

Mayor Costi Kutteh presiding:

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

Staff Present: Hites, Gaines, Pressley, Smyth, Pressley, Davis, Currier, Bullins, Halliburton, Anderson, Barone, Leaptrott, Riter

Media Present: J. McNally – Record and Landmark
D. Vieser, Charlotte Observer
B. Matlock, Record and Landmark

Visitors: 35

The invocation was given by the Deputy City Clerk and was followed by Pledge of Allegiance.

Mayor Kutteh commended City workers on their efforts during the recent snow storm. He offered congratulations to Fire Chief D. Bullins for his appointment as second vice president of the Western North Carolina Association of Firefighters.

IV Year in Review

Mayor Kutteh reviewed the accomplishments of the City during the 2009 year. He said the City has much to be proud of including being named an All America City for the second time, hosting our hometown astronaut and sponsoring or participating in various events and festivals. In addition, the City 's economic development efforts were successful with the location of Kook's Custom Headers, Providencia and Talon Systems as new major industrial citizens as well as numerous expansions of existing local companies. Mayor Kutteh provided a written memo detailing many of the City's accomplishments for the year.

V Public Comments

Mayor Kutteh explained during the second meeting of each month, citizens are invited to speak about a matter not scheduled to be heard at the current meeting. He said a few individuals signed up to speak tonight and he referenced the rules for public comment and indicated copies of the rules are available on the podium at the entrance to the Council Chambers. He requested each speaker state their name, address and topic about which they are speaking.

Kim Eroh of 112 West Broad Street said she would be speaking about the master plan for the downtown area, specifically the change to parallel parking from angle parking. Ms. Eroh stressed that she and the group her comments represent are not opposed to the revitalization planned for downtown and in fact, are excited about it. They do oppose the change to parallel parking as they believe it will have a negative impact on the businesses located on Broad Street. Ms. Eroh presented Council with a document outlining merchants and customer's concerns and potential alternatives to the parallel parking. The group believes the best of both worlds can be accomplished; the City can keep the angle parking and simultaneously improve the appearance of the downtown streetscape. She suggested it is better to make the correct decision a few weeks or months later than making a decision without considering all the options available due to the long term impact these changes will have on local business. At previous meetings, when the plan was adopted it was described as a template, a footprint, a roadmap that could be modified as needed. She suggested now is the time to consider those changes before moving forward with a plan that does not meet the needs and desires of the business owners in

the area, their customers or area constituents. Ms Eroh stated that convenient parking may not be the primary reason customers choose to shop downtown but it may very well be the primary reason they do not shop downtown.

Angle and parallel parking have their own safety concerns and Ms. Eroh cited a study saying that when possible, downtowns should convert from parallel parking to angle parking. Moving the parking to Center Street is not a long term fix for the problem as the plan is to eventually improve the streetscape on Center Street and again, the parking would be converted to parallel. Parking garages and parking lots are nice but according to the master plan, in order for these areas to be most beneficial to a business they must be within one to two minute walk of the business. Of the potential locations shown in the master plan for a parking garage, two of the locations do not meet these criteria for the 100 or 200 blocks of Broad and the third does not meet the criteria for the 100 block of Broad Street. Although the loss of thirty one spaces does not seem huge, it can have a significant impact on the business if each lost space results in losses one lost customer per day, then in one month that could mean 750 lost purchases. Ms. Eroh urged Council to consider alternative to the parallel parking in the revitalization area.

Donna Carr of 514 Carroll Street and owner of two properties on Broad Street spoke in support of the downtown plan, including the change to parallel parking. She said her buildings would be some of the most affected by the changes as she is likely to lose all the parking in front of one of her buildings due to the bulb outs. Ms. Carr said she attended all the planning meetings relative to this plan and saw very few merchants out in opposition to the parallel parking. The time to have engaged and sought options was during those meetings, not at this late stage in the plan. Although she owns buildings in the revitalization area, the newly formed Committee for Concerned Citizens has not spoken to her or her husband relative to the downtown plan. Ms. Carr said overall she thinks the plan is a huge step in the right direction and she believes if you scrap the parallel parking, you have to scrap the entire plan and start over. Due to aging utilities, now is the time to complete this project, renewing water and sewer lines and installing sprinkler lines at one time rather than tearing streets and sidewalks up each time an owner renovates a building. Given the current uninviting appearance of the downtown, Ms. Carr said it is difficult for the City to encourage new private investment into the downtown area.

Retired nurse, Carolyn White of 3226 Westover Road voiced her safety concerns with parallel parking. She is concerned that parallel parking requires drivers to open car doors and exit their vehicles into travel lanes. She stated this is particularly troubling for the elderly and handicapped who may be using appliances to assist them in walking. Ms. White further indicated that many of the elderly are nervous when being required to parallel park and many new and inexperienced drivers do not have the skill to parallel park.

Mayor Kutteh recognized the audience members attending the meeting who object to the change to parallel parking and then those supporting the change. Fourteen individuals stood as opposed to the change and six stood in support of the change.

VI 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 in the Regular Agenda.

- A. Approve minutes of the pre-agenda meeting of December 3, 2009, and Council meeting of December 7, 2009.**
- B. Second reading of an ordinance amending Chapter 12 Article 1 of the City Code, deleting Ordinance 30-80 which established three hour parking on West Broad Street (Section 12-208) and re-establishing two hour parking in this area.**

- C. Approve an ordinance to rename and expand the scope of the South Parallel Taxiway and Hangar Expansion Fund.
- D. Certify roster of personnel in the Fire Department.
- E. Approve renewal of Eddie Gaines contract as City Attorney.
- F. Request permission to pursue 2010 North Carolina Governors Crime Commission Grant and to authorize Captain Joseph Barone to represent the City with regards to this application.
- G. Consider passing first reading of an amendment to the Minimum Housing Code Section 5-62. Electricity regarding carbon monoxide monitors.

Upon a motion by Councilmember J. Johnson, seconded by Councilmember Gregory, the motion to approve the consent agenda was unanimously approved.

REGULAR AGENDA

- VII Conduct a public hearing on a request from a manufacturer of ready to assemble furniture to participate in the City's industrial incentive program.

Mike Smith reported the company, Talon Systems, will move into the old Canac building. The company manufactures ready to assemble furniture for distribution through various retail outlets. Over a five year period, the company will invest \$3,500,000 and provide 150 jobs, 90 of which will come in the first three years. The City's incentive over the five year period is approximately \$31,336 for machinery and \$6,408 for the updates (80% of eligible based on wages being 80% of established minimum). Additionally, Smith noted the company will be a new electric customer for the City.

Mayor Kutteh opened the public hearing and asked for anyone wishing to speak against or in favor of granting the incentives for Talon. There were no speakers and the public hearing was closed.

Councilmember Steele made a motion to approve the economic incentives. The motion was seconded by Councilmember Stallard and unanimously approved by Council.

- VIII Conduct a public hearing and consider passing the first reading of ZC0913 filed by S. J. Holland Jr. Family LP for the property located at 1512 Wilkesboro Highway, Tax Map 4735-33-9937 from R-10 to B-4.

The owners, S.J. Holland, Jr. Family LP are requesting the rezoning of their property located at 1512 Wilkesboro Highway from R-10 to B-4 to construct a CVS Drugstore on a portion (1.58 acres) of the property. A conceptual plan is show. It is staff's understanding that the CVS drugstore currently located in the Old Wilkes Centre Shopping Center would relocate to this site and provide a drive thru.

The tract is zoned R-10 and contains approximately 3.48 acres. The tract is currently occupied by a one story brick building known as the Statesville Bible Tabernacle (4,932 sq.ft.). The building would be removed in order to construct the drugstore. No specific use has been proposed for the remaining portion (1.9 acres) of the property at this time. The surrounding zoning districts and land uses were detailed by Currier.

The 2005 Land Development Plan projects this area to be low density residential. However, this parcel is located along Wilkesboro Highway in an area where the majority of the property fronting on Wilkesboro Highway is zoned or used for commercial. This is a logical expansion for commercial use. Staff supports the rezoning and would also recommend that the Land Use Plan be revisited in regards to this are. If rezoning is approved, all site plans would have to be approved by TRC, Planning Board and City Council

prior to grading and construction. The Planning Board's recommendation is favorable as presented with a unanimous vote.

Council discussed some of the traffic issues that might be associated with the project upon development and Currier reminded Council they would have the opportunity to view these particular issues in detail when the site plan is submitted for the approval process. Staff has looked at the conceptual plan and has already identified some concerns but has not reviewed in depth because it is early in the process for such a review. The zoning approval must be successful before any site plan details are subject to close scrutiny by staff.

Mayor Kutteh opened the public hearing and asked for anyone wishing to speak against the rezoning. No one asked to be heard in opposition to the rezoning. Bill Mosley, developer of CVS, spoke in support of the rezoning. He indicated CVS is obtaining only a portion of the entire site and does plan to work with the City in the extension of Avondale Road. He said they did plan to seek a payment in lieu of curb, gutter and sidewalk on Highway 115 as is consistent with other developments in the area.

Ms. Kay Tilley asked to speak relative to concerns about the parcel development. She said she was not necessarily against the development but she does have some concerns. In particular, Ms. Tilley is concerned that the lighting from the sight will have a negative impact on her property, as well as several others in a very small adjacent residential area. She is concerned traffic will become problematic as a result of the development. Councilmember M. Johnson told Ms. Tilley that when reviewed by the Planning Board, consideration was given to this area and the Planning Board is recommending the development of a small area plan addressing the transitional nature of the area.

Ms. Tilley indicated she did not get notification of the public hearing from the City but heard from a neighbor. Currier said he would double check the records but the Tilley's names did appear on their mailing list and the addresses were those found in the Iredell County tax records. No mail was returned to the department. Currier said he would check records and confirm notice prior to second reading of the ordinance.

Mayor Kutteh closed the public hearing.

Upon a motion by Councilmember Stallard, seconded by Councilmember M. Johnson, Council unanimously approved the rezoning.

IX Report of Fire Station

Pressley reported receiving the bids for the construction of Fire Station 4. Although staff is not yet ready to recommend award of the bid, Pressley announced the low bid for the station of \$1.574 million. The budget for the project is \$2.8 million with \$2.5 million of that being for construction. This is the first project the City will complete under the new construction administration policy and so once bids are awarded, the permitting process will go very quickly. Pressley said he was pleased to announce the approximate \$1,000,000 savings.

X Conduct passing the first reading of an ordinance amending Chapter 12, Article V, Section 12-132, of the City of Statesville Municipal Code entitled Parking for certain purposes prohibited, by redefining #(4) of the ordinance.

Chapter 12, Article V, Section 12-132, of the City of Statesville code does not include vehicles such as buses, recreational vehicles, excluding service related vehicles. Prohibiting these vehicles will enhance safety traffic by not facilitating vision obstructions on the roadway and adjoining properties. The following language is recommended: (4) "Storage of any recreational vehicle, bus, trailer, van or other vehicle that unreasonably obstructs safe movement within the travel lane or impairs sight visibility from adjoining properties, excluding service related vehicles."

Upon a motion by Councilmember Huggins, seconded by Councilmember Eisele, Council unanimously approved first reading of an ordinance amending Chapter 12, Article V, Section 12-132 of the City of Statesville Municipal Code.

XI Consider passing the first reading of an ordinance establishing a stop intersection at Tradd Street and Brevard Street. Appropriate signage will accompany this ordinance.

The Traffic Safety Director made a study of the traffic conditions on Tradd Street, and recommends a stop intersection at Tradd and Brevard Streets. Currently there is a yield sign to indicate right-of-way for traffic at this intersection, which is not supported by an ordinance. Area students use a nearby crosswalk to cross to and from school grounds. A stop sign at this intersection will better ensure pedestrian and motoring safety.

Councilmember Gregory moved to approve first reading of ordinance establishing a stop intersection at Tradd and Brevard Streets with accompanying signage. The motion was seconded by Councilmember J. Johnson and unanimously approved.

XII To authorize the purchase of additional equipment for two grant vehicles and two budgeted vehicles from the 2009-2010 budget for Police Department vehicle purchases.

The police department was budgeted 125,710.00 dollars in the 2009-2010 budget years for the purchase of two (2) fully equipped Dodge Chargers and two unmarked Ford Fusions. This money was split to allow 93,710.00 for fully equipping the Dodge Chargers, and 32,000 to partially equip the two Ford Fusions. The current fusions as ordered are only equipped with blue lights and siren. We request the use of funds totaling 6008.00 dollars to purchase two EF Johnson 800Mhz in car radios for these two vehicles. Additionally, we request 1015.00 dollars for a blue light and siren package and 367.00 dollars for the purchase of tags and registration. The light and siren package and tags & registration are for grant vehicles as well as tags & registration for the 2009-2010 Ford Fusions. This money will be taken from the allotted 125,710.00 and will not cause the department to go over the original budget. We are asking for this purchase as we have been able to find considerable savings through the bidding process and lower than anticipated state contracts for the fully equipped Dodge Chargers. Currently we will be returning approximately 17,000 dollars into the General Fund from this line-item. We are asking to utilize 7,390.00 and still return approximately 9,000.00 to the General Fund.

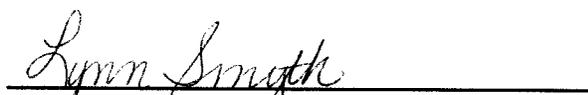
Councilmember Steel made a motion to approve purchases. The motion was seconded by Councilmember J. Johnson and unanimously approved.

Councilmember P. Steele made a motion to adjourn, was seconded by Councilmember Eisele and the motion was unanimously approved by Council.



Mayor

ATTEST:


Deputy City Clerk

