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CITY OF STATESVILLE COUNCIL MEETING – September 15, 2014
CITY HALL COUNCIL CHAMBERS– 7:00 P.M.
STATESVILLE, NORTH CAROLINA

Mayor Costi Kutteh presiding:

Council Present: J. Johnson, M. Johnson, Huggins, Watt, Morgan, Schlesinger, West, Phifer

Council Absent: 0

Staff Present: Pressley, Fugett, Hutchens, Harrell, Davis, Anderson, Ashley, Smyth, Salmon, Currier, Miglin, Houpe, Gaines

Visitors: 4

Media Present: John Hamlin-Statesville Record & Landmark, Jim McNally-Statesville Record & Landmark

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**
Mayor Kutteh led the Pledge of Allegiance.

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

There were no speakers.

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. **Consider approving the minutes of the August 14, 2014 Pre-Agenda meeting and the August 18, 2014 City Council meeting.**

B. **Consider approval of a non-capital purchase by the Fire Department of 16 sets of replacement turnout gear.**

C. **Consider approving a request from the Fire Department to apply for the FEMA Assistance to Firefighters Grant (AFG).**

D. **Consider approving Budget Amendment #10 in the General Capital Reserve Fund.**

E. **Consider approving a request to allow Energy United to place five power poles (with underground) on the southern boundary of the BalloonFest site at the Statesville Regional Airport.**

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

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

Regular Agenda

VI **Receive a report on the meeting with transportation officials in Raleigh.**
Steve Blakely with Kimley-Horn & Associates reported that he, Mayor Pro Tem Michael Johnson and Larry Pressley met with the North Carolina Department of Transportation's

Chief Engineer, the Director of Strategic Planning and the Assistant Director of the Strategic Transportation Investment (STI) program last week. He explained that the STI is the current funding mechanism that the state of North Carolina is using to allocate funds for transportation projects across the state. Mr. Blakely stated the money is divided into three tiers, a statewide tier, a regional tier and a divisional tier. The process has been completed and a list of about 80 projects has been developed for the statewide ranking at this point. The regional and divisional projects are still underway; the listings have been submitted to Raleigh for rating to see how they fall relative to the funding thresholds. During the meeting NCDOT officials said the results that came out of the statewide portion were logical and defensible and indicated that the entire process was transparent and data driven, which is true; there are no subjective measures that are provided to the statewide rankings unlike the regional and divisional tier projects will be. Only two projects in Iredell County made it to the statewide tier list, the I-40/I-77 project, which was not funded, and the NC150 project in Mooresville that was funded. He advised that the second phase of the I-40/I-77 project is indefinitely postponed under the new Strategic Transportation Investment funding laws. The project scored high but did not make the cut and is not likely to do so under the currently used funding mechanism due to a corridor cap that restricts the amount of transportation dollars that can be spent on any single road within a region and the fact that Iredell County is in the same region as Mecklenburg County which is always going to be more congested than it is here.

Mr. Blakely said that NCDOT did indicate that they recognize that a lot of the funds have been devoted to the congested areas and they want to evaluate the equations and the process in more detail so they are forming a Priority 4.0 work group that will be made up of NCDOT staff, the League of Municipalities, and the League of County Commissioners and go through a process from September 22, 2014 through roughly May of 2015 and evaluate what they have learned out of the results of Priority 3.0, which is the current process they are in. They will be considering if the mechanics of the way this last process was implemented were to be changed, are the weights, the factors that govern each of the mathematical criteria, going to change for the amount of favoritism given to congestion versus safety and economic development potential. He explained the length of time that stalled projects could be locked in limbo.

Mr. Blakely stated that it will take either more funding or a legislative change to raise the corridor cap or give exemptions to the corridor cap to change this.

VII Consider approving a Transportation Planning Services Agreement with Kimley-Horn & Associates for a total amount of $15,000 for Transportation Planning Consultation and approve Budget Amendment #15.

Sherry Ashley stated that Steve Blakely, with Kimley-Horn, has provided a proposal that would assist the City with the processes outlined by the Charlotte Regional Transportation Planning Organization (CRTPO) and the North Carolina Department of Transportation processes relative to the new Strategic Transportation Investment (STI) legislation in regards to transportation planning. Services include but are not limited to the following:

- Research and Summarization of Past Projects
- Project Timeline Planning
- Project Funding
- Project Addition
- Agency Coordination
- Concept Layouts
- Opinions of Probable Construction Costs
- Traffic Forecasting
- Strategic Planning Office Transportation (SPOT) Prioritization
- Aviation Consulting (Methodology of funding through STI)

Kimley-Horn's proposal for consulting would be on an hourly basis for a 1 year timeframe not to exceed $15,000. Therefore staff recommends approval of Kimley-Horn's Professional Services Agreement for $15,000 and Budget Amendment #15.

Council member M. Johnson made a motion to approve a Transportation Planning Services Agreement with Kimley-Horn & Associates for a total amount of $15,000 for Transportation Planning Consultation and approve Budget Amendment #15, seconded by Council member M. Schlesinger. The motion carried unanimously.

VIII Consider approving a Transportation Services Agreement with Kimley-Horn & Associates for a total amount of $174,700 for a Comprehensive Transportation Plan and approve Budget Amendment #16.

Mrs. Ashley stated that by being a member of the Charlotte Regional Planning Organization (CRTPO) it is imperative that the City complete its Comprehensive Transportation Plan in order to be competitive in the funding process through CRTPO and the NCDOT TIP process. Staff has discussed completing Statesville's Comprehensive Transportation Plan with the transportation planning firm. Mr. Steve Blakely, with Kimley-Horn has provided a proposal that includes completing a Comprehensive Transportation Plan that meets the requirements of NCDOT. In addition, to the transportation needs of the City, Kimley-Horn proposes to include 5 Land Use Study Areas in which recommendations will be developed not only for land use categories but quantity of land use and its effect on the transportation network. These areas are:

- I-77 and US21 North,
- Area between Jane Sowers, Old Mocksville Road, I-40 and I-77
- Broad Street
- Amity Hill Road and Murdock Road
- Stamey Farm Road

Kimley-Horn's proposal outlines 10 tasks that need to be completed within the 8-12 month timeframe. Therefore staff recommends approval of Kimley-Horn's Professional Services agreement for $174,700 and Budget Amendment #16. Additional Land Use Study Areas can be added for around $8,000 to $10,000 per study area, depending upon the size of the area.

Mayor Kutteh asked Steven Stansbury with Kimley-Horn & Associates to explain how this plan assisted the City of Clemmons obtain grant funding. Mr. Stansbury explained.

Mayor Kutteh asked if staff had a proposal for a Land Use Study for the Barium Springs area. Mr. Stansbury replied that he had reviewed the area and feels that the plan could be encapsulated with another area.

Council member M. Johnson stated that there will need to be an interface with the Airport Commission and the Airport Consultant because the S. Parallel Taxiway will be in on this. Mr. Stansbury stated that those services are included in the proposal.

Council member Watt made a motion to approve a Transportation Services Agreement with Kimley-Horn & Associates for a total amount of $174,700 for a Comprehensive Transportation Plan and approve Budget Amendment #16, seconded by Council member Morgan. The motion carried unanimously.

IX Conduct a public hearing and consider approving first reading of TA14-03 filed by the City of Statesville to Amend Article 6-Development Standards, Section 6.07-Sign Regulations, I. Exempt Signs, 3. Flags

Mr. Currier stated that the purpose of this text amendment is to allow businesses to erect official governmental flags (i.e. United States, North Carolina, and other nations/territories recognized by the United States) and to amend the Unified Development Code language to match the state statute. Staff has completed research and would like to request that the City consider this language to allow other national flags in addition to the United States, North Carolina and City of Statesville flags. This revised language will also be consistent with the North Carolina state statute. Governments can regulate number, height and size of these flags. The Planning Board's recommendation is favorable with the addition of a maximum allowable size flag of 8' x 12'. The vote was unanimous and there were no speakers at the public courtesy hearing.

Mayor Kutteh declared the public hearing open and asked if there is anyone present who wished to speak in opposition or in favor of this item. There being no speakers, Mayor Kutteh declared the public hearing closed.

Council member West made a motion to approve first reading of TA14-03 filed by the City of Statesville to Amend Article 6-Development Standards, Section 6.07-Sign Regulations, I. Exempt Signs, 3. Flags, seconded by Council member Schlesinger. The motion carried unanimously.

X **Consideration of Civil Service Board decision.**
City Attorney Eddie Gaines said that based upon the briefing he gave City Council in Closed Session on September 11, 2014 regarding this Personnel matter a motion is needed that Council concurs with the action taken by the Civil Service Board on September 3, 2014.

Council member M. Johnson made a motion to concur with the action taken by the Civil Service Board on September 3, 2014, seconded by Council member Schlesinger. The motion carried unanimously.

XI **Consider accepting a grant award of $60,000 from the NC Governor's Crime Commission (GCC) and approve Budget Amendment #12.**
Captain Miglin stated the NC GCC has awarded the Police Department a $60,000 grant with no match required. This grant will be used to purchase and install two new emergency communications consoles in the Communications Center. These consoles connect phone, radio, and 911 systems to officers, thereby improving officer safety and efficient police response to the public. The current systems are obsolete and no longer serviceable.

Council member Schlesinger made a motion to accept a grant award of $60,000 from the NC Governor's Crime Commission (GCC) and approve Budget Amendment #12, seconded by Council member Watt. The motion carried unanimously.

XII **Consider accepting the 2014 Justice Assistance Grant (JAG) and approve Budget Amendment #13.**
Captain Miglin said the Statesville Police Department received notification that its application for the 2014 JAG grant via the Bureau of Justice Assistance was awarded. The grant is for $14,697 and no match is required by the City of Statesville. The Department will to use these funds towards the purchase of a Cellbrite Universal Forensic Extraction Device (UFED) Touch Ultimate as well as additional body-worn camera systems for patrol officers.

Council member Watt made a motion to accept the 2014 Justice Assistance Grant (JAG) and approve Budget Amendment #13, seconded by Council member J. Johnson. The motion carried unanimously.

XIII **Consider approval of the purchase of one bucket truck with utility bed for $211,914 from Altec through NJPA contract and $1,011 for tax and tag.**
Kent Houpe explained that General Statute 143-129 (e) (3) allows local governments to purchase through a group purchasing program without bidding, providing the organized programs use a competitive process to select the vendors. Altec is a selected vendor under the National Joint Power Alliance (NJPA). This purchase will replace an existing bucket truck with a new 2015 Western Star cab, chassis and Altec model #AA55E 55 foot double bucket. Funds in the amount of $220,000 were appropriated in the 2014-2015 department operating budget for this purchase.

Council member Morgan made a motion to approve the purchase of one bucket truck with utility bed for $211,914 from Altec through NJPA contract and $1,011 for tax and tag, seconded by Council member M. Johnson. The motion carried unanimously.

XV **Receive an update on the single stream recycling program.**
Mr. Harrell gave a brief update on the status of the single stream recycling program stating that so far approximately 3,600 households have registered for the service. Staff anticipates placing an initial cart order in mid to late October with delivery scheduled towards the end of December. Collection with the new carts will begin Monday, January 05, 2015. Additional information will be provided to the registrants as the conversion date approaches.

At the request of Council member Schlesinger, Mr. Harrell briefly explained the single stream recycling process.

Council member Watt pointed out that there should be a significant reduction in waste going to the landfill using single stream recycling. Mr. Harrell agreed.

Mayor Kutteh stated that the cost to the City to recycle using single stream will be less than it is now due to the fact that the new truck uses only one operator.

XIV Consider accepting a grant of $30,000 from the NC Department of Environment and Natural Resources (DENR) to be used toward the purchase of roll-out carts for single stream recycling, approve Budget Amendment #14.

Scott Harrell stated the Sanitation Division was notified of the award of a 2014 Community Waste Reduction and Recycling Grant from DENR in the amount of $30,000 on June 23, 2014. These funds will be applied toward the purchase of roll-out carts for use in the conversion of the curbside recycling program to the single stream format. A 20% cash match of $6,000 by the City is required. $480,000 is appropriated in the 2014-15 budget for the purchase of the roll-out carts so no additional funds will be required for the cash match. Sanitation Superintendent Fredrick Morrison will administer these funds in accordance with grant requirements. Staff recommends accepting the grant award and approval of Budget Amendment #14.

Council member Schlesinger made a motion to accept a grant of $30,000 from the NC Department of Environment and Natural Resources (DENR) to be used toward the purchase of roll-out carts for single stream recycling, approve Budget Amendment #14, seconded by Council member J. Johnson. The motion carried unanimously.

Mayor Kutteh thanked staff for seeking grants and noted that, just at this meeting, the City has accepted $104,697 in grant funding.

XVI Consider a request to accept streets for City maintenance in Martha's Ridge subdivision.

Mr. Harrell stated Staff received a request from True Homes for the City to accept streets in the Martha's Ridge subdivision for maintenance. Staff has confirmed that the streets were constructed to City standards and are generally in good condition. One area of asphalt in Martha's Ridge Lane is in need of repair, and street name signs and stop signs are needed in several locations. Staff discussed these items with representatives from True Homes, who agreed to perform the asphalt repair under City supervision and install signs as directed by City staff. The streets to be accepted are as follows:

Name	Length (ft.)
1. Martha's Ridge Drive	2,464
2. Andes Drive	1,272
3. Little Dog Lane	576
4. Sarah Laura Lane	417
5. Shillington Lane	620
6. Simones Court	100
7. Jacobus Court	62
8. Mibbs Place	126
9. Roby's Place	196
Total Length:	5,833

A temporary cul-de-sac exists at the end of Sarah Laura Lane; the City would be responsible for maintaining only the portion of the cul-de-sac that is within the 50-foot right-of-way. Staff recommends acceptance of the streets in Martha's Ridge subdivision, contingent upon asphalt repair and street sign installation as directed by City staff.

Council member J. Johnson made a motion to accept streets for City maintenance in Martha's Ridge subdivision, seconded by Council member West. The motion carried unanimously.

XVII Consider approving a request from Ms. Lisa Buhrmaster for a sewer tap to serve a parcel on James Farm Road.

Mr. Harrell stated the property is located on James Farm Road and is approximately 265 feet from the City Limits. There are no structures on the property and it is currently zoned R-15. Ms. Buhrmaster and her husband are considering purchasing the property, contingent on sewer availability. According to Ms. Buhrmaster, Iredell County has denied a septic permit for the property. The nearest sanitary sewer is located across James Farm Road and water service is by Iredell Water Corp. Staff recommends approving a sewer connection subject to inside rates and System Development Fees contingent

upon receiving a petition for voluntary annexation.

Council member M. Johnson made a motion to approve a request from Ms. Lisa Buhrmaster for a sewer tap to serve a parcel on James Farm Road contingent upon payment of System Development Fees and submittal of a petition for voluntary annexation, seconded by Council member Huggins. The motion carried unanimously.

XVIII Consider a request to provide water and sewer service to a parcel on Fanjoy Road as a part of the ETJ release to the City.

Mr. Harrell stated the Fanjoy site is an approximately 184 acre parcel located on Fanjoy Road. The property is adjacent to existing City limits along its western and southern boundaries. Mike Smith with Statesville Regional Development Corp. is working with the property owner to request the site be released from County jurisdiction and to submit a petition for voluntary annexation. There is an 8" water main adjacent to the site and an 8" sewer main is approximately 70 feet south of the site. Staff recommends approving water and sewer connections subject to inside rates and System Development Fees contingent upon receiving a petition for voluntary annexation.

Mayor Kutteh asked if this is in the City's electrical service area. Mr. Houpe stated yes it is but it will be subject to competition.

Council member J. Johnson made a motion to approve a request to provide water and sewer service to a parcel on Fanjoy Road as a part of the ETJ release to the City, seconded by Council member West. The motion carried unanimously.

Council member West made a motion to adjourn the meeting, seconded by Council member J. Johnson. The motion carried unanimously.

Constantine H. Kutteh, Mayor

Attest:

Brenda Fugett, City Clerk