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CITY OF STATESVILLE COUNCIL MEETING – November 18, 2013
CITY HALL COUNCIL CHAMBERS - 7:00 P.M.
STATESVILLE, NORTH CAROLINA

Mayor Costi Kutteh presiding:

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

Council Absent: Gregory

Staff Present: Pressley, Fugett, Gaines, Davis, Salmon, Smyth, Currier, Collins, Miglin, Hutchens, Houpe, Cornelison, Harrell, Anderson, Watts, Triplett

Others: 18

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

I **Call to Order**
Mayor Kutteh called the meeting to order.

II **Invocation**
The Invocation was given by the City Clerk.

III **Pledge of Allegiance**
Members from Girls Scout Troops 10558, 10058 and 1946 led the Pledge of Allegiance.

Mayor Kutteh recognized newly elected Council members Michael Schlesinger and William Morgan in the audience.

IV **Public Comment**
Mayor Kutteh stated that during the second meeting of each month citizens are invited to speak about matters not on the current agenda.

Jim McNally, 222 E. Broad Street, stated this will most likely be the last meeting he will cover for the Statesville Record & Landmark of Council and other governmental meetings. He said it has been a privilege and he looks forward to still seeing everybody around the City.

Mayor Kutteh expressed Council's appreciation to Mr. McNally and thanked him for his time.

Karen Keaton, 650 E. Front Street, expressed her dissatisfaction with high utility late fees of $51.50 which in her opinion mainly affect the poor and the elderly. She asked City Council to revisit this policy and consider charging a percentage or lowering the fee.

Mayor Kutteh stated the rates were adjusted in 2007 and Council appreciates her concern and will continue to loot at this.

Phyllis Summers, no address given, stated she lives in a community near Lowe's and would like information regarding the Community Watch organization in that area. Mayor Kutteh advised that Chief Anderson, Chief Watts and Sergeant Miglin are in attendance and one of them should be able to assist her.

V **Consent Agenda** – All items below are considered to be routine by 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 Pre-agenda meeting of October 30, 2013, and the City Council meeting of November 04, 2013.**

B. **Consider approving 2nd reading of a text amendment to the Cemetery Ordinance in the City Code, the Cemetery Regulations and the City Services Policy Manual.**

C. **Consider passing a resolution directing the City Clerk to investigate a petition of annexation, Receive City Clerk's Certificate of Sufficiency, Consider passing a resolution fixing a date, December 02, 2013, for a public hearing on the questions of the petitioned annexation.**

Mayor Kutteh asked if there were any items on the Consent Agenda that a Council member wished to be moved to the Regular Agenda. There being none, he asked for a motion to approve the Consent Agenda.

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

Regular Agenda

VI **Presentation of Public Power Awards of Excellence by Roy Jones with ElectriCities.**
Roy Jones, C.O.O. with ElectriCities and Matt Schull, Vice President of Agency 1 with ElectriCities briefly described each award then presented Mayor Kutteh awards for the Competitive Business Environment award, the Energy Efficiency award, the Financial Stability award and the Service Excellence award. Mayor Kutteh thanked staff and ElectriCities.

VII **Receive the City's audited Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013.**
Lisa Salmon stated that as required by North Carolina General Statute 159-34, an independent audit of the City's financial records for the fiscal year ended June 30, 2013 was performed by the certified public accounting firm Potter & Company, P.A. in Mooresville, NC. The firm issued an unqualified opinion, which means the City's financial statements are free from material misstatements and are presented fairly in accordance with Generally Accepted Accounting Principles. Mrs. Salmon thanked all Department Heads and their staffs for their assistance and Assistant Finance Director Gene Triplett and his staff for their excellent work.

Robert Taylor with Potter & Company gave a brief report on the audit stating that Statesville appears to be on very solid ground thanks to conservative government in past which has left the City in a good fiscal position.

VIII **Consider granting approval to the Statesville Fire Department to apply for the "Learn Not to Burn" grant program administered by UNC and Jaycee Burn Center.**
Chief Hutchens stated the UNC Jaycee Burn Center provides all materials for the classes which will be taught by Fire and Life Safety staff. This program targets preschool children (ages 4-5) and first grade students. Staff will teach a minimum of one session on burn prevention to each classroom. Materials will be given to each participating school to continue the program with assistance provided by the Fire and Life Safety staff as needed. The Burn Center provides a monetary incentive with a maximum amount of $1,750. To receive the maximum incentive, we must present the program to six elementary schools and eight pre-schools. We have received commitments to participate from 14 schools. Staff plans to use the incentive funds to purchase a new Sparky costume at a cost of approximately $2,200. The remainder of the funds will come from the department's operating budget. The Sparky costume is over 20 years old and has been repaired many times. The new costume will be equipped with a dual-fan cooling system and light weight turnout gear allowing personnel to remain in costume for longer periods of time.

Council member Stallard made a motion to grant approval to the Statesville Fire Department to apply for the "Learn Not to Burn" grant program administered by UNC and Jaycee Burn Center, seconded by Council member J. Johnson. The motion carried unanimously.

IX **Consider granting approval to the Statesville Fire Department to apply for the annual Assistance to Firefighters Grant administered through the Federal Emergency Management Administration in the amount of $50,000.**
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. If approved, funding

2 and 3. The generators currently in use at these stations do not have the capacity to fully operate the stations in the event of a power outage. This grant requires a 10% match from the City. If awarded, the Fire Department will request matching funding from Council at that time.

Council member Stallard made a motion to grant approval to the Statesville Fire Department to apply for the annual Assistance to Firefighters Grant administered through the Federal Emergency Management Administration in the amount of $50,000, seconded by Council member Huggins. The motion carried unanimously.

X **Consider approving a contractual agreement between the City of Statesville and Diakonos, Inc., and approve an ordinance establishing the Statesville Domestic Violence Initiative Fund to account for a grant from the NC Governor's Crime Commission.**

Sergeant Miglin said the Statesville Police Department was notified that its application to implement its domestic violence initiative was awarded by the NC Governor's Crime Commission (GCC). The grant will support a Domestic Violence Specialist Officer, related training, equipment, and supplies. The Statesville Police Department will collaborate with Diakonos, Inc. (dba My Sister's House) on the project sharing matching funds for training and supplies equally. The specialist position and equipment is the sole responsibility of the City of Statesville. The grant period is for two years, retroactive to July 1, 2013 through June 30, 2015. Total value of the proposal is $124,959 ($93,719 in Federal grant funds). The GCC requires a 25% cash match. Total match required by the City of Statesville is $14,942 in fiscal year 2013-2014 and $14,446 in fiscal year 2014-2015. Grant funds would be reimbursed by the GCC upon request with supporting documentation. There is no obligation to retain the position beyond the life of the grant. Sergeant Daniel Miglin of the Statesville Police Department will manage this award and act as liaison between the GCC, Diakonos, Inc., and the City of Statesville. Sergeant Miglin stated that there was an average of 600 cases in Iredell County alone. Over the past three years the Statesville Police Department has responded to an average of 445 cases of domestic violence per year. Domestic violence ranks third in the City as the most frequent calls for service behind larcenies and break-ins and most domestic violence cases are never reported. To date for the year 2013, 335 cases have been investigated. 122 people died in 2012 in North Carolina due to domestic violence. Stanley Parker has been selected to fill the position. Sergeant Miglin described the duties of the position.

Council member Matthews made a motion to approve a contractual agreement between the City of Statesville and Diakonos, Inc., and approve an ordinance establishing the Statesville Domestic Violence Initiative Fund to account for a grant from the NC Governor's Crime Commission, seconded by Council member Eisele. The motion carried unanimously.

XI **Consider approving a Master Agreement between the City of Statesville and Parrish and Partners for engineering/planning consultant services at the Airport.**

Phil Collins stated staff requested approval of Parrish and Partners as the engineering/planning consultant for the Airport at the October 21, 2013 meeting of the City Council. Since that time, staff has reviewed the agreement and is requesting City Council approval to enter into an agreement with Parrish and Partners for engineering/planning services at the Airport. The agreement would cover the City's engineering/planning services for the next five years.

Council member J. Johnson made a motion to approve a Master Agreement between the City of Statesville and Parrish and Partners for engineering/planning consultant services at the Airport, seconded by Council member Stallard. The motion carried unanimously.

XII **Consider replacing the streetscape trees on the south side of E. Broad Street between Center Street and Tradd Street to match the selected trees on the north side using active contingency funds in the amount of $10,450.**

Brent Cornelison stated that when deciding on trees for Phase 1 of the streetscape project, two main species were chosen. The Nuttall Oak was the predominant tree chosen for Center Street and the Lacebark Elm was the predominant tree chosen for E. Broad Street. Both species have proven to be good street trees and are widely used throughout the country. A fact sheet on both species is included. It was recently discovered that there are different cultivars of Lacebark Elm trees on the north and south

side of E. Broad Street. The cultivar of Lacebark Elm recently chosen for replacement on the north side will be the Allee or Chinese Lacebark Elm. This particular cultivar has proven to be one of the better choices of the Lacebark Elm family for street trees. The trees on the south side of E. Broad Street are Kings Choice and Dynasty Lacebark Elms. These cultivars are not as hardy and have experienced problems with limb and trunk breakage around the 10-15 year mark. Much like the Bradford Pear, this is shown to be particularly problematic during ice storms and when exposed to high winds. For better continuity throughout the life of the streetscape trees, it is the recommendation of outside experts and the City Arborist to replace the trees on the south side of E. Broad Street with the same cultivar and caliper as those chosen for the north side. It is also their recommendation that the replacement on both sides occur at the same time to ensure equal growth rates as these trees mature.

Council member M. Johnson made a motion to replace the streetscape trees on the south side of E. Broad Street between Center Street and Tradd Street to match the selected trees on the north side using active contingency funds in the amount of $10,450, seconded by Council member Eisele.

Council member J. Johnson said $10,450 is a lot of money to spend just to have the size of the trees match on both sides of the street.

Council member M. Johnson said he did not feel the $2,800 difference from what the contractor is paying and the remainder that the City must pay is not worth tearing up the sheets for. He said the staff performed correctly and the contractor performed correctly according to the contract and are very good to work with as well as giving the City very good rates on paving contracts.

Council member West said in twenty years he wants the trees to look like they were planted at the same time and that Council should make it right while it has the chance.

The vote was as follows:

Ayes: M. Johnson, Eisele, West, Matthews, Huggins, Stallard (Gregory absent)
Nays: J. Johnson

Council member West made a motion to adjourn, seconded by Council member Matthews. The motion carried unanimously.

Constantine H. Kutteh, Mayor

Attest:

Brenda Fugett, City Clerk