City of Shelby, City Manager caught again in Retaliation Scheme!? –Mr. Willie Green once again the obvious Victim!!!– Shelby continues to refuse to obey Civil Rights Laws!!! –While TAXPAYERS foot the Bills!! Report, evaluation and arguendo by Robert A. Williams

Editor's Note: The City of Shelby appears to be run by a band of fools. The Mayor, the City Manager and the entire City Council all seem to be out to get Mr. Willie Green. No matter what he tries to do. First, there was Mr. Green's sports complex proposal where Mr. Green was to use his own money to build the complex and then partner with the City of Shelby. A concept that the City itself set as a goal to do in their last 10-year masterplan.

Then, the City Council rejected Mr. Green's zoning change request that Mr. Green submitted in order to build high end townhomes on a property on East Dixon Boulevard. (There is some evidence that Mr. Green's townhome construction would compete with certain member(s) of the City Council's own

businesses.) And, now, despite several outstanding lawsuits Mr. Green has against Shelby's city leadership, they are at it again. Apparent illegal planned schemes to make sure anything Mr. Green proposes to do is shut down tight.

Let me start at the beginning of this third round of discrimination against Mr. Green.

Several months ago, Mr. Green's children were home from college and high school. They are all very good athletes and needed to do some working out. So, Mr. Green takes his kids and some of their friends over to an unused field at Gardner-Webb (Where Mr. and Mrs. Green had both graduated from) and everybody starts playing ball. A little bit later a coach comes out and tells them to leave.

So, Mr. Green and everybody packs up and leaves. But Mr. Green gets an idea. Since the City of Shelby had refused his valid request to rezone his property on Dixon Blvd so he could build high end townhomes, he would build a ball field on his own property. A ball field would not require any zoning change and Mr. Green's kids and their friends could play ball without being run off because they were black.

About this time the City of Shelby's so-called leadership somehow got wind that Mr. Green had bought some astro-turf and other sports equipment to put on his Dixon Blvd. property for his kids and their friends to work out on. And the Shelby City folks, being under lawsuits and too stupid to straighten up and fly right. They decided to screw over Mr. Green once again by changing the zoning on Mr. Green's property (and everybody

else's residential property) to exclude private sports facilities. And threw in recreational facilities and nightclubs to boot. I suppose somebody that put a swing set in their backyard would be in violation.

This last meeting of the City Council had this rezoning on the agenda, but it was tabled to a later date.

Now, Mr. Green has spoken out once again in the following Message to Shelby City Manager Rick Howell.

City Manager Rick Howell,

The purpose of this email is for you to provide answers as to why the City is attempting to pass a zoning ordinance to eliminate private recreational clubs or recreation facilities in certain residential zone areas in Shelby. I would also like to know who recommended the zoning change? And what is the reason given why this change is now needed?

In a normal City of Shelby's "Textual Amendment to the UDO" process, a memorandum is sent to the City Manager from the Planning Director recommending a zoning amendment. In the planning director's memo is an "Executive Summary of Issue – Background" as to the justifiable reason why a change is needed.

In the June 8, 2020 memo to the City Manager to eliminate rec facilities from operating in specific residential zones – like my property on Dixon Blvd – Executive Summary of Issue – Background" states the following. "Currently the City of Shelby Unified Development Ordinance (UDO) permits Private Recreational Clubs in the R20, R10, R8, R6, RO, and RR Zoning Districts with Development Standards. The proposed ordinance

would also eliminate private recreational clubs as a permitted use in the R10, R8, and R6 zoning districts."

Now compare a similar January 20, 2015, Textual Amendment to the UDO Executive Summary of Issue – Background memo requesting for the elimination of all Solar Farm Systems from R20 and RR zoning districts. In the January 20, 2015 memo from the planning & zoning department to you, the city manager, it states the following, *"Solar Energy Systems or Solar Farms are a fast-growing land use within the State of North Carolina. Shelby was actually one of the first cities in North Carolina to have a Solar Farm with the development of the SES at the Airport. Since that time SES's have popped up all over North Carolina, including several sites here in Cleveland County.*

The City of Shelby previously did not have development standards for SESs and had simply permitted the use as a utility related use within an Industrial Zoning District. Due to the volume of inquiries concerning SESs, the City of Shelby passed an amendment to the UDO creating a set of SES regulation in February of 2014. City Council has requested that R20 be eliminated as a Special Use for an SES."

As you can see, there is no justification, no reason, or no data to support the effort to eliminate rec facilities in residential zones like my Dixon Blvd property. Several black leaders have spoken to the planning and zoning department, as well as city council members seeking answers to this decision, and no one has given those leaders a legitimate reason why this zoning attempt was needed. Thus, this another example of the type of an orchestrated retaliation campaign by city officials to deny me the ability to do any business in Shelby.

I look forward to your response to my questions before the next City Council meeting takes place and this amendment is considered for a vote. So that I and others will have an opportunity to speak against this proposed amendment.

Willie A. Green, Sr.

Editor's Note: At lease re-read the underlined sentence above. Do you smell a new lawsuit against the City of Shelby? I certainly do. A lawsuit that will cost Shelby taxpayers many more tens of thousands of dollars. Maybe lots more.

Also note the reference to the "several black "leaders" contacting the City Planning Board with questions. At least some black leaders have seen the light and speaking out. Behind the scenes and ineffectively in my book. Probably trying to remain "relevant" during the rise of younger black leaders who are cropping up to express their contempt for the "systemic racism" (what I usually call "Plantation Politics") that has controlled Shelby for so long. If history tells us anything these black leaders may begin to "Back" Mr. Green just a bit. But from WAY back. Probably too little and too late to mean anything.