

**MINUTE BOOK 23, PAGE 367  
CITY OF STATESVILLE COUNCIL MEETING – January 11, 2010  
CITY COUNCIL CHAMBERS– 7:00 P.M.  
STATESVILLE, NORTH CAROLINA**

**Mayor Costi Kutteh presiding:**

**Council Present:** Eisele, Gregory, Huggins, J. Johnson, M. Johnson, Matthews, Stallard, Steele

**Staff Present:** Hites, Gaines, Pressley, Smyth, Davis, Currier, Salmon, Billings, Leaptrott, Watts, Stevens, Halliburton

**Media Present:** J. McNally – Record and Landmark  
D. Vieser, Charlotte Observer

**Visitors:** 7

The invocation was given by the Deputy City Clerk and was followed by Pledge of Allegiance.

Mayor Kutteh invited viewers to the annual Martin Luther King Breakfast at the Statesville Civic Center on Monday, January 18. He mentioned a number of other events during the week and encouraged all willing to participate in the week long celebration.

**Public Comments**

Jane Srail signed up to speak about the rezoning of property located at 1512 Wilkesboro Highway. Mayor Kutteh explained the public comment period is an opportunity for citizens to express their opinions on matters not on the current agenda. In that the second reading of the ordinance changing the zoning for the said property is on the current agenda, it is not appropriate for this item to be discussed in the public comment period of the meeting.

Mayor Kutteh led Council through the Consent Agenda.

**CONSENT AGENDA – All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.**

- A. Approve minutes of the pre-agenda meeting of December 17, 2009, and Council meeting of December 21, 2009.**
- B. Second reading of an amendment to the Minimum Housing Code Section 5-62. Electricity regarding carbon monoxide monitors.**
- C. Second reading of an ordinance amending Chapter 12, Article V, Section 12-132, of the City of Statesville Municipal Code entitled Parking for certain purposes prohibited, by redefining #(4) of the ordinance.**
- D. Second reading of an ordinance establishing a stop intersection at Tradd Street and Brevard Street.**
- E. Second reading of ZC0913 filed by S. J. Holland Jr. Family LP for the property located at 1512 Wilkesboro Highway, Tax Map 4735-33-9937 from R-10 to B-4.**

- F. Authorize the Finance Director to engage legal services for the proposed financing of the new fire station.**
- G. Easement withdrawal associated with the greenway project.**
- H. Consider the adoption of a resolution authorizing the City of Statesville to enter into a Grant Agreement with the NCDOT.**
- I. Review and authorize the submission of the Aviation Element of the Transportation Improvement Program (TIP) to the NCDOT, Division of Aviation.**
- J. Adopt an Ordinance Establishing the City Hall Renovations Capital Project Fund and approve BA# 28.**
- K. Authorize additional services for Third Creek Wastewater Plant expansion and approve BA#26.**
- L. Request to appropriate the insurance money in the amount of \$2,488 and increase the vehicle maintenance and repair account of the Police Department and approval of BA#30.**
- M. Approve BA#31 in the Electric Fund for the Fox Den settlement.**
- N. Approve resolution to publish notice of public hearing on proposed financing of fire station construction project.**

Councilmember M. Johnson asked to be recused from voting on Item M, the Fox Den settlement. Mayor Kutteh removed the item from the consent agenda.

**Upon a motion by Councilmember Matthews, seconded by Councilmember Eisele, Council unanimously approved the consent agenda, less BA#31 in the Electric Fund for Fox Den settlement.**

**Approve BA#31 in the Electric Fund for the Fox Den settlement.**

**Councilmember Matthews moved to recuse Councilmember M. Johnson from consideration of this item. The motion was seconded by Councilmember Eisele and unanimously approved.**

**Upon a motion by Councilmember J. Johnson, seconded by Councilmember Gregory, Council unanimously approved budget amendment #31 to settlement of the Fox Den claim.**

**Councilmember Stallard made a motion to return Councilmember M. Johnson to his seat, was seconded by Councilmember J. Johnson. The motion was unanimously approved.**

**Consider professional services work authorization #3 for rehabilitation and strengthening airport parking apron.**

In preparation for the apron pavement rehabilitation, LPA has provided a proposal for Professional Services to rehabilitate and strengthen the apron. The proposal is in keeping with the master agreement for Professional Services dated April 21, 2008. The purpose of the work authorization is to proceed with the design of the apron rehabilitation project. Pressley provided a breakdown of the costs. This project will complete the airfield paving project.

Grant funds are available in this year's budget for the design portion of the project. The total Apron Rehab budget is \$3.3 million and through grants we have \$2.7 million available. Additional funds have been requested (\$600,000) to fully fund the project.

**Councilmember J. Johnson moved to approve work authorization #3 and was seconded by Councilmember Gregory. The motion was unanimously approved.**

**Approve architectural services proposal from Walter, Robbs, Callahan & Pierce for conceptual design and project scope for the City Hall renovation project.**

In December, Council approved the selection of Walter, Robbs, Callahan & Pierce for the City Hall Renovation Project. Pressley recommends having the architect survey current conditions of the building, evaluate HVAC and other facility systems in the building and report back to the City. This will allow the City to compare the renovations and changes desired in the building with the budget necessary to complete those renovations prior to the bidding process. WRCP plans to provide the following:

1. Programming/Conceptual Design
2. Preliminary Structural and Systems Analysis
3. Historical Analysis
4. Bench Marking/Site Visits
5. Develop a minimum of 3 conceptual floor plans.
6. Final recommendation with preliminary costs.
7. Deliver 25 copies/Final Presentation.

The cost is \$22,500.00 plus reimbursable expenses for printing and photocopying. Pressley reported he is hopeful a meaningful report on the project will be available for the February retreat.

**Upon a motion by Councilmember Steele, seconded by Councilmember Eisele, Council unanimously approved the architectural services contract with Walter, Robbs, Callahan & Pierce.**

**Award bid for Fire Station #4 and approve BA#27.**

The City received bids for the Fire Station #4 on December 15, 2009. Twenty two bids were received and 16 were considered responsible and were tabulated for Council review. Moss Marlow Building Co., Inc. of Hickory, NC is the low bidder in the amount of \$1,574,534. Two alternates were not selected, (Formica cabinets and 6 inch sewer service) therefore, the low bid is reduced to \$1,571,134.

Moss Marlow is a well established building contractor and presently they are working on other jobs with our architect, CBSA, and their performance has been satisfactory.

A project budget which includes funds for design, testing owner provided equipment and water, sewer and gas service which includes a 10% contingency and totals \$2,078,482 was presented for approval.

**Councilmember J. Johnson moved to award Moss Marlow the bid for Fire Station #4 and approve budget amendment #27 and was seconded by Councilmember Huggins. The motion was unanimously approved.**

**Consider purchase of a 20 cubic yard refuse body to replace damaged refuse body on an existing rear load garbage truck and BA#25.**

The Sanitation Division has recently had serious problems with its only single axle garbage truck. The body of this truck due to its heavy use has received some damage and is extremely worn, making it very unstable with regards to the life remaining on the vehicle and could potentially be a hazard to the employees that operate this vehicle.

Staff evaluated the vehicle and determined the cab and chassis are in good working condition and the engine has been replaced a very short time ago. Therefore, the cab and

chassis life expectancy are far greater than that of the body. Staff then looked at the option to replace only the body of the vehicle greatly reducing the necessary capital funds to keep the vehicle operable. It was determined that purchasing the body only would be the most beneficial route to extend the life of this vehicle.

**Upon a motion by Councilmember Huggins, seconded by Councilmember Stallard, Council unanimously approved purchase of replacement body for rear load garbage truck and budget amendment #25.**

**Request that Council approve the acceptance of a grant for \$23,708 in overtime funding from the Statesville Housing Authority (SHA; fiscal agent) as a part of our participation in the NC Governor's Crime Commission Weed and Seed Initiative FY 09-10. These funds are provided on a 100% reimbursement basis; no match is required by the City. Also request that Sergeant Daniel Miglin be authorized to manage these funds on behalf of the City / Police Dept and approve BA#29.**

The Police Department has been approved for overtime funding from the Statesville Housing Authority, fiscal agent for the Weed and Seed initiative. Funds are available at 100% reimbursement with no matching required. Funds must be spent by June 30, 2010. Overtime hours will be used to place proactive officers on the streets of the Weed and Seed target area during strategic days and times in order to disrupt and significantly reduce street level drug and gang related activities, violent crime, vandalism, and other crimes that have plagued the target area. Sergeant Miglin will manage this grant on behalf of the City.

**Councilmember Stallard moved to accept the grant and approve budget amendment #29. The motion was seconded by Councilmember J. Johnson and unanimously approved.**

**Consider appointment to the Historic Preservation Commission.**

The terms of three members of the Historic Preservation Commission are expiring and none wish to be reappointed. Four applicants have expressed interest in the three positions. Council completed ballot voting and Attorney Gaines announced Janis Ghrairi, Keith Pace and Jeremy Kaufman as Council appointees to the Historic Preservation Commission. Votes tallied as follows:

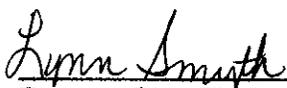
Janis Ghrairi	7 votes
Keith Pace	7 votes
Jeremy Kaufman	8 votes
Steve Herman	0 votes

**Councilmember P. Steele made a motion to adjourn, was seconded by Councilmember Matthews and the motion was approved unanimously**



Mayor

ATTEST:

  
Deputy City Clerk

