

**MINUTE BOOK 24, PAGE 248
CITY OF STATESVILLE COUNCIL MEETING – July 18, 2011
IREDELL COUNTY GOVERNMENT CENTER – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Council Absent: None

Staff Present: Gaines, Hites, Fugett, Triplett, Davis, Smyth, Watts, Anderson, Cranford, Pressley, Layne, Pritchard, Cornelison, Hutchens, Hudson, Halliburton, Miglin

Media Present: Dave Veiser-Charlotte Observer, Jim McNally-Record & Landmark

Others: 7

Call to Order

Mayor Kutteh called the meeting to order and asked that everyone rise for the invocation and the Pledge of Allegiance.

Invocation

The invocation was given by the City Clerk.

Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kutteh.

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 City Council. There were no speakers.

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 the minutes of the May 17, 2011 and May 18, 2011 Budget Workshop meetings, and the June 02, 2011 Pre-Agenda meeting.
- B. Authorize Sergeant Dan Miglin to apply for \$24,798 in grant funding via the Bureau of Justice Assistance 2011 Justice Assistance Grant (JAG) Program.
- C. Make a formal request that the City of Statesville be an official co-sponsor of the *Statesville Criterium Bike Race* providing in-kind services.
- D. Consider passing a motion to close the traffic circle in the Tara's Trace subdivision, which consists of the intersection of Ballingarry Drive and Cappoquin Drive, on Saturday, July 23, 2011, between 6:00 p.m. and 8:30 p.m. This closure is requested by the Tara's Trace Home Owner's Association to host a community concert to raise funds to support the Dove House.
- E. Receive a report of a non-depreciable capital purchase of a computer for the Statesville Leisure Pool.
- F. Receive the 2011-2012 HOME Consortium Program proposed budget from the Statesville Housing Authority and approve a grant project ordinance. (Ord. 19-11)
- G. Approve two reappointments to the Downtown Design Review Committee.
- H. Approve an alternate low bid from WESCO in the amount of \$78,140 for pad mounted switches for the Substation 5 project.

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

Mayor Kutteh announced there would be an Executive Session following the meeting for a consultation on a pending matter with the City Attorney.

Regular Agenda

Consider the 2012-2017 Capital Improvement Plan (CIP).

Rob Hites explained the development process of the CIP. He stated the CIP is a means by which staff discusses long range projects. Some items are on the list due to Council policies and procedures that are in place at the time. Mr. Hites stated this report works well for staff but he understood how it may be confusing to Council. Project numbers become more defined as the time to approach Council for their recommendation gets closer.

Mayor Kutteh asked Mr. Hites if he feels this CIP needs to be revised according to comments staff received from Council at the pre-agenda meeting. Mr. Hites replied he would like Council to hold a work session to evaluate the plan and make sure that staff is designing it in such a way that it meets Council's needs.

There was some discussion of the CIP regarding items, such as the Fire Station #3 remodel, construction of Fire Stations #5 and #6, the I-40/I-77 interchange water/sewer relocation, the Sta-Lime project at the 4th Creek WWTP and the Asheville Road substation, that are imminent, should be eliminated, moved to future years or the total costs revised. Council directed staff to revise the CIP as follows:

1. Remove the 2012 fiscal year information.
2. Projects that are pushed beyond five years be put on a "future projects" or "needed" list.
3. Replace current numbers with more realistic amounts.

Approve Reciprocal Fire Protection Response contracts with the following volunteer fire departments: Cool Springs, Wayside, West Iredell, Troutman, and Ebenezer in order to meet ISO 5 mile response requirements.

Chief Hutchens reported that the contracts include terms of reciprocal responses to specific locations in the City and the surrounding County. The contracts with Troutman and Wayside address specific areas with a distance of over 5 miles of travel that were identified by the ISO evaluation in 2009. Contracts with these departments will allow us to maintain our ISO rating of Class 4 at no cost to the City. Contracts assure a response of one engine-company with four personnel to supplement response needs in getting the closest fire unit on the scene of the emergency. The contracts have been revised to renew automatically in July of each year. The Monticello contract has been removed from this request and will be renewed at a later date.

Council member J. Johnson made a motion to approve Reciprocal Fire Protection Response contracts with the Cool Springs, Wayside, West Iredell, Troutman, and Ebenezer volunteer fire departments, seconded by Council member Gregory. The motion carried unanimously.

Approve the closure of selected streets in downtown Statesville for the Statesville Criterium Bicycle Race on Friday, August 5, 2011.

Captain Watts stated the Downtown Statesville Development Corporation and Charlotte Sports Cycling have requested the closure of the selected streets on Friday, August 5, 2011 from 5:00 p.m. until 11:00 p.m. Two maps are presented for approval in case any issues arise with the route due to the Streetscape project construction.

Council member Matthews made a motion to approve both Option A and Option B routes for the closure of selected streets in downtown Statesville for the Statesville Criterium Bicycle Race on Friday, August 5, 2011. Motion to include permission for Captain Watts to decide which route will be used based on what stage the Streetscape project is, seconded by Council member Stallard. The motion carried unanimously.

Accept a grant from the NC Governor's Crime Commission which will fund a new Narcotics Investigator position and an additional \$16,100 in overtime, and approve BA # 01.

Sergeant Miglin stated the Statesville Police Department has been awarded a grant from the NC Governor's Crime Commission for FY 2011-2012. The grant creates a new Narcotics Investigator position (salary + benefits), as well as \$16,100 in overtime funding. The grant is awarded on a

75% reimbursement basis; a 25% cash match of \$19,568 is required by the City, which will be drawn from the Drug Seizure Fund.

Council member Steele asked if this will be a new officer or will a current officer be transferred into this position. Sergeant Miglin replied that contingent upon Council approval, an existing officer has been appointed for this position and a new officer will fill his spot in the patrol unit.

Council member Steele made a motion to accept a grant from the NC Governor's Crime Commission and approve Budget Amendment #01, seconded by Council member J. Johnson. The motion carried unanimously.

Consider approval of a Municipal Agreement with NCDOT for the reimbursement of asphalt costs along Center Street.

Larry Pressley stated the agreement covers asphalt costs along Center Street based on actual costs up to a maximum of \$201,000. Mr. Pressley pointed out the section "Procurement of Specialized Services" will be omitted from the agreement.

Council member M. Johnson made a motion to approve a Municipal Agreement with NCDOT for the reimbursement of asphalt costs along Center Street, seconded by Council member Stallard. The motion carried unanimously.

Receive updated information on unpaved City streets and make a decision whether to construct Gray Street with or without curb and gutter.

Mr. Pressley reminded Council that the street resurfacing contract for Division V was approved in June and staff agreed at that time not to perform work on Gray Street until the issue of curb and gutter was revisited by City Council. Mr. Pressley reviewed the City of Statesville Ranking of Unpaved Streets list and pointed out that 12 of the 51 streets have been paved in the division and budget year of their associated contract. At the request of Council, Mr. Pressley spoke with the Rob Jackson with the school system and he as agreed that they will contribute \$5,000 towards installing curb and gutter on Gray Street. The total cost of Gray Street with curb and gutter is \$73,904 and the cost of curb and gutter is \$32,400. Staff included curb and gutter for Gray Street based on previous Council discussion, however, Gray Street can be constructed without curb and gutter if the Council so chooses. Mr. Pressley reviewed a map of existing curb and gutter on Gray Street.

Council member J. Johnson made a motion to pave Gray Street with curb and gutter and to accept the \$5,000 contribution from the school system, seconded by Council member Stallard.

Council member Huggins asked if the first twelve streets that have been paved included curb and gutter. Mr. Pressley replied they did not include curb and gutter. Council member Huggins asked if there would be drainage issues if curb and gutter was not installed on Gray Street. Mr. Pressley stated staff did not anticipate any drainage problems with or without curb and gutter.

Council member Matthews asked if there were any other street like this that had curb and gutter currently existing in sections. Mr. Pressley replied this is the first street that had this much traffic and there was curb and gutter at each end.

Council member J. Johnson emphasized Council would not even be debating this if it was anyone else, for example Habitat for Humanity was required by ordinance to install curb and gutter. He stated the City needs to abide by its own ordinance.

Council member Huggins stated he is a strong advocate of curb and gutter but feels the City needs to get as many streets paved as fast as possible.

Council member Steele pointed out that the street she lives on does not have curb and gutter and the edges of the road are constantly tore up. She emphasized there is already curb and gutter on this street and should be finished to be done correctly.

Council member Eisele questioned whether the section of Gray Street that is on a hill and drains into citizen's yards would create a drainage problem for those residences. Mr. Pressley stated that based on the topography and the pipe size it will not be an issue either way.

Council member J. Johnson reiterated this is a City ordinance and Council should follow it.

Council member M. Johnson stated he felt this is a special case and if the slope was greater then curb and gutter should be installed for drainage, but the main question is, does Council want to get more streets paved or have fewer streets paved but with curb and gutter.

Council member J. Johnson pointed out that Habitat was made to put in curb and gutter and could have built another house with that money. Council member M. Johnson stated that Habitat developed a sub-division and so were subject to the ordinance. If they had developed only a lot, they would not have been required to install curb and gutter.

Council member Steele reiterated she feels curb and gutter should be installed on this street due to the fact that there is curb and gutter all around this road. She stated she did not feel that every street being paved should have curb and gutter but this particular one should.

Mayor Kutteh called for a vote on the motion. The vote was as follows:

Ayes: Gregory, Steele, J. Johnson, Eisele, Matthews, Stallard

Nays: M. Johnson, Huggins

Motion carried 6-2

Receive the monthly update report on the City Hall and Streetscape projects.

City Hall Project

Jason Layne reported the contractor has revised the schedule for all work to be completed by November 30, 2011. November 10th was the original completion date and contractors still hope to accelerate some trades to finish on the original date. The extended finish date is due to unforeseen design conflicts, wall penetrations for electrical conduit, and wall penetrations for HVAC ducts. The exterior restoration has been temporarily stopped due to the lack of results by the current cleaning agent being used. The product representative has visited the site and has chosen a different agent while continuing to avoid damage to the brick. The window contractor is still in the process of removing, repairing and replacing the exterior window sashes. The HVAC duct work is complete on all but the third floor. Electrical is complete except for pulling wire through the conduit on all floors and conduit installation is being completed in the attic. Plaster work is being finished throughout and a round bead is being formed on the new archway leading to the stairs. The stair steel framing has been installed from Council chambers to the front stoop. In the next month the exterior restoration will resume, window restoration will continue, the exterior screen wall and the HVAC pad will be constructed, electrical wiring will be pulled through the installed conduit throughout the building, and HVAC units will be installed on the pads, turned on, and adjusted. Interior painting will begin and workers will begin installing millwork.

Council member Steele pointed out that the City Hall walls are constructed of solid masonry then covered with plaster which is causing this phase of the project to take longer than was anticipated.

Streetscape

Brendon Pritchard reported this is month six of the Streetscape project. Things continue to run relatively smooth; however, construction has fallen slightly behind schedule. Mr. Pritchard stated Block 1 (Sharpe Street to Front Street) was originally scheduled to be completed in June, but as of mid July, the sidewalk is being completed. Much of the delay has been caused by the condition of the existing pavement on Center Street and the revisions that had to be made to the plans because of that. Staff has discussed the project's progress with the contractor and their consultant is revising the project schedule. Staff also inquired whether a second concrete crew for the sidewalk flatwork could be implemented and that crew is scheduled to start on Wednesday, July 20, 2011. Crews are now working on the east side of Center Street between Sharpe Street and Front Street (Block 4) and parking has been opened on the west side of Center Street in Block 1. Since the previous update, the contractor has completed the curb and gutter between Broad Street and Water Street (Block 3), completed the area and planter drains in Blocks 1 and 2, completed the planter curb in Block 1 and has started it in Block 2. New sidewalk has been nearly completed in Block 1 and has been started in Block 2 and the majority of the brick pavers have been installed in Block 1. Mr. Pritchard reviewed pictures of the planter curb, sidewalk and brick pavers. He reported the electrical subcontractor has been working on the installation of electrical and traffic signal conduits at some of the intersections and has set the light poles in Block 1. In the weeks ahead, work will be completed on the planter curb in Block 2, the sidewalk in Blocks 1 and 2 will be completed, and the brick pavers in Blocks 1 and

2. Parking should be restored in Block 2. The water line should be completed in Block 4 and crews will also be working on the storm drain system.

Mayor Kutteh asked if the east side will be complete prior to the November 15th shutdown deadline as scheduled or would crews need to stop short of that. Mr. Pritchard replied once the revised project schedule is received from the contractor, staff could determine that.

Council member Steele made a motion to go into Executive Session to consult with the City Attorney, seconded by Council member Eisele.

Upon return from Executive Session, Mayor Kutteh announced that City Council consulted with the City Attorney and no action was taken.

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

Constantine H. Kutteh, Mayor

ATTEST:

Brenda Fugett, City Clerk