

**MINUTE BOOK 25, PAGE 385
CITY OF STATESVILLE PRE-AGENDA MEETING – March 12, 2015
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 4:30 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

Council Present: J. Johnson, Schlesinger, Morgan, West, Williams, Schlesinger

Council Absent: Phifer, M. Johnson

Staff Present: Pressley, Fugett, Hutchens, Smyth, Salmon, Harrell, Ashley, Houpe
Gaines, Shelton, Anderson

Others: Donald Hicks – Statesville Housing Authority

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

I Call to Order

Mayor Kutteh called the meeting to order and explained that in an effort to allow for a maximum amount of time for the Love's Travel Center Site Plan Hearing at the City Council meeting on Monday, March 16, 2015, all Consent Agenda items will be voted on at the March 12, 2015 Pre-Agenda meeting. If any items are removed from the Consent Agenda at the Pre-Agenda meeting they will be considered at the April 13, 2015 City Council meeting.

Mayor Kutteh directed the City Clerk to add an item to the Regular Agenda: Receive a report from Jim Prosser regarding Request for Qualification submittals.

II 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 February 12, 2015 City Council Retreat meeting.

B. Consider approving a request from Absher Partnership to accept Absher Park Road for City maintenance.

Mayor Kutteh stated that staff received a request from Absher Partnership for the City to accept Absher Park Road for maintenance. Staff has confirmed that the street was constructed to City standards and is generally in good condition. Absher Park Road is approximately 2,715 feet in length. Staff recommends acceptance of Absher Park Road.

C. Consider granting an exemption from G.S. 143-64.31 (Qualification Based Selection) for professional services related to the repair of the Woods Drive Dam.

Mayor Kutteh explained this will allow Jewell Engineering to continue as the engineer on this project.

D. Consider a request from Mr. Kevin Day for a water tap to serve a parcel at 3419 Taylorsville Highway.

Mayor Kutteh stated Mr. Day indicated to staff that he is experiencing problems with his well. The property is located on Taylorsville Hwy and is approximately 1,000 feet from the existing City limits. The nearest City sewer is approximately 300 feet southeast of the property. Mr. Day currently has City electric service. Staff recommends approving a water connection subject to inside rates and System Development Fees, contingent on receipt of a petition for voluntary annexation.

Mayor Kutteh asked if the City can waive Mr. Day's right to sewer for ten years since it is not in a position to provide sewer service at this time. Mr. Pressley replied he believes since this is a voluntary annexation the City can waive the

right forever. Mayor Kutteh said he believes this is good because it begins developing an area outside the City's limits.

- E. Consider approving a resolution authorizing the Mayor to enter into a grant agreement with the North Carolina Department of Transportation – Aviation for the Runway Pavement Grooving Project and design work for the PAPI and REIL Systems.**

Mayor Kutteh stated the grant agreement is for Runway Pavement Grooving Project and design work for the PAPI and REIL Systems. City Council has approved all of the preliminary steps to enter into the grant agreement.

- F. Consider approving 2nd reading of an ordinance to amend Chapter 20 of the City Code relating to placing items in the right-of-way.**

- G. Consider amending the professional services agreement with Kimley-Horn and Associates, Inc. for transportation consulting services from \$15,000 to \$24,000.**

Mayor Kutteh said it has been determined that additional information in the form of transportation consulting services are needed to complete the City's request for Bonus Allocation funds to be used for the E. Broad Street bridge replacement (formerly part of I-381/I-77 and I-40 project). A portion of these funds would be used specifically to identify that the replacement can occur within a 5 year timeframe. Mr. Brady Finklea, with Kimley-Horn has provided a proposal that would include additional attendance at the Charlotte Regional Transportation Planning Organization meetings and preparation of the 5 year schedule at an increased cost of \$9,000. There are sufficient funds in the Planning Department budget to cover this increased cost. Therefore, staff recommends amending Kimley-Horn's Professional Services agreement by \$9,000 for a total contract price of \$24,000.

- H. Consider approving 2nd reading of an ordinance to amend the Cemetery Ordinance in the City Code, the City Services Policy Manual and the Cemetery Regulations.**

- I. Consider approving a resolution of adoption for the Iredell-Rowan Hazard Mitigation Plan.**

Lynn Smyth explained that in order to apply for reimbursement of emergency expenditures during declared disasters, federal and state regulations require that local governmental jurisdictions adopt and update a comprehensive Hazard Mitigation Plan. The City last adopted by resolution a Hazard Mitigation Plan in June of 2010. Iredell County Emergency Management takes the lead on the development and/or revision of this plan for jurisdictions within the County and recently completed the required five year update. The update has been approved by FEMA and the North Carolina Department of Emergency Management. The County now needs to return a final draft along with the resolutions of adoption from impacted jurisdictions. The full plan is detailed in a 500 plus page document. Staff recommends approval of a resolution adopting the 2015 Iredell-Rowan Hazard Mitigation Plan.

- J. Consider granting permission to the Electric Utilities Department to apply for a System Betterment Project Grant for up to \$5,000 to assist with funding for municipal system betterment projects.**

Mayor Kutteh stated that both power agency Board of Commissioners and the ElectricCities Board of Directors approved funding to assist NCPMA1 participants with system betterment projects. The City is eligible to receive \$5,000 to assist with planning and/or implementing programs that will enhance our electric operations. The funds can be used for various programs associated with our electric system.

- K. Consider approving a contract with the HOME Consortium and adopting the project ordinance for the 2014-2015 HOME funds of \$102,451 and local match in the amount of \$24,164.**

Mayor Kutteh stated that this request is to finalize the previously Council approved HOME 2014-2015 application. The administrator (City of Concord) has forwarded the annual contract to each participating consortium member for signature effective July 2014. At this time, staff requests that Council approve the

awarded amount of \$102,451 to be accepted by the City and approval for City Manager to initiate the contract signing.

Donald Hicks explained the 2015 project.

L. Receive and concur with the financial report of the Statesville Convention and Visitor Bureau as of December 31, 2014.

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

III Consider approving site plan P14-19 for Energy United located at 567 Mocksville Highway; Tax Map 4765-34-0565.

Sherry Ashley stated the site is located at 567 Mocksville Highway. The property consists of approximately 24.092 acres and is zoned B-4. Energy United would like to remove the small building up front that currently houses the engineering department and the antenna equipment and construct a new 16,000 sq. ft. IT building for engineering and a separate 12' x 20' antenna building. As part of this addition some of the existing parking will be removed and new parking will be added to meet the city's requirements (165 required, 170 provided). The existing solar unit will also be relocated to meet the 40' front yard setback and a portion of the driveway that is between the solar unit and the new IT building will be removed. The portion from Mocksville Highway to the new parking area must remain to provide access to AT&T's equipment.

All of the new structures meet the setbacks. The exterior walls of the IT building will be constructed of brick. The roof will be metal and windows have been provided along the front elevation. The new antenna building will be pre-cast concrete. Both structures meet the architectural requirements.

Landscaping has been provided along Mocksville Highway and within the new parking areas that meet the city's requirements. Energy United will pay fee in lieu of installing the sidewalk along Mocksville Highway. Curb and gutter will not be required per NCDOT. In addition, 15' of additional right-of-way will be reserved for future widening per the Thoroughfare Plan.

The Technical Review Committee approved the site plan on February 4, 2015 contingent upon relocating the solar panels outside the 40' setback, adding a parking lot tree, paying fee in lieu of for the sidewalk and receiving a copy of the driveway permit. All of these have been corrected. Therefore, staff recommends approval contingent upon receiving a copy of the driveway permit before issuing the CO. The Planning Board's recommendation was favorable as presented with a unanimous vote based on the fact that the site plan met all the ordinance requirements.

IV Consider approving site plan P12-15 for Love's Travel Stop located at 261 Mocksville Highway; Tax Map 4755-65-1790.

Council members discussed quasi-judicial procedures.

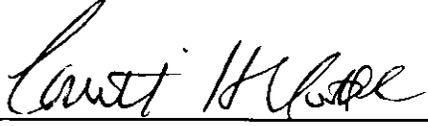
Council member West made a motion to move to Executive Session in accordance with N.C.G.S. 143-318.11(a)(5) to discuss a land acquisition matter, and N.C.G.S. 143-318.11(a)(3) to preserve the attorney-client privilege, seconded by Council member Schlesinger. The motion carried unanimously.

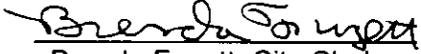
Upon return to open session Mayor Kutteh advised that a land acquisition matter was discussed and the attorney-client privilege preserved and no action was taken.

There being no further business, Council member West made a motion to adjourn the meeting, seconded by Council member Morgan. The motion carried unanimously.



Attest:


Constantine H. Kutteh, Mayor


Brenda Fugett, City Clerk