MINUTES

Regular Meeting of Shelby City Council **April 6, 2026**
City Hall Council Chambers **Monday, 6:00 p.m.**

Present: Mayor O. Stanhope Anthony, III, presiding; Council Members Andrew Hopper, Sr., Emilie Bullock, Violet Arth, and Charles Webber; City Manager Justin S. Merritt, City Attorney Jason Lunsford, City Clerk Carol Williams, Director of Finance Elizabeth (Beth) Beam, CPA, Director of Human Resources Deborah (Deb) Jolly, Fire Chief William Hunt, EFO, Director of Planning and Development Services Brian Burgess, Public Works Director Scott Black, Director of Water Resources Brian Wilson, and Public Information/Communications Officer Chip Nuhrah, Paralegal Nicole Hart, Engineering Manager Justin Wright, and Energy Services Operations Manager Ronnie Davis

Absent: Council member Lori Waris

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

Ms. Arth led the Pledge of Allegiance.

A. Approval of agenda:

Motion to adopt the proposed agenda presented.

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

B. Public Hearing:

1) **Approval of a resolution granting a special use permit to WDT Development LLC at 801 E. Grover Street: Resolution No. 20-2026**

Mr. Burgess and Mr. Stephen Drake were sworn in before giving their testimony.

Mr. Burgess asked Council members to disclose any communication with the developer or anyone else about this special use permit application, and bias, or conflicts of interests; Council revealed they had none.

Mr. Burgess reminded Council of the procedure for a quasi-judicial hearing and that only expert testimony is allowed as to certain topics, such as traffic impacts or home values; opinions or feelings are not considered evidence on these topics. Mr. Burgess also reminded Council that only individuals with standing were permitted to testify.

Mr. Lunsford added that while Mr. Burgess presented the information to Council, the information he presented was provided to Staff by the applicant and that it is the burden of the applicant to present sufficient evidence for Council to grant the Special Use Permit.

Mr. Lunsford advised Council that the applicant's testimony should be sufficient to meet the obligations of our ordinance. Mr. Lunsford continued by stating that if no opposition from any citizens with standing opposes the evidence, then Council may abstain from voting or vote no, but if appealed to Superior Court, it would likely result in a finding against the City of Shelby under the law.

Mr. Burgess reviewed the application from WDT Development LLC regarding The Lofts at Shelby:

- **Requesting a special use permit to construct an 84-unit senior multi-family apartment development located at 801 E. Grover Street.**
- **Parcel numbers 22935, 22933, 19989, 19990, which amount to approximately 4 acres and is presently zoned General Business 2 (GB2).**

Mayor Anthony opened the public hearing at 6:06 p.m. and sworn testimony was given as follows:

Mr. Stephen Drake, of WDT Development LLC, 195 Rockbridge Road, Mills River, North Carolina described the proposed development as affordable senior housing which he has specialized in for the past 15+ years. Mr. Drake stated the Shelby area needs senior housing; our community received a capture rate of 4.7% from the North Carolina Housing Finance Agency (NCHFA), the lower the number, the stronger the demand.

Mayor Anthony reviewed the Findings of Fact with the applicant. Mr. Drake stated that increased traffic should not be a concern due to senior residents knowing when heavy traffic times are (morning or evening rush hours) and they generally tend to avoid getting out during those times. The building will be in harmony with the area, the use will not endanger the public health or safety, and it will not injure the value of adjoining or abutting property, in fact, it will likely enhance the area.

Mayor Anthony closed the public hearing at 6:14 p.m.

ACTION TAKEN: Upon a motion from Mr. Hopper, having heard all of the evidence and arguments presented at the hearing, City Council, at its regular meeting, finds and determines that the application is complete, and subject to the conditions imposed, voted unanimously to approve Resolution No. 20-2026 entitled, "A RESOLUTION GRANTING A SPECIAL USE PERMIT TO WDT DEVELOPMENT LLC AT 801 E. GROVER

STREET based on the Findings of Fact submitted in Attachment A."

C. Consent Agenda:

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

1) **Approval of the Minutes of the Regular Meeting of March 16, 2026**

2) **Approval of a resolution authorizing staff for the City of Shelby to complete the designation of applicant's agent and applicant assurances for public assistance form in consideration of future relief utilizing FEMA funds: Resolution No. 21-2026**

3) **Approval of a resolution delegating authority to the City Manager's designee to award and execute contracts on behalf of the City of Shelby: Resolution No. 22-2026**

4) **Approval of a resolution to accept an offer to purchase property by Upset Bid Process (514 Gardner Street): Resolution No. 23-2026**

5) **Approval of a resolution authorizing the sale of City of Shelby owned real property identified by parcel number 17787 through the Upset Bid Procedure of N. C. General Statute § 160A-269 (504 Gardner Street): Resolution No. 24-2026**

6) **Approval of a resolution authorizing the sale of City of Shelby owned real property identified by parcel number 17778 through the Upset Bid Procedure of N. C. General Statute § 160A-269 (426 Gardner Street): Resolution No. 25-2026**

7) **Approval of a resolution approving the contract for the performance of the City of Shelby's annual audit and preparation of financial statements for the Fiscal Year ended June 30, 2026: Resolution No. 26-2026**

8) **Adoption of an ordinance concurring with the North Carolina Department of Transportation for speed limit revision inside the corporate limits of Shelby, North Carolina: Ordinance No. 11-2026**

9) **Management Report:**

    a) **Monthly Financial Summary, February 2026**

END OF CONSENT AGENDA

D. Unfinished Business:

1) **Adoption of a proposed adjustment of Inspection Fees for simple construction: Ordinance No. 12-2026**

Mr. Merritt stated if approved, this ordinance would amend the Permit Fee schedule to provide a reduced fee structure for construction projects that are simpler in nature and require less staff time for the required inspections. These types of construction would be limited to storage units, aircraft hangars, pre-manufactured units, and similar structures.

In addition, Mr. Merritt stated the current fee schedule calculates commercial construction permit fess based upon a $220 per square foot cost. The proposed fee structure for these simpler projects would be based upon a $125 per square foot cost. These costs are derived from the International Code Council's Building Valuation Data.

ACTION TAKEN: Upon a motion from Dr. Webber, City Council voted unanimously to approve Ordinance No. 12-2026 entitled, "PROPOSED ADJUSTMENT OF INSPECTION FEES FOR SIMPLE CONSTRUCTION."

E. New Business

1) **Consideration of appointments to City advisory boards and commissions:**

a) **Housing and Redevelopment Advisory Commission**

Mayor Anthony reported the terms of three incumbents, Debra Littlejohn, Sharon Leigh, and Tanzy Wallace concluded March 2026. Ms. Littlejohn wants to step down from serving on the board, Ms. Leigh has not answered emails or phone calls with Housing staff, so it is not recommended to reappoint her, Ms. Wallace wishes to continue serving on the board.

There is one application on file in the Clerk's office:

- **Tanya Glenn**

Mr. Hopper nominated Ms. Wallace for reappointment and Ms. Glenn for appointment. There were no other nominations.

ACTION TAKEN: Upon a motion by Ms. Arth, City Council voted unanimously to close the nominations and appoint the nominees by acclamation.

F. City Manager's Report:

- **24" Crosstown Waterline – Work on Graham Street from Patton Drive to Kings Road will finish by Friday of this week. Phase 3 of this project will move down Graham Street from Kings Road to Beaumonde Avenue next week and is expected to take 4 – 5 weeks; this will be the last phase of this project. Detours will be posted.**

- **Depot Park project – Significant demolition has been completed on that site with both sub-grade and to the Depot structure. Restoration work is beginning on the Depot structure. Additional site work around the site is also ongoing.**

- **Webbley/Hotel Charles projects – Still receiving interest in both projects. We conducted a site visit at Webbley from a potential developer last week; deadline for proposals is May 15th at 5:00 p.m. The contracts to stabilize and restore the portions of Webbley that Council approved recently should be signed by the end of this week, and work should proceed in the next few weeks.**

- **Property Tax Reform Committee – NCLM is providing information and will continue discussions on this topic; this is something municipalities need to pay attention to. Council asked about drafting a resolution opposing the Property Tax Reform, Mr. Merritt said he would have something prepared for the April 20th Council meeting.**

- **The current phase of the Carolina Harmony Trail ends at S. DeKalb Street, but design of the trail crossing at S. DeKalb is being discussed with NCDOT and it is likely to be a full signalized intersection.**

G. Council Announcements and Remarks:

Mayor Anthony reminded Council about the Budget Workshop scheduled for all day on April 22nd.

The Foothills Merry Go Round Festival is April 25 – 26 at the City Park.

CityVision is May 5 – 7 in Raleigh. Ms. Arth and Mr. Lunsford said they were attending this year.

H. Closed Session:

ACTION TAKEN: Ms. Arth made a motion to enter a closed session pursuant to the appropriate North Carolina General Statutes as cited below. Mayor Anthony invited all Council members present, along with Mr. Lunsford, Mrs. Williams and Mrs. Hart to attend. The motion passed unanimously, and Council moved into closed session at 6:32 p.m.

1) **N.C. General Statute 143-318.11(3): 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 CMH Homes, Inc., a Tennessee corporation (d/b/a Clayton Homes), Petitioner, vs. City of Shelby, Respondent, File No. 26CV001030-220.**

ACTION TAKEN: Pursuant to a motion by Mrs. Bullock, and the unanimous vote of all members present, Council returned to Open session at approximately 7:01 p.m.

I. **Adjournment:**

1) **Motion to adjourn**

ACTION TAKEN: Upon a motion made by Ms. Arth, City Council voted unanimously to adjourn the meeting at 7:02 p.m.

Respectfully submitted,

Carol Williams
City Clerk

O. Stanhope Anthony, III
Mayor