

**MINUTE BOOK 24, PAGE 101
CITY OF STATESVILLE COUNCIL MEETING – December 20, 2010
CITY HALL COUNCIL CHAMBERS – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Council Absent: M. Johnson

Staff Present: Fugett, Hites, Gaines, Miglin, Smyth, Pressley, Houpe, Bullins

**Media Present: Bethany Fuller – Statesville Record & Landmark
Dave Veiser – Charlotte Observer**

Visitors: 3

Call to Order

Invocation

The invocation was given by the City Clerk.

Pledge of Allegiance

The Pledge of Allegiance was led by Girl Scout Troop #1946.

Public Comment

Mayor Kutteh explained during the second meeting of each month, citizens are invited to speak about matters not on the current agenda. Mayor Kutteh asked if there was anyone present who wished to address the Council.

Peter Molleur, 510 S. Mulberry Street stated on Mulberry Street from W. Front Street to W. End Street during the day the traffic is very congested and it would be impossible for an emergency vehicle to get through. Mr. Molleur would like to see parking eliminated during the week in those areas or a small drop off area made.

Consent Agenda

Mayor Kutteh stated all items on the Consent Agenda 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.

Mayor Kutteh read the Consent Agenda as follows:

- A. Approve minutes of the Council meeting of November 15, 2010, and the Pre-Agenda meeting of December 02, 2010.**
- B. Certify the Fire Department personnel roster which is required by General Statute to be submitted annually to the Office of the State Treasurer.**
- C. Consider approving a request to NCDOT to close a portion of Center Street and Broad St. to traffic on Sunday, January 9, 2011, from 9 a.m. to noon for the filming of a community video involving the Chamber of Commerce.**
- D. Approve the re-appointment of Jonathan Dearman, Richard Boyd and Janice Burns to the Historic Preservation Commission.**

Council member Matthews made a motion to approve the Consent Agenda, seconded by Council member J. Johnson. The motion carried unanimously.

REGULAR BUSINESS

Mayor Kutteh - Year in Review

2010 was another very good year for the City of Statesville. In the midst of horrible economic conditions, the City and its more than 400 employees operated within our budget, without furloughs, without lay-offs, and without reduction in force – and with no reduction in services. The credit for that success goes to our employees and the eight women and men the citizens elected to serve with me. I am extremely proud of all of your efforts and proud of our City.

We operated an extremely efficient city on an extremely low tax rate. While we had utility cost increases, we remained competitive with other providers. To increase future efficiency, we entered into a comprehensive territorial agreement with Energy United, so customers will better understand who their electric provider will be and we can better understand how to further develop our electric transmission system.

We have continued and expanded the ways which we communicate with our citizens. The Citizens Police Academy, Student Government Day, Statesville 101, the annual Community Forum and Hello Statesville are informative and popular. Our upgraded website has received much deserved recognition and provides a new avenue for our residents, businesses, and visitors to learn more about Statesville. Leadership Statesville and Youth Leadership Statesville are programs of the Greater Statesville Chamber of Commerce and we provide support for the continued success of these programs. We can never do what every citizen would like, but we will continue to give even greater opportunities for our constituents to be heard.

Bricks and mortar are always a large part of our City's operation. We have completed \$11 million of airport improvement, 95 percent of which were paid for by others. We have re-created Grace Park and are re-creating the Garfield Center. We will soon occupy our fourth fire station, a beautiful facility on Martin Lane, which will allow us to provide exceptional service to our citizens, while also educating them on improved fire prevention resources. The facility was wisely financed with low interest bonds while reserving funds from our general fund balance to avoid tax increases. We completed and dedicated a 2.2-mile paved portion of our greenway to rave reviews and even garnered the City a gift of land for a parking lot. Again, this was funded with a state grant. We spent upwards of \$750,000 to pave streets and sidewalks and to continue our commitment to eliminate unpaved streets in our City. We completed a land swap so that we can replace and upgrade electric substation no. 5.

The safety of our citizens is extremely important. We have conducted 3 call-ins as a result of our leadership of the Statesville-Iredell Gang Initiative. Sixty-five folks have been invited to participate in the call-ins. To date, more than 12 participants and another eight individuals who became aware of the program have decided to give up their lives of crime and seek the community options made available to them. As a result of SIGI and other police and community efforts, aggravated assaults, robberies and sexual assaults are greatly reduced and gun seizures have greatly increased.

We have worked on many technical matters which will serve us well as we work out of this recession. Our work with the Census Bureau yielded above-average results and Statesville should benefit from increased distributions from the federal and state governments. We worked for nearly two years and have approved the most comprehensive development code in North Carolina. It will provide a clear roadmap for business and industry, as well as for other residents as development begins to increase. We approved modifications to our development agreement with Larkin which should yield \$500,000 to the City to purchase land in the Highway 115 corridor. Again, this

costs the citizens of Statesville nothing. We have also received positive feedback from our citizens who can now pay their utility bills online, creating greater efficiency in our finance department.

Approval of plans for the renovation of the magnificent City Hall and Phase I of our Streetscape took tremendous time, energy, and citizen input. In my 21 plus years as an elected official, very few, if any, decisions have been so comprehensively discussed. 2011 will be a year of transformation for the downtown and its most important building. Again, the council chose to fund the improvements with RZ bonds with a net interest rate of 1.93% and protected these payments from the general fund balance so that no tax increase would be necessary.

We are proud of our accomplishments and to that end we installed signage that acknowledges our pride in being an All America City and the hometown of a NASA astronaut. But who we are is not only determined by what we do, but also by our partnership with others. We have supported and encouraged our QGO's - the Chamber, the DSDC, the GSDC, and the Convention and Visitors Bureau. Our City is much better as result of our strong partnership with them. Our collective decision to work together on a community brand should create many exciting results. We have assisted GSDC in expansion of Talon Systems, Providencia, Kewaunee, Origin Holdings and others. The Chamber's Leader in Me program is improving educational opportunities in our schools. Its support of the Carolina Balloonfest demonstrates the continuing commitment to showcasing our community. The CVB continues to encourage visitors to enjoy all the amenities our city offers. DSDC oversees many community events from art crawls to haunted tours to summertime concerts to Pumpkinfest and so much more. The efforts of these four organizations contribute greatly to the willingness of others to come up with new and innovative ideas for the betterment of our community.

All in all, it has been another really good year here. We are not perfect, but are sincerely striving every day to be the best Statesville we can be. Thanks to all 27,000 of you for your support.

The Police Department seeks permission to apply for a grant from the NC Governor's Crime Commission, which would create a new Narcotics Investigator position and fund \$20,000 in overtime, and to authorize Daniel Miglin to represent the City of Statesville in this process.

Sergeant Dan Miglin stated the Statesville Police Department is eligible to receive grant funds from the NC Governor's Crime Commission (GCC) for FY 2011-2012. The grant application period opened December 1st and closes January 31st. If awarded, the grant would go into effect July 1, 2011; notification of the award would come in the spring of 2011.

The Statesville Police Department proposes to pursue funding in order to implement a new Narcotics Investigator position (Salary + benefits), as well as \$20,000 in overtime funding. The new position will work with the Special Operations Division in the implementation of a drug market intervention (DMI) model, which is a nationally recognized crime reduction strategy successfully implemented by the High Point Police Department. The model is a variation of the Statesville / Iredell Gang Initiative, but focused on drug markets & drug dealers rather than just group-oriented violent crime. It is designed to reduce neighborhood drug markets and associated violent crime, while providing alternatives and opportunities to encourage offenders in making positive life changes and increasing community mobilization to help sustain neighborhood improvements expected to develop as a result. The target populations are repeat, convicted felons, with a history of violence, conducting drug sale operations in high crime neighborhoods.

The proposed budget of the grant is tentatively set at \$78,554, which includes the salary & benefits of a new Narcotics Investigator plus \$20,000 in overtime funding. A 25% cash match of \$19,638 is required and would be drawn from the Drug Seizure Fund.

Daniel Miglin has served as grant writer and manager for the Statesville Police Department since 2004. To date he has written 50 grants, has been awarded 32 for a total of over \$2.1 million in funding, and has saved the City nearly \$2 million after matching funds have been deducted. He has a solid working relationship with the GCC, and I request that he be authorized to represent the City in this process.

Council member Steele asked if the overtime funds are for this position only. Sergeant Miglin replied it is for the whole department and staff is trying to be smarter when utilizing it.

Council member Steele made a motion to approve a request by the Police Department to apply for a grant from the NC Governor's Crime Commission, which would create a new Narcotics Investigator position and fund \$20,000 in overtime, and to authorize Daniel Miglin to represent the City of Statesville in this process, seconded by Council member Eisele. The motion carried unanimously.

Approve construction administration services for the City Hall renovation project.

Larry Pressley stated on June 21st, Council authorized architectural services through the bidding phase for the City Hall Renovation project. Bids have been awarded, and it is time to move to the construction phase. Larry reviewed the proposal from Matt Messick with Walter Robbs Callahan and Pierce. Staff recommends construction administration in the amount of \$36,000 be approved. Funds are available in the project budget.

Council member Eisele made a motion to approve Construction Administration services for the City Hall renovation project, seconded by Council member Steele. The vote was as follows:

**Ayes: Eisele, Steele, Gregory, Matthews, Stallard, Huggins
Nays: J. Johnson
Motion carried 6-1**

Approve construction administration services for the Streetscape project.

Larry Pressley stated on June 21st, Council authorized design services through the bidding phase for the first phase of streetscape. Bids have been awarded and we are ready to enter the construction phase with LandDesign.

The cost includes:	Construction Administration	\$80,100
	As-Built Surveys	<u>\$ 2,400</u>
		\$82,500
	Contingency	<u>\$ 5,000</u>
	Total	\$87,500

Some minor design changes may be required and there is contingency available from the design phase of the contract to cover this cost. Staff recommends approval of the construction administration phase in the amount of \$82,500 with a contingency of \$5,000 for a total of \$87,500. Funds are available in the project budget.

Council member Huggins made a motion to approve construction administration services for the Streetscape project, seconded by Council member Stallard. The vote was as follows:

**Ayes: Huggins, Stallard, Eisele, Steele, Gregory, Matthews
Nays: J. Johnson
Motion carried 6-1**

Approval of an agreement with Progressive Engineering Consultants to provide the electrical construction administration services for Phase I of the Streetscape Project.

Kent Houpe stated this agreement will provide field engineering services required for the construction administration of the electrical portion of the Streetscape Project. These services will include review of material and equipment, interpreting the design documents, answering technical questions, periodic inspection of the work, calculation of the work completed and approval of payment, and providing as-built drawings.

City Attorney Gaines expressed concern with Article VIII of the agreement. He felt this was an unusual addition to this contract. Mayor Kutteh stated this contract is for their administration work only. Mr. Houpe stated Progressive Engineering will be supervising the actual workers. Mayor Kutteh asked what is the likelihood that a construction administrator would have an active negligence in the administration of the project that would exceed the limits of the liability insurance. Mr. Houpe stated in his experience he did not know what liability they could be associated with. They are there to make sure the design is followed. The liability would lie more with the company actually performing the installation if the design was not followed correctly.

Mayor Kutteh asked if this item needed to be withdrawn due to this language in the agreement. Council members agreed to leave it on the agenda.

Council member Stallard made a motion to approve an agreement with Progressive Engineering Consultants to provide the electrical construction administration services for Phase I of the Streetscape Project, seconded by Council member Huggins. The vote was as follows:

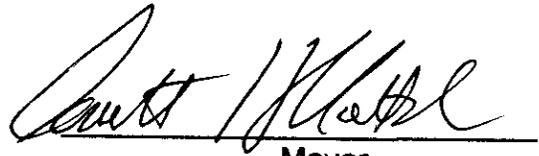
Ayes: Stallard, Huggins, Eisele, Steele, Gregory, Matthews

Nays: J. Johnson

Motion carried 6-1

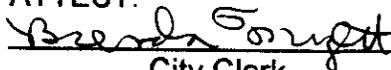
There being no further business to come before Council, Council member Steele made a motion to adjourn, seconded by Council member Matthews. The motion was unanimously approved.





Mayor

ATTEST:



City Clerk