

**MINUTE BOOK 24, PAGE 151
CITY OF STATESVILLE COUNCIL MEETING – March 21, 2011
IREDELL COUNTY GOVERNMENT CENTER – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Council Absent: 0

Staff Present: Fugett, Byerly, Hites, Currier, Pressley, Cornelison, Smyth, Salmon

**Media Present: Jim McNally – Statesville Record & Landmark
Dave Veiser – Charlotte Observer**

Visitors: 8

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 #10058.

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.

Bill Balatow, 455 Sullivan Road, Statesville, representing the Charlotte Regional Realtors Association stated this will be their 3rd annual Realtors Care Day. In the past two years on this day exterior repairs have been done to over 60 homes, 25 of which have been full roof replacements, totaling over \$300,000 in repairs, all done by 1,300 volunteers. 550 more volunteers will be doing exterior repairs on houses in Iredell and Mecklenburg County this year. Four of the houses this year will be in Statesville, two on S. Race Street, one on Brevard Street and one on Tradd Street. Mr. Balatow extended an invitation to Council to visit any of the sites to see the repairs they are doing on April 8, 2011. He explained the Associations goal is to find homeowners who want to stay in their homes, but are having difficulties with upkeep due to age, infirmities, or physical limitations. By keeping the exterior of their homes solid and putting fresh coats of paint on the structures the owners are able stay there as long as they would like to. This is a community wide initiative with donations from local businesses; Lowes Corporation has donated enough shingles to do over 20 roofs over the last few years as well as being the major supplier for items needed for other repairs. Mr. Balatow gave a special thanks to the Iredell Habitat for Humanity for being a great partner and helping the Association to identify worthy people who needed repairs on their homes.

Mayor Kutteh reminded the community there would be a public forum on Tuesday, March 29, 2011 at 6:00 p.m. at the Civic Center regarding construction on Interstate 40 and 77. Staff from NCDOT and the City of Statesville will be there to explain the significant changes that are about to occur on Interstate 40 that will impact Statesville residents and businesses.

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 the minutes of the Pre-Agenda meeting of February 17, 2011 and the Council meeting of February 21, 2011.**
- B. Authorize purchase of a field grooming machine in the amount of \$8,000.**

- C. **Approve Budget Amendment #31 in the amount of \$16,000 for the North Carolina Junior Spring State Closed Championship at the Crossroads.**
- D. **Approve the transfer of funds from the Fourth Creek Capital Budget for a security system to be installed at the Third Creek Wastewater Treatment Plant.**
- E. **Consider approval of non-capital purchase in the Fire Department of turnout gear for 15 new firefighters for Fire Station #4.**
- F. **Approve a Travel Policy for the Statesville ABC Board.**

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

Regular Agenda

Receive a report on the Green Fair-5k on the Greenway and the Arbor Day celebration to be held on April 9, 2011.

Brent Cornelison reported Green Day would start at 8:00 a.m. at the Statesville Soccer Complex with a 5k on the Greenway. Pre-registration is \$15.00 and late registration is \$20.00. At 9:00 a.m. will be the Green Fair at the Statesville Fitness and Activity Center where throughout the day citizens can learn ways to reduce, reuse, and recycle in your community. There will be items such as goat cheeses, baked goods, candles, grain fed beef, eggs, organic cosmetics and much more available for sample and purchase. Mr. Cornelison reviewed the various lectures that were scheduled throughout the day. At 1:00 at Lakewood Park is the annual Arbor Day Celebration sponsored by the Statesville Tree Commission, the Statesville Recreation & Parks Department and Keep Iredell Clean and Keep America Beautiful. Free trees will be given away as well as numerous tree and earth activities, a petting zoo, games and exhibits. The Forest Service will award the 19th consecutive Tree City USA award to the City of Statesville. Mr. Cornelison stated all of this information is also on the City website.

Mayor Kutteh reminded everyone that the 3rd annual Twilight Cemetery Tour in the Fourth Creek burying ground will be on Saturday and Sunday, April 9-10 from 3 p.m. to 7:30 p.m.

Conduct a public hearing and consider passing first reading of TA11-02 filed by the City of Statesville to amend Article 3 Zoning, Table 3-1: Use Matrix, Article 5 Supplemental Regulations/Performance Standards for Specific Uses, Section 5.02 Accessory Uses and Structures, and Article 6 Development Standards, Section 6.07 Sign Regulations.

David Currier stated this ordinance contains three text amendments. City Council requested that staff propose text amendments to the Unified Development Code that would prohibit transient tractor trailers vehicles from being parked or stored in the H-115 District similar to what was approved for the CB, CBP and Municipal Service Districts. The Planning Board's recommendation was favorable with a 7 to 1 vote in regards to transient tractor trailers being prohibited in the H-115 contingent upon the language being changed to specify that charter buses must have valid tags and be operational.

As part of the second text amendment, staff is proposing to make some clarifications to Interstate Vicinity signs in which all business districts within 1,000 feet of the interstate would be allowed this type of sign. Before only B-3, B-4 and B-5 districts allowed Interstate Vicinity signs, however, a closer look at the zoning around the interchanges include the B-1 and B-2 districts.

The third text amendment City Council requested was to allow hand held/human mascot signs. At the January 10, 2011 Council meeting staff presented three options to City Council. Option One would allow these signs on or off premise. Option Two would allow these types of signs only on the premise where the product is sold and Option Three would not allow hand held/human mascot signs at all. At this meeting the majority of Council directed staff to develop an ordinance allowing them anywhere in town. Staff recommendation is that they be allowed with the following standards:

Business Districts

1. One sign per business lot.
2. Sign size a maximum of 12 square feet, no more than 6' ft. long.
3. An annual permit of \$150 required.

4. The advertisers must be outside of the public right-of-way.
5. Must have the property owner's written permission.

The Planning Board's recommendation was unfavorable to allow hand/held mascot signs with a 5 to 3 vote. Discussion included creating a negative image of city, other ways to advertise, nothing positive about these types of signs, hard to enforce and discussions with citizens who do not support them.

Mayor Kutteh declared the public hearing open and asked if there was anyone who wished to speak in favor or opposition to this ordinance. There were no speakers. Mayor Kutteh closed the public hearing.

City Attorney Gaines advised Council that three separate votes should be taken for each of the text amendments included in this ordinance.

Council member Huggins made a motion to approve First Reading of TA11-02 a Text Amendment to Article 3-Zoning, Table 3-1: Use Matrix and Article 5-Supplemental Regulations, Section 5.02-Accessory Uses and Structures, Seconded by Council member Gregory. The motion carried unanimously.

Council member Stallard made a motion to approve First Reading of TA11-02 a Text Amendment to Article 6 - Development Standards, Section 6.07-Sign Regulations amending Table 6-13: Permitted Sign Standards by Zoning District, Seconded by Council member Huggins. The motion carried unanimously.

Council member Stallard made a motion to approve First Reading of TA11-02 a Text Amendment to Article 6 - Development Standards, Section 6.07 Sign Regulations amending "C" Definitions, "H" Prohibited Signs and Table 6-13: Permitted Sign Standards by Zoning District, Seconded by Council member Eisele. The motion carried unanimously.

Consider award of roofing bids for the 3rd Creek WWTP Administration Building and the Dewatering Building and approve Budget Amendment #30.

Larry Pressley explained these funds are available because the roofing projects on 4th Creek WWTP and the Water Plant came in under budget. Staff received bids for the 3rdrd Creek WWTP Administration Building and the Dewatering Building on February 21st and the results are as follows:

1.	Conover Construction & Roofing	\$24,320
2.	Ballard Roofing, Inc.	\$25,395
3.	CityScape Roofing	\$30,235
4.	Bowman Roofing & Sheet Metal	\$30,713

Staff recommends award of the bid to the low bidder, Conover Construction & Roofing in the amount of \$24,320, a contingency of 5% for a total project budget of \$25,536 and the approval of BA# 30.

Council member Huggins made a motion to award the roofing bid for the 3rd Creek Waste Water Treatment Plant Administration Building and the Dewatering Building to the low bidder, Conover Construction & Roofing in the amount of \$24,320 with a contingency of 5% for a total project budget of \$25,536 and approve Budget Amendment #30, Seconded by Council member Stallard. The motion was unanimously approved.

In anticipation of the coming hot summer months, Mayor Kutteh reminded citizens of the Statesville Connects program whereby citizens can donate money to the fund by adding an amount of their choice to their utility bill to help citizens in need pay their utility bills.

Council member Steele made a motion to adjourn, Seconded by Council member Gregory. The motion carried unanimously.

Levitt Kutteh

 Mayor

ATTEST:

Brenda Wright

 City Clerk

