

**MINUTE BOOK 26, PAGE 072  
CITY OF STATESVILLE PRE-AGENDA MEETING – May 2, 2016  
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, Watt, M. Johnson, West

**Council Absent:** Phifer

**Staff Present:** Pressley, Fugett, Gaines, Davis, Staley, Currier, Smyth, Ferguson, Harrell, Barone, Shelton, Styers, Slocum, Gregory, Cornelius

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

**Others:** Marin Tomlin, Todd Bodell

**I Call to Order**

Mayor Kutteh advised there will be a closed session to discuss an economic development matter and a personnel matter. He said he will make a few remarks about the Prince mural at the beginning of the Council meeting. He explained that the mural was not permitted; however the owner did give permission to the artist, so it is also not considered graffiti. He said he would like to charge the Design Review Committee, the Downtown Statesville Public Art Committee and the building owners to develop a proposal that would allow spontaneous murals to be painted on that wall, as long as it is an art studio, without having to be permitted each time. Everyone involved with the mural agrees that there should be oversight of any art that is put on the wall to make sure that it is appropriate. Mayor Kutteh said he believes that together, a way can be made to do this.

Council member J. Johnson said they broke the law and it should come down. Mayor Kutteh replied that they violated the ordinance, not a law, because it was not graffiti. He said Mr. Calvo has said that it is intended to be temporary. Council should not say when that will happen at this time because it will eventually play out and will not have the staying power of the Fresco or the Sculpture Garden.

Council member Schlesinger stated he tried to schedule a meeting six months ago with Louis Gordon, the owner of the building, and the Planning Department. He said that as he understood it, Mr. Gordon had met with Kalen Martin. Council member Schlesinger said he talked to Mr. Gordon recently and he said they were in the permit process and this just came up and that he did not know about it until after the fact either. Schlesinger said the plan was to have the permit process in place well beforehand. Mr. Currier stated that staff has sent all the required information to Mr. Gordon and are waiting on him at this point.

Council member M. Johnson said the wall should be permitted with an open ended permit, for that specific wall, and then let them change it however they want to, within the bounds of good taste, and Council retain veto ability for that.

A majority of Council members agreed to allow the mural to stay and to charge the DRC and the Downtown Statesville Public Art Committee to develop a permit process and present it to Council at the June 6<sup>th</sup> Council meeting.

**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 March 7, 2016 Pre-Agenda and Council meetings.**

- B. Receive and concur with the financial report of the Statesville Convention and Visitor Bureau as of March 31, 2016**
- C. Consider approving a 10 year lease with Victory Air to lease 29,573 square feet of land at the Airport for vehicle parking.**  
Mayor Kutteh clarified with John Ferguson that this is otherwise unusable space.
- D. Consider approving 2<sup>nd</sup> reading of an ordinance to amend Section 13.2 – Nuisances Enumerated, of the Statesville City Code, to add (5) the accumulation of friable asbestos, hazardous conditions, or environmentally unsafe conditions as an enumerated nuisance.**

**REGULAR AGENDA**

- V Receive a report on the Airport Safety Mark of Distinction Award received by the Statesville Regional Airport.**
- VI Consider approving a Resolution authorizing the Mayor to enter into a grant agreement with the North Carolina Department of Transportation for the design of Taxiway A Lighting, Rehabilitation and Guidance Signs and Replacement of the PAPI's, REILS, and Windsocks and also consider approval of Budget Amendment #18.**  
Mayor Kutteh stated the City Council approved the annual Vision 100 Grant of \$150,000 on December 21, 2015 to be used for the design of the Airport Lighting project. The Project Cost is \$96,457; federal funds are \$86,811 with a local match from the City of \$4,823 and \$4,823 from Iredell County. Iredell County has issued purchase order #160141 to the City for their portion of the local match. The grant agreement is for the design of Taxiway A Lighting, Rehabilitation and Guidance Signs and Replacement of the PAPI's, REILS, and Windsocks. The City Council has approved all of the preliminary steps to enter into the grant agreement.  
  
**Council members agreed to move this item to the Consent Agenda.**
- VII Receive a report regarding parking at the Vance Hotel.**  
Mayor Kutteh advised that Jim Prosser with CCOG and Doug Chapman with McGill & Associates will report on parking options at the Vance Hotel.
- VIII Receive the 2016-17 budget proposal from the City Manager and staff and set a public hearing on the budget for May 16, 2016 at 7:00 p.m.**  
Mayor Kutteh stated he would like to schedule a meeting to review the pay study on Tuesday, May 10<sup>th</sup> or Thursday, May 12<sup>th</sup> at 5:30 and Budget meetings on Wednesday, May 18<sup>th</sup> and 19<sup>th</sup> at 5:30. He asked Council members to check their schedules and advise the Clerk.
- IX Request approval for the purchase of portable EF Johnson radios to replace existing portable radios no longer being manufactured, SRT ballistic vests that have expired, and rooftop HVAC unit replacement that are failing. The funds requested for these projects and purchases will total \$226,117.**  
Mayor Kutteh stated that the City of Statesville currently owns and operates an EFJohnson 800MHz P25 interoperable communication system. The city currently has 208 EFJohnson 51SL radios distributed throughout the City of Statesville's various departments. The police and fire department hold the largest inventory of 51SL radios at 95 for police, and 77 for fire. In November of 2014, EFJohnson had ceased the production of the 51SL handheld radio. Parts and service on the discontinued 51SL are estimated to be available to the City of Statesville till November 25<sup>th</sup>, 2019. With the cessation of production on the 51SL and replacement parts, an incremental replacement plan to replace the EFJohnson 51SL with the EFJohnson Viking VP400 single band and VP900 dual band is requested. The purchase of 56 EFJohnson radios and the other requested items will come from using lapsed salary in the current year Police Department budget. The total price associated with the replacement portable radio project for 2016 would be \$165,317.00. The police department currently has 14 allotted members of the Special Response Team. These members respond to critical incidents where specialized training and equipment would be required. Currently we have four ballistic entry vests that have exceeded the manufacturer's expiration date, with ten more set to expire in 2016/2017. We request that we be allowed to purchase 14 SRT

ballistic vests at an individual cost of \$2,400.00 for a total expenditure of \$33,600.00. The police department currently utilizes the heating and air units that were installed when the building had been refurbished and expanded. Many of the various heating and air units still in use are in dire need of replacement. Starting back in the 2013/2014 budget, we had planned to replace two heating and air units each budget year till all of the HVAC units had been replaced. A considerable amount of our building maintenance budget is spent each budget year on replacing the major parts to the older HVAC units. The two HVAC units would cost \$13,600.00 each for a total expenditure of \$27,200.00.

**X Consider a request from Statesville Christian School for a water tap to serve 533 Gaither Road.**

Mayor Kutteh stated the approximately 10.4 acre parcel is located at the intersection of Radio Road and Gaither Road, and is adjacent to Statesville's existing corporate limits. Statesville Christian School has constructed an athletic field on the property and desires a water tap for irrigation purposes. Staff recommends approval of a water connection subject to inside rates and System Development Fees, contingent on receipt of a petition for voluntary annexation.

Mayor Kutteh asked if Council would want to annex this parcel because it had not previously. Mr. Pressley replied that it would possibly be a benefit in the future if the property was sold to a private owner and changed to commercial.

**XI Consider appropriating \$3,669,438 to provide for the remaining five years of Streetscape debt service and approve Budget Amendment #19.**

Mayor Kutteh stated this request is to set aside in the General Capital Reserve Fund sufficient funds, \$3,669,438, to provide for the Streetscape future debt payments. If approved, both commercial loans, City Hall, Fire Station #4, and Streetscape, will be fully funded for future debt payments.

**XII Receive proposals for management services for the Downtown Statesville Municipal Service District and consider a motion recommending a private agency to carry out those services.**

Mayor Kutteh stated the new state law requires municipalities to bid out services to private agencies involved with management of municipal service districts. The City advertised for "Request for Proposals for Downtown Municipal Service District Program Management Services" and received one proposal from the Downtown Statesville Development Corporation. Staff has reviewed their proposal with regards to the request for proposal requirements and found them compliant. Staff recommends to the City Council to consider approving a motion for the Downtown Statesville Development Corporation to provide management services for the Downtown Municipal Service District. The following actions will be necessary to re-establish the district:

May 16, 2016 - Conduct a public hearing regarding the re-establishment of the district.

June 6, 2016 - Pass a resolution re-establishing district for five (5) years and authorize the execution of a contract for management services with the Downtown Statesville Development Corporation.

**Council members agreed to move this item to the Consent Agenda.**

**Council member Schlesinger 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 Morgan. The motion carried unanimously.**

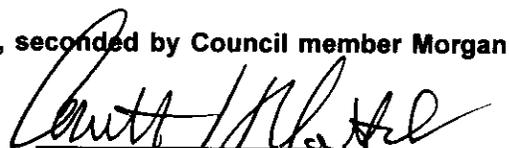
**Upon return to open session Mayor Kutteh advised that a personnel matter, an economic development matter, and a land acquisition matter were discussed and no action was taken.**

**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