

**MINUTE BOOK 26, PAGE 117
CITY OF STATESVILLE COUNCIL MEETING – July 18, 2016
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 7:00 P.M.
STATESVILLE, NORTH CAROLINA**

Mayor Costi Kutteh presiding:

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

Council Absent: 0

Staff Present: Pressley, Smyth, Gaines, Fugett, Currier, Davis, Ferguson, Cornelison, Barone, Gregory, Harrell, Ashley, Triplett, Cornelius, Slocum, Styers, Shelton

Media Present Nina Mastandrea - Statesville Record & Landmark

Others 6

I Call to Order

Mayor Kutteh called the meeting to order.

II Invocation

The City Clerk gave the invocation.

III Pledge of Allegiance

Mayor Kutteh led the Pledge of Allegiance

IV Public Comment

Mayor Kutteh stated that during the second meeting of each month citizens are invited to speak about matters not on the current agenda. There were no speakers.

Mayor Kutteh advised that items B, VI, XVII and XVIII have been removed from the agenda. Item E on the Consent Agenda has been moved to the Regular Agenda. Items VII, XIII, XIV, XVI, and XIX have been moved to the Consent Agenda.

V Consent Agenda

Mayor Kutteh stated that 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 May 31st, June 01st, and June 9th Budget Workshop meeting minutes and the June 06, 2016 Pre-Agenda and Council meeting minutes.

~~**B. Consider approving the purchase of an automated garbage collection truck.**~~

This item was removed from the agenda by staff.

C. Consider granting approval to staff to apply for a Carolina Thread Trail Construction Grant in the amount of \$150,000.

D. Consider approving a request from the Statesville Recreation & Parks Department and the Downtown Statesville Development Corporation to close W. Broad Street between Center and Meeting Streets in downtown Statesville to host an *End of Summer Bash for Kids* on Saturday, August 20, 2016 from 7:00 a.m. until 2:00 p.m.

VII Receive an update presentation from Jeff Kirby with Parrish & Partners on the Airport Layout Plan.

XIII Consider approving a professional services agreement with Kimley-Horn and Associates, Inc. for Surface Transportation Program Direct Attributable (STP-DA) funding assistance regarding the realignment for Bethlehem Road at a cost of \$21,650.

- XIV **Consider approving the assignment of the Sigmon ground lease to Echo Charlie, LLC.**
- XV **Consider approving a facility use agreement with the Boys and Girls Club for use of their athletic fields.**
- XVI **Consider approving Budget Amendment #01 in the amount of \$10,000 to be used by the Community Appearance Committee for the initial display of sculptures at the Statesville Sculpture Garden this fall.**

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 Williams made a motion to approve the Consent Agenda, seconded by Council member Schlesinger. The motion carried unanimously.

Regular Agenda

- E. **Consider approving Budget Amendment #02 to provide sufficient appropriation for the oversize sewer line from the I-77 rest area.**

Gene Triplett stated that the 2016-17 adopted budget provided a \$1,245,000 transfer from the Water and Sewer Fund for the purpose of funding the oversizing of the sewer line from the I-77 rest area to the City of Statesville. The purpose for Budget Amendment #02 is to appropriate the funds to provide the engineering and construction of the oversize sewer line.

Council member West made a motion to approve Budget Amendment #02 to provide sufficient appropriation for the oversize sewer line from the I-77 rest area, seconded by Council member Morgan. The motion carried unanimously.

- VI **Update from Jim Prosser regarding the Vance Hotel project.**

Mr. Prosser and Richard Angino will give an update at the August 1st Council meeting.

- VII **Receive an update presentation from Jeff Kirby with Parrish & Partners on the Airport Layout Plan.**

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

- VIII **Conduct a public hearing and consider approving an ordinance to condemn the structure located at 1008 4th St. as unfit for human occupancy.**

David Currier stated that this structure is owned by Laura Ann Bellamy. The house is a total burnout and would have to be demolished and rebuilt to bring into compliance. The current value of the house is \$680.00 and the estimate to repair the structure is \$30,000. The taxes are 6 years in arrears by \$1,962.40. The house exceeds the 50% requirement for demolition. The structure violates city minimum housing code standards in the following manner: The structure is a total loss. The house caught on fire over 3 years ago and the owner has done nothing to repair or demolish.

At the request of Mayor Kutteh, Mr. Currier explained that the City attempts to recover these expenditures by filing a lien on the property that must be paid if the property is sold.

Council member Schlesinger asked what the cost is to demolish this structure. Mr. Currier replied approximately \$5,000.

Mayor Kutteh declared the public hearing open and asked if there is anyone present who wished to speak in favor or in opposition of this item. There being no speakers for or against, Mayor Kutteh declared the public hearing closed.

Council member J. Johnson made a motion to approve an ordinance to condemn the structure located at 1008 4th St. as unfit for human occupancy, seconded by Council member Phifer. The motion carried unanimously.

IX Conduct a public hearing and consider approving an ordinance to condemn the structure located at 1100 4th St. as unfit for human occupancy.

Mr. Carrier stated that this structure is owned by Alliance Reality Capital, LLC. The house is a total burnout. It would have to be demolished and rebuilt to bring into compliance. The current value of the house is \$860.00 and the estimate to repair the structure is \$60,000.00. The taxes are 8 years in arrears by \$3,198.47. The house exceeds the 50% requirement for demolition. Structure violates city minimum housing code standards in the following manner: The structure is a total loss. The house caught fire over 3 years ago and the owner has done nothing to repair or demolish.

Mayor Kutteh declared the public hearing open and asked if there is anyone present who wished to speak in favor or in opposition of this item. There being no speakers for or against, Mayor Kutteh declared the public hearing closed.

Council member Schlesinger made a motion to approve an ordinance to condemn the structure located at 1100 4th St. as unfit for human occupancy, seconded by Council member Watt. The motion carried unanimously.

X Conduct a public hearing and consider approving an ordinance to condemn the structure located at 1324 4th Street as unfit for human occupancy.

Mr. Carrier stated that this structure is owned by Michael W Daniels. The house is a total burnout. It would have to be demolished and rebuilt to bring into compliance. The current value of the house is \$7,950.00 and the estimate to repair the structure is \$70,000.00. The taxes are 7 years in arrears by \$2,551.44. The house exceeds the 50% requirement for demolition. Structure violates city minimum housing code standards in the following manner: The structure is a total loss. The house caught on fire 3 years ago and the owner has done nothing to repair or demolish.

Mayor Kutteh declared the public hearing open and asked if there is anyone present who wished to speak in favor or in opposition of this item. There being no speakers for or against, Mayor Kutteh declared the public hearing closed.

Council member Morgan made a motion to approve an ordinance to condemn the structure located at 1324 4th Street as unfit for human occupancy, seconded by Council member Phifer. The motion carried unanimously.

Mr. Carrier described a program that staff is working on with the Statesville Housing Authority to prepare a priority list of residential structures that could possibly be condemned and demolished. Mayor Kutteh pointed out that commercial and residential demolitions each require a different condemnation process. Mr. Carrier agreed, adding that two commercial structures on Western Avenue were approved for demolition by Council a few years ago and this is the first year since then that funds have been budgeted for this.

XI Consider approving a sketch plan for Beaver Creek Subdivision (Located off Arey Road; Tax Maps 4733-15-6364 & 4733-03-4906.

Sherry Ashley stated that the site is located off Arey Road. The two parcels contain a total of approximately 83.73 acres (Lot 1-80.09 acres, Lot 2-3.64 acres). The site was annexed, effective August 31, 2007 and rezoned to R-10 on August 20, 2007. The City Council, as part of the rezoning, required a site for a future fire station to be located in either Beaver Creek or the adjacent subdivision known as Hidden Lakes. The future site is indicated to be in Hidden Lakes. This is a revised sketch plan for Beaver Creek which was initially approved late in 2007. It will be developed as a cluster subdivision which will increase the amount of single-family lots from 188 to 223. The amount of open space will also be increased from approximately 13.16 acres to approximately 22.44 acres. Two access points are proposed, both from Arey Road. Additional right-of-way will be dedicated 50 feet from the centerline of Arey Road to comply with the Thoroughfare Plan. A 20 foot wide fire access easement will be required from Road 5 to Road 6 as the length of the cul-de-sac requires a secondary fire access road (Fire truck with is 8.6 feet). The path can be of any material but is required to support 70,000 lbs. It will be required to be maintained by the development and will be guarded by gates that can be accessed by the fire department. Sketch plans require TRC, Planning Board and City Council approval. The TRC reviewed the sketch plan on April 20th and after some minor changes approved it on May 18th. The Planning Board's recommendation is favorable

as is with no proposed added conditions. Two representatives of the developer attended the Planning Board meeting to address any questions the Board had.

Council member M. Johnson made a motion to approve the sketch plan for Beaver Creek Subdivision (Located off Arey Road; Tax Maps 4733-15-6364 & 4733-03-4906, seconded by Council member Morgan. The motion carried unanimously.

Council member M. Johnson commented that the sewer size needs to be evaluated in that area to accommodate future development.

- XII Consider approving a resolution directing the City Clerk to investigate a petition of annexation for properties adjacent to 136 Venture Lane (future Publix Market location); Receive City Clerk's Certificate of Sufficiency; Consider approving a resolution fixing the date of August 01, 2016 for a public hearing on the question of the petitioned annexation.**

Mr. Currier stated that the properties being considered for annexation are located adjacent to 136 Venture Lane (Future Publix Market location). The subject properties are approximately 3.76 acres in size and encompass Iredell County Parcel Identification Numbers (PINs) 4745-37-2962 & 4745-28-8173. The subject properties are contiguous to the primary corporate limits of the City of Statesville, and therefore, the petition is being processed as a voluntary annexation.

Mayor Kutteh asked if this will complete annexation of the entire shopping center. Mr. replied all but the donut shop and approximately six acres behind the shopping center.

Council member Schlesinger made a motion to approve a resolution directing the City Clerk to investigate a petition of annexation for properties adjacent to 136 Venture Lane (future Publix Market location); Receive City Clerk's Certificate of Sufficiency; Consider approving a resolution fixing the date of August 01, 2016 for a public hearing on the question of the petitioned annexation, seconded by Council member Watt. The motion carried unanimously.

- XIII Consider approving a professional services agreement with Kimley-Horn and Associates, Inc. for Surface Transportation Program Direct Attributable (STP-DA) funding assistance regarding the realignment for Bethlehem Road at a cost of \$21,650.**

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

- XIV Consider approving the assignment of the Sigmon ground lease to Echo Charlie, LLC.**

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

- XV Consider approving a facility use agreement with the Boys and Girls Club for use of their athletic fields.**

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

- XVI Consider approving Budget Amendment #01 in the amount of \$10,000 to be used by the Community Appearance Committee for the initial display of sculptures at the Statesville Sculpture Garden this fall.**

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

- ~~**XVII Consider approving a motion to close West Broad Street from Kelly Street to Mulberry Street, from 9:00 a.m. to 3:00 p.m., on October 15, 2016 in order to accommodate the first "Howl O' Ween Pooch Parade", sponsored by Preservation Statesville.**~~

This item was removed from the agenda.

~~XVIII Consider approving a request from Mr. Mark Bailey for a water tap to serve 427 Twin Oaks Rd.~~

This item was removed at the request of the applicant.

XIX Consider authorizing staff to advertise a Notice of Intent to Donate Surplus Radio Equipment from the Police Department to Mitchell Community College.

Council members agreed by consensus at the Pre-Agenda meeting to move this item to the Consent Agenda.

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

Attest:


Brenda Fugett, City Clerk





Constantine H. Kutteh, Mayor