many boys from the team and neighborhood grew up to become lawyers, professionals and outstanding citizens. So many of them stated that the influence of "Mr. Mitch" made them and motivated them to become successful.

HOLLY OAK PARK CELEBRATION

October 25, 2008

Cecil Partlow-Master of Ceremonies

BUNNY CLYDE & CECIL PARTLOW - OPENING ENTERTAINMENT

Recognition of Special Guest: Wayne Merritt

AWARD PRESENTATION: ALMA CABANISS HOGUE

LIVE ENTERTAINMENT

AWARD PRESENTATION: CLARENCE & PATRICIA PALMER

LIVE ENTERTAINMENT

AWARD PRESENTATION: RAY CABINESS

LIVE ENTERTAINMENT

AWARD PRESENTATION: MITCHELL TERRILL

LIVE ENTERTAINMENT

AWARD PRESENTATION: WILLIE "FLIP" CASTER

LIVE ENTERTAINMENT

AWARD PRESENTATION: COTY HAWK

OTHER PROMINENT NAMES FROM THE PAST:

Ronnie Ross-Director

Katie Byers-Concessions

Hannah Merritt-Concessions

Thomas Hawk-Maintenance

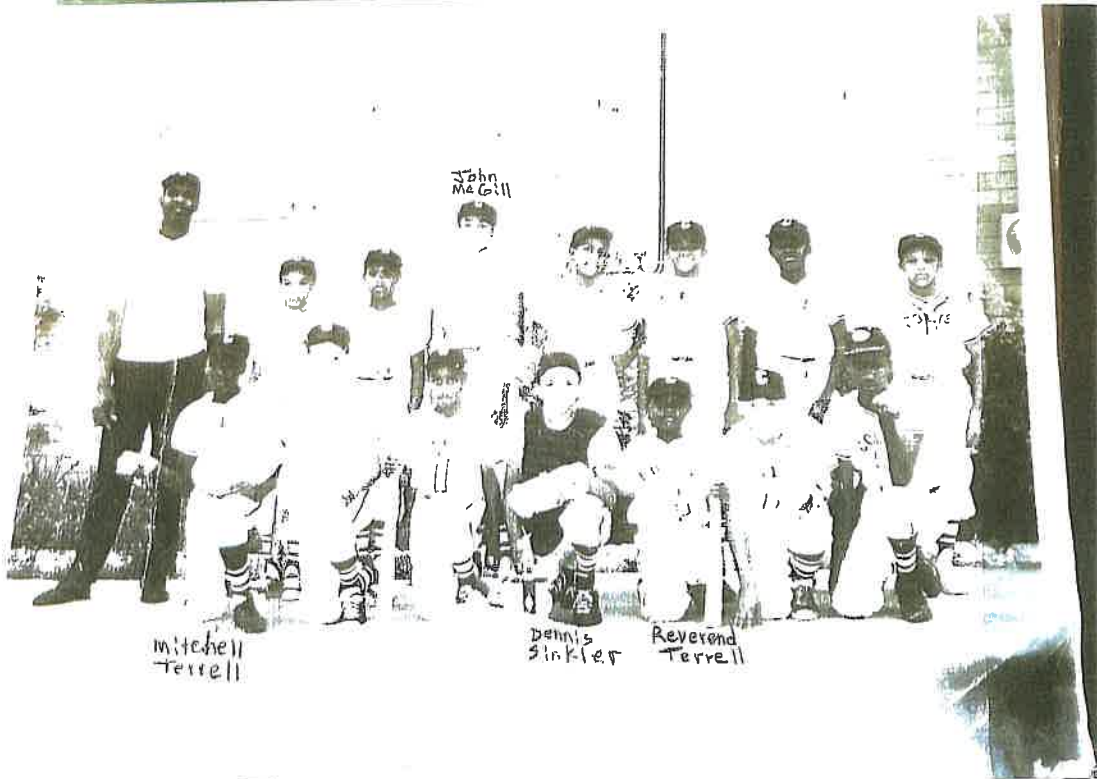
Tony Wilson- Head Lifeguard

Skip Froneberger- Maintenance

Bobby Gill- Asst. Director

Charlie Bloom- Maintenance

James Byrd- Mentor





The "Flying Jenny"

Inventor: Mr. Mitchell Terrill, Sr.

Invention: a motorized four-seated swing built from the engine of a lawn mower and swung around-and-around in a circle. The seats and frame were built and welded together.

Award: Honored by the Merry-Go-Round Assoc.

----- Forwarded message -----

From: Shiloh Baptist <shilohbaptistchurch.shelby@gmail.com>

Date: Apr 3, 2024 7:54 PM

Subject: Mr. Mitchell Terrill

To: Jerry Mitchell <jermit49@hotmail.com>

Cc:

Mr. Mitchell Terrill was a devoted Christian and family man. He and I worked together at Hoechst Celanese for over 34 years, and he was also a close friend. He was a team leader and knew the job well. Mr. Terrill always made it his mission to teach the younger guys how to make the job easier. He was naturally gifted and mechanically inclined. He showed all of his coworkers new techniques that helped improve their performance on the job. As a result of his gift, Mr. Terrill was

known for designing tools to help employees improve their production. He was a valued employee that management looked up to and often asked for his advice.

Jerry Mitchell



McGriff powers Braves to win...1B



New Jersey links

The Shelby Star

Cleveland County's Home Newspaper Since 1894

SHELBY, NORTH CAROLINA

Sunday, August 1, 1993

Turning a 'mess' into a Kingstown congregation's new building

By Bethany Bradsher
Star Staff Writer

KINGSTOWN — The bricks on the church are new and shiny and seem to rise up like a beacon in the grassy fields as you approach Kingstown.

Today the building is only a physical landmark. But the congregation of Palmer Grove Baptist Church expects its new church to be a spiritual center for the three-year-old town.

That role starts with the kind of teamwork church members have shown for the past year, laboring to construct a building that can handle their growth.

"God has taken a mess and made a

miracle out of it," said the Rev. James Smith of Palmer Grove. "Everything we've done, we've done it as a family. I just can't say enough about the people of this church."

Today the congregation will worship in its new church for the first time. It's a watershed day for all members, especially those like 73-year-old John Thaurmond, a member of Palmer Grove for 64 years.

And every person that will sit in those pews, Smith said, has given prayers, encouragement and their own hard work to the project — even when obstacles have delayed the construction.

Carlos Merritt volunteered his time to lay the tile in the new Sunday School



Gina Cox/The Shelby Star

Carl Wray (left) and Mitchell Terrill puit the final touches on Palmer Grove Baptist's sanctuary, hosting today its first service.

Shelby Parks & Recreation Advisory Board
2003 & 2019 NCRPA Advisory Board of the Year
Wednesday, May 15, 2024
Lunch 12:00PM / Meeting 12:30PM
Aquatics Center Conference Room

Agenda

Call To Order

Invocation

Pledge

Approval of April Meeting Minutes

Community Workshop – (First of Three) Facility Naming Application

April Monthly Reports

- Highlights

Old Business

- Merry Go Round Festival Recap

New Business

- Building & Grounds Maintenance
- Programs, Events & Tournaments

Director's Reports

- Other items that need to come to the Board's attention
- Questions/Comments/Suggestions

Motion to Adjourn – Next Meeting June 19, 2024

**CITY OF SHELBY PARKS & RECREATION DEPARTMENT ADVISORY BOARD
MEETING MINUTES**

May 15, 2024

Shelby City Park Aquatics Conference Room

Attending:

Board members

Allen Langley, David Lynn, Marie Hendrick, Craig Ferree, Robert Coleman, Shawn Collins, Shanda Hoskins, and Chris Gray

Absent

Juan Cherry

City Staff

Charlie Holtzclaw, Dee Greene, Brad Harmon, and Hannah Weidenhamer

I. Call to Order

The meeting was called to order at 12:30PM by Allen Langley, Chairman.

II. Invocation:

Robert Coleman

III. Pledge:

Charlie Holtzclaw

IV. Approval of Minutes

Craig Ferree and 2nd by Shanda Hoskins

V. Community Workshop:

A. Motioned to start by Marie 2nd by David.

B. Application was properly submitted for Mr. Mitchell Terrill for the Holly Oak Ballfield. The second meeting will be open to the public and the same with the third meeting, as well as a decision can be made. The public is welcome to state for or against the change. Discussion on who Mithell Terrill was and his relation to the Park. Plan to get more insight on the individuals that are speaking on behalf of Mitchell Terril.

C. Motion to close workshop by Shanda 2nd by Craig.

VI. Monthly Reports:

A. Dee reports that Seasonal Orientation took place on May 11th and went really well. A CPR class was held afterwards for the remaining Lifeguards and Day Camp Counselors that still needed to get certified. There are a lot of events coming up as summer is beginning to start.

B. Hannah reports that Young at Heart group is thriving and continuing to grow month after month. This past month they went to lunch at Beaver Creek and went to paint at Little Bit Studio. The summer positions for Day Camp have officially been filled and everyone is excited to get started.

C. Jimmy has been out on medical leave but has reported that everything at Holly Oak is going great! The Card Team is going strong and playing 4 to 5 days a week. The

Shelby Parks & Recreation Advisory Board
2003 & 2019 NCRPA Advisory Board of the Year
Wednesday, June 26, 2024
Lunch 12:00PM / Meeting 12:30PM
Aquatics Center Conference Room

Agenda

- I. Call To Order**
- II. Invocation**
- III. Pledge**
- IV. Approval of May Meeting Minutes**
- V. *Community Workshop* – (Second of Three) Facility Naming Application**
- VI. May Monthly Reports**
 - Highlights
- VII. Old Business**
 - None
- VIII. New Business**
 - Building & Grounds Maintenance
 - Programs, Events & Tournaments
- IX. Director's Reports**
 - Other items that need to come to the Board's attention
 - Questions/Comments/Suggestions
- X. Motion to Adjourn – Next Meeting July 17, 2024**

**CITY OF SHELBY PARKS & RECREATION DEPARTMENT ADVISORY BOARD
MEETING MINUTES**

June 19, 2024

Shelby City Park Aquatics Conference Room

Attending:

Board members

Allen Langley, David Lynn, Marie Hendrick, Craig Ferree,
and Juan Cherry

Absent

Robert Coleman, Shanda Hoskins, Shawn Collins, and
Chris Gray

City Staff

Charlie Holtzclaw, Dee Greene, and Hannah Weidenhamer

I. Call to Order

The meeting was called to order at 12:30PM by Allen
Langley, Chairman.

II. Invocation:

Juan Cherry

III. Pledge:

Charlie Holtzclaw

IV. Approval of Minutes

Craig Ferree and 2nd by Marie Hendrick; Motion Passed

V. Community Workshop:

- A. Motioned to start by Marie 2nd by David; Motion Passed**
- B. Second meeting, but first community workshop.**
- C. Charie took a few moments to explain the policy to everyone in the room. Decision can be made July 17th. After that, the final decision will be made by Shelby City Council.**

Comments from Community Members:

- A. Ronald Harril:**
 - a. Explained that they had started the process approximately seven months ago with Wayne Merritt, Hazeline Smith, Mitchell Terrill, and Modestenia Bush.
 - b. This field renaming for Mitchell Terrill Sr. is a vision of hope for the community and he can be remembered for the things he did for his family and the community. Want his younger family members to understand his legacy.
- B. Wayne Merritt:**
 - a. Wanye took the time to explain his relationship with Mitchell Terrill Sr. Mr. Terrill was his baseball coach when he was younger.
 - b. He was an individual that set the tone for team organization, encouraged good relationships, and was a very disciplined individual for himself and taught others to be as well.
 - c. Stated that Mitchell Terrill Sr. was a wonderful individual and deserves to be honored.
- C. Modestenia Bush**
 - a. Explained that she was a niece to Terrill Sr., but he was more like a father figure to her.
 - b. She said most would describe him as a humanitarian and did a lot for others in the community and was very heavy in his faith.
 - c. Mitchell Terrill Sr. was very straightforward but wanted the best for everyone around him. He made sure Modestenia made it to everything and also made sure she got to college.
 - d. Mr. Terrill was also a very patient and kind and very much a family man and taught others about compassion and love.
- D. James Smith**
 - a. James explained that he had the privilege to serve as Mr. Terril's Pastor.
 - b. James was able to see how great of a father figure he was and explained how he treated his family very well.
 - c. Explained that Mr. Terrill and Holly Oak Park are synonymous, and he spent a lot of his time out there.
- E. Lydia Terrill:**
 - a. Spoke briefly about how Mr. Terrill was a teacher in his life. He wanted the women in his family to be educated in life so they can handle their own and do not have to rely on others.
- F. Hazeline Smith:**
 - a. Hazeline explained that her heart was filled to see so many from the community come out to support Mr. Terrill. Explained that he was a great man and spent a lot of time at Holly Oak Park with the kids.

- b. Hazeline explained that Mr. Terrill had a huge impact on the family's lives and how he had the biggest heart and wanted to do whatever he could to better the community.

G. Donnie Thurman

- a. Mr. Terrill taught him how to be a man and how to be a Christian. Explaining that renaming the facility would continue Mitchell Terrill Sr.'s legacy.

D. Motion to close workshop by David Lynn and 2nd by Marie Hendrick. Motion Passed.

Sign In Sheet

Print Name	Sign Name
HENRY ANTHONY	<i>[Signature]</i>
Shirley Terrill	<i>[Signature]</i>
Hazelene Smith	<i>[Signature]</i>
J. L. Smith	
Adrienne Terrill	<i>[Signature]</i>
Alicia Terrill	<i>[Signature]</i>
Darlene Terrill	<i>[Signature]</i>
Lydia Terrill	D
Deborah Manning	
Donna Thurman	
Tyler Briscoe	
Sheila Logan	
Mitchell Terrill	
John Adams	
<i>[Signature]</i>	
Hyson McCombs	
K. Washington	
Modestina Bush	
<i>[Signature]</i>	
Jimmy L. Pate	
EVERETT THOMAS	<i>[Signature]</i>
Allen Thomas	
Demetrius Terrill Sr.	
Shirley Terrill	
Annain Terrill	
Genetris Terrill Jr.	

Denzel Terrill

Parris Terrill

Denzel Terrill

Desmond Terrill

Lemondra Terrill

Jerry Mitchell

Dennis Mitchell

Shelby Parks & Recreation Advisory Board
2003 & 2019 NCRPA Advisory Board of the Year
Wednesday, July 17, 2024
Lunch 12:00PM / Meeting 12:30PM
Aquatics Center Conference Room

Agenda

Call To Order

Invocation

Pledge

Approval of June Meeting Minutes

Community Workshop – (Third of Three) Facility Naming Application

June Monthly Reports

- Highlights

Old Business

- None

New Business

- Building & Grounds Maintenance
- Programs, Events & Tournaments

Director's Reports

- Other items that need to come to the Board's attention
- Questions/Comments/Suggestions

Motion to Adjourn – Next Meeting August 21, 2024

**CITY OF SHELBY PARKS & RECREATION DEPARTMENT ADVISORY BOARD
MEETING MINUTES**

July 17, 2024

Shelby City Park Aquatics Conference Room

**Attending:
Board members**

Allen Langley, David Lynn, Craig Ferree, Juan Cherry,
Robert Coleman, Shanda Hoskins, and Shawn Collins

Absent

Marie Hendrick, and Chris Gray

City Staff

Charlie Holtzclaw, Hannah Mantooth, Brad Harmon, Katie
Turner, and Hannah Weidenhamer

I. Call to Order

The meeting was called to order at 12:35PM by Allen
Langley, Chairman.

II. Invocation:

Robert Coleman

III. Pledge:

Shawn Collins

IV. Approval of Minutes

Craig Ferree and 2nd by Shanda Hoskins; Motion Passed

V. Community Workshop:

- A. Motioned to start by Shawn Collins 2nd by Craig Ferree; Motion Passed**
- B. Third and final Community Workshop.**
- C. Allen took a moment to briefly go over procedures before comments were made by the community members.**

Comments from Community Members:

- A. Ronald Harril:**
 - a.** Took a few minutes to go over some of the information from the previous meeting. Renamed the committee members, which consists of himself, Wayne Merritt, Hazeline Smith, Mitchell Terrill, and Modestenia Bush.
 - b.** Mr. Terrill spent a lot of his time at Holly Oak Park coaching. He was a great member of the community and did so much for everyone. The committee felt as though he was the perfect candidate to name Holly Oak Field after.
 - c.** Ronald talked about Mr. Terrill being chosen to integrate the coaching staff at the City Parks and was the first African American coach here at the Parks.
 - d.** Ronald took the time to express is sincere gratitude for the consideration to honor Mr. Terrill Sr.
- B. Dennis Sinkler:**
 - a.** Dennis spoke briefly to express that Mr. Terrill was a big support in his life and it was a joy to be under his wing and it is truly an honor to allow Mr. Terrill to be considered for the renaming.
- C. DeBorah Manning**
 - a.** DeBorah explained that she learned of and met Mr. Terrill through sports.
 - b.** She explained the Mr. Terrill had a great spirit and wanted what was best for everyone and was a pillar in the community.
 - c.** DeBorah feels as though Mr. Terrill is very deserving of the renaming.
- D. Motion to close workshop by Shanda Hoskins and 2nd by Craig Ferree. Motion Passed.**

Comments from Board Members:

- A.** Craig explained that it was a no brainer. After hearing the reports from the community from the last two workshops that Mitchell Terrill Sr. is a perfect candidate.
- B.** Shanda explained that she spoke to multiple members of the community that had close ties with Mr. Terrill and they all spoke extremely highly of him and how it was be an honor to rename Holly Oak Field after him.
- C. Craig Ferree made motion to rename Holly Oak Field after Mr. Terrill, 2nd by Robert Coleman; Motion Passed**
- D.** Allen brought everyone back in to announce to the group that they will recommend the renaming,

Sign-IN sheet

Print Name	Sign Name
RONALD HARRILL	Ronald Harwll
Jimmy L. Poole	J. L. Poole
Hazelene T. Smith	Hazelene T. Smith
Shirley Terrill	Shirley Terrill
Deborah Manning	Deborah Manning
Mitchell Terrill	Mitchell Terrill
Dennis C. Sinkler	Dennis C. Sinkler
Wayne Merritt	Wayne Merritt

RESOLUTION NO. 56-2024

A RESOLUTION NAMING A CERTAIN CITY OF SHELBY PARK FACILITY
IN HONOR OF MR. MITCHELL TERRILL, SR.

WHEREAS, the City of Shelby is fortunate to have individuals who recognize the value of contributing to the community through youth and adult recreation programs; and

WHEREAS, Mr. Mitchell Terrill, Sr. is recognized for his service to the Holly Oak Park community for many years as a youth sports coach, official and mentor; and

WHEREAS, Mr. Mitchell Terrill, Sr. dedication benefitted hundreds of youth on and off the sports field by being a role model and father figure; and

WHEREAS, Mr. Mitchell Terrill, Sr. was a pillar of the community serving as a member of the Fellowship of Christian Athletes and was a Deacon, Choir Leader, and key member in the building of Eskridge Grove Baptist Church as well as the building of the Church Sanctuary at Palmer Grove Baptist Church; and

WHEREAS, Mr. Mitchell Terrill, Sr. was awarded the Shelby City Council Achievement Award at the 2006 Merry Go Round Honors Awards Banquet, and was named a “Hero” at the 2008 Holly Oak Park Celebration: and

WHEREAS, Mr. Mitchell Terrill, Sr. was the first African-American youth baseball coach at Shelby City Park; and

WHEREAS, Mr. Mitchell Terrill, Sr. was a veteran of the United States Navy; and

WHEREAS, Mr. Mitchell Terrill, Sr. was well known for inventing and building the “Flying Jenny” a lawn mower engine powered four-seat swing that the community children greatly enjoyed: and

WHEREAS, in recognition of his numerous significant contributions to the community and service to his country, the Parks and Recreation Advisory Board unanimously voted on July 17th, 2024 to recommend that he be honored by renaming the Holly Oak Park Ballfield to Mitchell Terrill, Sr. Field;

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

Section 1. The recommendation from the Parks and Recreation Advisory Board to change the name of the Holly Oak Park Ballfield to “Mitchell Terrill, Sr. Field” is approved in recognition of his service and contributions to the City of Shelby, Cleveland County and the United States of America.

Section 2. The City Manager is authorized and directed to install appropriate signage at the Holly Oak Park Facility to properly honor Mr. Terrill, Sr.

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

Adopted and approved this the 19th day of August, 2024.

O. Stanhope Anthony III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: F-2

- 2) Adoption of an ordinance to repeal Article II Sections 34-41 and 34-32, “Determination; bond” and “Going on private residence without invitation,” of the City Code of Ordinances: Ordinance No. 53-2024

New Business Item: (Jason Lunsford, City Attorney)

Summary of Available Information:

- Memorandum dated July 29, 2024, from Jason Lunsford, City Attorney to Rick Howell, City Manager
- Ordinance No. 53-2024
- Exhibit(s) A and B

City Manager’s Recommendation / Comments

Ordinance No. 53-2024 is presented for City Council consideration at this time. If approved this resolution would repeal Article II Sections 34-41 and 34-33 of the City Code of Ordinances. Both repeal provisions affecting businesses entering onto private property for the purpose of selling a good or service. The City Attorney has outlined the details of the repeal and his recommendation in the attached memorandum.

To: Rick Howell

From: Jason Lunsford, City Attorney

Date: July 29, 2024

RE: Repeal of Article II Section 34-31 and 34-32 of the Shelby Code of Ordinances

INTRODUCTION:

On May 30, 2024, I was contacted by a company, Aptive Environmental, LLC (“Aptive”), seeking to solicit door-to-door within the Shelby city limits. The company raised complaints about the interpretation of and application of the City’s solicitation ordinance and sought an agreement with the City to engage in solicitation without fear of criminal charges or fines against its employees and contractors. Given these concerns I engaged staff at the School of Government as well as other municipal attorneys that were also contacted by Aptive. In reviewing the evolving applicable law pertaining to solicitation under the First Amendment’s freedom of commercial speech, the City’s present ordinance is ripe for challenge and a repeal would protect the City from future litigation. Additionally, the City does not impose or collect a fee or bond under Section 34-31 of Article II relating to itinerant merchants and such an ordinance without justification may also violate the First Amendment’s freedom of commercial speech. Thus, it is recommended to repeal this section as well. Finally, repealing the present ordinances will allow the City time to gather data, either positive or negative, pertaining to door-to-door solicitation, which may be used to provide justifications for a future amended ordinance addressing solicitation and the documented concerns.

RECOMMENDATION:

Following any further discussions and questions from City Council, it is recommended that City Council approve **AN ORDINANCE TO REPEAL ARTICLE II SECTIONS 34-41 AND 34-32, “DETERMINATION; BOND” AND “GOING ON PRIVATE RESIDENCE WITHOUT INVITATION,” OF THE CITY CODE OF ORDINANCES.** Once repealed, solicitation may proceed within the city limits. Staff may receive calls and the police may be asked to take action. It is instead recommended that the City assist in providing “No Solicitation” signs for citizens and encourage those with means to procure their own “No Solicitation” signs if such solicitation is of concern. It is further recommended that Staff document any and all communications relating to solicitation and repeal of the present ordinances.

ORDINANCE NO. 53-2024

**AN ORDINANCE TO REPEAL ARTICLE II SECTIONS 34-41 AND 34-32,
“DETERMINATION; BOND” AND “GOING ON PRIVATE
RESIDENCE WITHOUT INVITATION,”
OF THE CITY CODE OF ORDINANCES**

WHEREAS, the City of Shelby, North Carolina, pursuant to its granted police powers under N.C. Gen. Stat. § 160A-175, passed ordinances to require payment of a tax or bond and to limit solicitation onto private property within the City limits under Ordinance 34-32, Exhibit A and B; and

WHEREAS, the First Amendment Freedom of Speech encompasses freedom of commercial speech, and the current application of this protection has caused this section of the Code to come into conflict with present United States Supreme Court interpretation; and

WHEREAS, applying the First Amendment through the Fourteenth Amendment to the states the United States Supreme Court has held governments lack the complete power to suppress and limit commercial speech; and

WHEREAS, the Supreme Court has held that commercial speech may be regulated by state and local governments and such regulations are afforded a lesser protection than strict scrutiny; and

WHEREAS, courts have applied the Supreme Court’s four-part test developed in *Cent. Hudson Gas & Elec. Corp. v. Public Serv. Comm’n*, 447 U.S. 557 (1980) to city solicitation ordinances similar to that of Shelby’s and have found such ordinances violate the constitutional protections afforded to businesses seeking to solicit as permitted commercial speech; and

WHEREAS, the City of Shelby has been approached by companies seeking to solicit within the City of Shelby and to go upon private residences for the purposes of soliciting door-to-door; and

WHEREAS, in order to comply with the current changes in legal interpretation of the First Amendment and solicitation as a form of commercial speech, it is recommended to repeal Section 34-32 of the Shelby, NC Code of Ordinances.

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

Section 1. The City Code of Ordinances be amended to repeal Article II Sections 34-31 “Determination; bond” and 34-32 “Going on private residence without invitation” of the Code.

Section 2. Staff shall document and note complaints, crimes, or other like concerns arising from and due to the change in repealing the ordinance.

Adopted and effective this the 19th day of August, 2024.

Ordinance No. 53-2024
August 19, 2024
Page 2

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

APPROVED AS TO FORM

Jason Lunsford
City Attorney

Exhibit A

Sec. 34-31. - Determination; bond.

Any salesman or merchant offering for sale goods, wares or merchandise, other than farm products, shall be deemed an itinerant if he conducts such business within the city for less than six months, except in case of discontinuance for one of the reasons mentioned in this section. When any person does not pay the itinerant merchant tax levied by section 10-44 on the ground of stated intention to become a regular merchant, he shall post the currently required cash deposit, which bond shall be forfeited for the payment of such tax in case such person discontinues such business within six months for any reason other than death, disability, insolvency or destruction of stock by fire or other catastrophe. The provisions of this section shall not apply to persons who sell books, periodicals, printed music, ice, wood for fuel, fish, beef, mutton, pork, bread, cakes, pies, dairy products, poultry, eggs, livestock or articles produced by the individual offering them for sale but shall apply to medicines, drugs or articles assembled.

Exhibit B

Sec. 34-32. - Going on private residence without invitation.

The practice of going in and upon private residences in the city by solicitors, peddlers, hawkers, itinerant merchants or transient vendors of merchandise, books, periodicals, magazines, pictures, prints and/or photographs or makers of photograph negatives, not having been requested or invited so to do by the owner or occupant of such private residence, for the purpose of soliciting orders for the sale of goods, wares, books, periodicals, magazines, pictures, prints, merchandise and/or disposing of and/or peddling or hawking the same is declared to be a nuisance and punishable for a misdemeanor.

Agenda Item: F-3

- 3) Approval of a resolution to abolish the Redevelopment Commission of the City of Shelby: Resolution No. 57-2024

New Business Item: (Jason Lunsford, City Attorney)

Summary of Available Information:

- Memorandum dated August 12, 2024, from Jason Lunsford, City Attorney to Rick Howell, City Manager
- Resolution No. 57-2024

City Manager's Recommendation / Comments

Resolution No. 57-2024 is presented to City Council as new business. If approved this resolution would abolish the Redevelopment Commission of the City of Shelby and ultimately place this authority back in the hands of City Council as mentioned within the memorandum prepared by the City Attorney. The primary purpose of this resolution is to allow City Council to regain the authority to consider the lifting of deed restrictions on properties previously imposed by Redevelopment Commission.

The City Attorney will review with Council the nature of the noted restrictions and the impact they have on the redevelopment of these lots today.

To: Rick Howell

From: Jason Lunsford, City Attorney

Date: August 12, 2024

RE: Resolution to Abolish the Redevelopment Commission and a Resolution to Remove Deed Restrictions.

INTRODUCTION:

In February of 1969, the then City Council created the Redevelopment Commission of the City of Shelby pursuant to N.C. Gen. Stat. § 160A-500, the ‘Urban Redevelopment Law.’ In 1981, the Commission created the West Shelby Redevelopment Plan. This plan affected various lots throughout the area in an effort to make wide scale improvements with the use of grant funding. The properties affected had deed restrictions placed upon them pursuant to N.C. Gen. Stat. § 160A-514 and such restrictions may only be addressed through the Commission pursuant to 160A- N.C. Gen. Stat. § 160A-513(k). However, Shelby no longer has an active member on the Commission and does not appear to utilize the Commission. The City Council has the authority through N.C. Gen. Stat. § 505(b) to abolish the Commission and have the delegated power, rights, and privileges restored to City Council. Upon the abolition of the Commission, City Council, after 90 days from passing the resolution, may act under the powers of the Commission pursuant to N.C. Gen. Stat. § 160A-505(a) and remove the deed restrictions previously placed upon the deeds. The removal of these restrictions will allow the affected properties to be sold and developed without the limitations in place. The City has received calls from at least two developers that are seeking the restrictions be removed for this very reason.

RECOMMENDATION:

Following any further discussions and questions from City Council, it is recommended that City Council approve **A RESOLUTION TO ABOLISH THE REDEVELOPMENT COMMISSION OF THE CITY OF SHELBY**. Once passed, I will file a certified copy of the Resolution with the North Carolina Secretary of State indicating the abolition of the Commission. After 90 days pass, Council will then have the authority to act and pass another resolution to address the deed restrictions. Once the second resolution is passed, the deed restrictions will no longer have effect over the various properties and may be developed under the provisions of current zoning and building code regulations. This will also allow for ownership of the property to pass in fee simple with no further deed restrictions being recorded upon the various properties.

RESOLUTION NO. 57-2024

**A RESOLUTION TO ABOLISH THE
REDEVELOPMENT COMMISSION OF THE CITY OF SHELBY**

WHEREAS, the City of Shelby, North Carolina, pursuant to N.C. Gen. Stat. § 160A-500, the ‘Urban Redevelopment Law,’ the City of Shelby created a redevelopment commission by resolution dated February 17, 1969, and registered such commission with the Secretary of State of North Carolina; and

WHEREAS, the City of Shelby utilized the Redevelopment Commission of the City of Shelby when the City Council at the time held a public hearing on November 2, 1981 concerning the creation of the West Shelby Redevelopment Plan, which, when passed, among other things, placed covenants upon the deeds affected by the Plan pursuant to N.C. Gen. Stat. § 160A-514; and

WHEREAS, the City of Shelby has not had active membership on the Commission and presently has no appointed members on the Commission; and

WHEREAS, the City of Shelby was contacted by multiple interested parties involving properties that have deed restrictions placed on the deeds as a result of the West Shelby Redevelopment Plan; and

WHEREAS, the City of Shelby may abolish a Redevelopment Commission and restore all rights, powers, and privileges back to the governing body as expressly provided under N.C. Gen. Stat. § 160A-505(b)(1-7); and

WHEREAS, the City Council of the City of Shelby hereby resolves to abolish the Redevelopment Commission, and all rights, powers, and privileges of the Commission shall revert to the City Council immediately upon adoption; and

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

Section 1. The Redevelopment Commission of the City of Shelby shall hereby be abolished pursuant to N.C. Gen. Stat. § 160A-505(b).

Section 2. Notice shall be provided to the North Carolina Secretary of State with a certified copy of this resolution noting the abolition of the incorporation of the Redevelopment Commission of the City of Shelby.

Section 3. All property, both real and personal, responsibilities, obligations shall transfer to the City of Shelby as provided pursuant to N.C. Gen. Stat. § 160A-505(b)(1-7) and all ordinances, rules, regulations, and policies of the redevelopment commission shall continue in full force and effect at this time.

Adopted this the 19th day of August, 2024.

Resolution No. 57-2024
August 19, 2024
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Effective this the 17th day of November, 2024.

O. Stanhope Anthony, III
Mayor

ATTEST:

Carol Williams
City Clerk

Agenda Item: F-4

- 4) Consideration of appointments to City advisory boards and commissions:
 - a) Planning and Zoning Board
 - b) Parks and Recreation Advisory Board

New Business Item: (Carol Williams, City Clerk)

Summary of Available Information:

- Memorandum(s) dated August 13, 2024, from Carol Williams, City Clerk to Rick Howell, City Manager
- Application(s) for Planning and Zoning Board and Parks and Recreation Advisory Board

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: August 13, 2024
Re: Appointments to City Advisory Boards

BOARD REVIEW: Planning and Zoning Board –

The terms of five incumbents, Karla Haynes, Rick Washburn, Mark Carter, Bob Cabaniss (ETJ) and Emanuel Hunt, Jr. (ETJ) concluded June 2024. They all wish to continue their service.

There are five applications on file in the Clerk's Office –

- **Ashley Hemming** **Ward 4**
- **Tasha Smith** **Ward 2**
- **Ric Francis** **Ward 4**
- **Matt Albinger** **Ward 4**
- **Gus Martinez** **Ward 4**

POSSIBLE ACTION:

Council can begin the nominating process or take appointive action for five terms concluding June 2027.

Attachment:

- A. Planning and Zoning Board roster 2023
- B. Planning and Zoning Board attendance record

**Planning &
Zoning
Board**

2024

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Becca Schweppe		1	1	1	1	1	1					
Bob Cabaniss	1	1	1	1	1	1	1					
Charles Hamrick	1	1	1		1		1					
Emanuel Hunt Jr	1	1	1	1	1	1	1					
Greg Taylor	1		1		1							
Karla Haynes	1		1	1	1		1					
Mark Carter	1		1	1	1	1	1					
Mike Royster	1	1	1	1	1	1						
Rick Washburn		1	1	1	1	1	1					
Scott Bankhead		1	1	1	1	1	1					
vacant (ETJ)	n/a	n/a	n/a	n/a	n/a	n/a						

PLANNING AND ZONING BOARD 2023

MEMBERS	ADDRESS	TERM EXPIRATION	PHONE NUMBER
Karla Haynes cccdc@bellsouth.net	796 Kenmore Street Shelby, NC 28150	June 2024	C: 704-692-8716 W: 704-480-7701
Rick Washburn (I) Vice Chair rick.washburn@rightbyvyoumortgage.com	1622 Spangler Drive Shelby, NC 28150	June 2024	W: 704 470-0435
Mark Carter (I) mcarter@carterchev.com	1335 East Marion Street Shelby, NC 28150	June 2024	704 484-4341
Bob Cabaniss (ETJ) bcabanis46@yahoo.com	371 Magness Road Shelby, NC 28150	June 2024	704 484-3484
Emanuel Hunt Jr. (ETJ) ehuntjr46@outlook.com	810 B Pleasant Drive Shelby, NC 28152	June 2024	H: 704 487-5280 W: 404 780-5224
Vacant (ETJ)		June 2026	
Charles Hamrick (I) mrcharles911@gmail.com	PO Box 1356 Shelby, NC 28152-1356	June 2026	704 996-3114
Greg Taylor (I) greg@greatsouthernrec.com	2605 Pebble Creek Drive Shelby, NC 28152	June 2026	H: 704 477-6457 W: 864 498-9950
Michael R. (Mike) Royster (I) mroyster@rovsteroil.com	915 West Marion Street Shelby, NC 28150	June 2025	H: 704 484-1933 W: 704 487-6344
Becca Schweppe beccaschweppe@kw.com	104 Lynhurst Drive Shelby, NC 28150	June 2025	C: 704 472-9827
Scott Bankhead (I) banksurv@bellsouth.net	H: 1907 Three Lakes Drive W: 1203 East Marion Street Shelby, NC 28150	June 2025	H: 704 482-0562 W: 704 481-1040

Meetings are held on the third Thursday of each month at noon

Three (3) year appointments: (I) Inside Members – 8; (ETJ) Extraterritorial Jurisdiction Members – 3

City Council Liaison: David White – Ward 2
1717 Arbor Way Drive
Shelby, NC 28150
C: 704 472-1456
E-mail: dwalt50@carolina.rr.com

Staffed by Planning and Development Services Department (704 484-6829): Walt Scharer, Director

**OFFICE OF THE
CITY CLERK**



Memo

To: Rick Howell, City Manager
From: Carol Williams, City Clerk
Date: August 13, 2024
Re: Appointments to City Advisory Boards

BOARD REVIEW: Parks and Recreation Advisory Board –

The terms of four incumbents, Juan Cherry, Chris Gray, Michael Shawn Collins, and Shanda Hoskins concluded July 2024. They all wish to continue their service.

There are no applications on file in the Clerk's Office.

POSSIBLE ACTION:

Council can begin the nominating process or take appointive action for four terms concluding July 2027.

Attachments:

- A. Parks and Recreation Advisory Board roster 2023
- B. Parks and Recreation Advisory Board attendance record

2024	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Board Members:												
Allen Langley	x	x	x	x	x	x	x					
David Lynn	x	x	x	x	x	x	x					
Marie Hendrick		x	x	x	x	x						
Shanda Hoskins	x		x		x		x					
Juan Cherry	x	x				x	x					
Chris Gray	x	x			x							
Shawn Collins	x	x	x		x		x					
Robert Coleman	x		x	x	x		x					
Craig Ferree	x	x		x	x	x	x					

PARKS AND RECREATION ADVISORY BOARD 2023

MEMBERS	ADDRESS	TERM EXPIRATION	PHONE NUMBER
Juan L. Cherry juancherry07@gmail.com	307 Goldfinch Court Shelby, NC 28150	July 2024	H: 704 300-8617 W: 704 476-8386
Chris Gray chris.gray@fullcirclegolfsolutions.com	602 W. Marion Street Shelby, NC 28150	July 2024	H. 239-304-6434
Michael Shawn Collins shawn.collins@ncdps.gov	100 Buck Landing Drive Shelby, NC 28150	July 2024	H: 704 472-2694 W: 704 480-5648
Shanda Hoskins hoskins.34@hotmail.com	115 Ashley Street Shelby, NC 28150	July 2024	H: 704 482-7717 W: 704 472-2460
Marie Hendrick	1309 Stone Gate Drive Shelby, NC 28150	July 2026	704 487-1012
Craig Ferree	914 Blanton Street Shelby, NC 28150	July 2026	H: 704 487-1498 W: 704 482-6384
Allen Langley, Chair	306 Windsor Drive Shelby, NC 28150	July 2025	704 482-3741
David Carl Lynn, Vice Chair davidclynn@yahoo.com	243 Country Club Cir. Shelby, NC 28150	July 2025	H: 704 482-6233 W: 704 482-4331
Robert Coleman rcoleman006@carolina.rr.com	315 Windsor Drive Shelby, NC 28150	July 2025	H: 704 297-2947 W: 704 487-0035

Meetings are held on the third Wednesday of each month at 12:00 noon, Shelby City Park Aquatic Center Conference Room

Three (3) year appointments

City Council Liaison: David White – Ward 2
1717 Arbor Way Drive, Shelby, NC 28150
704 472-1456
E-mail: dwalt50@carolina.rr.com

Staffed by: Charlie Holtzclaw, Director, Parks & Recreation Department
Hannah Weidenhamer, Secretary to the Board, Parks & Recreation Department
Office: 704 484-6821

Agenda Item: G

City Manager's Report

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

Agenda Item: H

Council Announcements and Remarks

Agenda Item: I

Closed Session:

- 1) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to North Carolina General Statute § 143-318.11(a)(4).
- 2) To establish, or to instruct the public body's staff or negotiating agent concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute § 143-318.11(a)(5).

J. 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