

**MINUTE BOOK 26, PAGE 056
CITY OF STATESVILLE PRE-AGENDA MEETING – April 4, 2016
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 5:30 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Council Absent: Phifer

Staff Present: Pressley, Fugett, Gaines, Davis, Smyth, Currier, Ferguson, Barone, Gregory, Harrell, Cornelison, Styers, Shelton, Staley, Houpe

Media Present Amy Fuhrman-Statesville Free News, Nina Mastandrea-Statesville Record & Landmark

Others: 2

I Call to Order

Mayor Kutteh advised there will be an executive session following the pre-agenda meeting to discuss an economic development matter and a property acquisition.

Mayor Kutteh advised that he received a late request from the Community Appearance Commission. They are about to conclude the work at the Sculpture Garden and have asked Council to consider naming this area the Statesville Sculpture Garden. This item will be added first on the Regular Agenda.

II Invocation (Only at Council Meeting)

III Pledge of Allegiance (Only at Council Meeting)

IV 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 City Council February 11, 2016 Retreat meeting.**
- B. Consider approving Budget Amendment #14 in the amount of \$32,010 for the construction of a dog park at Caldwell Park.**
- C. Consider approving 2nd reading of ZC16-02 filed by Lisa Valdez for a portion of the properties located adjacent to 422 Turnersburg Highway; Tax Maps 4746-57-8039, 4746-40-5653 & 4746-40-8229; from B-4 (Highway Business) District to R-5MF CU (High Density Residential Multi-Family Conditional Use) District.**

REGULAR AGENDA

V Consider a motion to reconsider an ordinance to annex the properties owned by Tsumas Family LTDP & Wheeler Investments, LLC located at and around 1068 Elmwood Road at the April 18, 2016 City Council meeting. (*This reconsideration is not a vote on the annexation.*)

Mayor Kutteh explained that this is a debatable motion, so if there is a motion and a second made, then Council will debate that and vote on whether to reconsider the annexation. Eddie Gaines advised that a 10 day notice must be given if Council votes to reconsider the matter. Mayor Kutteh stated that at that meeting, only the public hearing portion will be held. He said there will be no staff report or the introduction report from the developer. If a motion to reconsider is not approved tonight, then the action City Council took the first time this item was heard will stand.

VI Receive an update report from Richard Angino regarding the Vance Hotel.

- VII Conduct a public hearing to solicit input as to the needs of the Downtown Municipal Service District (DMSD).**
There was no discussion of this item.

- VIII Consider approving a motion to request proposals for the Downtown Municipal Service District.**

Mayor Kutteh stated the North Carolina General Assembly added procedural requirements to the steps necessary to renew municipal service districts. One of the changes involves soliciting proposals from private agencies to administer the municipal service district programs. With City Council's approval, the request for proposals will be modified by any valid comments made during the public hearing and then advertised in the local newspaper.

The following schedule will be used for the rest of the renewal process:

May 02, 2016 City Council will select a private agency.

May 16, 2016 City Council will conduct a public hearing for renewal.

June 06, 2016 City Council will pass a resolution renewing the municipal service district and award a contract to a private agency to administer the program.

- IX Conduct a public hearing and consider approving a Resolution to Close, a portion of right-of-way on Hillside Lane between the new Tonewood Street constructed as part of I-3819 and Pump Station Road.**

Mayor Kutteh stated that on March 7, 2016 the City Council passed the Resolution of Intent to schedule the public hearing for this request. He said that Mr. Rusty Chapman, representing JAME Limited Partnership, is petitioning to close the section of Hillside Lane from the new Tonewood Street that was constructed by the North Carolina Department of Transportation (NCDOT) as part of the I-3819 project. JAME Limited Partnership and NCDOT own all the property that abuts the remaining portion of Hillside Lane. JAME limited Partnership would like to abandon this right-of-way to combine their properties for development in the future.

- X Conduct a public hearing and consider approving first reading of ZC16-03 filed by Allied Design, Inc. for the properties located at 768 & 780 Eastside Drive; Tax Maps 4744-83-2789 & 4744-84-5060; from R-8MFM District (Medium Density Multi-Family Residential) District to B-4 (Highway Business) District. *NOTE: I AM WORKING WITH THE APPLICANT TO REVISE THIS TO A CONDITIONAL USE REZONING REQUIRING RIGHT OF WAY DEDICATION, ADDITIONAL BUFFERS, AND INTERSITE CONNECTIVITY.***

At the request of the applicant, this item was removed from the agenda.

- XI Consider a request from Iredell Museums to approve the installation of public art panels on the property at 134 Court St.**

Mayor Kutteh stated that Ms. Amy Lawton of Iredell Museums has requested approval to install six wooden panels containing public art on six of the second story windows on the building at 134 Court St. The panels will contain original artwork relative to the museum's new mummy exhibit and will only be displayed for the duration of the exhibit, ending in September, 2017. Iredell Museums is requesting to install the artwork for two reasons: 1) to raise awareness of its new mummy exhibit and 2) as a means to protect the second story windows until money is raised to replace the windows. The museum hopes that the display of artwork will help to promote the exhibit and therefore increase the museum's revenue. The revenue generated from the exhibit will then be put towards the new replacement windows. The DRC met on March 24 to discuss the proposed public art installation. The committee unanimously approved the request, and added the stipulation that the panels must be removed by December 1, 2017. All costs associated with the artwork and installation will be provided for by the Iredell Museums. The art itself is valued at around \$3,000.

- XII Consider purchasing a 0.68 acre parcel at 150 E. Front Street and approval of Budget Amendment #16.**

Mayor Kutteh stated that the City entered into an option to purchase the above-referenced property (Parrish Tire) from Lowery Properties on February 11, 2011. Since entering into the option, the following due diligence activities were performed:

- Phase I and Phase II Environmental Site Assessments, which included visual inspection of the site and physical sampling of groundwater and soils. Some contaminants consistent with the site's downtown location and use as an automobile service facility were detected. The nature and concentration of the contaminants will not inhibit future development of the site.

Mayor Kutteh explained that last May Mr. Lowery gave the one (1) year notice for Council to carry through on our intent to purchase the property. He further stated that Mr. Lowry doesn't want the entire payment. He will take half now and a no interest note payable the 1st of 2017. The purchase price for this parcel is \$350,000, plus approximately \$2,000 in closing costs. Staff recommends purchasing the 0.68 acre parcel at 150 E. Front Street and approval of Budget Amendment #16.

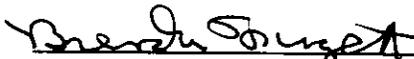
XIII Closed Session

Council member Morgan made a motion to move to Executive Session in accordance with 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 land acquisition matter, N.C.G.S. 143-318.11(a)(6) to discuss a personnel matter, and N.C.G.S. 143-318.11(a)(3) to preserve the attorney-client privilege for all, seconded by Council member J. Johnson. The motion carried unanimously.

Upon return to open session Mayor Kutteh advised that a personnel matter was discussed; an economic development matter and a land acquisition matter were discussed and no action was taken.

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

Attest:


Brenda Fugett, City Clerk




Constantine H. Kutteh, Mayor