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CITY OF STATESVILLE PRE-AGENDA MEETING – December 7, 2015
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.
STATESVILLE, NORTH CAROLINA

Mayor Costi Kutteh presiding:

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

Council Absent: Phifer

Staff Present: Pressley, Fugett, Gaines, Davis, Smyth, Currier, Houpe, Navey, Ashley, Barone, Triplett, Hutchens, Gregory, Harrell, Ferguson, Ventresca

Media Present 0

Others: 4

Media Present:

I **Call to Order**

Mayor Kutteh called the meeting to order and advised an Executive Session will be held following the Pre-Agenda meeting to discuss pending litigation, an economic development matter, a real estate matter and to preserve the attorney client privilege for all.

II **Invocation** (Council meeting only)

III **Pledge of Allegiance** (Council meeting only)

IV Mayor Kutteh reviewed the Consent Agenda as follows:

Consent Agenda

A. **Consider approving the minutes of the November 16, 2015 Pre-Agenda meeting, and November 16, 2015 Council meeting.**

B. **Receive the Statesville Convention & Visitors Bureau's (SCVB) audited Annual Financial Report for the fiscal year ended June 30, 2015.**

C. **Consider approving the semi-annual write-off of approximately $125,307.91 in utility accounts.**

D. **Consider approving 2nd reading of TA15-06 filed by the City of Statesville to amend Article 3 - Zoning, Section 3.04 - Zoning District Regulation, Table 3-1: Use Matrix, Article 5 - Supplemental Regulation/Performance Standards for Specific Uses, Section 5.04 - Primary Uses and Structures, UU. Professional Residential Facilities, and Article 9 - Definitions, Section 9.02 - Definitions, Professional Residential Facility.**
Mayor Kutteh confirmed with David Currier that he had spoken with Mr. Ross who voiced concerns about this item at the first reading. Mr. Currier stated that Mr. Ross had conferred with his fellow advocates and they all now understand that this text amendment simply makes the City ordinance consistent with the State statute are all are okay with it.

E. **Consider approving 2nd reading of ZC15-13 filed by Jerald Yang for the property located at 215 Eastside Drive; Tax Map 4744-97-1260; from B-4 (Highway Business) to R-10 (Urban Low Density Residential) District.**

F. **Consider approving 2nd reading of TA15-04 filed by the City of Statesville to amend the following sections in the Statesville City Code: Article 3 – Zoning, Table 3-1; Article 5 - Supplemental Regulations/Performance Standards for Specific Uses/Section 5.04 - Primary Uses and Structures/P. - Churches, Storefront in CB and CBP; Article 9 – Definitions/Section 9.02.**

Regular Agenda

V **Swearing in of re-elected Council members Roy West and Michael Johnson and newly elected Council member Keith Williams by the Honorable Deborah P. Brown.**

VI **Election of Mayor Pro Tempore**

VII **Consider approving 2nd reading of an ordinance to annex the properties owned by Tsumas Family LTDP & Wheeler Investments, LLC located at and around 1068 Elmwood Road.**
This application was withdrawn by Mr. Harry M. Tsumas prior to the start of the meeting. Mayor Kutteh explained that there is no prohibited period for filing a new application.

VIII **Conduct a public hearing and consider approving site plan P15-12 for Black Chrysler/Dodge/Jeep located at 851 Salisbury Road; Tax Map 4744-52-1771.**
Mayor Kutteh explained this will be a quasi-judicial hearing and witnesses will be sworn in.

IX **Receive a report from Jim Prosser and Richard Angino regarding the Vance Hotel.**

X **Receive a report from Kimley-Horn regarding the US Route 21 Traffic Study.**

XI **Consider accepting a grant from the US Department of Justice/COPS Hiring Program and approve Budget Amendment #9.**
Mayor Kutteh stated that being able to have three new officers to serve primarily in the Statesville Housing Authority communities relieves other officers from any responsibilities in that area which provides better coverage in other areas of the city. The grant requires a 25% match.

XII **Consider approving a forgiveness of $21,524.95 in loan receivables for the property located at 825 Opal Street.**
Mayor Kutteh reminded Council that in the past it has forgiven old loans, which were made by the Statesville Redevelopment Commission, in situations where large loans were made but over the course of time the properties became worth considerably less than the amount of the indebtedness. This rehabilitation loan was for $35,285. ASU Capital, LLC would like to purchase the property from Ms. Margie James for $15,000 minus $1,238.95 for a PSNC lien for an HVAC unit and minus $1.00 real estate commission. The property will be rehabilitated and improved as a privately owned property and the city will not be involved in the financing of that.

XIII **Consider approving an ordinance amending Electric Rate Schedules as presented in the Cost of Service/Rate Study.**
Mayor Kutteh stated that Kent Houpe will give an Executive Summary of the work session held on the Electric Rate Study last week and will ask for Council's approval of a three step approach to modifying the city's electric rates.

XIV **Receive a report regarding Special Appropriations.**
Mayor Kutteh stated that staff is asking for direction from Council on this item in preparation for budget season.

XV **Receive a report on public input for the selection of Police Chief.**

In regards to Item XII Council member Schlesinger stated that $21,000 seems like a lot of money to forgive and asked what the property is worth. Sherry Ashley replied the property has a tax value of a little over $25,000 per the last evaluation; however the Jones's submitted a market study where they compared 15 other properties and the average of the low, mid and high values was $11,000 so $15,000 is high for the area. Council member Schlesinger asked why the City was not taking over the property. Mayor Kutteh stated that according to the study the City is getting the top of the value range for it considering the condition it is in. Sherry Ashley explained also that the house is not condemnable so the City does not have the authority to foreclose on the property.

Mrs. Ashley added that the amount does need to be adjusted by about $300 to account for Closing Costs.

Council member Morgan made a motion to move to Executive Session in accordance with N.C.G.S. 143-318.11(a)(3) to discuss pending litigation, N.C.G.S. 143-318.11(a)(4) to discuss an economic development matter, N.C.G.S. 143-318.11(a)(5) to discuss a real estate matter and [N.C.G.S. 143-318.11(a)(3) to preserve the attorney client privilege for all, seconded by Council member Williams. The motion carried unanimously.

Upon return from Executive Session Mayor Kutteh stated pending litigation, an economic development matter, and a real estate matter was discussed and the attorney client privilege was preserved. No action was taken.

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

Constantine H. Kutteh, Mayor

Attest:

Brenda Fugett, City Clerk