

**MINUTE BOOK 23, PAGE 413
CITY OF STATESVILLE COUNCIL MEETING – March 1, 2010
CITY COUNCIL CHAMBERS – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Staff Present: Fugett, Pressley, Cornelison, Gaines, Davis, Hites, Bullins,
Tomlin, Riter

Media Present: J. McNally – Record & Landmark
D. Vieser – Charlotte Observer

Visitors: 2

Invocation

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

IV 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 February 10, 2010, Council meeting of February 15, 2010.**
- B. 2nd reading of an ordinance to condemn the structure at 915 Goldsboro Ave. as unfit for human occupancy.**
- C. Receive report of non-depreciable capital purchase for the Fourth Creek WWTP.**
- D. Approve BA# 37 to transfer funds from the Delivery Stations Capital Project to the Electric Operating Fund in the amount of \$861,025.**
- E. The Downtown Statesville Development Corporation (DSDC) requests permission to temporarily close the City parking lot on East Broad Street, between Nu-Way Shoes and the Clock Tower Building, on Friday, March 5th, between 5:00 p.m. and 8:00 p.m. to provide a kids inflatable ride during the Block Party Event being coordinated by several merchants in downtown. Appropriate signage and barricades will be in place prior to the event.**
- F. To approve the re-allocation of budgeted 2009 Recovery JAG grant funds (#2009-SB-B9-2878) towards travel & training, graffiti removal supplies, and additional overtime expenses, and to approve BA #38.**

Upon a motion by Council member Steele, seconded by Council member Gregory, Council unanimously approved the consent agenda.

REGULAR AGENDA

V. Review actions taken at the annual retreat

City Manager Hites stated these were not available at this time.

VI Revision to Construction Administration Policy.

City Engineer Larry Pressley explained as staff has worked to have projects such as the Greenway and Fire Station Number 4 bid, staff chose not to bid a contingency inside the contract, but to identify it as an amount to be spent only by change order, with accompanying documentation. Staff now requests clarity of how change orders should be handled. Rather than bidding contingencies inside the contract, staff requests that as a policy, unless there are special circumstances, contingency be held outside the contract and approved on staff level up to 5% of the contract amount cumulatively.

Mr. Pressley advised this is based on the fact that decisions are often needed quickly and project delays or additional expenses could be a result of not being able to authorize a change in a timely manner.

Staff recommends as a policy that contingency will not be placed inside the contract and that staff can continue to authorize project changes within the standard 5% contingency on staff level.

Upon a motion by Council member Matthews, seconded by Council member Stallard, Council unanimously approved staff recommendation that contingency not be placed inside the contract and that staff can continue to authorize project changes within the standard 5% contingency on staff level.

VII Consider change to Streetscape Project area.

Mr. Pressley stated NC DOT has offered to provide the milling and resurfacing of Center Street if the City undertakes streetscape improvements along Center Street.

Mr. Pressley explained typically, if NC DOT participates, they will reimburse the City by Municipal agreement, which allows the city to pave based on our schedule, not have to wait on NC DOT. The reimbursement is based on the actual cost of asphalt and could be in the \$250,000 range.

Mr. Pressley advised if the scope is changed, staff suggests East Broad Street from Tradd to Center, which is Project 1B (\$1,592,000), then a phase along Center could be from Water Street to Sharp Street. This will require a revision to the estimates since it does not fit the existing project segments. City staff is in the process of changing the estimates and should have them ready by the pre-agenda meeting.

This approach helps the parking issue in that the West Broad Street area would remain unaffected.

Staff recommends getting a Traffic Study and changing the project area as indicated on the attached sketch and to increase the survey/preliminary sketch amount from \$75,000 to \$100,000, an increase of \$25,000.

Council member J. Johnson asked if NCDOT has signed off on the islands on Center St.

Council member M. Johnson stated there are no islands on Center St.

Council member J. Johnson asked if NCDOT has signed off on restricting truck traffic on Center St.

Mr. Pressley answered NCDOT viewed restricting truck traffic favorably.

Council member J. Johnson asked if we were abandoning the square on W. Broad St.

Mayor Kutteh replied the request at this time is only to change the scope of the As-Built survey.

Council member Steele stated until we have the As-Built Survey we don't have a plan to submit to NCDOT.

Council member J. Johnson stated for Council to spend \$25,000 more without a commitment in writing from NCDOT concerns him.

Mayor Kutteh stated he understands Council member J. Johnson's concerns but Council is only approving the As-Built Survey to modify the streets being surveyed. The street being taken out is shorter than the new street, hence the \$25,000 price difference.

Upon a motion by Council member Steele, seconded by Council member Matthews, Council approved changing the project area as indicated and to increase the survey/preliminary sketch amount from \$75,000 to \$100,000.

Ayes: Steele, Matthews, Stallard, Huggins, M. Johnson, Eisele, Gregory

Nays: J. Johnson

VIII Other Business

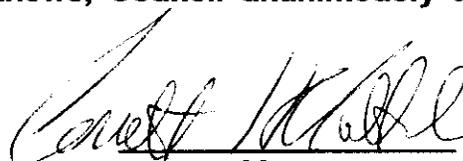
Mayor Kutteh reminded Council the Fire Station #4 groundbreaking ceremony is Monday, March 8th at 4:00 p.m. at the site on Martin Lane. Also, the Annual Community Forum City Fair will be on March 13, from 9-12 at the Civic Center. Mayor Kutteh informed Council the press announcement by Site Selection magazine has been changed to a phone press conference due to the inclement weather forecast.

IX Closed Session

X Adjournment

There being no further business, upon a motion by Council member Steele, seconded by Council member Matthews, Council unanimously approved the motion to adjourn.

ATTEST:


Mayor


Deputy City Clerk

