

**MINUTE BOOK 24, PAGE 263  
CITY OF STATESVILLE COUNCIL MEETING – August 15, 2011  
IREDELL COUNTY GOVERNMENT CENTER – 7:00 P.M.  
STATESVILLE, NORTH CAROLINA**

**Mayor Costi Kutteh presiding:**

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

**Council Absent:** 0

**Staff Present:** Fugett, Davis, Watts, Anderson, Barone, Hites, Hutchens, Currier, Salmon, Smyth, Morrison, Bullins, Pressley, Layne, Boller, Hudson, Gaines

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

**Others:** 9

**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 - During the second meeting of each month citizens are invited to speak about matters not on the current agenda.**

Ron Moore, 653 Davie Avenue spoke of the need for transparency in government. (Mr. Moore's statement is incorporated into the minutes by reference-attachment A).

**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 City Council meeting of June 20, 2011, and the Pre-Agenda meeting of July 14, 2011.**
- B. Consider approval of a request to close 150' ft. of Jefferson Street, west of the Rickert Street intersection, Saturday August 27, 2011 from 10:00 a.m. to 11:00 p.m. for the annual Rucker Family Reunion.**
- C. Grant permission to the Civil Air Patrol (CAP) to hold an Aerospace Education/Rocket day at the airport.**
- D. Approve the purchase of speed hump material to repair the engine bay floor at Fire Station #3 for a cost of approximately \$1,350. Funds are available in the current operating budget.**
- E. Consider adoption of a Resolution and approval of a 10-year Municipal Agreement authorizing NCDOT to conduct inspections of bridges on City streets.**

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

Mayor Kutteh announced that Item XIII (Privilege License Tax) had been removed from the agenda at the Pre-Agenda meeting on the advice of Counsel.

**Regular Agenda**

**Recognize the recipient of the 2011 Herman Drake Award, Mr. Kenneth Boller, General Supervisor in the City Sanitation Department.**

Mayor Kutteh explained the background of the Herman Drake Award and recited Mr. Boller's achievements and accomplishments that qualified him to receive this award.

**Consider approval of an Ordinance to allow parking on all "on-street" spaces in the downtown business district from 6:00 p.m. to 9:00 a.m., excluding Wednesdays to allow for street cleaning.**

Captain Watts reviewed the ordinance amending Chapter 12, Section 185, Parking prohibited in Municipal parking lots from 1:30 a.m. E.S.T. to 6:00 a.m. and Chapter 12, Section 209, Parking prohibited on specified streets from 2:30 a.m. E.S.T. to 6:00 a.m.

**Council member Steele made a motion to approve an ordinance to amend Chapter 12, Section 185, and Chapter 12, Section 209, seconded by Council member M. Johnson. The motion carried unanimously.**

**Consider an offer to purchase 3 tracts of land located on Dobson Avenue.**

David Currier stated the 3 tracts are located on Dobson Avenue and are zoned R-8M. The tracts were formerly known as 411, 413, and 1208 Dobson Avenue. Both of the larger tracts had houses on them prior to the City of Statesville demolishing them per the minimum housing code through the condemnation process. As a result of the costs associated with the demolition, the City foreclosed on these properties in 2008. In regards to the third tract (sliver), it is staff's understanding that this is a portion of a previous tract acquired by the City in 1982. Currently the City's Street Department has to continuously mow all 3 of these lots. Therefore, at this time, Nuisance Abatement Penalties are owed in the amount of \$8,620.71. The total tax value of the 3 properties is \$8,530.00. Ms. Tenna Williams is submitting a bid for all 3 properties. Staff has reviewed with Ms. Williams the City's policy of purchase, based on the tax value or penalties owed. Ms. Williams would like to offer \$3,000.00 for the purchase of the properties. The title exam provided by the City Attorney's office indicates that all 3 properties may be sold with a clear title and recommends a Special Warranty Deed and survey for the sliver of land (costs associated may be passed onto the buyer). Therefore, if Council wishes to accept the bid, it would be posted with the City Clerk for the upset bid period per the General Statutes.

Council member Matthews asked if this property was zoned residential. Mr. Currier replied they are zone R-8M which allows single family site built homes, Modular homes and Class A double-wide homes on a permanent foundation.

Mr. Currier explained that Council could accept Ms. Williams offer and advertise the parcels for bid; do not accept the offer, or make a counter offer.

Tenna Williams stated she plans to put a Modular unit on the property to provide mentoring and tutoring programs for children.

Council discussed possible changes in the Lot lines and selling Ms. Williams enough for a Modular unit. Mr. Currier advised if the property is sold below tax value the Nuisance Abatement Penalties would be wrote off.

Council members agreed this item needed more research and discussion before a decision could be made.

**Council member Stallard made a motion to table this item, seconded by Council member Matthews. The motion carried unanimously.**

**Endorse the Transportation Project Priority List for submittal to the Lake Norman Rural Planning Organization.**

David Currier explained every two years the State Transportation Improvement Plan (STIP) is updated beginning with the Project Priority List at the local level through the city's representative to the Lake Norman Regional Planning Organization. The existing projects are as follows:

- I -40/ I-77/ US 21 Interchange Modification: RPO/TIP/partially funded (current)
- I-77 widening from Mecklenburg County Line to Statesville: RPO/TIP/partially funded (2017)
- Brawley School Road widening from Talbert Rd to US 21: RPO/TIP
- US 21 widening from NC 150 to Troutman: RPO
- US 21 widening from US 64 to NC 1933 (Pump Station Road): RPO
- Williamson Road widening from I-77 to NC 150: RPO
- Garner Bagnal Road from I-40 to I-77: RPO
- I-40 & US 21 interchange improvements
- US 21 / NC 115 widening from Cedar Lane Ave. in Troutman to SR 1336 in Barium Springs
- NC 150 widening from NC 152 split to NC 115
- Eastside Dr. from Barkley to E. Trade
- NC 150/152 widening east of Mooresville to Rowan Co. Line
- I-40 widening from Catawba County to Statesville
- US 21 widening from NC 1933 (Pump Station Road) to I-77
- NC 115 widening from Mecklenburg County Line to Timber Road
- Murdock Road Improvement from US 21 to I-77 at Exit 45

The following are new submissions (Statesville's highlighted in red) recommended by staff for the 2018-2022 Priority List:

- Cornelius Road Interchange with I-77, extension to Mazeppa Road; widening from Judas Road to US 21
- **NC 115 widening from Sullivan Farm Rd to I-40**
- **Absher Park Rd extension to Museum Rd (Does not qualify because Absher Park Rd is a Private Road)**
- East-West Connector in Mooresville
- Fairview Road overpass and connection to Williamson and modification to Exit 33
- Carolina Thread Trail projects for Bike/Ped funding:
  - Route J: downtown Statesville, Fort Dobbs, along Fourth Creek**
  - Route K: along Morrison Creek and Fourth Creek
  - Route Q: along railroad ROW between Troutman and Statesville
  - Route Y: the Dye Creek Greenway, and along Rocky River

If council chooses to endorse this list with the new submissions, they will be scored/ranked by RPO (TCC and TAC) and NCDOT with the project rankings to be released in late fall 2011. Iredell County, the Town of Troutman and the Town of Mooresville have already endorsed the list.

**Council member M. Johnson made a motion to endorse the Transportation Project Priority List for submittal to the Lake Norman Rural Planning Organization, seconded by Council member Huggins. The motion carried unanimously.**

**Grant approval to Fire Department staff to apply for two "Assistance to Firefighters" grants.**

Chief Hutchens stated this grant is offered annually through the Federal Emergency Management Administration (FEMA) with grants available for equipment, apparatus, health & wellness programs and some fire station modifications. The first grant application will be for Plymovent exhaust systems for Fire Stations 1, 2, and 3. These stations currently have passive exhaust removal systems that were funded by an AFG grant in 2004. The second grant application will be for the

purchase of elliptical exercise machines for Fire Stations 1 and 3. These grants require a 10% match from the City in the amount of \$6,100 if awarded.

Mayor Kutteh clarified staff is seeking only authorization to apply for the grants at this time. Chief Hutchens agreed.

**Council member J. Johnson made a motion to grant approval to Fire Department staff to apply for two “Assistance to Firefighters” grants, seconded by Council member Gregory/Eisele. The motion carried unanimously.**

**Approve the appropriation of funds in the Police Department budget for the purchase of a multi-site repeater for the Emergency Services 800 MHz radio system and ten (10) mobile radios for patrol vehicles and approve Budget Amendment #05.**

Chief Anderson stated the City of Statesville was previously donated an 800 MHz radio system from EF Johnson and installation with a value of \$359,665. The City has also been awarded a \$76,707.25 grant to purchase hand held mobile radios for the Police Department. Studies concluded in June and July 2011 has revealed areas of the city that are not allowing for full coverage due to structural and topographical issues. In order for the system to be used in operations, additional equipment is needed to allow for full area coverage for officer safety. The city has also found that it cannot rely on its backup radio system, the State’s 800 MHz Viper system since it also has similar voids in signal strength. In order to correct the voids in signal strength as well as future expansion for other City Departments a repeater is needed at a cost of \$80,000. For maximum vehicle field coverage, the police and fire departments are requesting ten (10) 800 MHz mobile vehicle units be purchased at \$2,562.75 each for a total price of \$25,562.75. This will allow for proper vehicle to headquarters coverage. Additional mobile units will be purchased in upcoming budget years. The total request for necessary upgrades is \$105,563.00 with \$23,563.00 From the General Fund, \$30,000.00 from the Narcotics Seizure Fund, and \$52,000.00 from the Enterprise Fund. The Police and Fire Departments must have full operational use of this system prior to January 2013 according to federally mandated system change-over requirements. In January of 2013 the City’s current analog system will be rendered obsolete and the Water and Sewer, Electric and Public Works Departments will need to switch over to the 800 MHz system. The improvements made through the donation, grants and expenditures to date will permit them to switch systems with only the upgrade of either hand held or mobile radios.

Council member M. Johnson asked if the City should start searching for donation sites for a VIPER tower at this time. Chief Anderson replied that was true.

**Council member Steele made a motion to approve the appropriation of funds in the Police Department budget for the purchase of a multi-site repeater for the Emergency Services 800 MHz radio system, ten (10) mobile radios for patrol vehicles and approve Budget Amendment #05, seconded by Council member Eisele. The motion carried unanimously.**

Chief Anderson further requested approval to appropriate funds for the purchase of a Continuous Power Supply for both channels which will protect the system from electric spikes at the cost of \$1,600 per Department.

**Council member Steele made a motion to approve, seconded by Council member Stallard. The motion carried unanimously.**

**Receive an update on the Third Creek Wastewater Plant expansion and consider approval of a Resolution regarding financing for the project.**

Larry Pressley explained this is a continuation of a discussion held at the Council Retreat in February. He reminded Council that due to the economy and the cost of the project at \$30.8 million, Council voted in March to postpone the bidding and instructed staff to explore phasing of the plant with DENR Construction Loans and Grants. Staff has received approval of the plans and the Authorization to Construct is in hand. The State has suggested the City consider reapplying through the Priority Points Based Program. There are fewer applicants in this program so chances are fairly good to receive funding and this

program offers potential funding up to \$25 million. This resolution will authorize staff to apply through the Construction Loans and Grants Division.

Mayor Kutteh asked if there will be any further engineering fees. Mr. Pressley replied applying for the funding will not incur any additional engineering fees. Mayor Kutteh asked if it is safe to say an alternative solution has been found which will delay our need to make a decision as to whether to proceed or not. Mr. Pressley agreed that was correct.

**Council member M. Johnson made a motion to approve a resolution regarding financing for the 3<sup>rd</sup> Creek Wastewater Treatment Plant project, seconded by Council member Stallard. The motion carried unanimously.**

**Receive update reports on the City Hall and Streetscape projects.**

**Streetscape Project**

Larry Pressley reported the project has fallen behind schedule but things are running smoothly at this time. He stated the west side of Center Street is behind mainly due to the asphalt issue and the redesign that was needed as a result of that. The finish date for this section will be in September. Mr. Pressley reviewed the revised construction schedule and stated he is encouraged by the progress made during the previous month. A decision will be made mid October when work will be stopped for the holiday season.

**City Hall Renovation**

Jason Layne reported a cleaning crew has been hired by Hickory Construction to clean all of the interior surfaces in preparation of refinishing the interiors. The window contractor is still in the process of removing, repairing and replacing the exterior window sashes. Plaster work and electrical conduit installation is finished. HVAC work is complete minus setting the exterior units on their pads which should be set this coming month. Screen walls have been laid in brick and the architectural concrete medallions have been approved and are in the process of being constructed. Millwork has started being installed on the first floor and the basement and will continue throughout the building. This includes some of the walls, door jams, and cabinets. Painting has begun in the basement and the 2<sup>nd</sup> floor. The first floor has millwork yet to be completed and the third floor is being touched up. Cement has been poured in the new stair treads exiting Council Chambers and the handrails will be added soon.

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

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Constantine H. Kutteh, Mayor

ATTEST:

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Brenda Fugett, City Clerk