

**MINUTE BOOK 23, PAGE 239
CITY OF STATESVILLE COUNCIL MEETING – August 17, 2009
CITY HALL COUNCIL CHAMBERS – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Kutteh presiding:

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

Staff Present: Hites, Craddock, Salmon, Gaines, Davis, Bullins, Smyth, Currier, Pressley, Hutchens, Huffman, Haliburton, Anderson

Media Present: D Vieser – Charlotte Observer;
J McNally – Record & Landmark

Visitors: 14

Invocation

The invocation was given by the City Clerk.

Pledge of Allegiance

Mayor Kutteh led the Pledge of Allegiance.

Public Comments

There were no speakers

CONSENT AGENDA

- A. Approve minutes of the pre-agenda meeting of July 30, 2009, and Council meeting of August 3, 2009.**
- B. Second reading of an ordinance to annex the Packmen Property located on the west side of the Old Mocksville Road. (Ord. 32-09)**
- C. Consider passing a motion to close Gordon Avenue and Stockton Street, between North Center Street and North Tradd Street on Sunday, November 8, 2009 between 7:00 a.m. and 5:00 p.m. This request is being made by the International Slalom Skateboard Association (ISSA) in order to hold the main event of the 5th Annual Dixie Cup skateboard race.**
- D. Consider a motion to close a portion of Moreland Drive on Friday, November 6, 2009, from 7:30 p.m. until 12:00 a.m. See attached map. The closure is being requested by the “Downhillbillies” skateboarding organization, to kick off the 5th Annual Dixie Cup, with the main event to be held November 8, 2009, in Statesville.**
- E. Request permission to accept a reimbursement from Weed and Seed (fiscal agent Statesville Housing Authority) in the amount of \$1,250; to deposit the reimbursement into the Statesville Police Department’s supplies account (010-5100-422-33-01); and to approve BA# 6 .**

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Upon a motion by Council member Matthews, seconded by Council member Gregory, the Consent Agenda was unanimously approved.

REGULAR AGENDA

Conduct a public hearing and consider passing of the first reading of an ordinance to annex the Martin Marietta Property located on the south side of the Quarry Road.

Planning Director Currier stated the property being considered for annexation is planned to become part of the existing quarry to the west of the subject property. The subject property is approximately 28.59 acres in size and encompasses Iredell County Parcel Identification Number (PIN) 4735-22-6709. The subject property is currently zoned Heavy Industrial – Conditional Use (HI-CU). The subject property is contiguous to the current primary municipal limits of the City of Statesville. Therefore, this request is being processed as a voluntary contiguous annexation. The effective date of annexation will be September 30, 2009.

Mr. Currier explained the applicant will need to apply for a special use permit which will determine what activities can occur on this property.

Mayor Kutteh declared the public hearing open and asked if there was anyone to speak against or for this issue. There being no speakers Mayor Kutteh closed the public hearing and asked for a motion from Council.

Upon a motion by Council member J Johnson, seconded by Council member Stallard, the first reading of an ordinance to annex the Martin Marietta Property located on the south side of the Quarry Road was unanimously approved.

Conduct a public hearing and consider passing a Resolution to Close an unopened right-of-way north of International Drive and south of I-40. (Reso. #31-09)

Planning Director Currier stated the owners of the properties (Rigby and Huskey Properties, LLC/A.J. Causey Family Limited Partnership) are petitioning for the closing of the unopened right-of-way located between International Drive and I-40. The right-of-way dimensions are 35 feet wide by 250 feet in length. International Drive was barricaded by the City Council approximately 500 feet to the east of the site. Approximately 80 feet of the north end of the right-of-way will be included in a part of the NCDOT acquisition for the I-40/I-77 improvement project.

Mr. Currier recalled the staff was asked to determine the amount of property that will be taken by NC DOT for interstate widening. Mr. Currier advised that 80 ft at the northern most point of the property will be taken by NC DOT.

Mayor Kutteh declared the public hearing open and asked if there was anyone to speak against or for this issue. There being no speakers Mayor Kutteh closed the public hearing and asked for a motion from Council.

Upon a motion by Council member Stallard, seconded by Council member Eisele, a Resolution to close an unopened right-of-way north of International Drive and south of I-40 was unanimously approved.

Consider a request from Michael Waltrip Racing to place two storage containers on the lease area.

This item was pulled since the applicant couldn't be present.

Consider approving the revised Downtown Design Review Committee Guidelines

Background

Alison Huffman advised the Design Review Committee Guidelines were adopted in September of 2008 for the Community Business and Community Business Perimeter Zoning Districts and the Municipal Service District. Since the adoption of the guidelines a number of applicant requests have not been addressed in the document; therefore the Design Review Committee and staff are requesting that you consider adopting the revised guidelines. The revised guidelines will give the Committee and Staff a sufficient tool for decision making.

Request

The proposed revised design guidelines are for the downtown specifically for the Community Business and Community Business Perimeter Zoning Districts and the Municipal Service District. The changes include the following:

- The document has been organized by chapters, pages numbers have been placed at the bottom of each page, a table of contents has been added to the beginning of the document and a glossary has been added to the appendix of the document.
- More information has been added to each chapter to explain the design guidelines (exp. Defined masonry and gave explanation of the material historical character as well as how it was used)
- Currently all improvements have to obtain approval from the DRC. Propose to categorize types of work into three categories routine maintenance (requires no approval; examples include painting, caulking and weather stripping), minor works (requires staff approval; examples include removing non-original material, construction of sidewalks and replacement of awnings) and major works. Only major works will have to obtain DRC approval. (Similar to the Statesville Historic Design Guidelines)
- Photos of the downtown buildings, typical signs and details have been added throughout the document for reference.

Staff Review

The Design Review Committee, Downtown Master Plan Committee and the Planning Board recommended approval as presented. The text is attached for your review.

Upon a motion by Council member M Johnson, seconded by Council member Stallard, the revised Downtown Design Review Committee Guidelines were unanimously approved.

Approve owner provided list for Fire Station #4 and authorize staff to bid the project.

City Engineer Pressley advised the staff has prepared a revised owner items list for the proposed fire station on Martin Lane as previously requested. In addition, there is a list of items that will be included in the construction contract.

In February, City Council approved the plan which had an estimated project budget of \$2,822,017. Lisa Salmon has recommended that we wait until bids are

received to establish a project budget and she is willing to discuss the funding of the project. An updated project budget and a rendering of the station will be provided at the pre-agenda meeting.

Staff requests approval of the owner items list and authorization to bid the project as soon as plans have been reviewed and approved.

Equipment List For Station 4 Budget

Owner Provided Items

2 LCD TV Monitors (Class room and Day classroom will be available for other agency use)+mounts		
28- Chairs Training	\$1,400	
10- Folding Tables	\$900	
Filing Cabinet	\$150	
15- Mattresses		
15- Beds with two Drawers	\$8,000	
5- Recliners	\$3,500	
1- Desk	\$500	
7- Office Chairs	\$800	
Kitchen table/chairs	\$1,200	
2- Desk Top Computers	\$2,400	
Kitchen Ware (including dishes/cookware)	\$1,400	
Fitness Equipment	\$8,000	
Book shelves (x2)	\$900	
5- Night Stands	\$1,200	
Picnic Table (Steel)	\$600	
Ash bins (x3)	\$175	
Hose Storage Rack	\$1,000	
3 Metal Storage Cabinets	\$500	
3- Floor Mats	\$150	
Tools	\$400	
Upright Toolbox	\$450	
Push Lawn Mower/weed eater	\$500	
Trash receptacles	\$200	
lamps (foyer, living areas)	\$200	
2-Entry way chairs	\$400	
Materials for shelving (storage closets)	\$800	
Grill (natural gas)	\$400	
Cork boards/white boards (small)	\$400	
table for radio equipment (capt office)	\$100	
Printer/fax/scanner machine	\$200	
Materials for mezzanine walls	\$2,500	
Cabinets for laundry towels/equip	\$800	
Shop vice	\$100	
Shop grinder	\$200	
Base Station radio (includes licensing)	\$3,500	
Clothes Washer and Dryer	\$900	uniforms only
Stainless Steel Refrigerator	\$1,200	
4 burner Range	\$1,000	
Fire Extinguishers	\$150	
Air Compressor For Trucks	\$300	
Sub Total	\$49,175	
10% Contingency	\$54,093	

Contract Allowances

4-Combination door locks	\$1,000	
		3 drops (\$6,500 ea), NFPA 1500
3-Exhaust Recovery (Plymovent System)	\$19,500	9.1.6
Ice Machine	\$1,600	
Stainless Steel Dishwasher	\$600	
Mirrors (Fitness)	\$750	
15- Gear Lockers	\$7,500	
Microwave Builtin	\$400	over range
2- White Boards (large)	\$300	
Disposal	\$200	
Flag Pole 30'	\$2,000	
Cabinets for Work Room	\$1,800	
Sign	\$3,000	
Window blinds	\$1,000	
Multi drawer cabinets (hose repair room)	\$600	
Station Plaque	\$1,500	
Phone system		
Station radio speaker system		
Sub Total	\$41,750	
10% Contingency	\$45,925	
Total (Owner + Contract Provided)	\$100,018	

Upon a motion by Council member Steele, seconded by Council member M Johnson, the owner provided list for Fire Station #4 was unanimously approved and staff was authorized to bid the project.

Approve the Statesville Housing Authority's HOME program for 2009-2010

Finance Director Salmon stated this is a request for the annual HOME grant. The grant this year is for \$ 110,157 in HOME consortium funds, with administrative costs of \$ 6,235 and a \$ 25,981 cash match from the city. If approved a budget amendment will be presented at the next Council meeting.

During the pre-agenda meeting on Thursday there were some question of members and a request for some historical information. Members of the consortium include Cabarrus, Rowan and Iredell County; City of Statesville, Davidson, Salisbury, Mooresville, Kannapolis and Concord. Concord acts as administer. Ms. Salmon distributed recaps of financial activity for the last 10 years and reviewed it with Council.

Most of the funds over the past several years have gone toward the purchase of lots and the construction of homes in the Allison Summit development.

City Manager Hites provided tax value of Allison Summit homes. This is a concentrated needs development site. Mr. Meacham took several lots on the north side of Garner Bagnal Blvd and built a new neighborhood. This not only provides new affordable housing but it eradicated an area where police had been having problems. Mr. Hites said in addition to the social benefits, the city's investment makes sense from a financial standpoint. The tax value of Allison Summit is \$ 3,457,600 which yields \$13,138 in taxes annually.

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Donald Hicks explained that HUD is using a new allocation process. They had used the same allocation process for the last 15 years. The new 3-part process includes population, poverty level and needs. Mr. Hicks further explained that in past years Rowan County was a non-participating county but for the past 3 years they have been participating.

Mayor Kutteh confirmed this is the amount that would be allocated to Statesville. Mr. Hicks agreed.

Council member Steele asked how the prices of lots are set. Mr. Hicks explained the process.

Upon a motion by Council member Stallard, seconded by Council member Huggins, the Statesville Housing Authority's program for 2009-2010 was unanimously approved.

Mayor Kutteh recalled that at the Quality of Life Committee meeting it was requested that we make a motion to rescind our action granting an exemption to CBSA according to G.S. 143-64.32 to provide design services for the City Hall building.

G.S. 143-64.32 Written exemption of particular contracts.

Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article in the case of:

- (a) Proposed projects where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000), or*
- (b) Other particular projects exempted in the sole discretion of the Department of Transportation or the unit of local government, stating the reasons therefore and the circumstances attendant thereto.*

Upon a motion by Council member Steele, seconded by Council member Gregory, the motion to grant an exemption to CBSA according to G.S. 143-64.32 was rescinded.

Mayor Kutteh advised the Committee also decided to open this process to any qualified architect for that same project under G.S. 143-64.32 as follows:

G.S. 143-64.32 Written exemption of particular contracts.

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- (b) Other particular projects exempted in the sole discretion of the Department of Transportation or the unit of local government, stating the reasons therefore and the circumstances attendant thereto.*

Mayor Kutteh asked for a motion from Council member Steele who is the chair of the Quality of Life Committee.

Council member Steele explained the thought process behind that was as we move forward on city hall that it provides the freedom to interview architects.

Council member Steele, seconded by Council member Gregory, made a motion to approve the exemption.

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Council member Stallard asked if we will tell the architect what we need.

City Manager Hites replied that staff will write a request for proposal.

Council member Stallard asked if staff will include computer jacks and that kind of thing.

Mr. Hites replied yes and advised it is the staffs' recommendation to run conduit through the walls.

Mayor Kutteh asked for a vote on the motion. It was unanimously approved.

There being no other business Council member Steele made a motion, seconded by Council member Matthews to adjourn.

Mayor

ATTEST:

City Clerk