

STATESVILLE CITY COUNCIL MEETING

Statesville City Hall – 227 S. Center Street
September 10, 2026 - 4:00 p.m. - Pre-Agenda Meeting – 2nd Floor Conference Room
September 14, 2026 – 6:00 p.m. – Regular Meeting – City Council Chambers

- I. Call to Order
- II. Invocation
- III. Pledge of Allegiance
- IV. Adoption of the Agenda
- V. 2026 Code of Ethics and the Front and Center Strategic Plan p. 3
- VI. Presentations & Recognitions p. 11
 - 1. Constitution Week Proclamation
 - 2. Suicide Prevention Month Proclamation
 - 3. Hispanic Heritage Month Proclamation
 - 4. Statesville Conventions and Visitor's Bureau Annual Report
- VII. Public Comment
- VIII. **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 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 August 6, 2026, Pre-Agenda Meeting Minutes and the August 10, 2026, Regular Meeting Minutes. (E. Kurfees) p. 15
 - B. Consider approving budget amendment #2027-05 to facilitate the purchase of a remote-controlled mower for use at the Nixon Road Reservoir. (Vaughan) p. 25
 - C. Consider approving the second reading of an ordinance to impose a 180-day moratorium on the acceptance, processing, and approval of applications for new telecommunications and data centers within the City of Statesville and its Extraterritorial Zoning Jurisdiction pursuant to NCGS 160D-107. (Martin) p. 33
 - D. Consider approving the second reading of an ordinance to amend Article V: Automatic Alarm System Regulations. (G. Kurfees) p. 39
 - E. Consider approving budget amendment #2027-04 and appropriating insurance proceeds in the amount of \$111,430.00 for repairs to the airport lighting system and perimeter fencing damaged by an aircraft accident on December 18, 2025. (Ferguson) p. 45

- F. Consider approving Work Authorization #30 in the amount of \$187,667.00 for professional services in the construction of an aircraft parking apron for West Star Aviation. (Ferguson) p. 51
- G. Consider passing a resolution to set the public hearing date of October 5, 2026 for AX26-10 Japul Road, an annexation request filed by Mr. Mark Miserocchi of Harmony Investing LLC, for two parcels located at the end of Japul Road and along Beauty Street.(Kirkendall) p. 91
- H. Consider approving budget amendment #2027-06, which appropriates fund balance to support the rollover of outstanding purchase orders for contractual obligations and pending capital projects associated with the Cochran renovation project. (Lawrence) p. 97
- I. Consider authorizing the City Manager or his designee to dispose of items declared as surplus in accordance with the North Carolina General Statutes Chapter 160A, Article (160A-270c). (Lawrence) p. 101
- J. Consider approving the attached resolution opposing the proposed regulatory changes to the Section 106 Review Process of the National Historic Preservation Act of 1966. (Moosavi) p. 117
- K. Consider passing a Resolution of Intent to permanently close the end portion of unopened Dover Rd just after the Dover Rd and Larkin Commerce Pkwy intersection and schedule a public hearing for October 19, 2026. (Weeks) p. 125
- L. Consider passing a Resolution of Intent to permanently close the west portion of unopened Free Nancy Avenue schedule a public hearing for October 19, 2026. (Weeks) p. 131
- M. Consider passing a resolution directing the City Clerk to investigate a petition of annexation AX26-11 Turnersburg Hwy (Fourth Crescent Place), filed by Jen Johnson of Chick-fil-A for the parcels located along Turnersburg Hwy (Us Hwy 21) near Fourth Crescent Place, Receive City Clerk's Certificate of Sufficiency, and Consider passing a resolution fixing a date of October 5, 2026, for a public hearing for the petition for annexation. (Kirkendall) p. 141

REGULAR AGENDA

- IX. Conduct a public hearing and consider passing the first reading of rezoning request ZC26-10 238 Airport Rd - Statesville Regional Airport, filed by the City of Statesville for approximately 481.5 acres. (Campbell) p. 149
- X. Conduct a public hearing and consider approving TA26-06 to amend Chapter 20 - Stormwater & Chapter 21 - Streets and Sidewalks, Article I., General, Section 21.21 of the Statesville City Code and Appendix A - Unified Development Code, Article 1 - Administration, Section 1.04 - Responsibilities for Application of Code, C. Planning Director. (Moore) p. 161
- XI. Conduct a public hearing and consider passing the first reading of the rezoning request ZC26-04 Wall Street Havenwood Subdivision, to rezone from LI (Light Industrial) District to R-5MF CZ (High Density Multi-Family Residential) Conditional Zoning District. (Kirkendall) p. 189
- XII. Conduct a public hearing and consider passing the first reading of rezoning request ZC26-09 Moose Club Road (Novel Holdings) Subdivision, filed by Mr. Shane Seagle of North State

Development for approximately 19 acres located along Moose Club Road. (Kirkendall) p. 209

- XIII. Conduct a public hearing and consider passing the first reading of annexation request AX26-09 Moose Club Road (Novel Holdings) Subdivision, filed by Mr. Shane Seagle of North State Development for an approximately 19 acre site located along Moose Club Road. (Kirkendall) p. 223**
- XIV. Consider authorizing Amendment 1 for design services for Phases 3 & 4 of the Municipal Operations Center Project. (Harrell) p. 233**
- XV. Other Business**
- XVI. Closed Session**
 - 1. G.S. 143-318.11(a)(4) – Economic Development**
 - 2. G.S. 143-318.11(a)(3) – Attorney Client Privilege**
 - 3. G.S. 143-318.11(a)(6) – Personnel**
- XVII. Advisory Board Minutes p. 241**
 - 1. ABC Board July 28, 2026 Meeting Minutes**
- XVIII. Adjourn**

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RESOLUTION 01-26

CODE OF ETHICS FOR THE CITY OF STATESVILLE

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article 1, Section 35, reminds us that a "frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty"; and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina's state motto *Esse quam videri*, "To be rather than to seem"; and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards to adopt a code of ethics; and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this city, and which obeying the law; and

NOW, THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the City of Statesville, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we, the Statesville City Council, do hereby adopt the following General Principles and Code of Ethics to guide the City Council in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic, representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens
 - As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
 - As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the City of Statesville and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing and pertinent constitutional, statutory, or other legal requirements

or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner
- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members, staff and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
- Not reaching conclusions on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices
- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it, and that the board must take official action as a body.

Section 3. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who

is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own,

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Section 6. This Code of Ethics should be re-executed by each sitting Council member during the first meeting in January each calendar year.

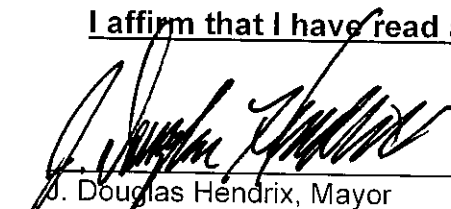
Section 7. At a Special Meeting held on December 2, 2025, the City Council developed the following list of "Norms", which they agreed to exercise in their duties as elected officials:

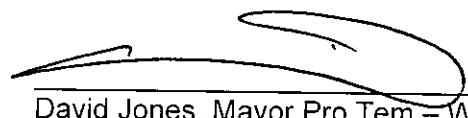
- Transparency
- Open-mindedness
- Honesty
- Everyone has a voice
- Dedication
- Respect
- Council self-regulation

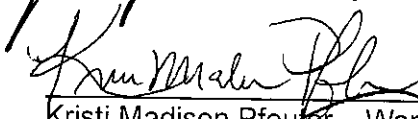
The City Council also agreed to the following actions:

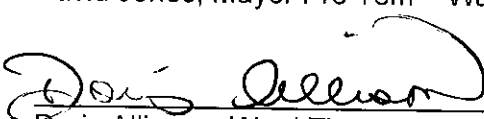
- Foster frequent communication and collaboration between the Council and City Manager/staff
- Agree to disagree when necessary
- Attend, be punctual, and prepare for meetings
- Be informed and participate in meetings and events

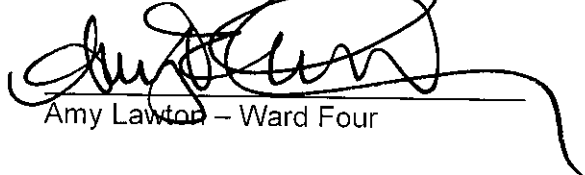
I affirm that I have read and understand the City of Statesville Code of Ethics

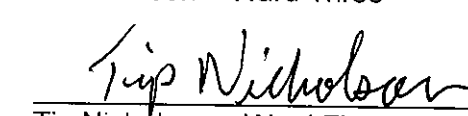

J. Douglas Hendrix, Mayor

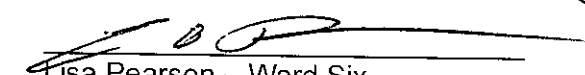

David Jones, Mayor Pro Tem – Ward One

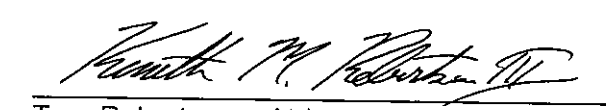

Kristi Madison Pfeuffer – Ward Two


Doris Allison – Ward Three


Amy Lawton – Ward Four


Tip Nicholson – Ward Five


Lisa Pearson – Ward Six


Trey Robertson – At-Large


James Pressly – At-Large

FRONT & CENTER

VISION

Statesville will be a vibrant regional center that provides a higher quality of life for ALL.

MISSION

City of Statesville will serve with integrity, provide sound resource management, and equitably deliver high-quality public services.

our we value our city staff
core we value quality & creativity
values we value & encourage opportunity
 we value engagement we value integrity



DEVELOPING OUR TEAM

Description: The City of Statesville recognizes that its employees are its most valuable asset and resource for realizing the city's vision. Capable and professional employees are essential for delivering high-quality customer service and managing the long-term needs of the community.

STRATEGIC INITIATIVES

1. Attract and retain a talented, engaged workforce responsive to the needs of our growing community.
2. Invest in employee professional development to promote continuous learning and improvement in our service delivery.



CONNECTING OUR CITY

Description: The City of Statesville strives to provide high-quality services and utilities for today's needs while also planning for the future needs of residents, businesses, and industry.

STRATEGIC INITIATIVES

1. Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.
2. Invest in critical public infrastructure to align with land use plan goals and accommodate future growth citywide.



CONNECTING OUR COMMUNITIES

Description: The City of Statesville supports vibrant communities and safe neighborhoods with opportunities for employment, recreation, engagement, and housing.

STRATEGIC INITIATIVES

1. Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.
2. Expand access to enriching cultural, recreational, and open space amenities.
3. Promote the development of a range of housing types throughout our community and housing stability for residents.

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City of Statesville, North Carolina

Office of the Mayor

Proclamation

HISPANIC HERITAGE MONTH SEPTEMBER 15 – OCTOBER 15, 2026

WHEREAS, each year from September 15 through October 15, our nation celebrates Hispanic Heritage Month, honoring the histories, cultures, traditions, and contributions of people whose roots reach throughout the Hispanic and Latino diaspora; and

WHEREAS, Hispanic and Latino families have become an important part of the story and continued growth of Statesville, with Hispanic and Latino residents now representing approximately 15 percent of the city's population, nearly one in every seven residents; and

WHEREAS, the contributions of Statesville's Hispanic and Latino community can be seen throughout our city, in our businesses and workplaces, classrooms and schools, churches and faith communities, cultural traditions, civic organizations, and in the families who are building their lives here; and

WHEREAS, Hispanic and Latino entrepreneurs are also part of Statesville's economic story, creating businesses, jobs, and opportunities while adding to the character and vitality of our city, including the growing presence of Hispanic-owned businesses in and around Downtown Statesville; and

WHEREAS, Hispanic Heritage Month gives us an opportunity not only to celebrate culture, food, music, language, and traditions, but also to recognize the hard work, sacrifice, and service of generations of Hispanic and Latino people who have strengthened communities across our nation; and

WHEREAS, organizations such as ALAS help build bridges, strengthen community connections, celebrate Hispanic and Latino culture, and create spaces where families and individuals can connect, participate, lead, and feel a greater sense of belonging in Statesville; and

WHEREAS, we recognize the importance of investing in the next generation of Hispanic and Latino leaders, ensuring that our young people can see themselves not only as part of Statesville's present, but as business owners, educators, professionals, public servants, community leaders, and decision-makers shaping its future; and

NOW, THEREFORE, I, J. Douglas Hendrix, Mayor of the City of Statesville, do hereby proclaim **September 15 through October 15, 2026**, as **HISPANIC HERITAGE MONTH** and commend its observance to all City of Statesville Community.

IN WITNESS WHEREOF I have set
my Hand and caused the Great Seal
of the City of Statesville to be
affixed this 14th day of September

J. Douglas Hendrix, Mayor

City of Statesville, North Carolina

Office of the Mayor

Proclamation

Constitution Week SEPTEMBER 17-23, 2026

WHEREAS, September 17, 2026, marks the 239th anniversary of the signing of the Constitution of the United States of America by the delegates to the Constitutional Convention; and

WHEREAS, the Constitution laid the foundation for our nation and remains an enduring symbol of liberty, justice and government under the rule of law; and

WHEREAS, North Carolina was one of the original thirteen states and was represented among the signers of the Constitution by William Blount, Richard Dobbs Spaight and Hugh Williamson; and

WHEREAS, Constitution Week commemorates the historic events of September 1787, when the Constitution was signed, delivered to Congress and presented to the people of the newly formed nation; and

WHEREAS, Public Law 915 provides for the annual designation of September 17 through 23 as Constitution Week, encouraging citizens to recognize the significance of this historic document and the freedoms, rights and responsibilities it establishes;

NOW, THEREFORE, I, J. Douglas Hendrix, Mayor of the City of Statesville, do hereby proclaim **September 17 through 23, 2026, as CONSTITUTION WEEK** in the City of Statesville and encourage all residents to reflect upon the principles established by the Constitution, safeguard the freedoms it guarantees and continue the work of forming a more perfect union.

IN WITNESS WHEREOF I have set my Hand and
caused the Great Seal of the City of Statesville to
be affixed this 14th day of September 2026

J. Douglas Hendrix, Mayor

City of Statesville, North Carolina

Office of the Mayor

Proclamation

Suicide Prevention Month SEPTEMBER 2026

WHEREAS, September is recognized as Suicide Prevention Awareness Month, an opportunity to raise awareness about suicide prevention, promote mental health and encourage individuals and communities to take action; and

WHEREAS, the 2026 theme, "Stronger Together: Connect. Support. Prevent.," highlights the importance of building meaningful connections, supporting individuals in need and working together to prevent suicide; and

WHEREAS, suicide is preventable, and everyone can play a role in recognizing warning signs, starting conversations about mental health and connecting individuals with appropriate resources and assistance; and

WHEREAS, the 988 Suicide & Crisis Lifeline provides free, confidential support 24 hours a day, seven days a week, for individuals experiencing emotional distress, suicidal thoughts or a mental health crisis, as well as those concerned about someone else; and

WHEREAS, the American Foundation for Suicide Prevention, Be Well Iredell and other community partners provide education, resources and support to individuals and families throughout Statesville and Iredell County; and

WHEREAS, the City of Statesville encourages residents to strengthen connections, support one another and help create a community where everyone feels safe seeking help;

NOW, THEREFORE, I, J. Douglas Hendrix, Mayor of the City of Statesville, do hereby proclaim the month of **September 2026 as Suicide Prevention Awareness Month** in the City of Statesville and encourage all residents to connect, support and prevent suicide together.

IN WITNESS WHEREOF I have set my Hand and caused the Great Seal of the City of Statesville to be affixed this 14th day of September 2026

J. Douglas Hendrix, Mayor

CITY COUNCIL PRESENTATIONS/RECOGNITIONS

TO: Mayor and City Council
FROM: Sherisha Hills, Assistant City Manager
DATE: September 1, 2026

TO BE REPORTED: September 14, 2026
(Date of Council Meeting)

1. Statesville Convention and Visitors Bureau Annual Report

Cindy Sutton, Executive Director of the Statesville Convention and Visitors Bureau (SCVB), will be providing their FY2026 Annual Report which will highlight the organization's role in strengthening tourism and supporting economic development throughout the Greater Statesville Area.

The Statesville Convention and Visitors Bureau (CVB) was established to promote Statesville and the greater area as a destination for visitors, meetings, events, and tourism. From its early efforts, the organization has played an important role in increasing awareness of the community, attracting visitors, supporting local businesses, and contributing to the area's economic development.

Over the years, the CVB expanded its work beyond traditional visitor promotion to include destination marketing, convention and group sales, visitor services, partnerships, and community development. By connecting travelers and meeting planners with Statesville's accommodations, attractions, restaurants, events, and local experiences, the organization has helped strengthen the community's position as a place to stop, stay, and explore.

The CVB's work has evolved alongside the tourism industry and the needs of the community. Its efforts have included promoting Statesville through marketing campaigns, supporting local events and organizations, developing relationships with tourism partners, and sharing the community's story with visitors and media.

MINUTE BOOK 32, PAGE
STATESVILLE CITY COUNCIL PRE-AGENDA MEETING MINUTES – August 6, 2026
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 4:00 P.M.

Council Present: Mayor Hendrix presiding, Pearson, Allison, Pressly, Pfeufer, Nicholson, Jones, Robertson, Lawton

Council Absent: None

Staff Present: Ron Smith, Messick, E. Kurfees, G. Kurfees, Leis, Harrell, Vaughan, Onley, Hubert, Griggs, Kirkendall, Everette, Pierce, Caulder, Lawrence, Adkins, Hatcher, Bridges

- I. **Call to Order**
Mayor Hendrix called the meeting to order.
- II. **Invocation**
- III. **Pledge of Allegiance**
- IV. **Adoption of the Agenda**
- V. **2026 Code of Ethics and the Front and Center Strategic Plan**
- VI. **Presentations & Recognitions**
 1. **Statesville FC Recognition**
 2. **National Health Center Week Proclamation**
- VII. **Public Comment**
- VIII. **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 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 July 9, 2026, Pre-Agenda Meeting Minutes and the July 13, 2026, Regular Meeting Minutes.** (E. Kurfees)
 - B. **Consider approving the 2026 Charlotte Regional Transportation Planning Organization's 2026 Memorandum of Understanding.** (Weeks)
 - C. **Consider approving the first reading of an ordinance to amend Article V: Automatic Alarm System Regulations.** (G. Kurfees)

Chief Kurfees stated that the original ordinance was written in 1992. 3 or more fire alarms you would be fined 50.00 after that. The fee schedule has been updated, and it has appeal process.
 - ~~D. **Consider appropriating the remaining ARPA interest funds to support FY27 capital projects associated with the Stateville Fire Department.** (Lawrence)~~

This item was removed from the agenda.
 - E. **Consider approving the sole source vendors for the City of Statesville for apparatus, supplies, materials, or equipment in accordance with NCGS 143-129 (e) (6).** (Lawrence)

F. Consider approving Budget Amendment #2027-03, which appropriates fund balance to support the rollover of outstanding purchase orders. (Lawrence)

Lawrence stated that \$28.5 million is being rolled over. The majority is in Public Utilities and the General Fund.

Council Member Pressly had questions about whether these are already obligated through contract. Lawrence responded that they are. Council Member Pressly asked Ron how this compares in years past. Smith said it was higher than previous years.

Council Member Pressly asked about electric and asked specifically why it is out of general instead of electric. Lawrence provided a thorough explanation. He asked about the individual projects these costs covered. He stated that he is sensitive about water rates increasing with these roll over costs.

Council Member Pressly asked for a detailed spreadsheet showing the exact amount for each project this encompasses, details about the project, and then the date that the project/contract was approved. He has asked to push this item to the regular agenda.

After much discussion, the item was moved to the Regular Agenda.

G. Consider approving the installation of a 9-foot-tall, contemporary sculpture titled Fantasia at the northernmost corner of the median, between Debow Street, Light Street, and West Water Street. (Campbell)

H. Consider approving the first reading of an ordinance establishing the Third Creek Sewer Line Project Fund. (Vaughan)

Vaughan described that the grant and reimbursement agreement. The bid approval and acceptance already happened by resolution. State also has to accept the bid via resolution.

I. Consider approving Budget Amendment #2027-01 to accept the NCDOT Aviation Economic Development Grant in the amount of \$1,960,000 for construction of a hangar for Victory Air. (Ferguson)

Ferguson stated that this is a two phased grant. The first phase apron and it is completed. Then we started the design for the hanger and the bid was for \$11 million. The initial grant was not enough. We redesigned hanger – this is an increase by about 1m for the grant.

J. Consider approving the low bid from Garanco, Inc. for the construction of a hangar for Victory Air in the amount of \$7,143,200. (Ferguson)

Ferguson stated that this is a city owned hangar. There is no cost to the city and no match required.

K. Consider approving an agreement with United Way of Iredell County to participate in the Iredell Housing Fund. (Hills)

Iredell Housing Fund was given \$190,000 two years ago. United Way spent this and has come back for an additional request. \$120,000.00 request with \$60k to homeowner education, other 60K to home rehab and repairs for long term owners.

REGULAR AGENDA

IX. Consider voting in favor of I-77 South Express Toll Lanes at the September 16, 2026 CRTPO Board meeting. (Weeks)

Council Member Jones gave a background of the last prior meeting. He explained that Senator Sawyer said that anyone who voted to rescind the project would pay to cover their portion of the funds spent on the project. Council Member Jones votes on CRTPO but said that he wants to vote based on what Statesville desires. If he votes no, \$1.6m would be city obligation, and the City would receive no Powell Bill funds until the money is paid back..

X. Conduct a public hearing and consider passing the first reading of an ordinance to impose a 150 day moratorium on the acceptance, processing, and approval of applications for new telecommunications and data centers within the City of Statesville and its Extraterritorial Zoning Jurisdiction pursuant to NCGS 160D-107. (Martin)

Martin gave a presentation about how staff will seek citizen input about data centers after the moratorium. Council Member Pfeufer asked if we can have a special meeting on the moratorium to pass it faster. Messick advised that they could chose to do this to pass the second reading of this. Martin stated that she will need to change the dates in the ordinance. It was discussed if 150 days was enough. Council Member Robertson asked Messick if there can be a floor amendment and increase from 150 days. Messick said she would research and have the answer to this.

XI. Old Business

1. Receive a report on the Brownfields Grant. (Pierce)

Pierce reviewed the target area described and explained why area was expanded beyond that. He explained that qualified environmental firms worked with the city and commonalities with other communities in needing to expand the area.

XII. Other Business

XIII. Closed Session

Council Member Robertson made a motion to go into closed session for the following items

- 1. G.S. 143-318.11(a)(5) – Property Disposition/Acquisition**
- 2. G.S. 143-318.11(a)(6) – Personnel**
- 3. G.S. 143-318.11(a)(3) – Attorney Client Privilege**

Council Member Lawton seconded the motion. The motion passed unanimously.

XIV. Advisory Board Minutes

- 1. ABC Board Minutes- May 26, 2026**
- 2. DRC Minutes – June 18, 2026**
- 3. Planning Board Minutes – June 23, 2026**

XV. Adjourn

Council Member Robertson made a motion to adjourn, and Council Member Allison seconded the motion. The motion passed unanimously.

MINUTE BOOK 32, PAGE
STATESVILLE CITY COUNCIL REGULAR MEETING MINUTES –August 10, 2026
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.

Council Present: Mayor Hendrix presiding, Pearson, Allison, Pressly, Pfeufer, Nicholson, Jones, Robertson

Council Absent: Lawton

Staff Present: Ron Smith, Messick, E. Kurfees, G. Kurfees, Leis, Harrell, Vaughan, Onley, Hubert, Griggs, Kirkendall, Everette, Pierce, Caulder, Lawrence, Adkins, Hatcher, Campbell, Hooper, Martin, Weeks

I. Call to Order

Mayor Hendrix called the meeting to order.

II. Invocation

The City Clerk led the invocation.

III. Pledge of Allegiance

Mayor Hendrix led in the Pledge of Allegiance.

IV. Adoption of the Agenda

Mayor Hendrix reviewed the changes to the agenda. Item K was added to the agenda. And Item F was moved to Item XI. He asked for a motion on the amended agenda.

Council Member Allison made a motion to approve the amended agenda. Council member Lawton seconded the motion. The motion passed unanimously.

V. 2026 Code of Ethics and the Front and Center Strategic Plan

Mayor Hendrix stated that the Council strives to follow both documents.

VI. Presentations & Recognitions

1. Statesville FC Recognition

Mayor Hendrix honored the Statesville Football Club with the Community Spirit Award.

2. National Health Center Week Proclamation

Mayor Hendrix called staff from Kintegra to the podium and read the proclamation into the record.

VII. Public Comment

Mayor Hendrix opened the public comment period.

Fred Foster, 466 Charles St., spoke against the closing of the Dollar General and lack of food stores in South Statesville.

233 Harriet Lane, spoke against the closing of the Dollar General and lack of food stores in South Statesville.

David Mays, 119 Stockton Street, opposed the toll lanes and asked council to vote against.

Miranda Bell, 2454 Deerview Circle, spoke against the closing of the Dollar General and the lack of food stores in South Statesville.

VIII. CONSENT AGENDA

Mayor Hendrix stated that all items below are considered to be routine by City Council and will be enacted by one motion.

- A. Consider approving the July 9, 2026, Pre-Agenda Meeting Minutes and the July 13, 2026, Regular Meeting Minutes. (E. Kurfees)**
- B. Consider approving the 2026 Charlotte Regional Transportation Planning Organization's 2026 Memorandum of Understanding. (Weeks)**
- C. Consider approving the first reading of an ordinance to amend Article V: Automatic Alarm System Regulations. (G. Kurfees)**
- ~~D. Consider appropriating the remaining ARPA interest funds to support FY27 capital projects associated with the Stateville Fire Department. (Lawrence)~~**
This item was removed from the agenda.
- E. Consider approving the sole source vendors for the City of Statesville for apparatus, supplies, materials, or equipment in accordance with NCGS 143-129 (e) (6). (Lawrence)**
- F. Consider approving the installation of a 9-foot-tall, contemporary sculpture titled Fantasia at the northernmost corner of the median, between Debow Street, Light Street, and West Water Street. (Campbell)**
- G. Consider approving the first reading of an ordinance establishing the Third Creek Sewer Line Project Fund. (Vaughan)**
- H. Consider approving Budget Amendment #2027-01 to accept the NCDOT Aviation Economic Development Grant in the amount of \$1,960,000 for construction of a hangar for Victory Air. (Ferguson)**
- I. Consider approving the low bid from Garanco, Inc. for the construction of a hangar for Victory Air in the amount of \$7,143,200. (Ferguson)**
- J. Consider approving an agreement with United Way of Iredell County to participate in the Iredell Housing Fund. (Hills)**
- K. Consider approving Budget Amendment #2027-02 to move interest revenue into an expense account to be used for purchasing property located at 346 Bethlehem Road Statesville, NC, for the purpose of future growth of the airport. (Ferguson)**

Council Member Allison made a motion to approve the consent agenda, and Council Member Nicholson seconded the motion. The motion passed unanimously.

REGULAR AGENDA

- IX. Consider voting in favor of I-77 South Express Toll Lanes at the September 16, 2026 CRTPO Board meeting. (Weeks)**

Weeks provided an overview of the CRTPO Toll Lane Project. She reviewed the elevated toll lane design. She stated that we cannot submit new projects or receive funding for paving if we vote in opposition from the toll lanes and do not pay back the funding to the NCDOT.

Council Member Jones welcomed Ms. Weeks and thanked her for her work. He stated that this project has been on the books for years, and the Public Private Partnership would be the only way to fund the project to fix the emerging traffic issues in Charlotte.

Hearing no questions, Mayor Hendrix asked for a motion.

Council Member Jones made a motion to support the I-77 Toll Lane Project.

Council member Allison asked if we would save \$1 million. Council Member Jones stated that we will see nothing in return for this besides increased taxes. Council Member Allison is unsure about the toll lanes.

Council Member Nicholson seconded the motion.

Council Member Robertson stated that the vote is not about the toll lane,s but it is about the fines.

Mayor Hendrix asked about the ongoing consequences if we vote against the toll lanes. Smith stated that the City gets \$1 million from the state for Powell Bill for street maintenance. The City also puts \$700,000 in the budget for street maintenance.

Council Member Jones stated that during the meeting he told the NCDOT director that he thanked the team for getting I40 back online. He also stated that he is against toll lanes, and he did not know why we didn't have another option besides a toll. He stated that this motion is not about tolls, but it is strictly about avoiding a penalty.

Council Member Pressly asked about the projects in the STIP and how it affects the projects. Weeks stated that the Airport Runway is a project in the STIP, and we will miss the deadline for submitting new projects.

Council Member Allison asked which cities voted against the toll lanes. Council Member Jones stated that Troutman, Mooresville, and Statesville voted to continue. Union County and the municipalities voted for it.

Mayor Hendrix called for a vote on the motion.

Ayes: Pressly, Pearson, Nicholson, Lawton, Pfeufer, Jones, Robertson

Nays: Allison

The motion passed 7 to 1.

- X. Conduct a public hearing and consider passing the first reading of an ordinance to impose a 150 day moratorium on the acceptance, processing, and approval of applications for new telecommunications and data centers within the City of Statesville and its Extraterritorial Zoning Jurisdiction pursuant to NCGS 160D-107. (Martin)**
Mayor Hendrix opened the public hearing.

Martin stated that the UDC does not address the impacts of data center and ask for a moratorium for a temporary ban to update the UDC.

This process will have the ability to have public input. There are currently no new applications for data centers.

Mayor Hendrix began the public hearing.

Six individuals had signs opposing data centers.

Laury Brown, Beverly Heights, spoke against the data centers. She asked for a one-year moratorium to ensure there is integrity. She asked for the moratorium to be 150 working days if it cannot be one calendar year.

Christian Smith, Wood Street, wants a permanent moratorium. He is concerned that the people's voice is not heard. He would like to see a ban on data centers until we can see the effects of the data center on Stamey Farm Road.

Caroline Campbell, 833 Woodland Road, is concerned about the growth and development in the City. She is opposed to data centers due to the use of utilities and effects of the environment.

Erin Most, 134 Hollys Springs Loop in Troutman, spoke against the data centers and in favor of the moratorium. She is concerned about the noise, water usage, and conditions for zoning. She would like to see Compass Ordinance to see the conditions.

Brian Sutton, 303 Alpine Circle, is against data centers and for a permanent moratorium. He stated that he is against the way the public was informed about the Stamey Farm Road data center project. He asked if there was an NDA about the Stamey Farm Project, will the developer pay for the utility expansion, and who will bear the cost of the additional electrical facilities.

Lena Grady, 233 Harriet Lane, against any data center coming to the city.

Jeff Tucker, 211 Ashbrook Road, spoke against the Stamey Farm Road Data Center. He is in favor of the moratorium. He stated that the moratorium needs to include the Stamey Farm Data Center. He would like to see the community effects of data centers. He would like a committee and provide a report on what will happen. He is for a ban and would like the Council to say no to the Stamey Farm data center.

Cam Land, 148 Orrville Road, would like the Stamey Farm Data Center to be included in the moratorium. He would like to see a two year moratorium to study the environmental and long term effects of the data centers.

Michael Dean, 508 E 17th Street, opposed the Stamey Farm Data Center and in favor of the moratorium. He would like a 12 month moratorium.

Charity Munro, 562 Sharon School Road, is concerned about the data center and that the government is not listening to what they have to say. She gave the remaining of her time to Brian Sutton.

Brian Sutton continued his questions. See Attachment A.

Dylan Murray, 117 Broomsage Lane, is in support of the moratorium and would not like to see additional data centers.

Natalie Nation, 330 N Mulberry Street, is opposed to the data center. She stated that there is no benefit to Statesville when a data center comes.

Cinnamon Black, Hickory Hwy, is concerned about the water and data center usage. She is concerned that the Council is making decisions for the county residents. She claimed that she did not get any public notice regarding the Stamey Farm Data Center. She stated that data centers are coming to historically African American communities.

Lani Van Drake, 326 Prospect Road, is in support of the moratorium. She is concerned about the number of data center applications that will come following the moratorium. She would like the moratorium to be extended passed 150 days.

Margo Holland, is in support of the moratorium. She stated that the council is accountable to God and that the citizens do not feel represented. She would like the questions that would be asked be answered in a statement and put online. She stated at we do not want a data center in Statesville.

Mayor Hendrix closed the public hearing.

Council Member Pressly thanked the citizens and asked Mr. Smith to provide answers to the questions that we can. It will more than likely be put on the city website.

Council Member Robertson made a motion to approve the moratorium and extend the moratorium to 180 days. Council Member Lawton seconded the motion. The motion passed unanimously.

XI. Consider approving Budget Amendment #2027-03, which appropriates fund balance to support the rollover of outstanding purchase orders. (Lawrence)

Lawrence stated that the funds have been encumbered by contracts but did not get completed by the end of the previous fiscal year. She reviewed each funds and the purchase orders that have been asked to roll.

Council Member Pressly thanked Lawrence for her work. He would like to see the council to see a better understanding when a large number of tax dollars have been spent. He would like a spreadsheet of when the project was passed, how much money was spent, how much money is left to spend, and if any revenue will be

Council Member Robertson made a motion to approve the budget amendment. Council Member Allison seconded the motion. The motion carries unanimously.

XII. Old Business

1. Receive a report on the Brownfields Grant. (Pierce)

Pierce stated that Mr. Brian Kvam from Stantec is here to provide an overview of the project,

Kvam stated that he helped to write the grant application. He was awarded the contract in 2022. He has managed over 20 grants similar to this one.

EPA defines brownfield as a real property, expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substance, pollutant, or contaminant.

Pierce reviewed the grant timeline: the City applied in 2021 and received the grant in 2022 for \$500,000. He stated that the initial target area was the Monroe Street Corridor. Pierce reviewed each project that used Brownfield funds.

Pierce stated that there were only 2.7% of funds spent outside of Wards 3 and 6.

Council Member Pressly thanked the staff and consultant for their work. He stated that each department has their own budget. He would like the individual departments that generate revenue to not use the grant funds.

Council Member Pearson thanked staff for their work. She stated that the funds are being spent to in Ward 6. She asked if we sent code enforcement out to the property that did not want to cooperate. The City would like to upgrade the areas on Monroe Street. He stated that the grant was given and how the funds were spent correctly. We are not throwing away money and we are upgrading the community.

XIII. Other Business

XIV. Closed Session

1. G.S. 143-318.11(a)(5) – Property Disposition/Acquisition
2. G.S. 143-318.11(a)(6) – Personnel
3. G.S. 143-318.11(a)(3) – Attorney Client Privilege

XV. Advisory Board Minutes

1. ABC Board Minutes- May 26, 2026
2. DRC Minutes – June 18, 2026
3. Planning Board Minutes – June 23, 2026

XVI. Adjourn

Council Member Allison made a motion to adjourn the meeting. The motion was seconded by Council Member Robertson. The motion passed unanimously.

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: W. E. Vaughan, DPA, PE; Public Utilities Director
DATE: 9/1/2026 11:38 AM

ACTION NEEDED ON: August 10, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving budget amendment #2027-05 to facilitate the purchase of a remote controlled mower for use at the Nixon Road Reservoir.

1. Summary of Information:

Capital equipment (RC mower) acquisition was approved as part of the FY 27 budget (\$50,000). Equipment price has increased to \$74,715 since initial budget input (January 2026); quote via Sourcewell contract #112624-EMB pre-approved acquisition. The requested remote control all-terrain mower will be used for the mowing of steep embankments at the raw water reservoir on Nixon Road.

The embankment is on a 60-degree slope and is dangerous to mow with a manned vehicle. The embankment grass is required by state regulation to be no more than 4 to 5 inches (facility is classified as a high hazard dam with increased regulatory scrutiny, therefore more mowing events).

Recent "close calls" with manned equipment (including a slide over due to a groundhog hole) makes a remotely controlled mower a viable safety-enhancing asset. Similar steep embankments are present at the Statesville Airport. The equipment can be used as a cross-department asset.

2. Previous Council or Relevant Actions:

FY 27 approved budget, Capital Outlay Equipment, 550.8220.74.00, \$50,000.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value City Staff.

The city of Statesville recognizes that its employees are its most valuable asset and resource" and that employee safety is paramount.

4. Budget/Funding Implications:

\$25,000 transfer of funds from the Water/Sewer Fund Balance.

5. Consequences for Not Acting:

Maintenance activities on reservoir embankments will require the unsafe use of conventional lawn

maintenance equipment (safety of staff).

6. Department Recommendation:

City Council approve the requested budget amendment to line 550.8220.74.00 in the amount of \$25,000.

7. Manager Comments:

This is a high price for a lawnmower, but the slopes at the reservoir are very steep and generally unsafe for mowing. If approved, can use this piece of machinery at the airport and some to safely mow some other hard-to-reach properties as well. I recommend approving this request.

8. Next Steps:

Upon BA approval, staff will complete the procurement action.

9. Attachments:

1. Revised Quote (July 26)
2. FY 27 Equipment Budget Submittal Extract
3. BA Form 2027-05 Transfer in Water Sewer Fund 550 for Difference in RC Mower

Prepared For

HARRY HULL

CITY OF STATESVILLE WATER
TREATMENT DEPARTMENT

232 PUMPSTATION RD

STATESVILLE, NC 28687

(704) 878-3441

HHULL@STATESVILLENC.NET

Prepared By

Nicholas Lee

James River Equipment

635 Mocksville Hwy

Statesville, NC 28625

Nick.Lee@jamesriverequipment.com

Quote Id 2335780

Creation Date 06-Jul-2026

Expiration Date 20-Jul-2026

Customer Notes

Price based on Source-well Contract# 112624-EMB

Sourcewell Account # 41654

Quote Summary

Equipment Summary	Suggested List	Selling Price	QTY In Group	Extended
RC MOWERS R-60 REMOTE OPERATED ROBOTIC MOWER-627058	\$89,731.00	\$69,990.18	1	\$69,990.18
Equipment Total				\$69,990.18

Quote Summary

Total Selling Price	\$69,990.18
NC Sales Tax - (6.75%)	\$4,724.34
Sub-total	\$74,714.52
Balance Due	\$74,714.52

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote # 2335780
Customer CITY OF STATESVILLE WATER TREATMENT DEPARTMENT

RC MOWERS R-60 REMOTE OPERATED ROBOTIC MOWER		QTY In Group : 1
Hours	0	Suggested List
Serial Number	627058	\$89,731.00
Stock Number	43009706	Selling Price
PUK Parent Serial #	---	\$69,990.18

Equipment Summary

Code	Description	Qty	List Price	Adjusted Selling Price
MISCEQIP	60" DECK, TRACKS, 40HP VANGUARD, (GEN 5) - BASE MODEL NO ACCESSORIES	1	\$89,731.00	\$89,731.00
Total Base / Options			\$89,731.00	\$89,731.00

Customer Discounts

Description	Discount Amount
SOURCE-WELL DISCOUNT	(\$19,740.82)
Total Discounts	(\$19,740.82)
Selling Price Subtotal	\$69,990.18
Total Selling Price	\$69,990.18

Prepared For

HARRY HULL

CITY OF STATESVILLE WATER
TREATMENT DEPARTMENT

232 PUMPSTATION RD

STATESVILLE, NC 28687

(704) 878-3441

HHULL@STATESVILLENC.NET

Prepared By

Nicholas Lee

James River Equipment

635 Mocksville Hwy

Statesville, NC 28625

Nick.Lee@jamesriverequipment.com

Quote Id 2335780

Creation Date 06-Jul-2026

Expiration Date 20-Jul-2026

R-60 REMOTE OPERATED ROBOTIC MOWER



FY 27 Equipment Budget Submittal Extract (RC mower)

A11 : ✕ ✓ fx Remote control all terrain mower for mowing steep embankments at the raw water reservoir. The embankment is on a 60-degree slope

	A	B	C	D	E	F	G
1	City of Statesville Equipment Capital Form						2027-2032
2	Department Name		Department Code			Dept No	
3	Water Purification		550.8220			8220	
4	RANK:	3	EQUIPMENT REQUEST NUMBER:				1
5	Funding Source	2027	2028	2029	2030	2031	2032
6	Pay-go	\$ 50,000					
7	Item Requested						
8	Remote Control All-terrain Mower						
9	New Request	☒	Replacement	☐	Number of Units Requested		1
10	Description & Justification of Request						
11	Remote control all terrain mower for mowing steep embankments at the raw water reservoir. The embankment is on a 60-degree slope and is dangerous to mow with a manned vehicle. Embankment is required by state regulation to be maintained given status as a high hazard dam.						

September 14, 2026
FISCAL YEAR 2026-2027

DESCRIPTION: Transfer of funds to cover the funding difference for the RC Mower included in the FY27 CIP.

Gina Lawrence

Chief Finance Officer

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Erika Martin, AICP, Planning Director
DATE: 8/31/2026 4:40 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving the second reading of an ordinance to impose a 180 day moratorium on the acceptance, processing, and approval of applications for new telecommunications and data centers within the City of Statesville and its Extraterritorial Zoning Jurisdiction pursuant to NCGS 160D-107.

1. Summary of Information:

Modern-day “data centers” are an important land use emerging across the country due to artificial intelligence, cloud computing, streaming services, and increasing internet usage constantly generating and processing data. Currently, Statesville only has one approved “data center” that through Conditional Zoning agreed to limit its impacts on water usage and located near the City’s airport, where noise levels are already elevated due to airport operations.

Staff at the time reviewed data centers as “a physical facility that houses computer systems, servers, storage devices, and network equipment used for storing, processing, and distributing data.” The use as reviewed in this manner is not reflected in the permitted use matrix, supplemental regulations or performance measures, nor defined within the UDC. Due to the data center being processed by the City as a Conditional Rezoning request seeking a change from residential zoning to industrial zoning, the use was accommodated in a way that minimized any potential negative impacts. Additionally, North Carolina courts have established that it is proper and the duty of the City to process uses that do not clearly fit within adopted regulations by looking at the parts to facilitate new uses. Staff reviewed the first data center within the context of the definition above, along with warehousing and distribution. The UDC also has an undefined use, “computer and data processing services,” that has appeared within the permitted use table since at least 1988 and appears to be limited to business/office type areas.

The approved data center has brought to the City’s attention that the UDC offers a clunky and ambiguous path to process future requests. Therefore, text amendments are needed to ensure that future data center proposals are reviewed in a consistent manner, compatible, and beneficial to the City going forward. Some items to consider as part of the clarifying text amendment for data centers:

- How should this evolving use be defined?
- What district(s) are most compatible?
- Should the use be processed conditionally or by right?
- What supplemental requirements or performance measures are needed to balance economic development with community impacts?
- What modifications are permissible under state down-zoning restrictions?

Under North Carolina law if a request were to come in today or while the City was working on text amendments, the request would not be subject to revised standards. Text amendments under the City's process are first discussed in non-quorum groups of Council Members, then with a Land Use Committee, then proceed to Planning Board for a recommendation, followed by a public hearing of the City Council, and lastly, if applicable, a second hearing. The process takes several months due to scheduling and advertising requirements

2. Previous Council or Relevant Actions:

City Council held the first reading and public hearing on August 10th. 17 members of the public spoke in favor of the moratorium. Council Member Robertson made the motion to move forward with a 180 days moratorium instead of 150 days. The motion passed unanimously.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value Quality and Creativity

The data center moratorium will allow the City to be proactive and thoughtful in developing appropriate and modern regulations related to this emerging use.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The City could receive an application for a new data center without a clear path for review. The lack of codified process for this use could lead to confusing, inconsistent, and/or ambiguous review.

6. Department Recommendation:

Approve as presented. The City recognizes that the approved data center on Stamey Farm Rd, know as "Compass Data Center", is exempt from this moratorium. This moratorium shall not apply to facilities whose primary purpose is supporting the internal operations of an institution, government entity, healthcare provider, telecommunications provider, or other permitted principal use so long as such data processing activities are not offered as a primary service to off-site users.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

If approved, the moratorium will go into affect on September 14, 2026.

9. Attachments:

1. Ordinance RE Data Center Moratorium

ORDINANCE 26-_____

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON ACCEPTANCE, PROCESSING, AND APPROVAL OF APPLICATIONS FOR TELLECOMMUNICATIONS AND NEW DATA STORAGE FACILITIES WITHIN THE CITY OF STATESVILLE, NORTH CAROLINA AND ITS EXTRATERRITORIAL JURISDICTION PURSUANT TO NORTH CAROLINA GENERAL STATUTE §160D-107

WHEREAS, pursuant to North Carolina General Statute §160D-107 local governments may adopt temporary moratoria on any development approval required by law; and

WHEREAS, on July 7, 2026 and July 9, 2026, the City staff provided information to the Statesville City Council about telecommunications and data storage facilities (“data centers”) in the City of Statesville corporate limits and its extraterritorial jurisdiction (“ETJ”) including: how they are defined in the Unified Development Ordinance (“UDO”) as a warehouse, the zoning districts they are allowed, the data center inventory and inquiries in Statesville, the legal constraints with modifying certain land use requirements in the UDO, and the legal application of the permit choice statute; and

WHEREAS, the City needs time to analyze and study the unique development, infrastructure and environmental impacts of data centers and to consider appropriate regulatory and policy changes to address those impacts; and

WHEREAS, on August 10, 2026, the Statesville City Council held a properly noticed legislative public hearing on this moratorium in accordance with N.C.Gen.Stat. §160D-601(a); and

WHEREAS, the Statesville City Council recognizes that certain property and/or projects are exempt from this moratorium under N.C.Gen.Stat. §160D-107(c) and acknowledges that the City of Statesville cannot enforce this moratorium as to exempt property and/or projects.

NOW, THEREFORE, BE IT ORDAINED, by the City of Statesville City Council:

Section 1. A temporary moratorium is hereby imposed on the acceptance, processing and approval of applications for new telecommunications and data storage facilities in the City of Statesville and its ETJ, commencing on September 14, 2026, and expiring no later than March 13, 2027, or upon the City Council approval of new regulations and/or policies regarding data centers, whichever occurs first.

This moratorium shall not apply to facilities whose primary purpose is supporting the internal operations of an institution, government entity, healthcare provider, telecommunications provider, or other permitted principal use so long as such data processing activities are not offered as a primary service to off-site users. Projects classified as exempt in accordance with N.C. Gen. Stat. §107(c) are also excluded from this moratorium as a matter of law.

Section 2. In compliance with the requirements of N.C. Gen. Stat. §160D-107(d), the City of Statesville makes the following statements:

- (1) Data centers, and any other uses associated with data processing facilities, require considerable amounts of electricity, land and water, and their operation can result in noise and light pollution, the creation of heat islands, and other environmental impacts to residents and communities living near the facilities. The City of Statesville seeks time to research and analyze these rapidly evolving and intense land use types to assess potential harm to the natural environment and quality of life of City residents and to develop standards to address the same. The City has looked at alternative solutions to a moratorium and has not found a sufficient approach, largely due to state law. The City is constrained from modifying certain land use requirements in the UDO due to Session Law 2024-57 (SB 382) which limits the ability of local governments to down-zone property without the written consents of all affected property owners.
- (2) The moratorium applies to the acceptance, processing and approval of applications for new telecommunications and data storage facilities as defined in the UDO. The conditions leading to the moratorium are the emergence of data centers, in particular hyperscale facilities, and the need to address the impacts of their operation on factors including, but not limited to, water consumption, energy demand, noise, and land use compatibility. A moratorium on data center approvals will provide the City of Statesville with the opportunity to conduct meaningful research on the effects of these uses; develop appropriate regulations as are necessary to ensure organized and responsible growth without sacrificing progress towards comprehensive plan goals and policies; and determine the best regulatory framework given Statesville's existing treatment of data centers as a monolithic land use.
- (3) The moratorium shall begin on September 14, 2026, and end on March 13, 2027, or upon the adoption of specific standards addressing the uses of data centers, telecommunications and data storage facilities, and associated uses and any necessary amendments, whichever comes first. The 180-day moratorium is necessary to allow sufficient time for the City to analyze the unique development, infrastructure and environmental impacts of data centers and prepare to consider appropriate regulatory and policy changes to address those impacts.
- (4) The City of Statesville will study the impacts of these facilities within the first 75 days of the moratorium. Concurrently, the City will investigate how other communities in North Carolina and across the United States have addressed these impacts through regulations. The City of Statesville will create an interdisciplinary workgroup to convene policy and impact analyses during this time. Subsequently, in the final 75 days, any necessary City Code amendments or policy updates will be proposed which will follow the appropriate legislative process for adoption. The research, policy development, and legislative processes necessitate an adequate moratorium limit of 180 days.

Section 3. If any section, subsection, sentence, phrase, or part of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more section, subsections, sentences, clauses, or phrases be declared invalid.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This Ordinance is effective upon adoption.

This Ordinance was introduced for the first reading by Councilmember _____, seconded by Councilmember _____, and carried on the _____ day of August 2026 as follows:

AYES:

NAYES:

The second and final reading of this ordinance was heard on the _____ day of September 2026 and upon motion of Councilmember _____, seconded by Councilmember _____, was adopted as follows:

AYES:

NAYES:

This ordinance is to be in full force and effect from and after the _____ day of _____, 2026.

City of Statesville

J. Douglas Hendrix, Mayor

ATTEST:

Emily Kurfees, City Clerk

Leah Gaines Messick, City Attorney

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Glenn Kurfees, Fire Chief
DATE: 8/31/2026 3:14 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving the second reading of an ordinance to amend Article V: Automatic Alarm System Regulations.

1. Summary of Information:

The Fire Marshal, in collaboration with the City and Police Attorney, has updated the City Ordinance Article V: Automatic Alarm Systems Regulations.

The revision addresses outdated information and aligns the ordinance with the new fee schedule adopted in the budget. The previous fee schedule was not in line with modern-day practices, as nuisance alarms tie up apparatus and personnel.

Approval of the updated ordinance is being requested to ensure effective regulation and consistency with current practices.

2. Previous Council or Relevant Actions:

City Council had the first reading of the ordinance on the Consent Agenda on August 10th.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.

Strategic Plan Values:

Updating the City Ordinance Article V: Automatic Alarm Systems Regulations is a step towards fulfilling our commitment to connecting our communities by providing reliable, high-quality public safety services. By addressing outdated information and aligning the ordinance with the new fee schedule, we are enhancing our ability to manage automatic alarm systems effectively.

The previous fee schedule was not in line with modern-day practices, which led to an increase in nuisance alarms that unnecessarily tie up emergency apparatus and personnel. This inefficiency not only strains our resources but also impacts our capacity to respond effectively to genuine emergencies. Updating these regulations ensures that we can maintain a safe environment for residents, businesses, and visitors alike. By implementing a more effective fee structure and regulatory framework, we can reduce the occurrence of nuisance alarms, allowing our public safety personnel to focus on critical

responses that directly contribute to the wellbeing of our community. In summary, this strategic update aligns with our overarching mission to provide exceptional public safety services, fostering a secure and thriving community for all.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The fee schedule adopted in the new budget will not align with the City Ordinance. Currently, a violation of Section 14-100 is classified as an infraction (misdemeanor) and is punishable by a fine of up to two hundred dollars (\$200.00) and/or thirty (30) days in jail.

However, the attorney has requested that this provision be deleted, as it contradicts the civil violation outlined in Section 14-99. According to this section, the punishment for violations of this article is considered a civil violation and is subject to civil penalties as specified in the fee schedule for Fire and Police.

6. Department Recommendation:

Approve as presented.

7. Manager Comments:

I concur with the department recommendation.

8. Next Steps:

Execute the Ordinance.

9. Attachments:

1. ARTICLE_V.____AUTOMATIC_ALARM_SYSTEMS_REGULATIONS

ARTICLE V. AUTOMATIC ALARM SYSTEMS REGULATIONS

Sec. 14-95. Purpose.

The purpose of this article is to establish regulations governing burglary, robbery and fire alarm systems and to reduce the number of false alarms in the city, and the resulting waste of Statesville police and fire department's resources.

(Ord. No. 46-94, 10-3-94)

Sec. 14-96. Definitions.

- (a) *Alarm system* means any electronic or mechanical device which emits any signal (electronic, visible, audible, silent, recorded or otherwise) which is designed, intended, or used to detect an unauthorized entry into a building, structure, or premises, or to signal an attempted robbery or holdup, or to alert others of the commission of an unlawful act, or to detect presence of fire or smoke in or around a building, structure or premises.
- (b) *Chief* means the chief of police/fire of the Statesville police/fire department or their designee.
- (c) *False alarms* means the activation of an alarm system through mechanical or electronic failure, malfunction, improper installation, or the negligence of the subscriber, his/her or their employees, or agents. A false alarm shall not include an alarm which can reasonably be determined to have been activated by adverse weather conditions, a failure in the electrical power to the alarm or other condition beyond the control of the alarm user. An alarm is false within the meaning of this ordinance when, upon inspection by the Statesville police/fire department, evidence indicates that no unauthorized entry, robbery, or other such crime was committed or attempted in or on the premises which would have activated a property functioning alarm system. False fire alarms would be without evidence of fire, smoke or other emergencies that require the response of fire units or personnel.
- (d) *Alarm user* means any person, corporation, partnership, governmental or educational entity owning or leasing an alarm system which is maintained for the protection of such premises.

(Ord. No. 46-94, 10-3-94)

Sec. 14-97. False Alarms

- (a) Excessive false alarms: Four (4) or more false alarms within a calendar year.
- (b) Civil Penalties: Excessive false alarms for any Alarm System within a calendar year shall subject the Alarm User to a civil penalty according to the fee schedule for Fire and Police. Upon determination that an Alarm User has exceeded the subsequent number (4), the City of Statesville shall issue a notification invoice of the civil penalty to the Alarm User. Each civil penalty which is not paid may be recovered by the City of Statesville in a civil action in the nature of debt.

Sec. 14-97. False alarms.

~~(a) — *Second false alarms.* If, within any sixty day period, the Statesville police/fire departments respond to two (2) false alarms at the same premises or location, the chief of police/fire may send a letter to the alarm user informing him of the false alarms and encouraging the prevention of future false alarms. If a third or subsequent false alarm occurs within a sixty day period a chargeable false alarm violation exists.~~

~~(b) — *Third, and subsequent alarms.* If, within any sixty day period, the Statesville police/fire department is dispatched and arrives upon the premises or location of a third or subsequent false alarm, without having the call cancelled before arrival, the alarm user at this premises or location shall reimburse the city. The reimbursement for any such incident shall be fifty dollars (\$50.00) for all such responses after the two (2) initial responses.~~

~~The alarm user will continue to be in violation for each subsequent false alarm activation until sixty (60) sequential days have elapsed without a false alarm. The alarm user is then entitled to begin a new sixty day period for false alarms as spelled out in section 14-97(a).~~

~~(c) — *Maintenance.* Each alarm user in the city, on the effective date of this article, shall furnish and maintain to the Statesville police/fire departments or to an alarm answering service, a current list of the person(s) name(s), address(s) and telephone number(s) who may be able to deactivate the alarm system. After the effective date of this article, it shall be unlawful to actuate an alarm system without first notifying the Statesville police/fire department or an alarm answering service of the name(s) and telephone number(s) of person(s) authorized and able to deactivate the alarm system. Failure to comply with [this] subsection (c) above will result in a fifty dollar (\$50.00) civil penalty for each alarm incident.~~

~~(d) — *Audible alarms to discontinue emitting alarms after set time.* On or after October 4, 1994, it shall be unlawful for any person to install or maintain any audible alarm which does not automatically discontinue emitting an audible sound within thirty (30) minutes after activation. Failure to comply with this subsection will result in a fifty dollar (\$50.00) civil penalty.~~

~~(e) — *Audible alarms to discontinue emitting alarm after set time.* On or after October 4, 1994, it shall be unlawful for any person to install or maintain any audible alarm which does not automatically discontinue emitting an audible sound within thirty (30) minutes after activation. Failure to comply with this subsection will result in a twenty five dollar (\$25.00) civil penalty.~~

~~(f) — *Continuing alarm.* An alarm user or their representative shall reset an alarm system when notified by the Statesville police/fire department that such alarm has activated. When an alarm sounds continuously for a period of thirty (30) minutes from the time units respond to the alarm, due to the failure of the alarm user or their representative to reset the alarm, every subsequent thirty minute period or portion thereof that such alarm continues to sound shall be considered a separate false alarm. The alarm user shall reimburse the city for police/fire services for false alarms under this subsection at a flat rate of ten dollars (\$10.00) for each false alarm resulting from the continuous operation of an alarm, not to exceed one hundred dollars (\$100.00) for any twenty four hour period.~~

~~(Ord. No. 46-94, 10-3-94; Ord. No. 41-96, 7-15-96; Ord. No. 24-02, 6-27-02)~~

Sec. 14-98. Authority to waive reimbursement.

The chief of police/fire shall have the power to waive any fee charged to an alarm user when such alarm user submits in writing to the chief of police/fire evidence that the false alarm was not the result of negligence, and that it occurred in spite of a prior test period of at least thirty (30) days for reasonable training and maintenance, or when such alarm user submits evidence to the chief of police/fire which indicates that an alarm to which any city unit responded was not a false alarm.

(Ord. No. 46-94, 10-3-94)

Sec. 14-99. Punishment.

Punishment for violation of this article is a civil violation and subject to civil penalties as enumerated in the fee schedule for Fire and Police.

(Ord. No. 46-94, 10-3-94)

Sec. 14-100. Prohibited acts.

It shall be unlawful for any person to activate a burglary, robbery or fire alarm for the purpose of summoning police/fire when no burglary or robbery, or crime dangerous to life, is being committed or attempted on the premises, no evidence of fire or smoke or otherwise to cause a false alarm.

(Ord. No. 46-94, 10-3-94)

~~Sec. 14-101. Violation a misdemeanor.~~

~~Violation of section 14-100 is an infraction (misdemeanor) and is punishable by a fine of up to fifty two hundred dollars (\$200.00) and/or thirty (30) days in jail.~~

~~(Ord. No. 46-94, 10-3-94)~~

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: John Ferguson, Airport Director
DATE: 9/1/2026 8:11 AM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approval of BA 2027-04 to appropriate \$111,430 in insurance proceeds for repairs to the airport lighting system and perimeter fencing damaged during the aircraft accident on December 18, 2025.

1. Summary of Information:

On December 18, 2025, a corporate jet crashed onto the airport runway and damaged the airport approach lighting system. An airport lighting company was able to repair the lighting system. The amount of repairs was \$136,430 which also included repairs to our fence. Per our insurance policy, \$25,000 was held back as a part of our deductible.

Since the repairs were completed after the 2025-26 fiscal year budget was approved, this amount was not budgeted.

2. Previous Council or Relevant Actions:

None

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.

Connecting Our Communities: Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.

Strategic Plan Values: We value Quality and Creativity

The runway approach lighting system is part of the airport infrastructure and provides an added safety measure for aircrafts utilizing the airport at night and during adverse weather conditions.

4. Budget/Funding Implications:

The airplane crash was an unforeseen incident and therefore funding (\$25,000 deductible) was not budgeted.

5. Consequences for Not Acting:

Contractor will not get paid in a timely fashion.

6. Department Recommendation:

Airport staff recommends approval.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Pay pending invoice.

9. Attachments:

1. Invoice #644-47699 - Statesville MALSR
2. City of Style - airport repair 12-22-25 - invoice
3. BA Form 2027-04 Appropriating Insurance Proceeds for Airport Lighting and Perimeter Fence Damage (1)

WALKER & WHITESIDE, INC.

ELECTRICAL CONTRACTORS
P. O. BOX 5777
GREENVILLE, SOUTH CAROLINA
29606-5777
864-242-4820



Statesville Regional Airport
Attn: John Ferguson
238 Airport Rd.
Statesville, NC 28677

Date: July 16, 2026
Invoice No: 644-47699
P.O. No: Statesville Regional Airport

Job No: 26-643

Statesville Regional
Airport

Reference: Repair MALSR Towers

Total Amount Due

\$ 133,035.00

STATESVILLE FENCE & LANDSCAPING, LLC.

1310 N. BARKLEY ROAD
STATESVILLE, NC 28677

Invoice

Date	Invoice #
12/23/2025	9342

Bill To
CITY OF STATESVILLE PO BOX 1111 STATESVILLE, NC 28687-1111 ATTN: ACCOUNTS PAYABLE

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	UPON RECEIPT	JDG	12/23/2025	INSTALLED		
Quantity	Item Code	Description			Price Each	Amount
1	Chainlink fence	STATESVILLE AIRPORT EMERGENCY REPAIR 12-22-25 PROVIDE MATERIALS AND REPAIR APPROX 70-FEET OF 6' TALL GALVANIZED CHAIN LINK FENCE WITH (3) STRAND BARBED WIRE			3,395.00	3,395.00
					Total	\$3,395.00

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: John Ferguson, Airport Director
DATE: 8/31/2026 4:12 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving Work Authorization #30 in the amount of \$187,667.00 for professional services in the construction of an aircraft parking apron for West Star Aviation.

1. Summary of Information:

The City has accepted an economic development grant in the amount of \$3,000,000 from NCDOT Aviation Division for the construction of an aircraft parking apron. No additional funds are required from the city.

West Star Aviation is planning to construct a 30,000 sq. ft hangar adjacent to the site in 2027. Estimated cost of this hangar is \$22 million-\$24 million. This additional hangar constructed by West Star is part of the ten year ground lease negotiated in 2022. West Star predicts that as many as 65-75 new employees will be required when the hangar is finished.

Estimated property taxes on this hangar is approximately \$124,224 per year to the City of Statesville.

2. Previous Council or Relevant Actions:

Approved the acceptance of the \$3,000,000 grant from the NCDOT Aviation Division on June 1, 2026 (BA #2026-24). Approved new ground lease in October 2022.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.

Connecting Our Communities: N/A

Strategic Plan Values: We value Quality and Creativity

This will enhance the airport by adding an additional large aircraft hangar for West Star Aviation

4. Budget/Funding Implications:

Funding for this project is budgeted in account 505.6510.75.14

5. Consequences for Not Acting:

Apron does not get built and West Star is unable to build the additional hangar.

6. Department Recommendation:

Airport staff recommends approval.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Bids should be going out in early winter.

9. Attachments:

1. SVH WA No. 30 - Weststar Hangar Site (DB) (002)
2. 2026_01-20_SVH_South_Corporate_Area_Development_36244.59.13.1
3. 03 - Hangar Layout Exhibit - Opt 2

WORK AUTHORIZATION NO. 30
SCOPE OF SERVICES
STATESVILLE REGIONAL AIRPORT

Scope of Services for Professional Consulting Services, as referenced in the Master Agreement for Professional Services between the CITY OF STATESVILLE, NORTH CAROLINA (**OWNER**) and PARRISH AND PARTNERS OF NORTH CAROLINA, PLLC (**CONSULTANT**), dated December 4, 2023.

PROJECT: Weststar Hangar Site Preparation (Design/Bidding)

GRANT NUMBER: 36244.59.13.1

SCOPE OF SERVICES: See Attachment A

CONSULTANT TEAM: Parrish & Partners of North Carolina, PLLC
Regional Land Surveyors, Inc.
S&ME, Inc.

SCHEDULE: Design: 195 days | Construction: TBD

PROJECT BUDGET: \$3,000,000

	Total
FEES:	
Work Authorization No. 30	
<i>*See WA No. 30 for Scope/Phase fee summary detail</i>	\$ 187,667.00
Total Lump Sum	\$ 187,667.00

OWNER:	CONSULTANT:
City of Statesville, North Carolina	Parrish and Partners of North Carolina, PLLC
By: _____	By: _____
_____ <i>name</i>	Jon M. McCalmont, PE
_____ <i>title</i>	Vice President
Date: _____	Date: _____

Attachments: Attachment A – Work Authorization No. 30 Detail (Scope of Work)
Attachment B – Fee Spreadsheet(s)
Attachment C – Surveying Subconsultant Proposal
Attachment D – Geotechnical Subconsultant Proposal

WORK AUTHORIZATION NO. 30

For:

WESTSTAR HANGAR SITE PREPARATION (DESIGN/BIDDING)**CITY OF STATESVILLE, NORTH CAROLINA****STATESVILLE REGIONAL AIRPORT****June 8, 2026**

It is agreed to undertake the following work in accordance with the provisions of the Master Agreement for Professional Services dated December 4, 2023. The following pages provide the current Scope of Services included with Parrish & Partners Work Authorization No. 30.

1. PROJECT DESCRIPTION:

In 2022, Jet East began operations at SVH, utilizing existing hangar space at the airport. In 2023, Jet East was acquired by West Star Aviation. Since beginning operations at SVH, West Star Aviation has grown to a current staff of 118 employees. However, West Star Aviation has grown to the limit that the current facilities at SVH can provide. In order to hire more employees and continue growth at SVH, West Star Aviation intends to build a new hangar adjacent to their existing facility. This project is intended to provide that pad-ready site. Once the site is developed for the hangar, West Star Aviation intends to build the hangar and hire approximately 160 employees to staff the new facility.

General work items anticipated for this project include:

- i. Layout of site geometry, including apron, parking, and access drive configuration
- ii. Facilitate environmental clearance for the project with North Carolina Division of Aviation (DOA)
- iii. Grading and earthwork design to achieve a pad-ready condition
- iv. Design of temporary erosion and sediment control measures
- v. Permanent stormwater drainage and management design
- vi. Concrete apron design for aircraft operations
- vii. Asphalt access drive and parking lot design for employees
- viii. Assessment and design of utilities to support the new facility
- ix. Design of pavement markings, signage, and fence adjustments on the site
- x. FAA Part 77 obstruction review and coordination of FAA 7460-1 Notice of Proposed Construction documentation
- xi. Development of construction drawings and specifications including 60% and 100% review milestones
- xii. Facilitate bidding the project.

The project is funded via a \$3 million grant of economic development funds through the North Carolina Division of Aviation. The grant has been issued to the City of Statesville for the construction of a hangar site.

2. DESIGN CRITERIA AND REQUIREMENTS

The following are the primary FAA Advisory Circulars and other design standards to be utilized during the design effort. All design will be performed according to the current edition at the time of execution of this task order

- FAA AC 150/5300-13; Airport Design
- FAA AC 150/5340-1; Standards for Airport Markings
- FAA AC 150/5370-2; Operational Safety on Airports During Construction
- FAA AC 150/5320-6; Airport Pavement Design and Evaluation
- FAA AC 150/5340-30; Design and Installation Details for Airport Visual Aids
- FAA AC 150/5370-10; Standards for Specifying Construction of Airports
- Federal Aviation Regulation Part 77 Surfaces

3. WORK TASK DESCRIPTIONS

- a) **BASIC SERVICES:** The **CONSULTANT** shall perform the following Basic Services for the project as outlined in Exhibit C of the above referenced Master Agreement and further described below:

i. **Design Phase – Prepare 60% Plans**

1. General Project Coordination: Confer with the Owner and funding agencies on project requirements, including matters affecting the project and general correspondence preparation as needed during this phase. Prepare estimated project completion schedule and provide updates to the NC Division of Aviation (DOA) throughout the phase duration.
2. Coordinate with Owner and funding agencies on project formulation, including cost estimating and project justification.
3. Site Visit / Owner Meeting (1 Trip, Sr. Project Manager): Conduct one on-site meeting and site visit with the Owner.
4. Coordinate fee proposals, agreements, and field work for any required subconsultants needed to perform services defined in this Work Authorization. Work includes preparing and coordinating a request for proposal packet and sub-consultant agreement for each subconsultant service. For this project, it is assumed subconsultants will be employed for topographical survey and geotechnical investigation.
5. Prepare Base Drawings: Upon receipt of the survey digital files, compile with existing data to establish the full base drawing data.
6. Geometric Design: Layout of site geometry to establish the proposed apron, parking lot, access drives, and other site features relative to the existing facility and airfield infrastructure.
7. Grading Design: Initial site grading design to establish finished elevations across the site.
8. Drainage Design: Storm drainage design, including inlet sizing, pipe sizing, and outfall configuration.
9. Stormwater Management Design: Prepare preliminary design of stormwater management features to meet requirements in accordance with the City of Statesville Drainage Manual.
10. Apron Pavement Design: Rigid pavement design for aircraft operations, including slab thickness and general joint spacing based on anticipated aircraft types and gear loads. Pavement design will be assisted by FAA FAARFIELD software.
11. Parking Lot/Access Road Pavement Design: Flexible pavement design for vehicular

areas. Pavement design will be assisted by FAA FAARFIELD software.

12. Utility Design: Assess existing utility infrastructure against the needs of the future tenant. Prepare preliminary design of utility extensions and/or adjustments to serve the new facility, including water and sanitary sewer. Begin Coordination with electrical and communication providers for anticipated installation during the construction of the hangar.
13. Marking, Signage, and Fencing: Layout of parking lot pavement markings, signage, and parking stall layout. Coordinate potential apron markings required by the airport. Layout airfield security fence realignment and potential gate location(s).
14. Construction Phasing Design: Prepare initial Construction Phasing Plan design. The phasing plan will account for impacts to adjacent taxiway and roadway areas and active aircraft operations throughout construction. One primary construction phase, including one subphase for pavement tie-ins, is expected.
15. FAA 7460 and CSPP Coordination: Prepare and finalize documentation associated with the Construction Safety and Phasing Plan (CSPP) and FAA Form 7460 airspace review, submitting via the OE/AAA portal.
16. Prepare 60% Review Documents: Prepare review plans and documents at approximately 60% completion for agency review and comment. An estimated list of sheets to be included in this submission is as follows:
 - 16a. Cover Sheet (1 Sheet)
 - 16b. Index of Sheets and Summary of Quantities (1 Sheet)
 - 16c. General Notes (1 Sheet)
 - 16d. Safety Notes (1 Sheet)
 - 16e. Existing Conditions (1 Sheet)
 - 16f. Project Layout (1 Sheet)
 - 16g. Preliminary Phasing Plan (2 Sheets)
 - 16h. Dimension Plan (1 Sheet)
 - 16i. Grading and Drainage Plan (2 Sheets)
 - 16j. Preliminary Stormwater Management Plan and Details (2 Sheets)
 - 16k. Jointing Plan (1 Sheet)
 - 16l. Pavement Sections (1 Sheet)
 - 16m. Utility Plan (2 Sheets)
 - 16n. Marking, Signage, and Fencing Plan and Details (5 Sheets)Total Estimated Sheets: 22
17. Prepare Technical Specifications: Develop technical specifications in accordance with applicable FAA and NCDOT standards. The design will follow FAA standards, supplemented by NCDOT standards where appropriate to achieve cost savings while maintaining compliance with requirements.

18. Prepare 60% Design Engineer's Report: Prepare the 60% Design Engineer's Report including existing conditions, site geometry, geotechnical considerations, pavement design, grading and drainage design, stormwater management, utility design, and general limits of work. The report will include a detailed description of work to be completed, cost estimates, preliminary construction schedule, and other supporting documentation.
19. Prepare Quantities and Cost Estimate: Prepare quantities based upon the 60% plans. Prepare an Engineer's Opinion of Probable Project Costs (EOPCC) utilizing recent bid results from past projects and general construction cost expectations.
20. Perform in house review of the 60% project documents. Reviewers include Sr. Project Manager and Engineer. Revise project documents in accordance with review comments.
21. Perform 60% review of the project documents with the Owner and North Carolina Division of Aviation. Work includes packaging the project documents, coordinating a review meeting, and attending an in-person meeting with the Owner. The meeting will be attended by the Project Manager and Project Engineer.

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ii. Final Design Phase – Prepare 100% Plans

1. General Project Coordination: Confer with the Owner and funding agencies on project requirements, including matters affecting the project and general correspondence preparation as needed during this phase. Provide updates to DOA throughout the phase duration.
2. Site Visit / Owner Meeting (1 Trip, Sr. Project Manager): Conduct one on-site meeting and site visit with the Owner to support finalization of design decisions and confirm field conditions prior to completing construction documents.
3. FAA 7460 and CSPP Coordination: If necessary, finalize and update documentation associated with the CSPP and FAA Form 7460 airspace review, incorporating any updates resulting from final design decisions.
4. Geometric Design: Finalize site geometry for the proposed apron, parking lot, access drives, and other features relative to the facility and airfield infrastructure.
5. Grading Design: Finalize site grading design, incorporating comments from the 60% review and geotechnical recommendations.
6. Drainage Design: Finalize storm drainage design, including inlet sizing, pipe sizing, and outfall configuration.
7. Stormwater Management Design: Finalize stormwater management design in accordance with the City of Statesville Drainage Manual. Prepare supporting calculations and other documentation.
8. Pavement Design: Update and finalize rigid pavement design for the apron and flexible pavement design for the parking lot and access roads.
9. Utility Design: Finalize design of utility extensions and/or adjustments to serve the new facility, including water and sanitary sewer. Continue coordination with private electrical and communication providers for future installations.
10. Marking, Signage, and Fencing: Finalize parking lot pavement markings, signage, and parking stall layout. Finalize any apron markings required by the airport and airfield security fence realignment and gate location(s).
11. Erosion Control Design: Prepare erosion control design and supporting documentation to meet applicable State requirements. This item does not include permitting coordination.
12. Construction Phasing Design: Finalize the Construction Phasing Plan based on feedback from the 60% review to address requirements and sequencing.
13. Incorporate 60% comments and revisions.
14. Prepare Final Plan Set: Prepare final plans and documents. An estimated list of sheets to be included in this submission is as follows:

- 14a. Cover Sheet (1 Sheet)
- 14b. Index of Sheets and Summary of Quantities (1 Sheet)
- 14c. General Notes (1 Sheet)
- 14d. Safety Notes (1 Sheet)
- 14e. Existing Conditions (1 Sheet)
- 14f. Project Layout (1 Sheet)
- 14g. Phasing Plan (3 Sheets)
- 14h. Dimension Plan (1 Sheet)
- 14i. Grading and Drainage Plan and Details (4 Sheets)
- 14j. Stormwater Management Plan and Details (3 Sheets)
- 14k. Erosion Control Plan and Details (5 Sheets)
- 14l. Jointing Plan and Details (3 Sheets)
- 14m. Pavement Sections and Details (3 Sheets)
- 14n. Utility Plan and Details (5 Sheets)
- 14o. Marking, Signage, and Fencing Plan and Details (5 Sheets)
- 14p. Elevation Plan (3 Sheets)

Total Estimated Sheets: 41

- 15. Prepare Front End Contract Documents: Prepare and coordinate front-end contract documentation applicable to the project scope.
- 16. Complete Technical Specifications: Complete and finalize technical specifications applicable to the project scope, incorporating comments received during the 60% review and reflecting final design decisions.
- 17. Complete Final Quantities and Cost Estimate: Prepare 100% completion level quantities and Engineer's Opinion of Probable Project Costs (EOPCC) reflecting the final plan set and specifications.
- 18. Complete Final Design Engineer's Report: Finalize the Design Engineer's Report incorporating comments received during the 60% review. The final report will include existing conditions, site geometry, geotechnical considerations, pavement design, grading and drainage design, stormwater management, utility design, erosion control, marking and signage, fencing, and general limits of work. The report will include a detailed description of work to be completed, cost estimates, preliminary construction schedule, and other supporting documentation.
- 19. Perform in-house review of the 100% project documents. Reviewers include Sr. Project Manager and Project Engineer. Revise project documents in accordance with review comments.
- 20. Perform 100% review of the project documents with the Owner and North Carolina Division of Aviation. Work includes packaging the project documents, coordinating a review meeting, and attending an in-person meeting with the Owner. The meeting will be attended by the Project Manager and Project Engineer.

iii. Bidding Phase

1. Advertise for Bid: Coordinate with the Owner and the DOA for concurrence to advertise the project. Assist the Owner in advertising for bids for the project, in accordance with state and federal bidding requirements.
2. Distribute Documents and Maintain Planholders List: Distribute digital project documents to potential bidders upon request. Maintain a record of prospective bidders to whom Bidding Documents have been issued.
3. Pre-Bid Meeting: Attend and assist the Owner in conducting a pre-bid conference to share pertinent bidding and technical information and requirements with prospective bidders.
4. Review RFI and Prepare Addenda: Receive and respond to contractor RFI. It is anticipated that there will be five (5) RFI. Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents. It is anticipated that there will be three (3) addenda.
5. Bid Opening: Prepare for and attend bid opening. It is anticipated that the bid opening will be attended by the Sr. Project Manager.
6. Bid Tabulation: Prepare certified bid summary.
7. Bid Recommendation: Prepare certified bid tabulation. Assist Owner in evaluating bids and provide a formal recommendation to award. DBE/MBE/WBE commitments or Good Faith Effort will be provided after bidding and prior to determination of the lowest bidder. Attend Owner meeting to provide recommendation
8. DOA Requirements: In accordance with DOA Requirements, invite DOA to all pre- and post-bid meetings with a minimum of five business days' notice. Provide guidance to ensure that all bidding will be in accordance with state bidding laws per NC General Statute 143-129.

- b) SPECIAL SERVICES: The **CONSULTANT** shall perform the following Special Services as outlined in Exhibit A of the Prime Agreement

i. Prepare CATEX:

The environmental reviews will be completed in accordance with NEPA, FAA Order 1050.1G FAA National Environmental Policy Act (NEPA) Implementing Procedures, and FAA Order 1050.1 Desk Reference. Based on cursory project evaluation and limited FAA input, it is anticipated that the environmental review included in this scope of work will include Documented Categorical Exclusions (CATEX). The Documented CATEX level of review is considered appropriate for federal aviation actions that, while typically not having significant impacts, require a formal written record because they have the potential to involve conditions that could lead to significant environmental effects (extraordinary circumstances), or must demonstrate compliance with other special purpose laws, such as Section 106 of the National Historic Preservation Act.

The **CONSULTANT** shall include these tasks in preparation of the appropriate NEPA documentation:

1. General Project Coordination with **OWNER** and DOA/FAA on matters affecting the environmental review and scoping correspondence preparation, as appropriate
2. Internal Coordination regarding project justification and schedule
3. Prepare Project Maps (Vicinity, Study Area, Proposed Action)
4. Prepare detailed Project Description including all project components, justification, connected actions, staging areas/haul routes, and project schedule
5. Complete desktop review of available environmental databases
6. Evaluate the Project Area and prepare a description of any unique or natural features within or surrounding airport property
7. Evaluate the project for consistency with federal, state, tribal, or local laws and verify that it is not highly controversial on environmental grounds
8. Complete the CATEX checklist (ARP SOP No. 5.2) providing additional documentation of the Affected Environment and/or Environmental Consequences as appropriate for the various resources including: cultural/National Historic Preservation Act, Department of Transportation Act Section 4(f)/6(f), threatened and endangered species, wetlands and other waters of the U.S., floodplain, coastal, farmland, energy supply, solid waste management, community, existing infrastructure, noise, air quality, water quality, and known hazardous materials

9. Identify anticipated permits and determine if any environmental commitments are required in order for the project to qualify as a CATEX
10. Assemble the Appendices that are referenced in the CATEX
11. Prepare the preliminary draft NEPA document for internal review
12. Perform quality review and revisions prior to submission to **OWNER** for review and signature
13. Incorporate revisions and submit signed draft NEPA document to FAA for review
14. Incorporate revisions and submit final NEPA document to FAA for approval/signature

ii. **Grant/Project Management Services:**

1. Assist in Preparation of Grant Application: Assist the Owner in preparation of grant application materials required to secure economic development funding.
2. Assist in Preparation of Grant Documentation: Assist the Owner in preparation of documentation required by DOA to establish the grant.
3. Assist in Preparation of Quarterly Reports: Assist the Owner in preparation of quarterly progress reports as required by DOA throughout the duration of the grant agreement.
4. Assist in Preparation of Requests for Reimbursement: Assist the Owner in preparation of interim and final requests for reimbursement submitted to DOA in accordance with grant agreement requirements.
5. General Grant Management: Provide general coordination and management of the grant. Coordinate with DOA Airport Project Manager (APM) as needed throughout the duration of the grant agreement.

iii. **Pre-Design Surveying and Geotechnical Services:**

1. Survey: Utilize surveying subconsultant to provide topographic survey of the site. See Attachment C for more information. Provide coordination and oversight of surveying subconsultant.
2. Geotechnical Investigation: Utilize subconsultant to provide geotechnical investigation of the site. See Attachment D for more information. Provide coordination and oversight of geotechnical subconsultant.

iv. **Permitting Coordination:**

1. Erosion Control: Prepare erosion control application package and submit to the North Carolina Department of Environmental Quality (NCDEQ). Respond to up to 2 rounds of comments.

2. Technical Review Committee (TRC) and Stormwater: Coordinate application to City of Statesville TRC, including stormwater management. Respond to up to 2 rounds of comments.

4. GENERAL ASSUMPTIONS

- a) Two (2) site visits are included in Design Phase – Prepare 60% Plans and two (2) site visits are included in Final Design Phase – Prepare 100% Plans as identified in the task descriptions above.
- b) Preliminary Design Phase deliverables will be prepared at approximately 60% completion level for agency review and comment prior to advancing to Final Design.
- c) Construction Safety and Phasing Plans (CSPP) will be prepared and coordinated with FAA as appropriate during the Preliminary Design Phase and finalized during the Final Design Phase.
- d) Final plans will be prepared with a single bid schedule. Alternate bid schedules are not anticipated.
- e) Utility needs for the hangar will be provided by the architect designing the hangar so the site design for the utilities can be accomplished.
- f) The Final Design Phase ends upon submittal of 100% As-Bid plans and documents.
- g) Bidding Phase
 1. The cost of publishing the advertisement for bids in local publications is not included in this Work Authorization. The **OWNER** will pay for the cost of advertising directly to the publisher.
 2. The cost of reproducing bid documents is not included.
 3. The Bidding Phase ends upon submission of the recommendation to award letter to the City.
 4. Three site visits are included in this Phase: Pre-bid conference (Sr. Engineer and Engineer), Bid Opening (Sr. Engineer and Civil Associate) and presentation to City Council (Sr. Engineer).
 5. After bid opening and prior to recommendation of award, minority paperwork will be submitted to **NCDOA** for review and approval.
- h) The following services are not included in this Task Order but can be provided under a separate agreement as required or requested:
 1. Land acquisition professional services
 2. Construction Phase services
 3. Permitting fees
- i) Assumptions related to the CATEX:
 - (a) A Documented CATEX (ARP SOP No. 5.2, Effective Date: 3/31/2025), prepared in accordance with NEPA and FAA Order 1050.1G, will provide sufficient environmental review; no additional NEPA documentation (EA/EIS) is provided or anticipated to be needed

- (b) No extraordinary Section 4(f), Section 106, or Section 7 findings requiring expanded consultation are anticipated beyond standard assessments
- (c) The following tasks are not included with this work authorization, but can be provided under a separate agreement as required or requested. This scope does not include:
 - (i.) Land acquisition professional services
 - (ii.) If additional surveys or studies are deemed necessary, including a Preliminary Jurisdictional Determination, Phase I Environmental Site Assessment (for hazardous materials), individual species surveys and Endangered Species Act Section 7 consultation, or Phase I Cultural Resources Survey, these would be completed under a Supplemental Agreement.

5. EXPENSES/RESIDENT PROJECT REPRESENTATIVE (RPR)

Project Expenses have been included utilizing the state rates allowable. Construction Phase Services, including RPR Services, are not included with this Work Authorization.

6. CONSULTANT TEAM:

Parrish and Partners of North Carolina, PLLC
Regional Land Surveyors, Inc.
S&ME, Inc.

7. SCHEDULE:

The following is the proposed schedule after Notice to Proceed (NTP):

60% Design *	80 days
Client/Agency Review	10 days
Final Design and Permitting *	40 days
Client/Agency Review	10 days
Revisions	10 days
Bidding Period *	45 days
Total:	195 days

**Following OWNER and DOA approval
and notice to continue*

8. PROJECT BUDGET:

The estimated overall project budget is estimated to be \$3,000,000 to match the grant funding available. This includes associated professional services and subcontracted services through construction.

The **OWNER** agrees to compensate the **CONSULTANT** for services performed for the work described herein as summarized on the Work Authorization No. 30 cover sheet and detailed in the attached Fee Spreadsheets as Attachment B.

9. FEES:

Project Budget based on Attachment B “Fee Summary” included as an attachment hereto.

This document is an attachment to be considered the detailed Scope of Services for Work Authorization No. 30. The remaining attachments are identified on the Work Authorization No.30 cover page.

Attachment B - Fee Spreadsheets

PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

Professional Services Fee Summary - Basic Services

Design Phase - Prepare 60% Plans

Labor	\$48,908.75
Reimbursable Expenses	\$212.24
SubTotal:	\$49,120.00

Final Design Phase - Prepare 100% Plans

Labor	\$71,420.96
Reimbursable Expenses	\$220.22
SubTotal:	\$71,641.00

Bidding Phase

Labor	\$14,080.55
Reimbursable Expenses	\$203.00
SubTotal:	\$14,283.00

Professional Services Fee Summary - Special Services

Prepare CATEX

Labor	\$12,737.22
Reimbursable Expenses	\$0.00
SubTotal:	\$12,737.00

Grant/Project Management

Labor	\$15,198.81
Reimbursable Expenses	\$0.00
SubTotal:	\$15,198.00

Pre-Design Surveying and Geotechnical

Labor	\$2,709.12
Subconsultant Expenses	\$27,244.00
SubTotal:	\$29,953.00

Permitting Coordination

Labor	\$9,018.34
Reimbursable Expenses	\$0.00
SubTotal:	\$9,018.00

Total Work Authorization No. Thirty (30):

\$187,667.00

PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	SUBTOTAL
	TASKS							
Design Phase - Prepare 60% Plans								
1	General Project Coordination		8				8	16
2	Project Formulation and Justification		4	2			4	10
3	Site Visit / Owner Meeting (1 Trip)		6					6
4	Coordinate Surveying and Geotechnical Subconsultants		4				4	8
5	Prepare Base Drawings		4	4	8			16
6	Geometric Design		4	8	8			20
7	Grading Design		4	8	16			28
8	Drainage Design		2	4	8			14
9	Stormwater Management Design		2	8	4			14
10	Apron Pavement Design		2	4	4			10
11	Parking Lot/Access Road Pavement Design		1	4	2			7
12	Utility Design		1	4	2			7
13	Marking, Signage, and Fencing		1	2	4			7
14	Construction Phasing Design		1	2	2			5
15	FAA 7460 and CSPP Coordination		1	2	4			7
16	Prepare 60% Review Documents							0
16a	Coversheet				1			1
16b	Index of Sheets and Summary of Quantities			1	2			3
16c	General Notes			1	2			3
16d	Safety Notes			1	2			3
16e	Existing Conditions		1	2	4			7
16f	Project Layout		2	2	4			8
16g	Preliminary Phasing Plan		1	2	2			5
16h	Dimension Plan		1	2	2			5
16i	Grading and Drainage Plan		2	8	4			14
16j	Preliminary Stormwater Management Plan and Details		2	4	4			10
16k	Jointing Plan		1	2	4			7
16l	Pavement Sections		1	2	4			7
16m	Utility Plan		1	4	2			7
16n	Marking, Signage, and Fencing Plan and Details		1	4	2			7
17	Prepare Technical Specifications		2	4	8			14
18	Prepare 60% Design Engineer's Report		4	8	2			14
19	Prepare Quantities & Cost Estimate		2	4	4			10
20	Quality Review and Revisions		8	8	8			24
21	Package Project Documents and Attend 60% Review Meeting		5	5	4			14
	SUBTOTAL HOURS/CLASSIFICATION:	0	79	116	127	0	16	
	BASIC HOURLY RATE	\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
	TOTAL PER CLASSIFICATION	\$0.00	\$5,160.28	\$5,044.84	\$4,283.71	\$0.00	\$521.44	
	SUBTOTAL	\$15,010.27						

Audited Overhead Rate	193.07%	\$28,980.33
Profit	11%	\$4,838.97
Cost of Capital	0.18%	\$79.18
TOTAL LABOR COSTS		\$48,908.75

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage (2 trips x 140 mi/trip)	280	Mile	\$0.725	\$203.00
Reproduction - Bond Plans (1 Set, 22 Sheets)	22	EA	\$0.42	\$9.24
TOTAL DIRECT NON-SALARY COST:				\$212.24

Design Phase - Prepare 60% Plans Services	\$49,120.99
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Lump Sum Amount	\$49,120.00
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PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						SUBTOTAL
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	
	TASKS							
<u>Final Design Phase - Prepare 100% Plans</u>								
1	General Project Coordination		8				8	16
2	Site Visit / Owner Meeting (1 Trip)		6					6
3	FAA 7460 and CSPP Coordination		1		2			3
4	Geometric Design		4	8	16			28
5	Grading Design		4	16	16			36
6	Drainage Design		2	4	4			10
7	Stormwater Management Design		2	2	4			8
8	Pavement Design		2	4	4			10
9	Utility Design		2	4	4			10
10	Marking, Signage, and Fencing		2	2	4			8
11	Erosion Control Design		8	8	16			32
12	Construction Phasing Design		4	2	4			10
13	Incorporate Comments & Revisions from 60%		4	2	8			14
14	Prepare Final Plan Set							0
14a	Coversheet				1			1
14b	Index of Sheets and Summary of Quantities			1	2			3
14c	General Notes			1	1			2
14d	Safety Notes			1	1			2
14e	Existing Conditions			1	2			3
14f	Project Layout		2	4	4			10
14g	Phasing Plan		2	8	4			14
14h	Dimension Plan		2	2	4			8
14i	Grading and Drainage Plan and Details		4	8	8			20
14j	Stormwater Management Plan and Details		4	4	8			16
14k	Erosion Control Plan and Details		4	16	16			36
14l	Jointing Plan and Details		2	8	16			26
14m	Pavement Sections and Details		2	4	8			14
14n	Utility Plan and Details		2	8	8			18
14o	Marking, Signage, and Fencing Plan and Details		2	4	8			14
14p	Elevation Plan		4	8	8			20
15	Prepare Front End Contract Documents		4	8	4			16
16	Complete Technical Specifications		4	2	4			10
17	Complete Final Engineer's Report		4	8	8			20
18	Complete Final Quantities & Cost Estimate		4	4	8			16
19	Quality Review and Revisions		8	8	8			24
20	Package Project Documents, Attend 100% Review Meeting		6	6	4			16
SUBTOTAL HOURS/CLASSIFICATION:		0	109	166	217	0	8	
BASIC HOURLY RATE		\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
TOTAL PER CLASSIFICATION		\$0.00	\$7,119.88	\$7,219.34	\$7,319.41	\$0.00	\$260.72	
TOTAL LABOR COSTS		\$21,919.35						

Audited Overhead Rate	193.07%	\$42,319.69
Profit	11%	\$7,066.29
Cost of Capital	0.18%	\$115.63
TOTAL LABOR COSTS		\$71,420.96

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage (2 trips x 140 mi/trip)	280	Mile	\$0.725	\$203.00
Reproduction - Bond Plans (1 Set, 41 Sheets)	41	EA	\$0.42	\$17.22
TOTAL DIRECT NON-SALARY COST:				\$220.22

Final Design Phase - Prepare 100% Plans Services	\$71,641.18
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Lump Sum Amount	\$71,641.00
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PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						SUBTOTAL
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	
	TASKS							
Bidding Phase								
1	Assist Owner with Advertising for Bids		4		2		4	10
2	Distribute Documents and Maintain Planholders List		2				8	10
3	Prepare for and Attend Pre-Bid Conference		6	6			2	14
4	Review RFI and Prepare Addenda		8	8	8		2	26
5	Prepare for and Attend Bid Opening		6				1	7
6	Prepare Bid Tabulation and Bid Summary		4		8		4	16
7	Evaluate Bids and Prepare Recommendation of Award		4		4		2	10
SUBTOTAL HOURS/CLASSIFICATION:		0	34	14	22	0	23	
BASIC HOURLY RATE		\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
TOTAL PER CLASSIFICATION		\$0.00	\$2,220.88	\$608.86	\$742.06	\$0.00	\$749.57	
TOTAL LABOR COSTS			\$4,321.37					

Audited Overhead Rate	193.07%	\$8,343.27
Profit	11%	\$1,393.11
Cost of Capital	0.18%	\$22.80
TOTAL LABOR COSTS		\$14,080.55

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
Mileage (2 trips x 140 mi/trip)	280	Mile	\$0.725	\$203.00
TOTAL DIRECT NON-SALARY COST:				\$203.00

Bidding Phase Services	\$14,283.55
Lump Sum Amount	\$14,283.00

PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						SUBTOTAL
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	
	TASKS							
Prepare CATEX								
1	Project Coordination		4	2				6
2	Prepare Project Maps		4	4	4			12
3	Detailed Project Description		2	2				4
4	Desktop Review		2		4			6
5	FCC Package & Coordination		4		4			8
6	NCSHPO Package & Coordination		4		4			8
7	Prepare Draft CATEX documentation		4		8			12
8	Identify Permits			2	2			4
9	Appendices			2	2			4
10	QA/QC		4	2				6
11	Finalize CATEX documentation		6		4			10
SUBTOTAL HOURS/CLASSIFICATION:		0	34	14	32	0	0	
BASIC HOURLY RATE		\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
TOTAL PER CLASSIFICATION		\$0.00	\$2,220.88	\$608.86	\$1,079.36	\$0.00	\$0.00	
TOTAL LABOR COSTS		\$3,909.10						

Audited Overhead Rate	193.07%	\$7,547.30
Profit	11%	\$1,260.20
Cost of Capital	0.18%	\$20.62
TOTAL LABOR COSTS		\$12,737.22

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
TOTAL DIRECT NON-SALARY COST:				\$0.00

Prepare CATEX Services	\$12,737.22
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Lump Sum Amount	\$12,737.00
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PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	SUBTOTAL
	TASKS							
	<u>Grant/Project Management</u>							
4.01	General Grants Setup with NCDOA		4				8	12
4.02	GA Development Checklist		1				4	5
4.03	Partner Connect Data Entry & AV Forms		1				2	3
4.04	Complete RFA Package		2				6	8
4.05	Detailed Project Schedule (MS Project)		2				2	4
4.06	Prepare Project Budget		2				2	4
4.07	Project Coordination with NCDOA APM		8				10	18
4.08	Post Award Grant Management (7 months)		2				14	16
4.09	Owner/NCDOA/NCDOT Coordination		4				21	25
4.10	Grant Closeout Documentation and NCDOA Coordination		4				14	18
	SUBTOTAL HOURS/CLASSIFICATION:	0	30	0	0	0	83	
	BASIC HOURLY RATE	\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
	TOTAL PER CLASSIFICATION	\$0.00	\$1,959.60	\$0.00	\$0.00	\$0.00	\$2,704.97	
	TOTAL LABOR COSTS	\$4,664.57						

Audited Overhead Rate	193.07%	\$9,005.89
Profit	11%	\$1,503.75
Cost of Capital	0.18%	\$24.61
TOTAL LABOR COSTS		\$15,198.81

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
TOTAL DIRECT NON-SALARY COST:				\$0.00

Grant/Project Management Services	\$15,198.81
Lump Sum Amount	\$15,198.00

PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications							
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	SUBTOTAL	
	TASKS								
Pre-Design Surveying and Geotechnical									
1	Coordinate and Oversee Surveying Subconsultant		4	2				6	
2	Coordinate and Oversee Geotech Subconsultant		4	2	4			10	
	SUBTOTAL HOURS/CLASSIFICATION:	0	8	4	4	0	0		
	BASIC HOURLY RATE	\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59		
	TOTAL PER CLASSIFICATION	\$0.00	\$522.56	\$173.96	\$134.92	\$0.00	\$0.00		
	TOTAL LABOR COSTS	\$831.44							

Audited Overhead Rate	193.07%	\$1,605.26
Profit	11%	\$268.04
Cost of Capital	0.18%	\$4.39
TOTAL LABOR COSTS		\$2,709.12

NON-SALARY COSTS

A. Subcontracting Expenses	Amount	Contract Type	Subtotal
Surveying Services - Regional Land Surveyors	\$12,744.00	LS	\$12,744.00
Geotechnical Investigation - S&ME	\$14,500.00	LS	\$14,500.00
TOTAL SUBCONTRACTING COST:			\$27,244.00

Pre-Design Surveying and Geotechnical Services	\$29,953.12
Lump Sum Amount	\$29,953.00

PROJECT DESCRIPTION: SVH Weststar Hangar Site Prep (Design/Bidding)	DATE PREPARED: 6/8/26
PREPARED BY: Parrish and Partners of North Carolina, PLLC	P&P PROJ NO: 1750 (WA#30)

TASK NUMBER	BASIC SERVICES ENGINEERING SERVICES TASK DESCRIPTION	Employee Classifications						
		Principal	Sr. Project Manager	Engineer / Planner	Civil Associate / Designer	CADD Technician	Project and Grant Specialist	SUBTOTAL
	TASKS							
Permitting Coordination								
1	Prepare Erosion Control Permit Application and Submit		4	4	8			16
2	Respond to Comments for Erosion Control Permit		4	8				12
3	Prepare TRC Application and Submit		2	4	8			14
4	Respond to Comments for TRC Permitting		4	8	8			20
	SUBTOTAL HOURS/CLASSIFICATION:	0	14	24	24	0	0	
	BASIC HOURLY RATE	\$0.00	\$65.32	\$43.49	\$33.73	\$32.81	\$32.59	
	TOTAL PER CLASSIFICATION	\$0.00	\$914.48	\$1,043.76	\$809.52	\$0.00	\$0.00	
	TOTAL LABOR COSTS	\$2,767.76						

Audited Overhead Rate	193.07%	\$5,343.71
Profit	11%	\$892.26
Cost of Capital	0.18%	\$14.60
TOTAL LABOR COSTS		\$9,018.34

NON-SALARY COSTS

A. Reimbursable Expense	Quantity	Unit	Rate	Subtotal
TOTAL DIRECT NON-SALARY COST:				\$0.00

Permitting Coordination Services	\$9,018.34
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Lump Sum Amount	\$9,018.00
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April 6, 2026

Attachment C - Surveying Subconsultant Proposal

Joseph Wilbourne, PE
Parrish & Partners
1801 Stanley Road, Suite 315
Greensboro, North Carolina 27407

Re: Topographic and Utility Survey Proposal - Statesville Airport Property (KSVH)
Proposed Hangar (approximately 4.5 acres)
Statesville, North Carolina

Dear Joseph,

In accordance with your request, Regional Land Surveyors, Inc. (RLS) is pleased to provide a proposal for a Location, Topographic and Utility Survey (for a proposed Hangar) for a portion of the Statesville Airport Property (*exhibit attached of the survey limits*) in Statesville, North Carolina. All information will be provided using the North Carolina Grid system (Horizontal datum - NAD 83(2011) epoch 2010.0, Vertical datum - NAVD88) and the Standards of Practice for Land Surveying in North Carolina Title 21, Chapter 56, Section .1600 of the North Carolina Administrative Code. The topographic survey will be at 1 foot contour intervals with spot elevations to provide clarity where needed. Underground utilities, including water, power, fiber optic, communication, cable, etc. will be located by Northstate Utility Locating, Inc. and shown on the survey.

RLS will provide the above-described services for a lump sum fee of \$ **12,744.00**. The survey can be delivered within **8 to 10** normal working days after written notice to proceed. A pdf file, dwg file, xml file, ascii file will be provided for your use upon completion of the survey.

If these fee proposals are agreeable to you, please provide your signature of authorization in the space provided below and return a copy to us for our files. You may contact me at your earliest convenience if you have any questions or comments. Thank you for your request for surveying services.

Sincerely,
Regional Land Surveyors, Inc.

Kim R. Lilly, PLS CFS



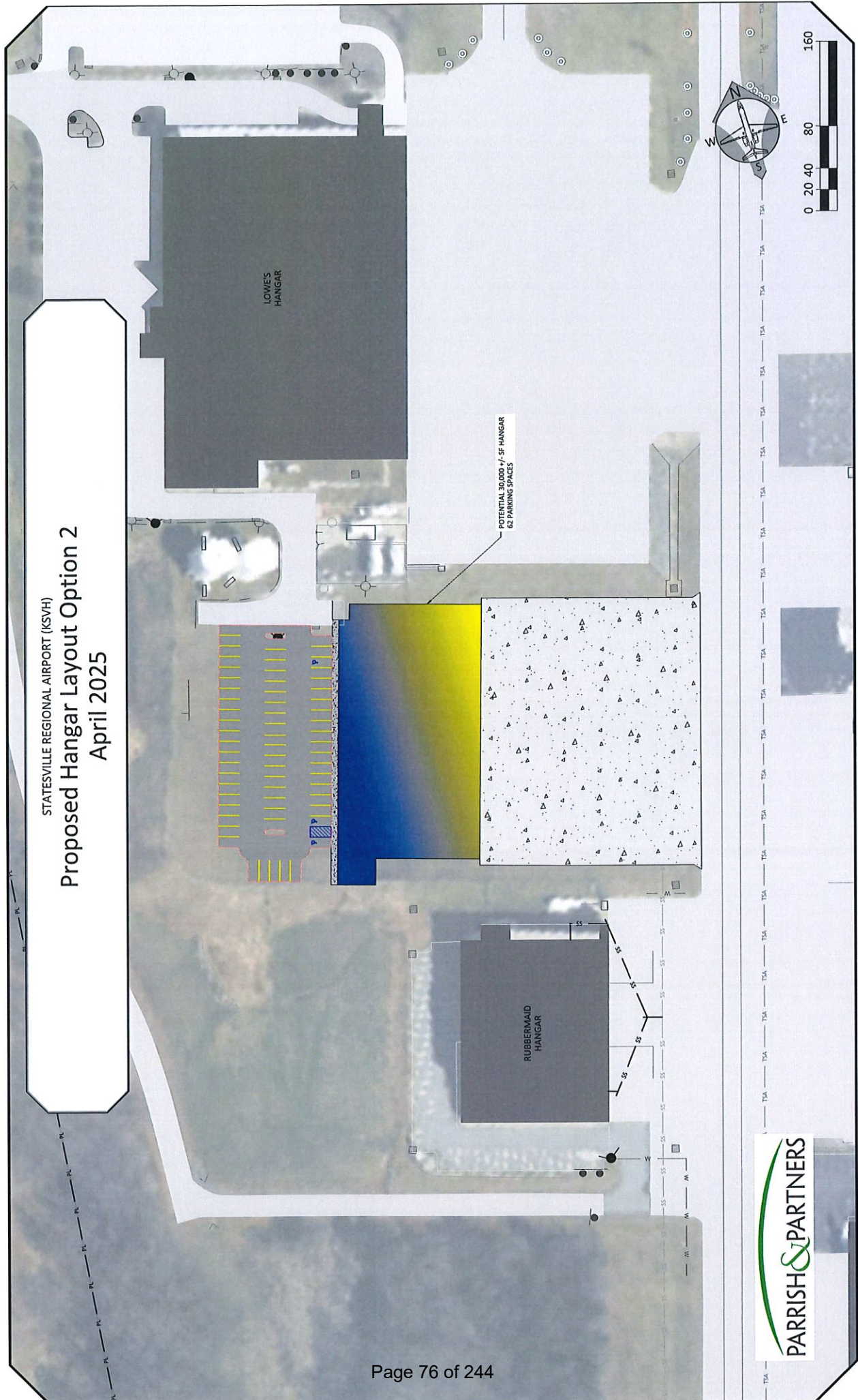
The scope of services, terms and conditions of this Letter of Agreement are accepted:

Print Name of Authorized Representative and Company/Business Name

Signature of Authorized Representative

Date

STATESVILLE REGIONAL AIRPORT (KSVH) Proposed Hangar Layout Option 2 April 2025





8642 W. Market Street Suite 100
Greensboro, NC 27409
336-665-8155 Phone

Parrish & Partners Statesville Airport Surveying Services

Proposal Breakdown

Cost Breakdown Topographic and Utility Survey (approximately 4.5 acres)	UNIT	QUANTITY	RATE	ESTIMATE
2-man Survey Crew	Hourly	40.0	\$170.00	\$6,800.00
Survey Tech	Hourly	30.0	\$126.00	\$3,780.00
Professional Surveyor	Hourly	2.0	\$182.00	\$364.00
Underground Utilities	LS	1.0	\$1,800.00	\$1,800.00
	SUBTOTAL			\$12,744.00

ESTIMATED SURVEY BUDGET

\$12,744.00

2026 Hourly Fee Schedule

<u>Personnel</u>	<u>Rate</u>
Professional Surveyor	\$182.00
Project Manager	\$160.00
GIS Coordinator	\$116.00
Scan Data Technician	\$126.00
CADD/GIS Technician	\$110.00
Senior CADD Technician	\$126.00
1 Man Survey crew	\$105.00
2 Man Survey crew	\$170.00
3 Man Survey crew	\$223.00
1 Man Scan Crew	\$152.00
2 Man Scan Crew	\$207.00
Clerical/Administrative	\$66.00
Expert Witness	\$440.00

Equipment

All-terrain Vehicle	\$50.00/Day
Boat (Non-motorized)	\$30.00/Day

Review, recording, outside consultant and other fees or leased equipment are billed at cost plus 10% for handling and processing, except as otherwise negotiated.

Other billing rates

Mileage	GSA Rate/mile
Supplies/Expenses/Fees	Cost plus 10%
Lodging & Meals	GSA Rates/day per man



Attachment D - Geotechnical Subconsultant Proposal

March 27, 2026

Parrish & Partners
1801 Stanley Road, Suite 315
Greensboro, North Carolina 27407

Attention: Mr. Joseph Wilbourne, PE
Operations Manager

Reference: **Proposal for Geotechnical Services
West Star Hangar**
Statesville Regional Airport
Statesville, North Carolina
S&ME Proposal No. 26350317

Dear Mr. Wilbourne:

S&ME, Inc. (S&ME) is pleased to submit this proposal to provide geotechnical services for the above-referenced project. This proposal describes our understanding of the project, discusses the intended scope of services, outlines the project schedule, and presents the associated compensation for our services. Our Agreement for Services (AS-071) is attached and incorporated as part of this proposal.

◆ Background Information

This proposal is based on email correspondence between Joseph Wilbourne of Parrish & Partners and Chris Briggs of S&ME between March 10 and 16, 2025. The following documents and information have been provided during the correspondence period:

- *Proposed Hangar Layout Option 2* PDF document, dated April 2025, prepared by Parrish & Partners.
- Scoping information and general site considerations via email.

We understand that Parrish & Partners is providing design services for a new corporate hangar at Statesville Regional Airport (SVH) in Statesville, North Carolina. The provided site plan exhibits show plans for a new hangar approximately 30,000 square feet in size. New vehicle surface parking is also planned, and an aircraft apron will be constructed at the hangar entrance. Proposed grading information was not provided, but we understand from available aerial satellite imagery and county GIS data that the site has been previously graded and is approximately at the planned elevation of the hangar and pavements. The development area is currently grass-covered.

As part of our correspondence with Parrish & Partners on this project, we understand that only preliminary design information has been requested for the hangar structure, as the eventual tenant will perform supplemental design efforts at a later date. Our proposed scope will include design-level geotechnical recommendations for construction of the planned pavement areas.



Assumptions

In developing the proposed scope of services, we have made the following assumptions:

- Design loads for the proposed hangar building will be as follows:
 - Column Loads: 100 kips or less
 - Wall Loads: 3 kips-per-linear foot or less
 - Floor Loads: 250 pounds per square foot or less
- Vehicle pavements will be designed for traffic loading of 25,000 equivalent single-axle loads (ESALs) for light duty and 100,000 ESALs for heavy duty areas, which may include the occasional emergency vehicle.
- Aircraft apron pavements will experience maximum aircraft loads of no more than 60,000 pounds.
- Field work can be performed during normal business hours (Monday through Friday, 8am to 5pm local time).
- Access to our borings on airport property will be coordinated through Parrish & Partners or SVH personnel.
- Escorts will be provided by Parrish & Partners or SVH personnel when required.
- There are no site-specific safety training requirements and security badging for S&ME or subcontracted personnel will not be required.

◆ Scope of Services

S&ME proposes the following scope of geotechnical services:

- Coordinate field activities with Parrish & Partners or SVH personnel.
- Visit the site to observe site surface conditions and mark proposed boring locations.
- Contact NC 811 to have them mark the locations of existing underground utilities in the proposed exploration areas. We anticipate utilities will only be located to the existing fence line.
- Subcontract a private utility locating service to have them mark the locations of existing underground utilities in the proposed exploration areas.
- Mobilize a power drilling rig and crew to the site.
- Drill 12 soil test borings to attempted depths of 10 to 25 feet below existing grades at the site. See the attached *Proposed Test Location Plan* (Figures 1A and 1B) for proposed boring locations. The total proposed drilling footage is 165 feet. The borings will generally include split-barrel soil sampling at 2.5-foot intervals in the top ten feet and at 5-foot intervals thereafter. The sampler will be driven in general accordance with the Standard Penetration Test procedures (ASTM D1586). In addition, disturbed bulk samples will be collected from soil cuttings at up to three boring locations.
- The borings, along with the known general subsurface conditions in the project area, will be used to determine the seismic site classification in accordance with the current North Carolina State Building Code using the N-value method.
- The borings will be terminated at depths shallower than those proposed if refusal to drilling equipment is encountered. Rock coring is not included in our scope of services.
- Attempt water level measurements at the termination of drilling operations and after about a 1-day waiting period in select borings, if safe to do so.



- Backfill the boreholes with soil cuttings, install a hole closure device near the ground surface in each borehole, and continue backfilling to the ground surface. We anticipate that all of our planned boring locations will be performed in grass areas and will not require asphalt or concrete to patch the ground surface.
- Excess soil cuttings from the boreholes will be spread on the ground surface in grassed areas nearby.
- Perform laboratory testing consisting of moisture content, grain-size distribution, and Atterberg limits testing on up to five representative soil samples to confirm visual soil classifications and estimate the engineering properties of the soils tested. Additionally, three modified Proctor and three California Bearing Ratio (CBR) tests will be performed in our laboratory on select bulk samples.
- Prepare a geotechnical engineering report summarizing our testing procedures, describing the subsurface conditions at the site, and providing geotechnical recommendations. The geotechnical recommendations will address the following aspects of site development:
 - site preparation,
 - earthwork, including considerations for difficult excavation, unsuitable soils and/or groundwater,
 - Seismic Site Classification,
 - Pavement design recommendations for both aircraft and non-aircraft types, and,
 - Preliminary foundation recommendations for the hangar structure, as well as recommendations for supplemental design services.
- The report will be signed and sealed by a professional engineer specializing in geotechnical engineering in the State of North Carolina.

◆ Excluded Services

Without attempting to be a list or description of all services or potential services excluded from this proposal and not performed by S&ME, the following services are specifically excluded from this proposal. If any of the excluded services are required, please contact us so that we can modify this proposal or prepare a proposal for additional services.

- Performance of field work outside of regular business hours.
- Multiple drill rig mobilizations.
- Surveying of as-drilled boring locations.
- Additional drilling, rock coring, and/or performance of test pits.
- Disposal of auger cuttings off-site.
- Obtaining relatively undisturbed Shelby tube samples.
- Shear strength testing of soil.
- Design, testing, or observations of site retaining walls.
- Foundation design.
- Attendance at project or construction meetings.
- Addenda to the geotechnical report to address changes or additions to the proposed project not known to us at the time of this proposal.
- Environmental services.
- Construction-phase services (i.e., monitoring of construction or testing of construction materials).



◆ Client Responsibilities

The Scope of Services, fees and project schedule presented herein are contingent upon the client fulfilling the following responsibilities:

- Provide access to the property (including access through gates or fences) and permission to drill at the site.
- Name and contact information for the site representatives to schedule our field services, and the on-site escort, if required.
- Provide available information on any utilities serving the project site and the presence and accurate locations of hidden or obscure man-made objects relative to field test locations.
- Provide proposed grading information.
- Provide more details regarding anticipated structure and pavement loading conditions prior to the start of our analyses.

◆ Limitations

Please note the following limitations regarding the proposed services:

- Soil test borings have limitations with assessing debris in existing fills and test pits may be needed to further evaluate the subsurface conditions at this site.
- The generalized subsurface information to be obtained is intended to convey trends in subsurface conditions. The boundaries between strata will be approximate and idealized. They will be developed by interpretations of widely-spaced borings. Therefore, actual subsurface conditions may vary between test locations.

◆ Schedule

Our schedule is dependent upon your completion of those items provided under client responsibilities and our field activities can be delayed by adverse weather. S&ME will be prepared to initiate our services upon receipt of written notice to proceed, including but not limited to site visits, coordination of underground utility locating, and marking of test locations. We note that our subcontractors may have a 2-4 week backlog, which could impact schedule.

Based on our present schedule, we plan to complete the following tasks within the following timeframes after completion of the previous task:

1. Coordinate Field Work/Utility Subcontractors	2-4 weeks
2. Perform Field Work	1 to 2 days
3. Complete Laboratory Testing	2 weeks
4. Complete Geotechnical Report	1 week
Total Duration*	6-8 weeks*

*After receipt of written authorization/notice to proceed.



Please note that draft geotechnical findings, conclusions, and recommendations can normally be given during or upon completion of the field work, subject to confirmation by laboratory testing and further engineering analysis. We anticipate that the virtual project debriefing meeting can generally be scheduled/performed within 1 week after the final report is presented.

◆ **Compensation**

S&ME will complete the services identified in this proposal on a lump sum basis. Based on the scope of services requested, we recommend a budget allowance of **\$14,500** be allocated for our services. S&ME will submit progress invoices to our client monthly, and a final invoice upon completion of the proposed services. Each invoice, upon presentation, is due and payable by the client.

◆ **Use of Proposal/Report**

This proposal is solely intended for the Basic Services as described in the Scope of Services. The Scope of Services may not be modified or amended, unless the changes are first agreed to in writing by the client and S&ME. Use of this proposal and corresponding final report is limited to above-referenced project and client. No other use is authorized by S&ME.

◆ **Authorization**

An Agreement for Services (AS-071) is attached and incorporated as a part of this proposal. Please sign the agreement and return to our office as your authorization of the proposed scope of services and the associated fee. Upon receipt of the signed agreement, we will execute the agreement, return a copy to you, and proceed with the performance of our services. Any changes or modifications to AS-071 or the proposal are required to be acknowledged by both parties initialing acceptance of this proposal and agreement for services next to the change or modification.

If you elect to accept our proposal by issuing a purchase order, then please specifically reference this proposal number and date. Your purchase order will be an acceptance of our Agreement for Services and an authorization to proceed with the performance of our services. The terms and conditions included in any purchase order shall not apply, and are hereby specifically rejected, as our agreement is for services which are not compatible with purchase order agreements.

If you choose to accept this proposal by e-mail, your reply e-mail acceptance will serve as your representation to S&ME that you have reviewed the proposal and the associated Agreement for Services (AS-071) and hereby accept both as written.



◆ **Closure**

S&ME appreciates the opportunity to submit this proposal to provide our services for this project. If you have questions concerning this proposal, or if additional information is required, please contact us.

Sincerely,

S&ME, Inc.

A handwritten signature in blue ink, appearing to read 'Chris Briggs'.

Christopher R. Briggs, P.E.
Senior Engineer

A handwritten signature in blue ink, appearing to read 'Matt Moler'.

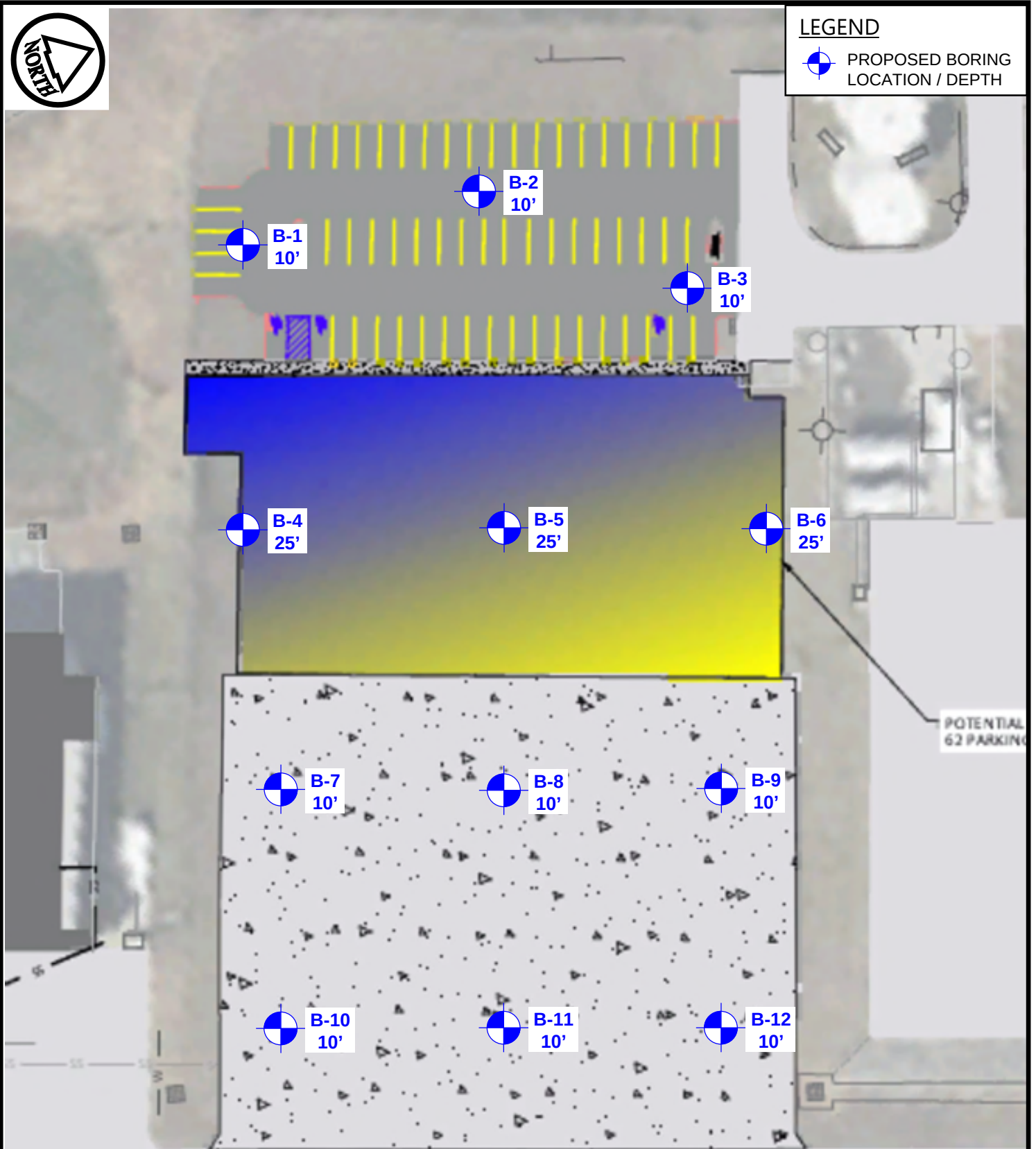
Matt Moler, P.E.
Regional Director

Attachments: Proposed Boring Location Plan, Figures 1A and 1B
Agreement for Services, Form AS-071



LEGEND

 PROPOSED BORING
LOCATION / DEPTH



NOTE: SITE PLAN PROVIDED BY CLIENT AND MODIFIED BY S&ME TO SHOW APPROXIMATE TEST LOCATIONS. DO NOT USE DRAWING TO DETERMINE DISTANCES OR QUANTITIES.



PROPOSED TEST LOCATION PLAN

WEST STAR HANGAR

STATESVILLE REGIONAL AIRPORT
STATESVILLE, NORTH CAROLINA

SCALE:	NTS	DRAWN BY:	CRB
DATE:	MARCH 2026	CHECKED BY:	DAB
PROPOSAL NO:	26350317		

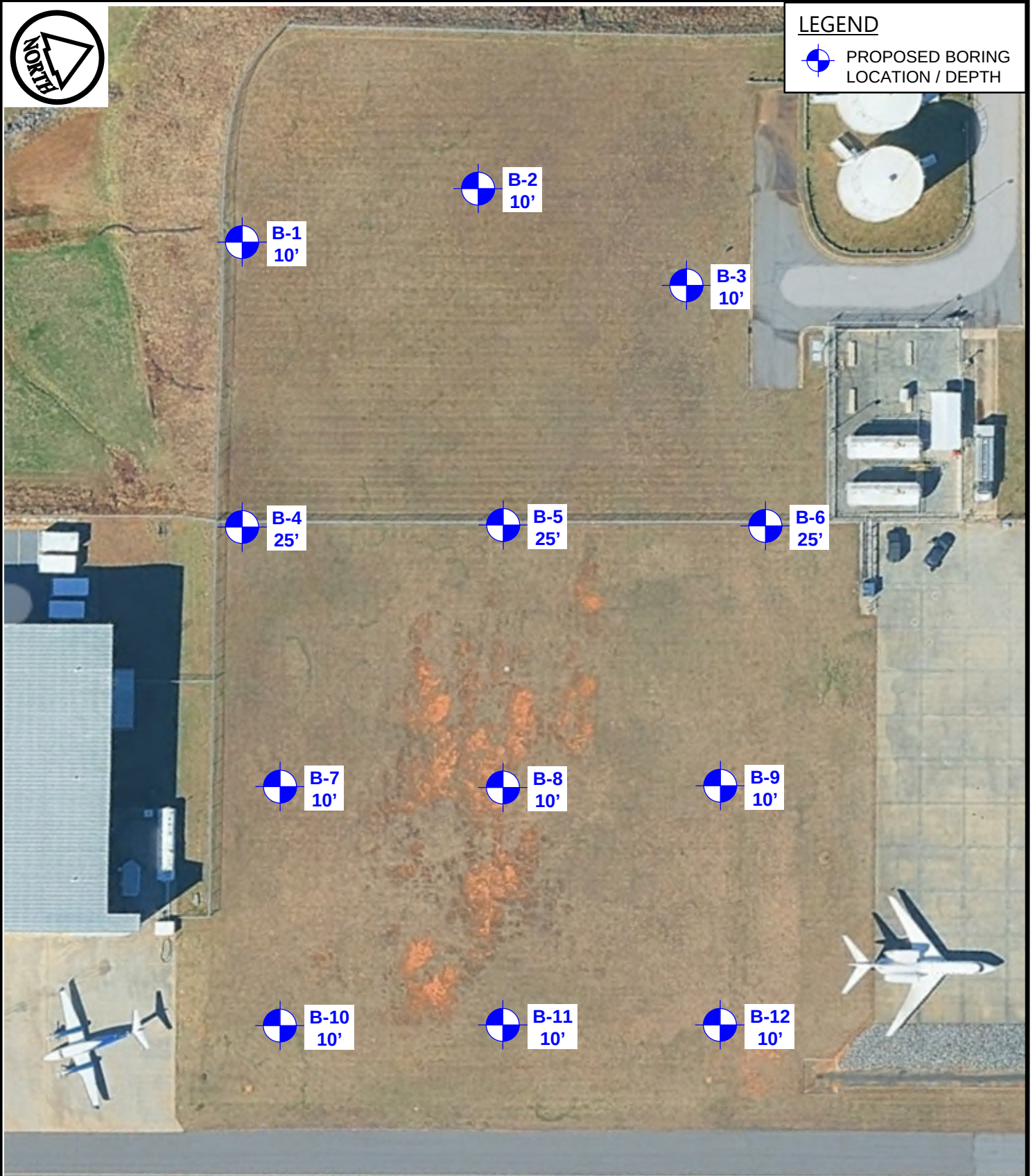
FIGURE NO.

1A



LEGEND

 PROPOSED BORING
LOCATION / DEPTH



NOTE: SITE PLAN PROVIDED BY CLIENT AND MODIFIED BY S&ME TO SHOW APPROXIMATE TEST LOCATIONS. DO NOT USE DRAWING TO DETERMINE DISTANCES OR QUANTITIES.



PROPOSED TEST LOCATION PLAN

WEST STAR HANGAR

STATESVILLE REGIONAL AIRPORT
STATESVILLE, NORTH CAROLINA

SCALE:	NTS	DRAWN BY:	CRB
DATE:	MARCH 2026	CHECKED BY:	DAB
PROPOSAL NO:	26350317		

FIGURE NO.

1B



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

01/20/2026

The Honorable Doug Hendrix, Mayor
City of Statesville
P.O. Box 1111
Statesville, NC 28687

RE: NOTIFICATION OF AWARD

Dear Mr. Hendrix:

On behalf of N.C. Governor Josh Stein, Transportation Secretary Daniel H. Johnson, and the NC Board of Transportation, this Notification of Award serves as official verification that State Economic Development funds have been programmed for **Statesville Regional Airport**, Project Request No. 4609 for state fiscal year (SFY) 2026 and were approved at the January 8, 2026 Board of Transportation meeting.

Any disbursement of funds described or contemplated herein is subject to appropriation by the N.C. General Assembly and appropriate approval or authorization from the N.C. Department of Transportation and/or Board of Transportation.

The specific work elements and funding allocation is noted below:

Award ID	Description	Economic Development Funds	Local Funds
36244.59.13.1	South Corporate Area Development (CON/CA/RPR)	\$3,000,000	\$0

Upon receipt of this award letter, the Division of Aviation requires that you submit a Request for Aid within 120 days of receipt. Please visit the NCDOT Connect website for links to detailed grant and development resources.

The Division of Aviation requires effective project management for all projects to ensure that funds needed to complete this project are expended within two years from the date of this letter.

After the project is completed and the final reimbursement request has been processed, the Division has the authority to rescind any remaining unused funds (with the exception of nonprimary entitlement and discretionary funds) for use toward other projects.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF AVIATION
1560 MAIL SERVICE CENTER
RALEIGH, NC 27699-1560

Telephone: 919-814-0550
Fax: 919-840-9267

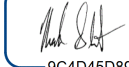
Location:
1050 MERIDIAN DRIVE
MORRISVILLE, NC 27560

Website: ncdot.gov/aviation

The NCDOT Division of Aviation appreciates your commitment and contribution to our state aviation system, and we are excited to partner with you on this grant.

Sincerely,

DocuSigned by:

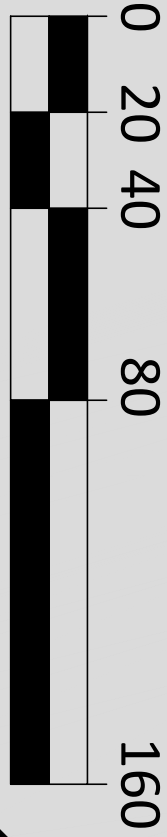
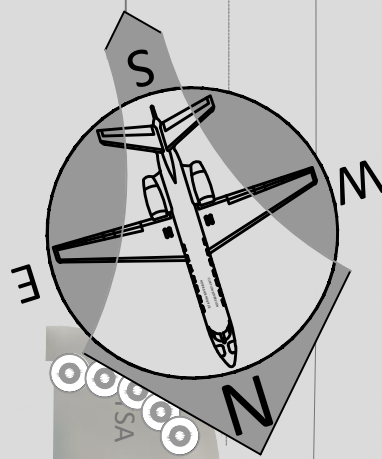
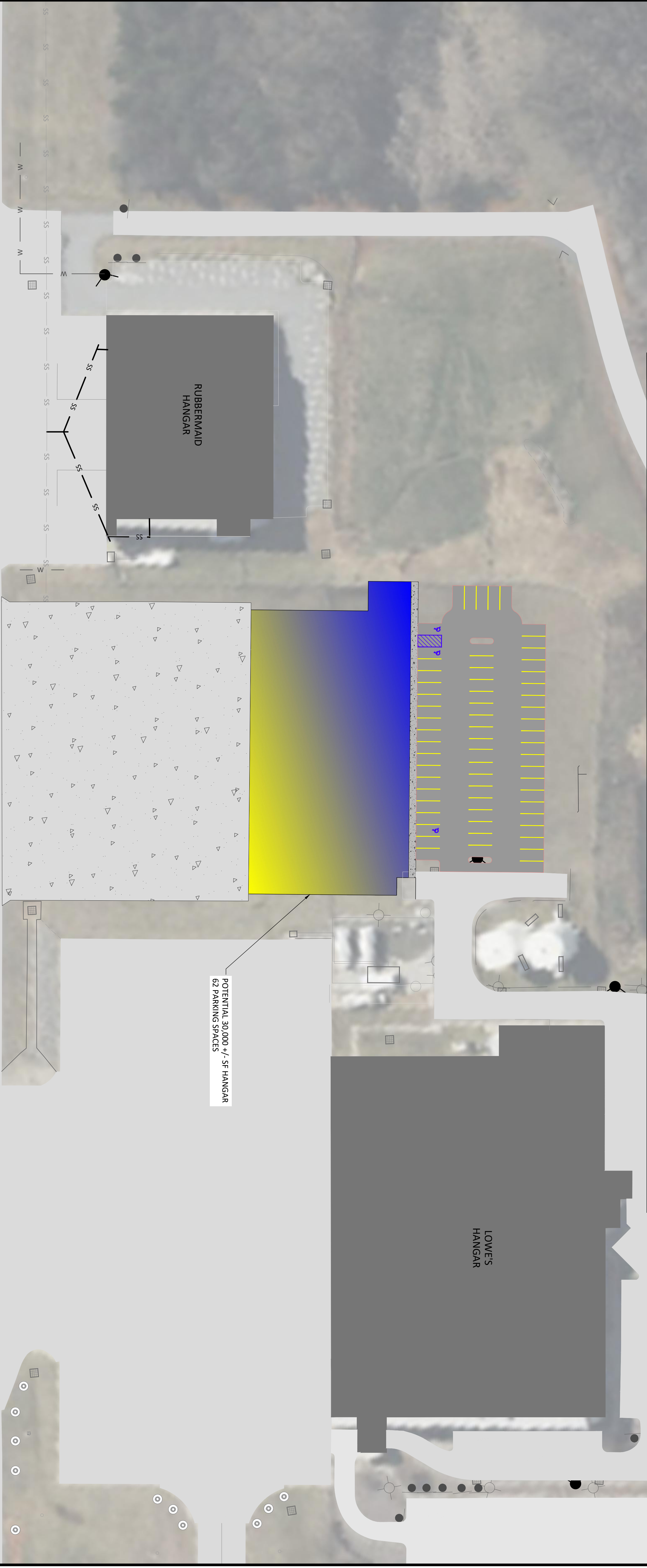


9C4D45D897794C2...
Nick Short, P.E., P.L.S.
Director of Aviation

NAS/ah

cc: John Ferguson, Airport Manager, Statesville Regional Airport
Gina Lawrence, Chief Finance Officer, City of Statesville
Cynthia Dunford, Assistant Finance Director, City of Statesville
Carissa Barnette, Office Manager, City of Statesville
Rachel S. Bingham, P.E., Aviation Development Manager/Deputy Director, NCDOT
Jason B. Schronce, P.E., Deputy Director of Programs and Planning, NCDOT
Raj Kondapalli, P.E., Airport Project Manager, NCDOT

STATESVILLE REGIONAL AIRPORT (KSVH)
Proposed Hangar Layout Option 2
April 2025



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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 8/31/2026 3:17 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a resolution to set the public hearing date of October 5, 2026 for AX26-10 Japul Road, an annexation request filed by Harmony Investing LLC, for 26.78 acres located off of Japul Road and Beauty Street.

1. Summary of Information:

The property is approximately 26.78 acres located at the end of Japul Road and along Beauty Street. The applicant is requesting the annexation of the properties concurrently with a conditional rezoning request to build a new subdivision with up to 70 single-family homes.

2. Previous Council or Relevant Actions:

City Council previously set the public hearing to be held on August 10th and the applicant has amended their application.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

N/A

6. Department Recommendation:

The department recommends passing the resolution and setting a date of October 5, 2026, for a public hearing on this annexation request.

7. Manager Comments:

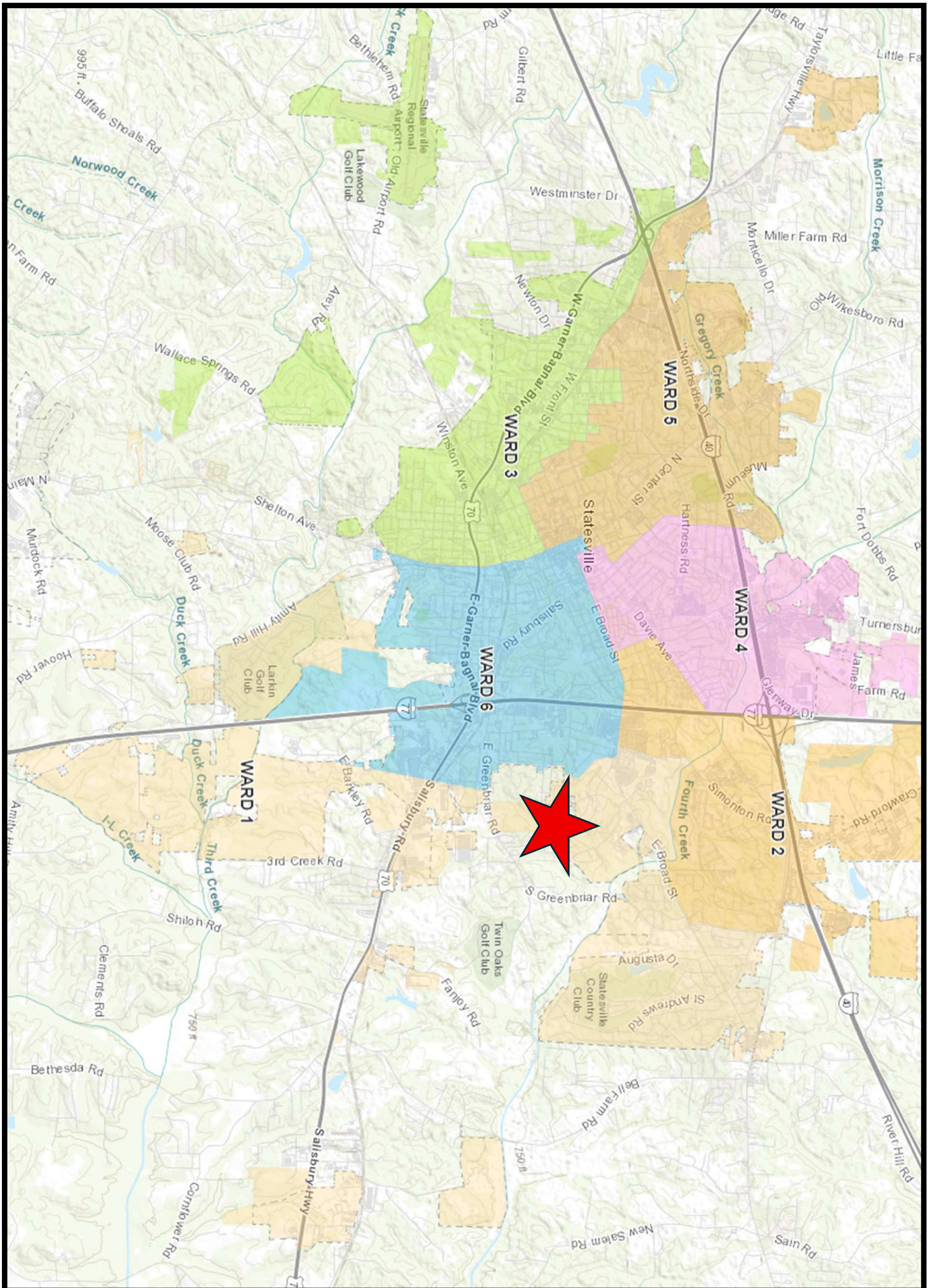
I concur with the department recommendation.

8. Next Steps:

Advertise for the public hearing.

9. Attachments:

1. Election Ward Map AX26-10 Japul Road 2
2. Resolution to Set Public Hearing_AX26-10 Japul Road
3. Location Map AX26-01 Harmony Vistas 2



RESOLUTION _____

**RESOLUTION FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

**Case No. AX26-10 Japul Road (Harmony Vistas) Subdivision
Parcel #'s 4754-25-4679 (Portion) and 4754-35-2055**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville, North Carolina.

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held in the Council Chambers of the Statesville City Hall at 6:00 o'clock p.m. on the 5th day of October 2026.

Section 2. The area proposed for annexation is described as follows:

City of Statesville, Iredell County

Beauty Street, Proposed New Tract 2

Portion of Parcel #4754254679 (DB 2153 PG 561) & Parcel #4754352055 (DB 782 PG 725)

Date: 08/18/2026

BEGINNING at a #4 Rebar set being a proposed corner of the New Tract 1 thence S 86°16'00" E a distance of 170.83' to a #4 Rebar set;

Thence N 84°08'40" E a distance of 212.99' to a Computed point in a creek;

Thence S 78°45'57" E a distance of 29.31' to a Computed point;

Thence S 63°59'25" E a distance of 29.04' to a Computed point;

Thence N 28°13'06" E a distance of 28.25' to a Computed point;

Thence S 47°08'34" E a distance of 17.56' to a Computed point;

Thence N 56°15'36" E a distance of 32.90' to a Computed point;

Thence S 71°51'06" E a distance of 24.56' to a Computed point;

Thence S 06°56'31" W a distance of 14.62' to a Computed point;

Thence S 68°46'34" E a distance of 18.68' to a Computed point;

Thence N 29°34'07" E a distance of 12.63' to a Computed point;

Thence S 72°06'21" E a distance of 29.33' to a Computed point;

Thence S 76°49'13" E a distance of 76.08' to a Computed point;

Thence N 81°02'14" E a distance of 42.91' to a Computed point;

Thence N 48°02'47" E a distance of 27.14' to a Computed point;

Thence S 67°04'49" E a distance of 47.19' to a Computed point;

Thence N 58°39'38" E a distance of 24.27' to a Computed point;

Thence S 85°35'28" E a distance of 45.48' to a Computed point;

Thence S 55°54'21" E a distance of 252.56' to a #4 Rebar found;
 Thence S 43°12'48" W a distance of 110.00' to a #4 Rebar found;
 Thence S 03°40'33" W a distance of 40.13' to a #4 Rebar found;
 Thence S 04°57'16" E a distance of 25.77' to a #4 Rebar found;
 Thence S 05°45'45" E a distance of 129.15' to a Computed point;
 Thence S 89°07'27" E a distance of 135.73' to a Computed point;
 Thence S 01°00'59" W a distance of 60.62' to a 1/2" Iron pipe found;
 Thence S 00°58'56" W a distance of 160.01' to an Angle iron found;
 Thence S 00°49'41" W a distance of 109.55' to an Angle iron found;
 Thence S 01°43'40" W a distance of 96.52' a #4 Rebar found;
 Thence S 00°31'52" W a distance of 174.96' to a 1/2" Iron pipe found;
 Thence N 86°14'01" W a distance of 375.97' to a 1" Iron pipe found;
 Thence N 86°16'00" W a distance of 781.77' to a #4 Rebar found;
 Thence N 86°15'57" W a distance of 170.42' to a 1" Iron pipe found;
 Thence N 04°44'19" E a distance of 27.26' to a #4 Rebar found;
 Thence N 04°18'54" E a distance of 79.83' to a #4 Rebar found;
 Thence N 04°25'47" E a distance of 80.40' to a #4 Rebar found;
 Thence N 04°23'20" E a distance of 93.18' to a #4 Rebar found;
 Thence N 04°24'43" E a distance of 104.72' to a #4 Rebar found;
 Thence N 04°19'34" E a distance of 114.03' to a Stone found;
 Thence N 04°59'10" E a distance of 204.87' to a #4 Rebar found;
 Thence S 85°47'59" E a distance of 169.12' to a #4 Rebar found;
 Thence N 04°12'37" E a distance of 219.61' to a #3 Rebar found';
 Thence N 04°11'12" E a distance of 29.65' to a #4 Rebar set which is the place and point of
 BEGINNING, having an area of 1,166,365 Square Feet, 26.776 Acres.

Section 3. Notice of said public hearing shall be published in the Statesville Record and Landmark, a newspaper having general circulation in the City of Statesville, at least 10 days prior to the date of the public hearing.

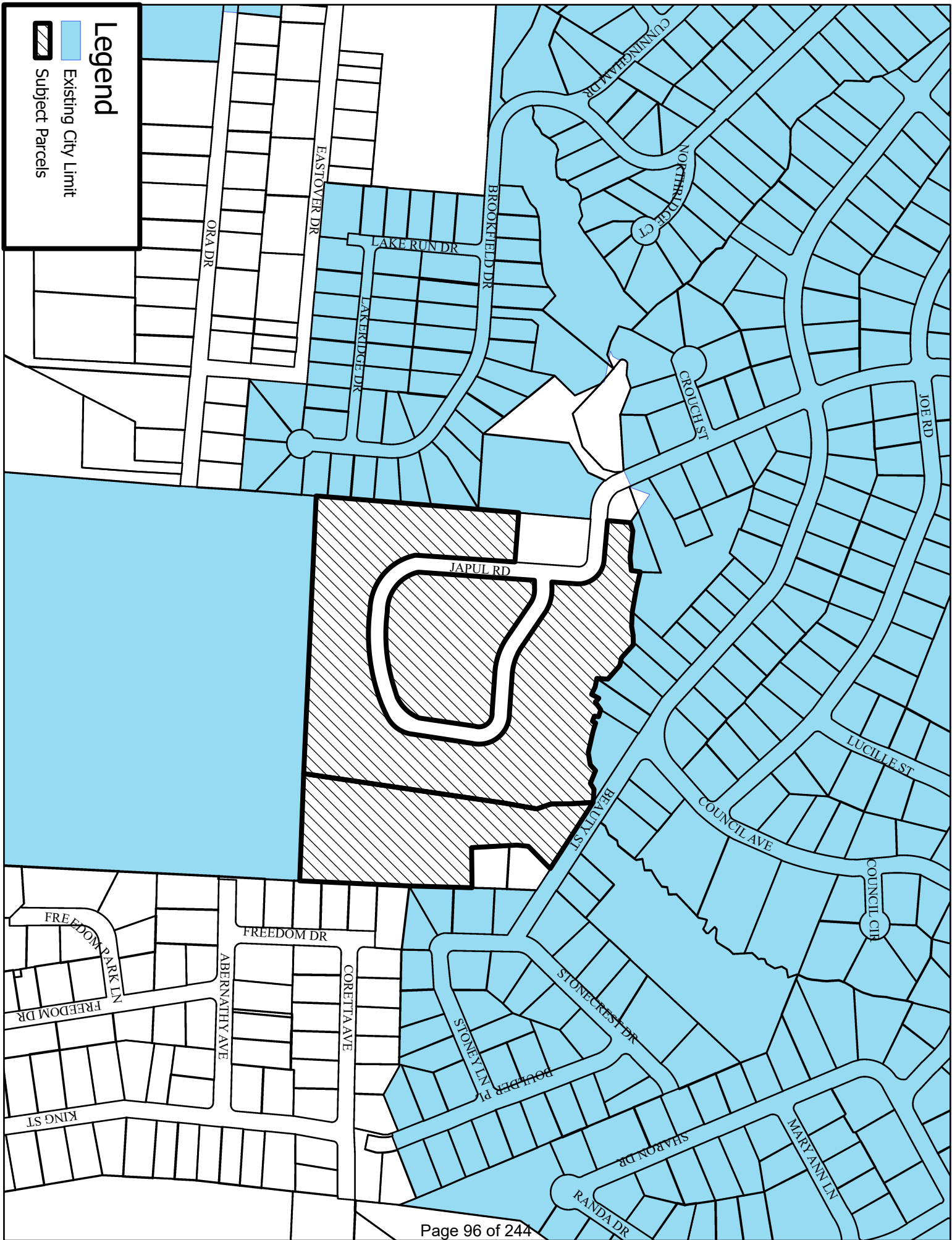
Adopted this 14th day of September 2026.

CITY OF STATESVILLE

By: _____
 J. Douglas Hendrix, Mayor

ATTEST:

 Emily Kurfees, City Clerk



CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Gina Lawrence, Chief Financial Officer
DATE: 9/1/2026 8:14 AM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving budget amendment #2027-06, which appropriates fund balance to support the rollover of outstanding purchase orders for contractual obligations and pending capital projects associated with the Cochran renovation project.

1. Summary of Information:

This request authorizes the annual roll forward of outstanding purchase orders remaining as of **June 30, 2026**, and amends the FY27 budget to appropriate the necessary carry-forward funds to honor those outstanding obligations.

During the purchase order roll forward process, it was determined that the funding for the purchase order associated with the Cochran Center renovation project was inadvertently deleted from the City's financial system and, as a result, the amount was not included in the original purchase order roll-forward. The purchase order has since been restored, as the associated renovation work is still in progress and had not been completed as of June 30, 2026.

Therefore, this request appropriates \$155,000 in FY27 to properly fund the restored purchase order and ensure sufficient budget authority is available to complete the Cochran Center renovation project.

2. Previous Council or Relevant Actions:

1. This property was purchased on March 16, 2026 after a unanimous vote by City Council.
2. The lease agreement with the Boys and Girls Club was approved at the April 13, 2026 on the consent agenda.
3. Council approved Budget Amendment #2027-3 on August 10, 2026 via regular agenda. This was for the blanket rollover PO action and was of the same nature as this request.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value and encourage Opportunity

This request aligns with the City's strategic goals by ensuring timely completion of capital improvements, infrastructure investments, and preventive maintenance initiatives that support the reliability, safety, and long-term sustainability of City assets. Rolling forward these appropriations

allows projects addressing aging infrastructure, system upgrades, facility improvements, equipment replacement, and ongoing maintenance to continue without disruption, preserving

4. Budget/Funding Implications:

This action will appropriate \$155,000 in carry-forward funding from FY26 to FY27 to provide the necessary budget authority for the restored Cochran Center renovation purchase order. The purchase order represents an existing FY26 obligation for renovation work that was in progress as of June 30, 2026, but was inadvertently omitted from the original purchase order roll-forward due to its deletion from the City's financial system.

The appropriation will align the FY27 budget with the outstanding encumbrance and does not represent a new project or additional spending commitment.

5. Consequences for Not Acting:

Using current year appropriation to fund outstanding prior year obligations would reduce the resources available to support FY27 operations, placing unnecessary pressure on departmental budgets and limiting the City's ability to fund ongoing programs, services and operational expenditures at anticipated levels.

6. Department Recommendation:

Approve as presented.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Staff will post budget amendment and roll outstanding purchase orders into current year.

9. Attachments:

1. BA Form 2027-06 Appropriating Funds for FY26 Cochran Center Roll Forward

CITY OF STATESVILLE
BUDGET AMENDMENT #2027-06
 September 14, 2026
 FISCAL YEAR 2026-2027

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.0000.399.00.00	Revenue	Appropriated Fund Balance	8,489,881	155,000	8,644,881
		Total Revenues	<u>8,489,881</u>	<u>155,000</u>	<u>8,644,881</u>
Recreation and Economic Vitality					
010.6240.73.00	Expenditure	Capital Outlay-Other Improvements	483,947	155,000	638,947
		Total Expenditures	<u>483,947</u>	<u>155,000</u>	<u>638,947</u>

DESCRIPTION: To appropriate funds to cover the FY26 purchase order for the Cochran Center repairs and renovations, which was inadvertently deleted and therefore not included in the FY26 purchase order roll-forward.

 Budget Officer

APPROVED BY CITY COUNCIL:

 City Clerk

Gina Lawrence

 Chief Finance Officer

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Gina Lawrence, Chief Financial Officer
DATE: 8/31/2026 4:35 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider authorizing the City Manager or his designee to dispose of items declared as surplus in accordance with the North Carolina General Statutes Chapter 160A, Article (160A-270c).

1. Summary of Information:

The Finance Department, in coordination with all City departments, has compiled a comprehensive inventory of surplus property proposed for disposal through public auction, except for items determined to be inoperable. Eligible items will be sold via an approved electronic auction hosted at <http://www.govdeals.com>.

As part of the City's ongoing asset management and fiscal stewardship practices, departments routinely identify vehicles, equipment, machinery, furniture, technology, and other personal property that are obsolete, damaged, no longer operationally useful, or otherwise unnecessary for municipal operations. Conducting an annual surplus process provides an efficient and transparent method for removing these assets from inventory while maximizing the recovery of value for property no longer required for City use.

2. Previous Council or Relevant Actions:

Pursuant to N.C.G.S. § 160A-270(b), City Council may authorize the disposition of personal property through public auction. Additionally, N.C.G.S. § 160A-270(c) authorizes Council to conduct such auctions electronically by establishing an electronic auction procedure or utilizing an existing public or private electronic auction service.

Prior resolutions supporting this action include Resolution #22-13, Resolution #13-14, and Resolution #45-25.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

The process reduces the costs and administrative burden associated with storing, maintaining, securing, and tracking property that no longer serves a municipal purpose.

5. Consequences for Not Acting:

Failure to dispose of surplus property in accordance with G.S. 160A-270c can result in:

Violation of state law, since these statutes explicitly govern the sale, exchange, or disposal of city owned property.

Invalid transactions an sale or disposal conducted outside of the authorized process could be deemed void or unenforceable.

Auditors may cite findings for lack of internal control, asset management or failure to follow disposal policy.

6. Department Recommendation:

Approved as requested.

7. Manager Comments:

Recommend for approval.

8. Next Steps:

Once the resolution is approved, staff will publish a notice at least ten (10) days prior to the auction date, which is tentatively scheduled for October 1.

9. Attachments:

1. Surplus List for 9.14.26 Agenda
2. Resolution-Surplus-Letter Auction

Page 103 of 244

[illegible]

SURPLUS

[illegible]

SURPLUS

[illegible]

SURPLUS

[illegible]

City Of Statesville - I.T. Surplus

Device	Brand	Serial Number	Former User	Qty
Battery Backups- non functioning	various brands	N/A	N/A	20
Docking Stations-condition-unknown	HP and Dell			10
Box of keyboards/mice-condition unknown	HP/Lenovo/Dell			10
Box of phones: non functioning	Mitel and Vtech			14
Scanner	Epson	SQWZ150116	N/A	
Desktop	HP	MXL3253C9F	N/A	
Desktop	HP	MXL3253C90	N/A	
Desktop	HP	MXL0133CIP	N/A	
Desktop	HP	MXL0133CKQ	N/A	
Desktop	Dell	B7PF9R3	N/A	
Desktop	Dell	BG1LLM3	Airport	
Desktop	Dell	D6PF9R3		
Desktop	HP	MXL3253C9Q	N/A	
Desktop	HP	MXL3253C9R	N/A	
Desktop	Dell	6DT6IV2	N/A	
Desktop	Dell	6DW3IV2	N/A	
Desktop	Dell	1TM6IV2	N/A	
Desktop	Dell	1TL7IV2	N/A	
Desktop	Dell	6DZ4IV2	N/A	
Desktop	Lenovo	M1007B22	N/A	
Desktop	HP	2UA7401N8F	N/A	
Desktop	HP	2UA7401N84	N/A	
Desktop	HP	MXL0133CK9	N/A	
Desktop	Lenovo	MJ372RV	N/A	
Desktop	Lenovo	M6002V1M	N/A	
Desktop	Lenovo	MJ723FG	N/A	
Desktop	Lenovo	M6002VC8	N/A	
Desktop	Lenovo	MJ04A8BR	N/A	
Desktop	Lenovo	MJ372TD	N/A	
Desktop	Lenovo	M6002VCM	N/A	
Desktop	Lenovo	MJ372RG	N/A	
Desktop	Lenovo	MJ585TN	N/A	
Desktop	Lenovo	M6002V6H	N/A	
Desktop	Lenovo	MJ372VP	N/A	
Desktop	Dell	B8PF9R3	N/A	
Printer	HP	MY27Q1B35B	N/A	
Printer	Lexmark	40633699084KM	N/A	

Office Chair					1
wireless router	Netgear				1
monitor	Lenovo	v3dg959			
DiskStation	Synology	C8LBN01850			
Scanner	Ricoh	P13 21100058			
drive caddy	nexstar		579002834		
overhead doc camera	wolf vision	08 9056			
Desktop	Lenovo	M1007B1Z			
Mini switches/media converters-condition unknown	netgear				
Desktop	HP				1 box-10
binders-1 box various sizes		MXL0133c4b			
Docking Station adapters	HP				5

Fixed Asset Removal/Transfer Form

Instructions

- This form must be completed PRIOR to transferring property to surplus, to another department, removing assets, or using property as a trade-in on future purchases.
- Any questions should be directed to the Finance Department or the Purchasing Department.
- Surplus items will only be taken up once a year as always.

Department:

Fire Department

Date:

7-14-2026

☒ **Transfer to Surplus** ☐ **Department Transfer**
(Submit to Finance Department)

☒ **Asset Removal** ☐ **Trade-In**
(Submit to Finance Department)

CS-158613

Fixed Asset Number, if applicable

Continental

Year/Make/Model Number

Continental 3 in 1 weight lifting machine

Serial Number/VIN Number

Asset Description

Fire Department

Current Department Location

Proposed Department Location

Reason for Disposal: (Required)

No longer needed

Condition of Equipment: (Required)

Good

Will this equipment be replaced with new equipment? ☐ YES ☒ NO

If yes, has the new equipment been budgeted? ☐ YES ☐ NO

Department Request

Dept Name: Fire 5300

Signature: *Aaron Kennedy*

Print Name: Aaron Kennedy

Department Receiving Items (Transfers Only)

Dept Name: _____

Received By: _____

Print Name: _____

City Manager Approval

City Manager Signature

Date

Fixed Asset Removal/Transfer Form

Instructions

- This form must be completed **PRIOR** to transferring property to surplus, to another department, removing assets, or using property as a trade-in on future purchases.
- Any questions should be directed to the Finance Department or the Purchasing Department.
- Surplus items will only be taken up once a year as always.

Department:

City of Statesville Fire

Date:

7/29/2026

☒ **Transfer to Surplus** ☐ **Department Transfer**
(Submit to Finance Department)

☒ **Asset Removal** ☐ **Trade-In**
(Submit to Finance Department)

Fixed Asset Number, if applicable

Year/Make/Model Number

Craftsmen 60 Gal Air Compressor(MOTOR BAD)

Serial Number/VIN Number

Asset Description

Old Fire Station 1

Current Department Location

Proposed Department Location

Reason for Disposal: (Required)

Motor does not run

Condition of Equipment: (Required)

Tank is good, motor does not work

Will this equipment be replaced with new equipment?

☐

YES

☒

NO

If yes, has the new equipment been budgeted?

☐

YES

☐

NO

Department Request

Dept Name: City of Statesville Fire

Signature: *Aaron Kennedy*

Print Name: Aaron Kennedy

Department Receiving Items (Transfers Only)

Dept Name: _____

Received By: _____

Print Name: _____

City Manager Approval

City Manager Signature

Date

Fixed Asset Removal/Transfer Form

Instructions

- This form must be completed PRIOR to transferring property to surplus, to another department, removing assets, or using property as a trade-in on future purchases.
- Any questions should be directed to the Finance Department or the Purchasing Department.
- Surplus items will only be taken up once a year as always.

Department:

City of Statesville Fire

Date:

7/29/2026

☒

Transfer to Surplus

☐

Department Transfer

(Submit to Finance Department)

☒

Asset Removal

☐

Trade-In

(Submit to Finance Department)

Fixed Asset Number, if applicable

Year/Make/Model Number

Serial Number/VIN Number

Metal Plate weights 8-45lb 6-35lb 6-25lb 7-10lb 5-5lb 4-2.5lb

Asset Description

Old Fire Station 1

Current Department Location

Proposed Department Location

Reason for Disposal: (Required)

No longer needed

Condition of Equipment: (Required)

Good

Will this equipment be replaced with new equipment?

☐

YES

☒

NO

If yes, has the new equipment been budgeted?

☐

YES

☐

NO

Department Request

Dept Name: City of Statesville Fire

Signature: *Aaron Kennedy*

Print Name: Aaron Kennedy

Department Receiving Items (Transfers Only)

Dept Name: _____

Received By: _____

Print Name: _____

City Manager Approval

City Manager Signature

Date



FIXED ASSET REMOVAL/TRANSFER FORM

INSTRUCTIONS

- This form must be completed PRIOR to transferring property to surplus or to another department.
- Any questions should be directed to the Finance Department or the Purchasing Department.
- Surplus list(s) and forms will be collected by the Purchasing Department as time permits. Purchasing will notify departments via email about surplus and deadlines to submit.

Department: Statesville Public Power

Date: 7/21/2026

Transfer to Surplus ☒

Transfer to Another Department, which department: N/A

Fixed Asset #, if applicable: _____ VEH/Equipment # 636

YR/Make/Model #s: 2007 KUBOTA MINI EXCAVATOR KX121-3 SUPER SERIES (OPEN CAB)

Serial #/VIN#: SER.# 12829 Miles: HOURS 1436.5

Asset Description & Condition: (please give detailed description of issues with vehicle/equipment include condition of tires, motor, etc..)

TRAVIS V. WILL FILL OUT THIS PART

Will This equipment be replaced with new equipment? YES ☒ NO _____

If yes, has the new equipment been budgeted or has equipment already been replaced? _____
THIS EQUIPMENT HAD ALREADY BEEN REPLACED

Cody Leis Cody Leis
Dept Head print & sign

Dept Receiving Items (Transfers Only) print & sign

CITY MANAGER APPROVAL

City Manager Signature

Date



FIXED ASSET REMOVAL/TRANSFER FORM

INSTRUCTIONS

- This form must be completed PRIOR to transferring property to surplus or to another department.
- Any questions should be directed to the Finance Department or the Purchasing Department.
- Surplus list(s) and forms will be collected by the Purchasing Department as time permits. Purchasing will notify departments via email about surplus and deadlines to submit.

Department: Public Power

Date: 07/29/2026

Transfer to Surplus

☒

Transfer to Another Department, which department: _____

Fixed Asset #, if applicable: 612

VEH/Equipment # 612

YR/Make/Model #s: 2017 Ford F-350 Supercab

Serial #/VIN#: 1FD8X3BT2HEE86442

Miles: 159870

Asset Description & Condition: (please give detailed description of issues with vehicle/equipment include condition of tires, motor, etc..)

Overall, the truck is in working condition. However, it has high mileage and has seen extensive use as a crew vehicle, including daily operations, on-call response, and after-hours emergency work. Of the two crew trucks being replaced this year, this unit is in the poorest condition and has required the most maintenance and repairs.

Will This equipment be replaced with new equipment? YES ☒ NO ☐

If yes, has the new equipment been budgeted or has equipment already been replaced? _____

Yes, replacement has been delivered; Fleet Maintenance is working on placing it in service.

Cody Leis

Cody Leis

Dept Head print & sign

Dept Receiving Items (Transfers Only) print & sign

CITY MANAGER APPROVAL

City Manager Signature

Date

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO DISPOSE OF BY ELECTRONIC INTERNET AUCTION.

WHEREAS, the Purchasing Division of the City of Statesville has recommended to the City Council that the personal property as described below be declared surplus; and

WHEREAS, the City Manager or his designee shall receive in the Statesville City Council's behalf bids by Electronic Internet Auction(G.S. 160-270(C) for the sale of the property listed; and

WHEREAS, said Internet Auction shall be held at www.govdeals.com. The surplus property will be sold with terms and conditions as specified in the GovDeals contract. This process will begin on October 1, 2026 and continue until surplus has been disposed of.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville that the following items are declared surplus:

1. The items on the attached list are declared surplus.
2. Surplus property will be by electronic auction.
3. Advertisement of said electronic auction will be published in accordance of 160A-270(c)

Adopted this the 14th day of September, 2026

J. Douglas Hendrix, Mayor

ATTEST:

Emily Kurfees, City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Parviz Moosavi, Historic Preservation Planner
DATE: 8/31/2026 12:54 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving the attached resolution opposing the proposed regulatory changes to the Section 106 Review Process of the National Historic Preservation Act of 1966.

1. Summary of Information:

The City of Statesville includes eight (8) National Register Districts and over ten (10) individual properties listed in the National Register of Historic Places (see attached list and the map of the City's National Register).

The Section 106 review process of the National Historic Preservation Act of 1966 was enacted by the United States Congress to prevent negative impacts that might be caused by federally undertaken projects designated as National Registered properties and Districts, archaeological sites, including properties eligible for listing in the National Register of Historic Places.

Such undertaking projects may include but are not limited to the following:

1. Federally funded
 2. Federal permits or approvals requirements
 3. Projects carried out by federal agencies
 4. Certain projects administered by state/local governments with federal involvement
- Section 106 Review Process doesn't apply to privately funded projects.

The above-mentioned National Historic Preservation Act of 1966 reflects Congress's long-lasting bipartisan commitment to ensure that historic places are considered before federal projects move forward. Any regulatory changes should faithfully implement the law enacted by Congress not to undermine its purpose or diminish its protections.

The Advisory Council on Historic Preservation (ACHP) is responsible for administering and ensuring the requirements of Section 106 Review Process are met.

On July 24, 2026, the National Advisory Council on Historic Preservation voted to advance the proposed regulatory changes on the Section 106 Review Process. If approved it would fundamentally alter how federal agencies consider the effects of their actions on the historic places, reducing opportunities for consultation with state and local governments and tribal communities. These proposed regulatory changes would weaken protections for historic and cultural resources, eliminating the public participation and comment process, and departing from decades of established practice that has successfully balanced preservation with infrastructure, energy, housing, and other public priorities.

The proposed regulatory changes are currently being reviewed by the White House Office of Information and Regulatory Affairs (OIRA), to publish the Notice of Proposed Rulemaking (NPRM) in the Federal Register allowing a 30-day public comment window. This 30-day window is yet to be determined. However, it's critical to express opposition to the proposed regulatory changes, due to the fact that the Advisory Council on Historic Preservation will review the public comments to make any possible revisions before finalizing the proposal.

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Expand access to enriching cultural, recreational, and open space amenities.

Strategic Plan Values: We value Engagement.

The economic vitality of the City of Statesville depends, in part, on protecting and preserving our National Register Historic Districts and individual properties listed in the National Register of Historic Places. Protecting these historic resources is critical to maintaining Statesville's unique character, strengthening our sense of place, and supporting continued access to cultural, recreational, and open-space amenities that enrich our community.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The proposed changes would shift authority from collaborative consultation to unilateral federal agency control, significantly reducing the role of State and Tribal Historic Preservation Offices and limiting the public participation. The proposal also significantly narrows who participates in the process. Local governments would no longer be entitled to consult, and preservation organizations and interested members of the public would no longer be recognized as consulting parties.

As part of the proposed changes, agencies would prepare a single Section 106 report that identifies historic properties, evaluates effects, and determines what mitigation (if any) is appropriate before circulating it for comments. The State Historic Preservation Office (SHPO), the local governments and other consulting parties would largely be responding to an agency's conclusion, rather than helping shape it throughout the process.

6. Department Recommendation:

The Planning Department recommends the City Council approves the attached resolution to:

1. Oppose the regulatory changes that weaken the protection and consultation requirements of the Section 106 of the National Historic Preservation Act of 1966.
2. Encourage the Advisory Council on Historic Preservation to develop regulations that are consistent with the intent of Congress and the statutory requirement of the National Historic Preservation Act of 1966.
3. Support a transparent regulatory process that fully considers the perspectives of State and Tribal Historic Preservation Officers, Tribal Nations, local governments, preservation organizations, property owners, and the public.

7. Manager Comments:

I concur with the department recommendation.

8. Next Steps:

Forward the signed resolution to the North Carolina Governor, Historic Preservation Advisory Council, NC State Historic Preservation Office and the National Trust for Historic Preservation.

9. Attachments:

1. National District + Individually Listed Properties
2. Map of Districts and Individual Properties Listed in National Register of Historic Places
3. Resolution - CAR on Changes to Section 106 Review Process FINAL

City of Statesville

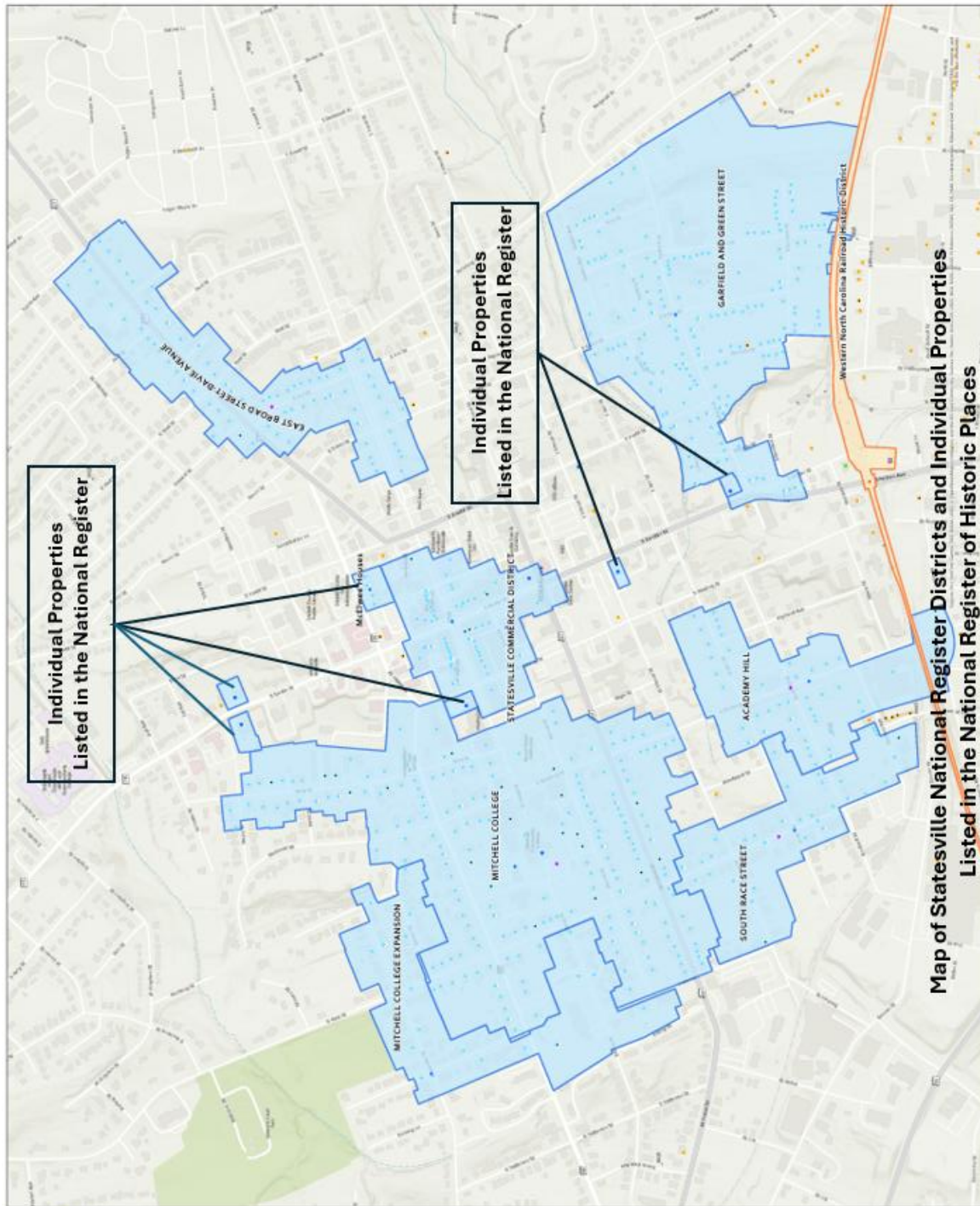
National Districts and Individual Properties Listed in the National Register of Historic Places

Eight National Register Districts:

- 1- Mitchell College (Listed in 1980)
- 2- Mitchell College Expansion (Listed in 2002)
- 3- Downtown Commercial District (Listed in 1980)
- 4- Academy Hill (Listed in 1980)
- 5- South Race St. (Listed in 1995)
- 6- Davie Ave/E. Broad St (Listed in 1980)
- 7- Garfield St./Green St. (Listed in 2025)
- 8- McElwee Houses (Four Adjacent Homes Listed in 1980)

Ten Individual Properties:

- 1- Henry-Fletcher & Carrie Allison Long House (Listed in 1921)
- 2- Mitchell College Main Building (Listed in 1973), within Mitchell College District
- 3- Statesville City Hall (Listed in 1974), within Downtown Commercial District
- 4- Iredell County Courthouse (Listed in 1979), within Downtown Commercial District
- 5- Morrison-Mott House (Listed in 1980)
- 6- Colonel Silas Alexander Sharpe House (Listed in 1980)
- 7- Key Memorial Chapel / St. Phillip's Catholic Church (Listed in 1980)
- 8- A.M.E. Zion Church / Mount Pleasant A.M.E. Zion Church (Listed in 1980), within Garfield and Green Street District
- 9- Post Office & Courthouse (Listed in 2018) within Downtown Commercial District
- 10-Ramsey Farm (Listed in 2021)



Resolution _____

**RESOLUTION TO OPPOSE THE CHANGES TO THE SECTION 106 REVIEW PROCESS
PROPOSED BY THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)**

WHEREAS the City of Statesville cherishes its eight (8) National Register Districts and ten (10) individual properties listed in the National Register of Historic Places; and

WHEREAS the National Preservation Act of 1966 was enacted by the United States Congress to protect the properties and districts listed in the National Register of Historic Places; and

WHEREAS protection of our National Register Districts and the properties listed in the National Register of Historic Places is crucial to the economic vitality of the city; and

WHEREAS the Advisory Council on Historic Preservation (ACHP) is responsible for administration of the Section 106 Review Process ensuring compliance with the National Preservation Act of 1966; and

WHEREAS the Section 106 Review Process was enacted to prevent negative impact of all federally funded projects on the National Register Districts and the properties listed in the National Register of Historic Places; and

WHEREAS the National Advisory Council on Historic Preservation has proposed regulatory changes on the Section 106 Review Process. If approved it would fundamentally alter how federal agencies consider the effects of their actions on the historic places, reducing opportunities for consultation with state, local governments, tribal communities and the public in general; and

WHEREAS the proposed regulatory changes are currently being reviewed by the Whitehouse Office of Information and Regulatory Affairs (OIRA), to publish the Notice of Proposed Rulemaking (NPRM) in the Federal Register allowing a 30-day public comment window. This 30-day window is yet to be determined; and

WHEREAS the proposed regulatory changes to the Section 106 Review Process by the Advisory Council on Historic Preservation is detrimental to the City of Statesville National Register Districts and the individual properties listed in the National Register of Historic Places; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Statesville to:

1. Oppose the regulatory changes that weaken the protection and consultation requirements of the Section 106 of the National Historic Preservation Act of 1966.
2. Encourage the Advisory Council on Historic Preservation to develop regulations that are consistent with the intent of Congress and the statutory requirement of the National Historic Preservation Act of 1966.
3. Support a transparent regulatory process that fully considers the perspectives of State and Tribal Historic Preservation Officers, Tribal Nations, local governments, preservation organizations, property owners, and the public.

Adopted on the 14th of September 2026.

CITY OF STATESVILLE

J. Douglas Hendrix, Mayor

Emily Kurfees, City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Tamira Weeks

DATE: 8/31/2026 2:41 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a Resolution of Intent to permanently close the end portion of unopened Dover Rd just after the Dover Rd and Larkin Commerce Pkwy intersection and schedule a public hearing for October 19, 2026.

1. Summary of Information:

This request is initiated by Mr. Robert C. Combs of The Keith Corporation, on behalf of the property owner, TKC CCCXCVIII, LLC for the end portion of Dover Rd just after the Dover Rd and Larkin Commerce Pkwy intersection (see attached location map).

TKC CCCVCVIII, LLC owns all the parcels that would be affected by the abandonment. If Dover Rd is abandoned TKC CCCXCVII, LLC can recombine all of the affected parcels into one larger one. This will allow for more options for development on a greater scale. An amendment to the City's Mobility Plan will be processed for concurrent consideration.

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

Dover Rd would remain open and the NCDOT would continue to maintain the road.

6. Department Recommendation:

Staff recommends passing the Resolution of Intent to Close this portion of Dover Road and set the public hearing for October 19, 2026.

7. Manager Comments:

I concur with the department recommendation.

8. Next Steps:

Advertise for the public hearing (in accordance with NCGS 160A-299, the petitioner must post the resolution of intent on the property in two prominent locations on each right of way and notify adjoining property owners via certified mail). City of Statesville will advertise in the newspaper for the public hearing.

9. Attachments:

1. Resolution of Intent for Street Closing Dover Road 1
2. DoverRd_ROW_Map

RESOLUTION NO. _____
RESOLUTION OF INTENT FOR STREET CLOSING

**RESOLUTION BY THE CITY COUNCIL OF STATEVILLE, NORTH CAROLINA DECLARING
ITS INTENTION TO CLOSE PORTIONS OF DOVER ROAD (SECONDARY ROAD #2460) ON
THE ATTACHED EXHIBIT A PREPARED BY PLOTTHOUND ENGINEERING AND GPI
SURVEYING, DATED JULY 17, 2026, ATTACHED HERETO AS EXHIBIT B, AND CALLING
FOR A PUBLIC HEARING THEREON.**

WHEREAS, the attached Exhibit A and survey prepared by Plotthound Engineering and GPI Surveying, dated July 17, 2026, and attached hereto as Exhibit B, describes and shows the streets to be closed; and

WHEREAS, portions Dover Road adjoin the property of TKC CCCXCVIII, LLC.

WHEREAS, a roadway exists within such portions of Dover Road.

WHEREAS, it currently appears that closing the streets is not contrary to the public interest and that no property owner will be deprived of a reasonable means of ingress and egress to its property; and

WHEREAS, TKC CCCXCVIII, LLC is in need of the properties for the intended future development of its surrounding property; and

WHEREAS, upon the physical closing of the roadway, an intersection will be constructed to City of Statesville's Standards.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STATEVILLE, NORTH CAROLINA that Notice of its Intention to close portions of Dover Road as shown on the attached Exhibit A and shown on survey prepared by PLOTTHOUND ENGINEERING AND GPI SURVEYING, dated July 17, 2026, and attached hereto as Exhibit B be published once a week for two consecutive weeks; that a notice of the closings and a public hearing be prominently posted in at least two places along the streets to be closed and that a public hearing be held on the question of closing the streets on the 19th day of October, 2026, at 6:00 o'clock p.m. in the City Council Chambers at City Hall, Statesville, North Carolina.

This the 14th day of September, 2026.

CITY OF STATESVILLE

BY: _____
J Doug Hendrix, Mayor

ATTEST:

Emily Kurfees, City Clerk

EXHIBIT A

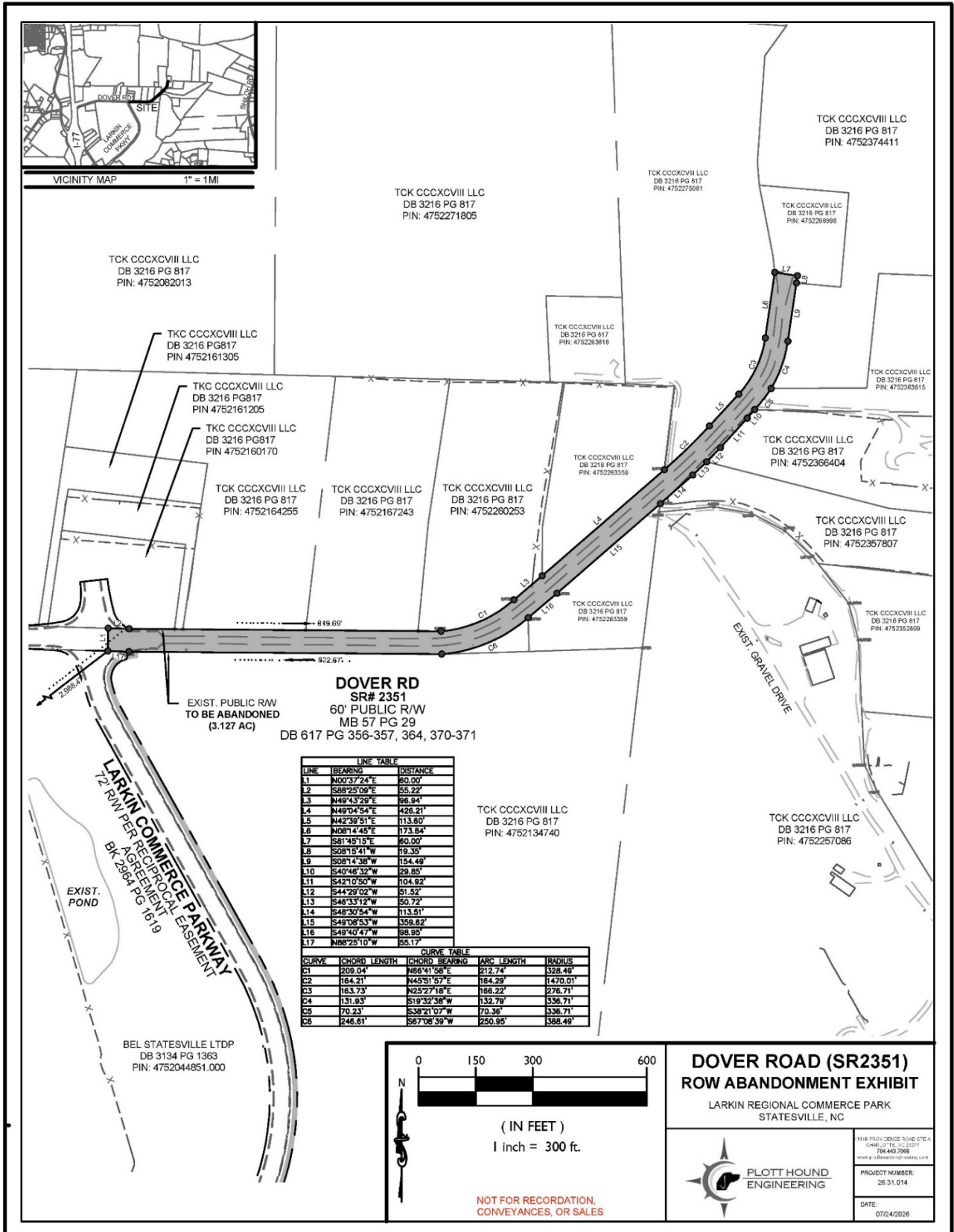
PROPERTY DESCRIPTION ~ A PORTION OF DOVER ROAD

LYING AND BEING in Statesville, Iredell County, North Carolina and more particularly described as follows:

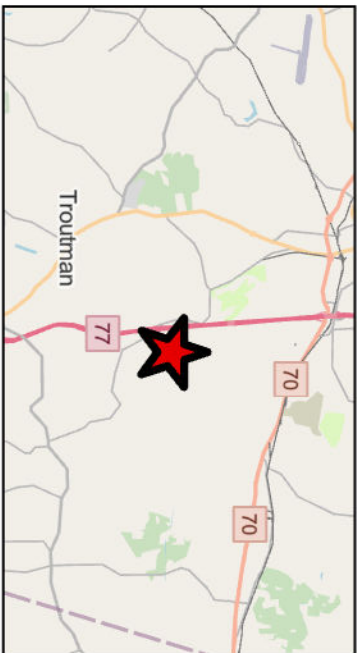
DOVER ROAD ABANDONMENT PORTION

COMMENCING at a found NC Grid Monument 'Amity Hill,' having North Carolina State Plane Coordinates N: 724078.075, E: 1448691.929; THENCE North 52 degrees 28 minutes 44 seconds East, a grid distance of 2,988.47 feet to a point on the southerly Right of Way of Dover Road, the POINT OF BEGINNING; thence N 00°37'24" E a distance of 60.00' to a point on the northerly Right of Way of Dover Road and in the southerly boundary line of TKC CCCXCVIII LLC (now or formerly) as described in Deed Book 3216, Page 817 of the Iredell County Registry; thence continuing with the lands of TKC CCCXCVIII LLC (now or formerly) and the northerly Right of Way of Dover Road S 88°25'09" E a distance of 55.22'; thence S 89°31'38" E a distance of 819.69'; thence with a curve turning to the left with an arc length of 212.74', with a radius of 328.49', with a chord bearing of N 66°41'58" E, with a chord length of 209.04'; thence N 49°43'29" E a distance of 96.94'; thence N 49°04'54" E a distance of 426.21'; thence with a curve turning to the left with an arc length of 164.29', with a radius of 1,470.01', with a chord bearing of N 45°51'57" E, with a chord length of 164.21'; thence N 42°39'51" E a distance of 113.60'; thence with a curve turning to the left with an arc length of 166.22', with a radius of 276.71', with a chord bearing of N 25°27'18" E, with a chord length of 163.73'; thence N 08°14'45" E a distance of 173.84'; thence S 81°45'15" E a distance of 60.00' to a point on the easterly Right of Way of Dover Road and the lands of TKC CCCXCVIII LLC (now or formerly) ; thence continuing with the lands of TKC CCCXCVIII LLC (now or formerly) and the easterly Right of Way of Dover Road S 08°15'41" W a distance of 19.35'; thence S 08°14'38" W a distance of 154.49'; thence with a curve turning to the right with an arc length of 132.79', with a radius of 336.71', with a chord bearing of S 19°32'38" W, with a chord length of 131.93'; thence with a compound curve turning to the right with an arc length of 70.36', with a radius of 336.71', with a chord bearing of S 38°21'07" W, with a chord length of 70.23'; thence S 40°46'32" W a distance of 29.85'; thence S 42°10'50" W a distance of 104.92'; thence S 44°29'02" W a distance of 51.52'; thence S 46°33'12" W a distance of 50.72'; thence S 48°30'54" W a distance of 113.51'; thence S 49°08'53" W a distance of 359.62'; thence S 49°40'47" W a distance of 98.95'; thence with a curve turning to the right with an arc length of 250.95', with a radius of 388.49', with a chord bearing of S 67°08'39" W, with a chord length of 246.61'; thence N 89°31'41" W a distance of 822.67'; thence N 88°25'10" W a distance of 55.17'; which is the POINT OF BEGINNING, having an area of 136,211.36 square feet, 3.127 acres.

EXHIBIT B

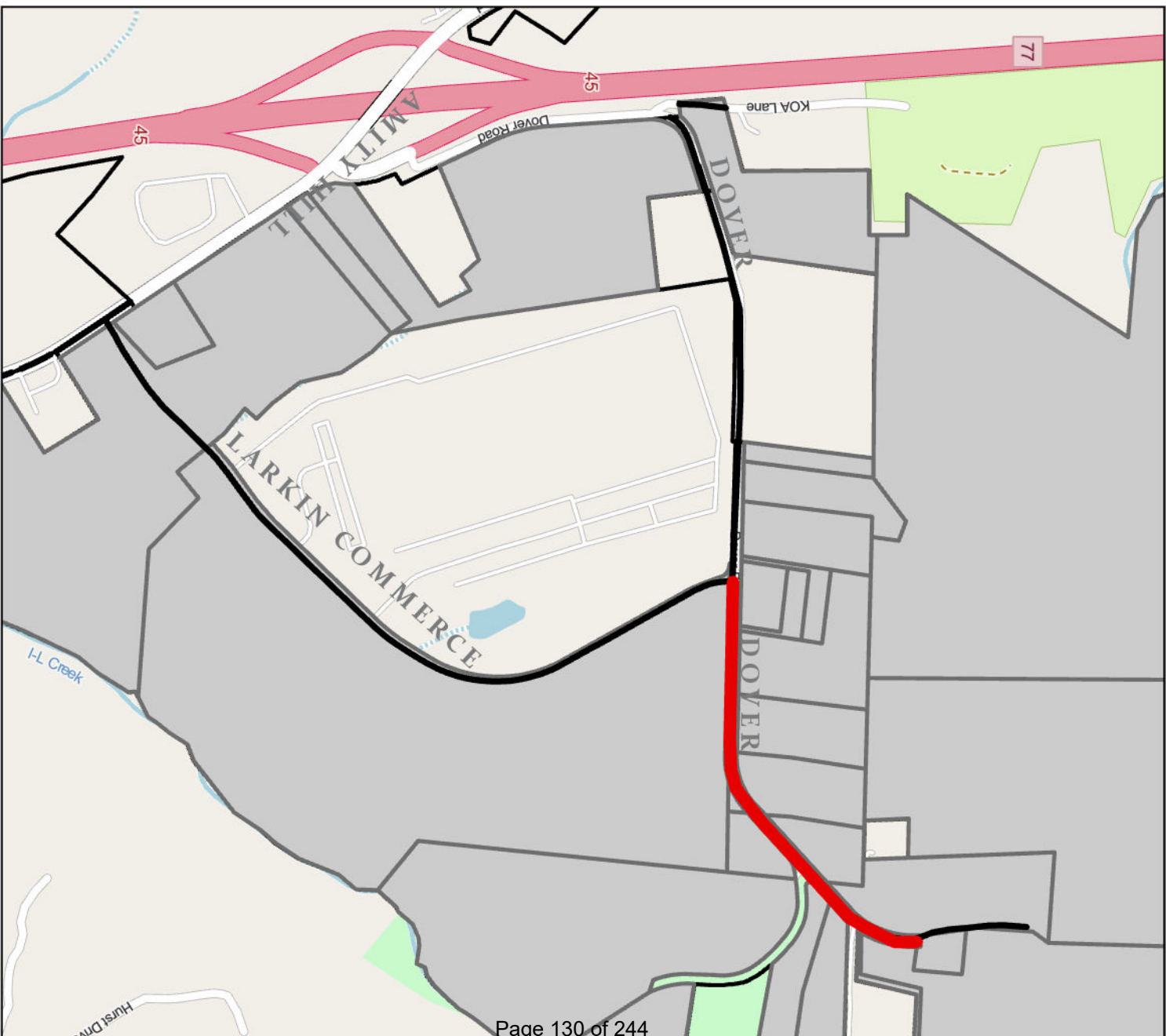


Dover Rd Right of Way (ROW) Abandonment



Legend

- █ Proposed ROW Abandonment
- TKC CCCXCVIII LLC Property



CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Tamira Weeks, Transportation Planner
DATE: 8/31/2026 3:20 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a Resolution of Intent to permanently close the west portion of unopened Free Nancy Avenue schedule a public hearing for October 19, 2026.

1. Summary of Information:

This request is being initiated by the Planning Department on behalf of the Jai Amba Maa (JAM) Hospitality, LLC. The request is to abandon the west strip of right-of-way off of Free Nancy Avenue (see attached location map). JAM Hospitality, LCC owns all the parcels that would be affected by the abandonment. If Free Nancy Ave is abandoned JAM Hospitality can recombine all of the affected parcels into one larger one.

This request is being initiated by the Planning Department because written in the purchasing contract "City of Statesville will make best efforts to abandon the right-of-way either before or simultaneously with closing on the property."

2. Previous Council or Relevant Actions:

- July 15, 2010 - Receipt of donation of 1203 Free Nancy Ave / PIN 4745-54-1924.000
- December 13, 2012 - Receipt of donation of 1213 Free Nancy Ave / PIN 4745-43-9618.000
- May 15, 2023 - Authorized upset bid procedure for 1203 Free Nancy Ave (PIN 4745-54-1924.000) and 1213 Free Nancy Ave (PIN 4745-43-9618.000).
- June 19, 2023 – Approved motion to sell 1203 Free Nancy Ave (PIN 4745-54-1924.000) and 1213 Free Nancy Ave (PIN 4745-43-9618.000) properties to the highest bidder with the city receiving the lease payments.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A
Connecting Our City: N/A
Connecting Our Communities: N/A
Strategic Plan Values: N/A

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The portion of Free Nancy Ave would remain open and the NCDOT would continue to maintain the road.

6. Department Recommendation:

Staff recommends passing the Resolution of Intent to Close this portion of Free Nancy Ave and set the public hearing for October 19, 2026.

7. Manager Comments:

I concur with the department recommendation.

8. Next Steps:

Advertise for the public hearing (in accordance with NCGS 160A-299, the petitioner must post the resolution of intent on the property in two prominent locations on each right of way and notify adjoining property owners via certified mail). City of Statesville will advertise in the newspaper for the public hearing.

9. Attachments:

1. Free Nancy Resolution of Intent to Close
2. ROW Jai Amba Free Nancy Map
3. Offer to Purchase and Contract Jai Amba

RESOLUTION NO. _____
RESOLUTION OF INTENT FOR STREET CLOSING

RESOLUTION BY THE CITY COUNCIL OF STATEVILLE, NORTH CAROLINA
DECLARING ITS INTENTION TO CLOSE PORTIONS OF FREE NANCY AVENUE ON
THE ATTACHED EXHIBIT A PREPARED BY JORDAN GRANT AND ASSOCIATES,
PLLC, DATED MAY 24, 2023, ATTACHED HERETO AS EXHIBIT B, AND CALLING FOR
A PUBLIC HEARING THEREON.

WHEREAS, the attached Exhibit A and survey prepared Jordan Grant and Associates, PLLC,
dated May 24, 2023, and attached hereto as Exhibit B, describes and shows the streets to be
closed; and

WHEREAS, portions Free Nancy Avenue adjoin the property of Jai Amba MMA Hospitality,
LLC.

WHEREAS, a roadway exists within such portions of Free Nancy Avenue.

WHEREAS, it currently appears that closing the streets is not contrary to the public interest and
that no property owner will be deprived of a reasonable means of ingress and egress to its
property; and

WHEREAS, Jai Amba MMA Hospitality, LLC is in need of the properties for the intended
future development of its surrounding property; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
STATEVILLE, NORTH CAROLINA that Notice of its Intention to close portions of Free Nancy
Avenue as shown on the attached Exhibit A and shown on survey prepared by Jordan Grant and
Associates, PLLC, dated May 24, 2023 and attached hereto as Exhibit B be published once a
week for two consecutive weeks; that a notice of the closings and a public hearing be
prominently posted in at least two places along the streets to be closed and that a public hearing
be held on the question of closing the streets on the 19th day of October, 2026, at 6:00 o'clock
p.m. in the City Council Chambers at City Hall, Statesville, North Carolina.

This the 14th day of September, 2026.

CITY OF STATESVILLE

BY: _____
J Doug Hendrix, Mayor

ATTEST:

Emily Kurfees, City Clerk

EXHIBIT A

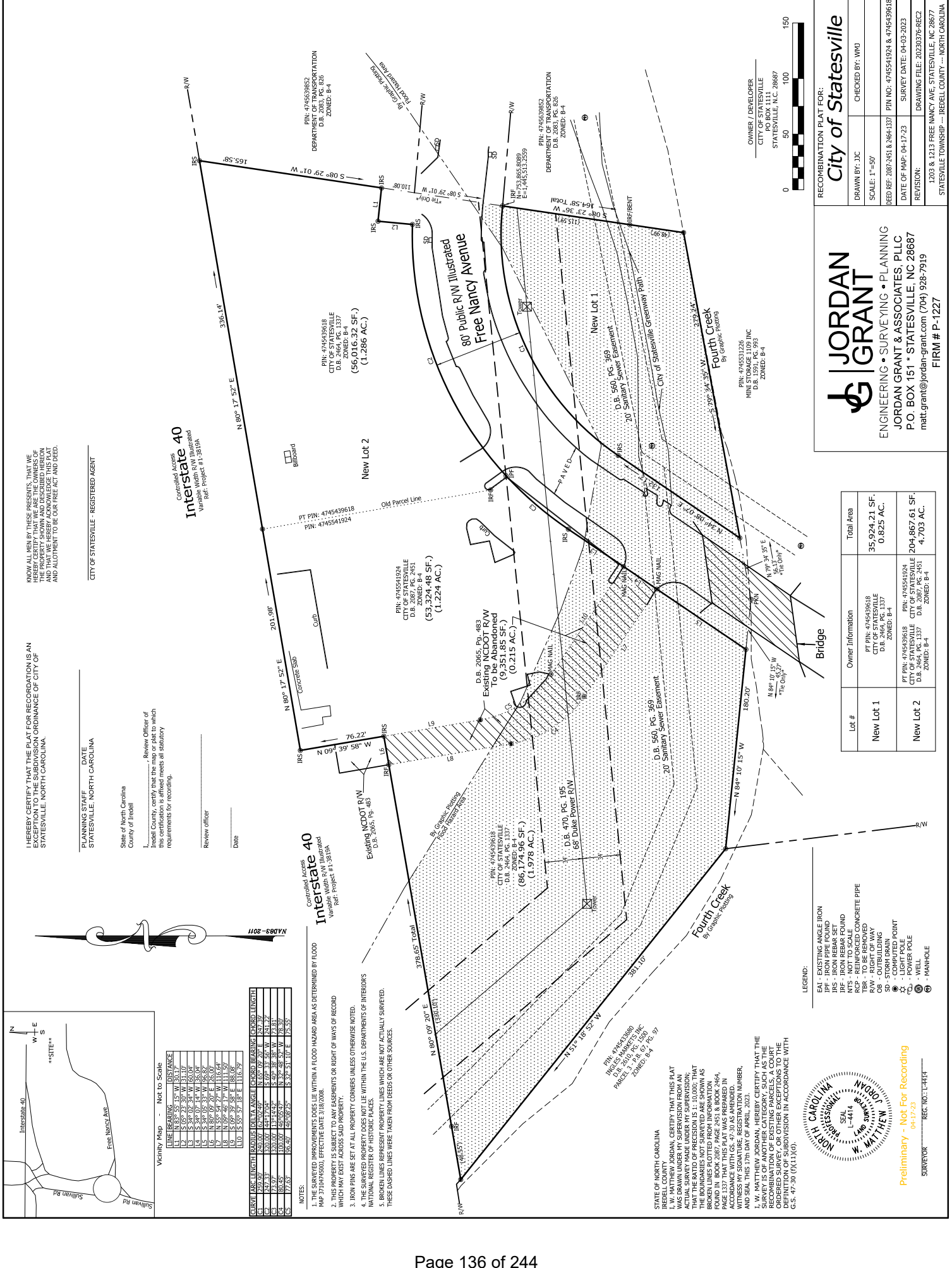
PROPERTY DESCRIPTION ~ A PORTION OF FREE NANCY AVENUE

LYING AND BEING in Statesville, Iredell County, North Carolina and more particularly described as follows:

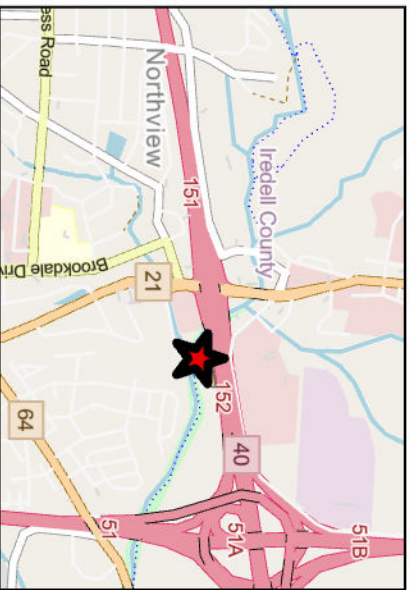
FREE NANCY AVENUE ABANDONMENT PORTION

Thence with the right of way of Free Nancy Ave the following five calls: N83 55-15W 29.99 feet to a rebar set; S05-23-30W 31.10 feet to a rebar set; with a curve to the left having a radius of 320.00 feet, length of 247.33 feet, chord bearing of S69-33-56W and a chord distance of 241.22 feet to a rebar found; with a curve to the left having a radius of 320.00 feet, length of 247.33 feet, chord bearing of S40-38-38W and a chord distance of 73.81 feet to a rebar set; S34-02-34W 60.04 feet to the point and place of beginning containing 2.510 acres as shown on survey by Jordan Grant and Associates, PLLC dated May 24, 2023.

EXHIBIT B



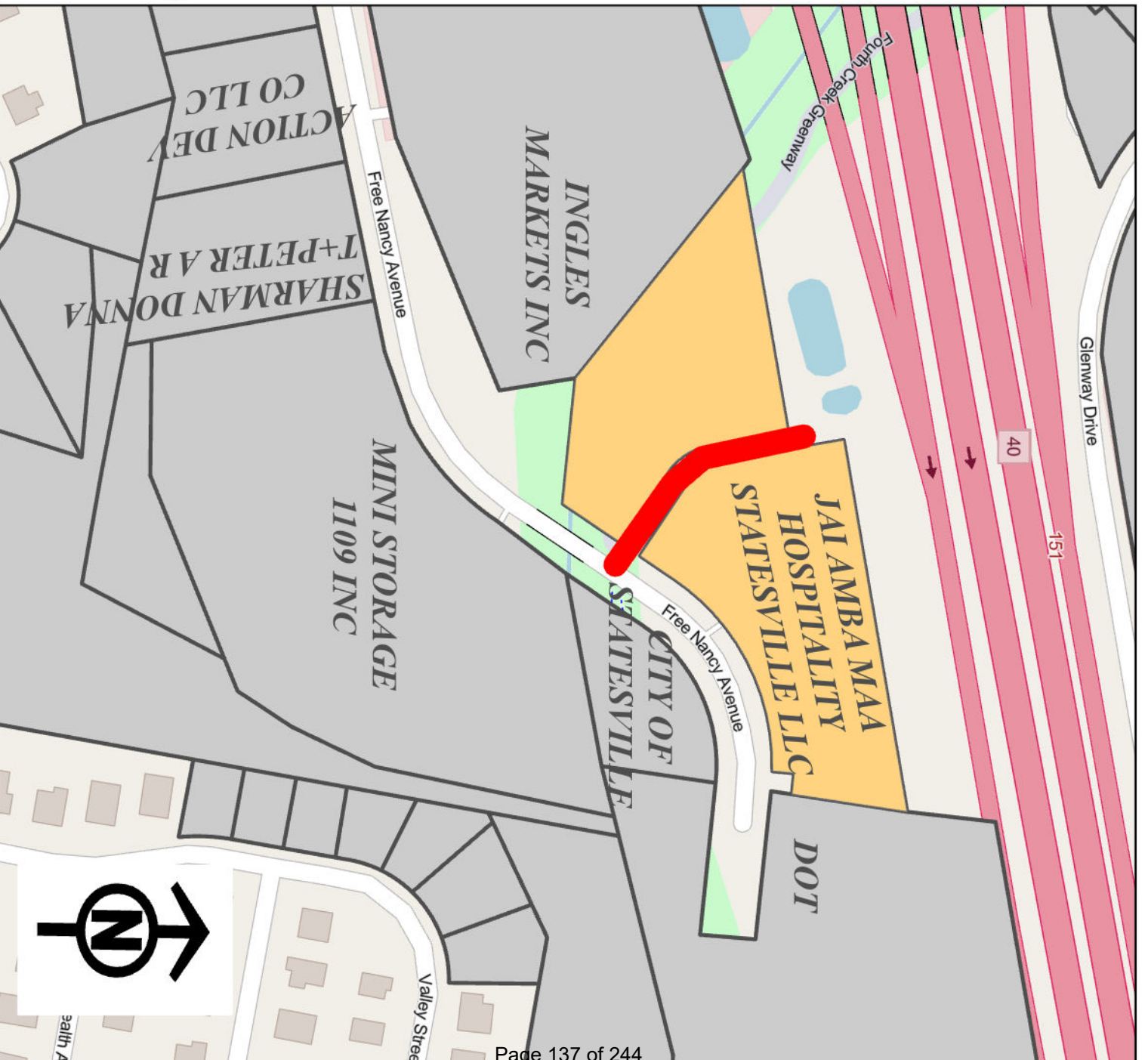
Free Nancy Avenue Right of Way (ROW) Abandonment



0 0.5 1 Miles

Legend

- Proposed ROW Abandonment
- Jai Amba Parcel
- Surrounding Parcels



OFFER TO PURCHASE AND CONTRACT

Jai Amba Maa (JAM) Hospitality Statesville, (a North Carolina limited liability company) or assigns as Buyer, hereby offers to purchase and City of Statesville (a North Carolina municipality) as Seller, upon acceptance of said offer, agrees to sell and convey, all of that parcel of land described below, together with any buildings and improvements thereon (referred to as "the Property"), upon the following terms and conditions:

1. PROPERTY: A portion Iredell County PIN 4745-43-9618.000, more commonly known as 1213 Free Nancy Ave and all of Iredell County PIN 4745-54-1924.000, more commonly known as 1203 Free Nancy Ave, Statesville, North Carolina.

Deed Reference: Iredell County, NC Deed Book 2464, Page 1337 (PIN 4745-43-9618.000)
Iredell County, NC Deed Book 2087, Page 2451 (PIN 4745-54-1924.000)

2. PURCHASE PRICE: The purchase price is \$ 650,000 and shall be paid as follows:

(a) \$ 32,500 EARNEST MONEY DEPOSIT paid by check upon execution of this contract, to be deposited and held by Buyer's Attorney until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise terminated. In the event of breach of this contract by Seller, upon Buyer's request, all earnest money shall be returned to Buyer, but such return shall not affect any other remedies available to Buyer for such breach. In the event this offer is accepted and Buyer breaches this contract, then all earnest money shall be forfeited to Seller, but receipt of such forfeited earnest money shall not affect any other remedies available to Seller for such breach.

(b) \$ 617,500 Remainder of the purchase price paid in cash, certified check or wired funds due at closing.

3. CONDITIONS:

(a) At the time of execution of this offer to purchase, there are twelve (12) parking spaces available. Buyer must maintain those twelve parking spaces and create eight (8) additional parking spaces for a total of twenty (20) parking spaces if Buyer ever develops the land. Maintenance of these parking spaces shall be the Buyer's responsibility and all parking space shall be maintained in a similar or better condition as of the signing of this offer to purchase. These twelve (12) parking spaces shall, pursuant to deed restrictions at closing, be dedicated to the City for public use of the greenway and recreational space during daylight hours.

(i) By signing this offer to purchase, Buyer agrees to such deed restrictions being added at closing. The eight (8) additional parking spaces shall be in a similar location to the twelve (12) parking spaces currently in existence.

(ii) Buyer agrees that these deed restrictions shall run with the land and that these parking spaces shall be forever dedicated for City use of the greenway space during daylight hours.

(b) Buyer agrees to provide and install a minimum of six (6) directional signs to the greenway noting the way to the trailhead as well as noting that greenway usage is from sunrise to sunset.

(c) All deeds of trust, liens and other charges against the Property, not assumed by Buyer, must be paid and satisfied by Seller prior to or at closing such that cancellation may be promptly obtained following closing. Seller shall remain obligated to obtain any such cancellations following closing.

(d) Title must be delivered at closing by Special Warranty Deed, and must be fee simple marketable title, free of all encumbrances except: ad valorem taxes for the current year; utility easements, access easements, right of way and unviolated restrictive covenants; and such other encumbrances as may be assumed or specifically approved by Buyer. The Property must have legal access to a public right of way.

(e) By signing this offer to purchase, Buyer understands and agrees that there is a billboard currently on the Property owned by Arneson Park Associates Partnership. This billboard will remain the property of Arneson Park Associates Partnership, will be surveyed out, and will not be conveyed to the Buyer at closing. Buyer understands that they are accepting the property with the billboard on it and that any development of the Property will have to be completed around the billboard.

(i) Reference to the billboard will be made in the deed at time of closing as excepted out of the Property conveyance.

(f) Buyer understands that there is currently a NCDOT right of way on the property, and that Seller will make best efforts to abandon the right of way either before or simultaneously with closing on the Property.

(g) Buyer acknowledges that Lane Construction Company, at the time of signing this offer to purchase, has a lease on the property. Buyer understands that it shall honor the terms and conditions of the lease agreement with Lane Construction Company through the term of the lease agreement. The lease agreement is attached as Exhibit A.

(h) Buyer acknowledges the existence of a Duke Power Right of Way across the property and any development of Buyer will have to be in accordance with the current Duke Power Right of Way across the Property.

(i) Seller shall retain an easement of approximately 50' from the top of the bank on the Western portion of PIN 4745-54-1924.000. This easement shall be surveyed and recorded prior to or simultaneous with closing on this Property. This easement shall be referenced in the deed and Buyer shall honor the easement with any future development.

(j) Buyers are only purchasing a portion of 1213 Free Nancy Ave/ PIN 4745-43-9618.000. The southern portion of 1213 Free Nancy Ave/ PIN 4745-43-9618.000 will be separated from the remaining portion of the parcel and will be retained by the City as City property. This will be surveyed out at closing.

4. PRORATIONS AND ADJUSTMENTS: Unless otherwise provided, the following items shall be prorated and either adjusted between the parties or paid at closing: (a) Ad Valorem taxes on real property shall be prorated on a calendar year basis up until the date of Closing (b) all utilities shall be paid by Seller through date of Closing (c) any lease payments credited to Seller through date of Closing.

5. CLOSING EXPENSES: Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this Agreement, excise tax (revenue stamps) and Broker's commissions. Buyer shall pay recording costs, costs of any title search, title insurance, the cost of a new survey and inspection expenses. Each party shall pay its own attorney's fees.

6. EVIDENCE OF TITLE: Seller agrees to use its best efforts to deliver to Buyer as soon as reasonably possible after the acceptance of this offer, a copy of survey, and deed relating to the Property in possession of or available to Seller.

7. LABOR AND MATERIAL: Seller shall furnish at closing an affidavit and indemnification agreement in form satisfactory to Buyer's title insurance company showing that all labor and materials, if any, furnished to the Property within 120 days prior to the date of closing have been paid for and agreeing to indemnify Buyer and Buyer's title insurance company against all loss from any cause or claim arising there from.

8. PROPERTY INSPECTIONS:

(a) Property Inspection: Seller agrees to use best efforts to deliver to Buyer copies of all leases, studies, reports, surveys and other information currently in Seller's possession. Buyer shall have the option of inspecting or obtaining, at Buyer's expense, third party inspections to determine whether utilities, zoning, environmental matters, soil conditions, title and survey matters are suitable for Buyer's intended use. Inspections must be completed on or before August 15, 2023. If the results of those inspections are not acceptable to Buyer, at Buyer's sole discretion, Buyer may terminate this contract by giving written notice of termination to Seller on or before 5:00 PM EST August 15, 2023 and Buyer shall be entitled to retain all of the earnest money deposit. Should buyer terminate after this inspection date, then all Buyer earnest money shall be forfeited.

(b) Acceptance: CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN AS IS/WHERE IS CONDITION. The Property is being conveyed by Seller in AS IS/WHERE IS condition without representation or warranty, express or implied, as to the condition thereof, the merchantability thereof or the fitness thereof for any particular use or purpose, and Seller is under no obligation to repair any portion of the Property.

9. REASONABLE ACCESS: Seller will provide reasonable access to Buyer or Buyer's representatives for the purposes of inspection and/or evaluation of the Property. Buyer will hold Seller harmless for its actions or the actions of its employees or agents.

10. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with closing and transfer of title on or before August 31, 2023 at the office of Buyer's attorney, or as designated by Buyer. Seller may elect to close in escrow via overnight delivery of documents. The deed is to be made to Buyer or as directed by Buyer.

11. POSSESSION: Possession shall be delivered at Closing.

12. ASSIGNMENT: Buyer may assign this contract only with the written consent of Seller, but if assigned, then this contract shall be binding on the assignee and his heirs and successors.

13. PARTIES: This contract shall be binding upon and shall inure to the benefit of the parties, Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

14. ENTIRE AGREEMENT: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.

15. EXECUTION: This offer shall become a binding contract when signed by both Buyer and Seller. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below. This offer remains open for acceptance by Seller for five (5) days after the date signed by Buyer, and the offer shall terminate if it is not so accepted. Seller shall promptly return to Buyer a signed counterpart of this contract after Seller signs it.

16. INDEMNITY: The Seller indemnifies and holds harmless the Buyer and the Buyer's heirs, assigns, successors, employees, officers, agents or any related party to Buyer, from any and all actions, causes of action, suits, claims and losses of any nature relating to or from the operations or activities of Buyer subsequent to the closing date. The Buyer indemnifies and holds harmless the Seller and the Seller's heirs, assigns, successors, employees, officers, agents or any related party to Seller, from any and all actions, causes of action, suits, claims and losses of any nature relating to or from any and all conditions of the Property existing at the closing date.

Seller: **City of Statesville, a Municipal Corporation**

Buyer:

By: _____ (SEAL)

Name: _____

Title: _____

By:  (SEAL)

Name: Jay (Jimmy) Patel

Title: Managing Member

Address: 1137 Morland Drive,
Statesville, NC 28677

Date: _____, 2023

Date: May 3, 2023

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/2/2026 4:57 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider passing a resolution directing the City Clerk to investigate a petition of annexation AX26-11 Turnersburg Hwy (Fourth Crescent Place), filed by Jen Johnson of Chick-fil-A for the parcels located along Turnersburg Hwy (Us Hwy 21) near Fourth Crescent Place, Receive City Clerk's Certificate of Sufficiency, and Consider passing a resolution fixing a date of October 5, 2026, for a public hearing for the petition for annexation.

1. Summary of Information:

The property is approximately 2.29 acres located along Turnersburg Hwy (Us Hwy 21) near Fourth Crescent Place. The applicant is requesting the annexation of the properties concurrently with a rezoning request.

2. Previous Council or Relevant Actions:

City Council will hear the public hearing and consider passing the first reading of the rezoning (ZC26-12) on October 5, 2026.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: N/A

Strategic Plan Values: N/A

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

N/A

6. Department Recommendation:

The department recommends passing the resolutions and setting a date of October 5, 2026, for a public hearing on this annexation request.

7. Manager Comments:

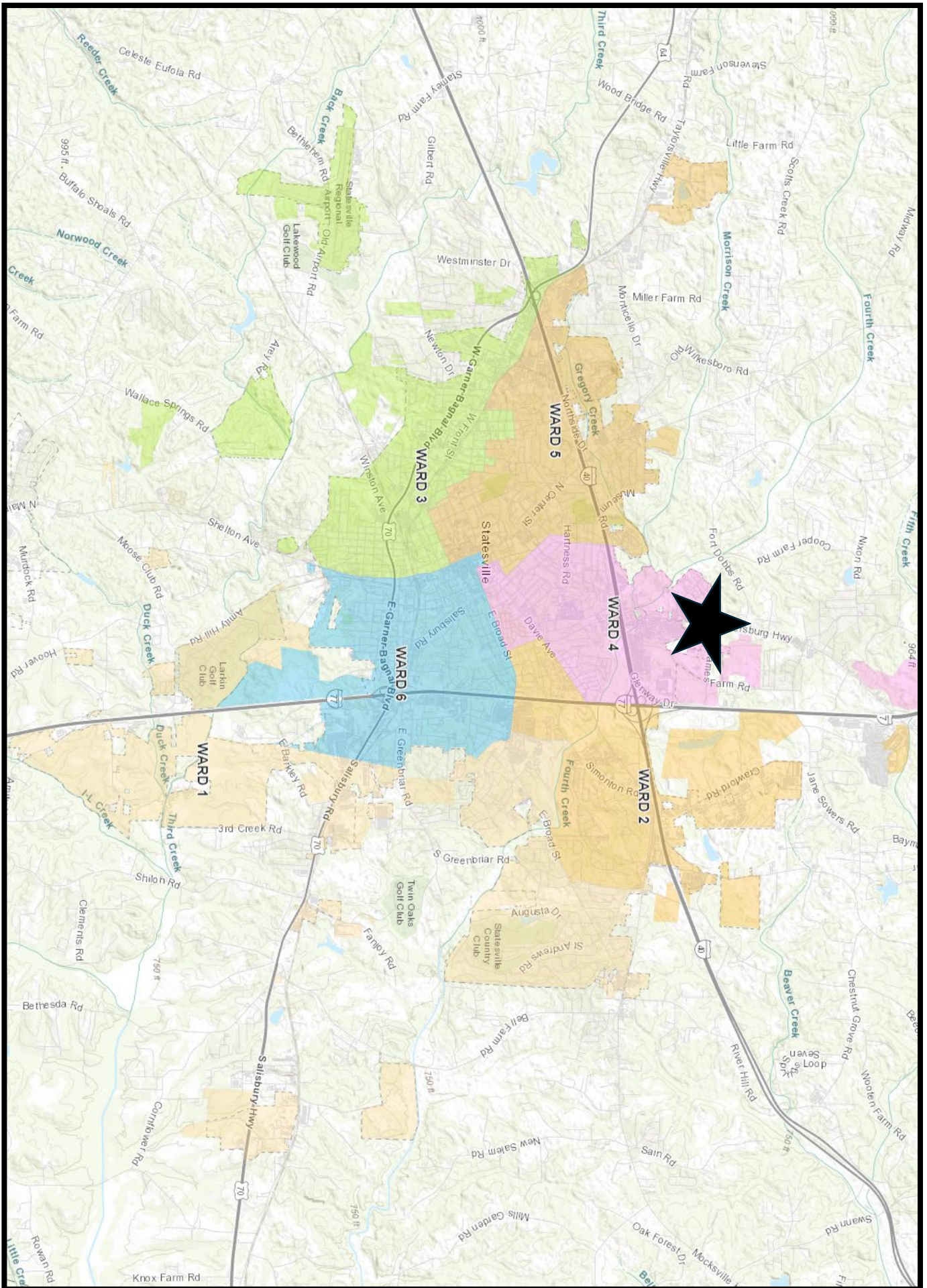
Concur with the department recommendation.

8. Next Steps:

Advertise for the public hearing.

9. Attachments:

1. Packet Maps AX2611
2. Resolution_Clerk Investigation_-Contiguous_AX26-11 CFA
3. Certificate of Sufficiency_Annexation_AX26-11
4. Resolution to Set Public Hearing_AX26-11 CFA





Site Photo

RESOLUTION _____

**A RESOLUTION DIRECTING THE CLERK TO
INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31**

**AX26-11 Turnersburg Hwy near Fourth Crescent Place
Parcel #'s 4745-37-8750, 4745-47-0609, 4745378643,
4745378547, and 4745378429**

WHEREAS, a petition requesting annexation of the area described in said petition has been received on June 5, 2026, by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Statesville deems it advisable to proceed and respond to the request for annexation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville:

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the results of her investigation.

Adopted this 14th day of September 2026.

S - E - A - L

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CERTIFICATE OF SUFFICIENCY

AX26-11 Turnersburg Hwy near Fourth Crescent Place

**Parcel #'s 4745-37-8750, 4745-47-0609, 4745378643,
4745378547, and 4745378429**

TO THE CITY COUNCIL OF THE CITY OF STATESVILLE, NORTH CAROLINA:

I, Emily Kurfees, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Statesville, this 14th day of September 2026.

SEAL

Emily Kurfees, City Clerk

RESOLUTION _____

**RESOLUTION FIXING THE DATE OF A PUBLIC HEARING ON THE QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

**AX26-11 Turnersburg Hwy near Fourth Crescent Place
Parcel #'s 4745-37-8750, 4745-47-0609, 4745378643,
4745378547, and 4745378429**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Statesville, North Carolina.

Section 1. That a public hearing on the question of annexation of the contiguous area described herein will be held in the Council Chambers of the Statesville City Hall at 6:00 o'clock p.m. on the 5th day of October 2026.

Section 2. The area proposed for annexation is described as follows:
Being all of lots 19 through 30, 37 through 42, 55 through 67, 104 through 116, 162 through 168 and a portion of lots 35, 36, 144 through 150 per the plat of Twin Oaks as recorded in Iredell County Registry in plat book 3 page 121. Also, the vacated right-of-way of Elizabeth Avenue (26 feet wide per plat book 3, page 121) per official record book 1975, page 5 and being more particularly described as follows;

Beginning at a found 1/2" iron pipe at the southeast corner of the lands of Margaret Henderson R. Heirs as recorded in Iredell County registry in deed book 321, page 58 having NAD83 (2011) North Carolina state plane coordinates of N:757,430.04, E:1,443,986.98, said point being in the south margin of Holland Street as recorded in Iredell County Registry in plat book 3 page 121; Thence, with said lands of Margaret Henderson the following three(3) courses:

1. N07°59'17" E a distance of 176.00 feet to a found 5/8 inch rebar;
2. N88°30'58" W a distance of 100.21 feet to a found 1 inch iron pipe;
3. S07°49'06" W a total distance of 150.00 feet, passing a found 5/8-inch rebar at 49.69 feet, to a found 5/8-inch rebar, in the north margin of said Holland Street;

Thence, with Holland Street N88°30'58" W a total distance of 150.00 feet passing a found North Carolina Department of Transportation (NCDOT) right-of-way marker at 94.94 feet, to a set 5/8-inch rebar with cap stamped "P-3196" in the east margin of the right-of-way for Turnersburg Highway (US-21);

Thence, N07°49'06" E a distance of 300.08 feet to a chisel mark in concrete drive, in the east margin of said highway, said point also being the south margin of Brandon Street as recorded in Iredell County Registry in plat book 3 page 121;

Thence, with said south margin of Brandon Street, S88°29'36"E a total distance of 394.01 feet passing a found nail at 18.01 feet, further pass through a found 1 inch iron pipe at 326.70 feet

on the northeast margin of Elizabeth Avenue as recorded in Iredell County Registry in plat book 3 page 121, said Elizabeth Avenue is now closed per document recorded in Iredell County Registry in book 1975 page 5-7 dated November 11, 2008, to a point;

Thence, with a new line crossing lot 150 as recorded in said plat book 3, page 121, non-radial S01°30'24" W a distance of 10.12 feet to a set 5/8 inch with cap stamped "P-3196";

Thence with the lands of Crescent Housing Partnership, LLC, tract 1 as recorded in Iredell County Registry in deed book 2872 page 1623, the following four(4) courses;

1. With a curve to the left having an arc length of 100.26 feet and a radius of 65.00 feet, a chord bearing of S47°21'22"W, a chord distance of 90.61 feet, and being 1 foot west of said 4th Crescent Place, to a set 5/8" rebar with cap stamped "P-3196";
2. With a curve to the right having an arc length of 144.26 feet and a radius of 264.00 feet, a chord bearing of S18°49'29"W, a chord distance of 142.47 feet, and being 1 foot west of said 4th Crescent Place, to a set 5/8" rebar with cap stamped "P-3196";
3. With a curve to the left having an arc length of 124.21 feet and a radius of 701.12 feet, a chord bearing of S29°24'11"W, a chord distance of 124.05 feet, and being 1 foot west of said 4th Crescent Place, to a set 5/8" rebar with cap stamped "P-3196";
4. With a curve to the right having an arc length of 9.95 feet and a radius of 8.40 feet, a chord bearing of S58°14'39" W, a chord distance of 9.37 feet, to a set 5/8" rebar with cap stamped "P-3196";

Section 3. Notice of said public hearing shall be published in the Statesville Record and Landmark, a newspaper having general circulation in the City of Statesville, at least 10 days prior to the date of the public hearing.

Adopted this 14th day of September 2026.

CITY OF STATESVILLE

By: _____
Mayor

ATTEST:

City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Joseph Campbell, Planner II
DATE: 8/31/2026 12:42 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of rezoning request ZC26-10 238 Airport Rd - Statesville Regional Airport, filed by the City of Statesville for approximately 481.5 acres.

1. Summary of Information:

The request is to rezone these parcels from City of Statesville RA (Residential Agricultural), Airport Zoning District, and R-20 (Single-Family Residential) to City of Statesville Heavy Industrial (HI).

The Statesville Regional Airport first began operating as a grass airstrip during the 1930's. During the 1950's, the main runway was paved for the first time. Multiple runway alterations and hangar additions were made in the following decades, including multiple runway extensions to accommodate larger corporate aircraft. In 2026, the airport hosted their ribbon cutting ceremony to open its brand-new, multi-level terminal building.

The Planning Department has recently identified portions of the Statesville Regional Airport's operational area that were never formally rezoned from their original, pre-airport zoning designations. As the airport has acquired adjacent land over time for future projects, the City is requesting to rezone approximately 481.5 acres — including runway areas and adjacent City-purchased parcels — into a single, uniform zoning district.

This is standard by-right rezoning, meaning it is not subject to any conditions. Rezoning these parcels to the Heavy Industrial zoning district will bring the land use classification into conformance with the actual ownership, operational use, and long-term planning for the Statesville Regional Airport and other future airports.

The 2045 Land Development Plan shows the property to be in a Tier 1 Growth Area suitable for Employment Center + Industrial Flex character intent.

The surrounding zoning districts and current land uses are as follows:

North of the Site:

City of Statesville: LI (Light Industrial), B-5 (General Business), R-20 (Suburban Residential) & Iredell County: RA (Residential Agriculture).

East of the Site:

City of Statesville R-20 (Suburban Residential), RA (Residential Agriculture), and Airport Zoning.

South of the Site:

City of Statesville RA (Residential Agriculture), and Iredell County RA (Residential Agriculture).

West of the Site:

City of Statesville RA (Residential Agriculture), and Iredell County RA (Residential Agriculture).

2. Previous Council or Relevant Actions:

N/A

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: N/A

Strategic Plan Values: We value and encourage Opportunity

These parcels are in the Tier 1 Growth Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

The properties would remain nonconforming and would limit future airport expansions.

6. Department Recommendation:

Staff recommends rezoning to Heavy Industrial due to the day to day nature of airport operations that include noise, fueling, outdoor storage, and similar intense industrial activities.

Furthermore, staff recommends Approval – Option 1 as the site would represent an expansion that is consistent with the long-range planning objectives of the airport.

7. Manager Comments:

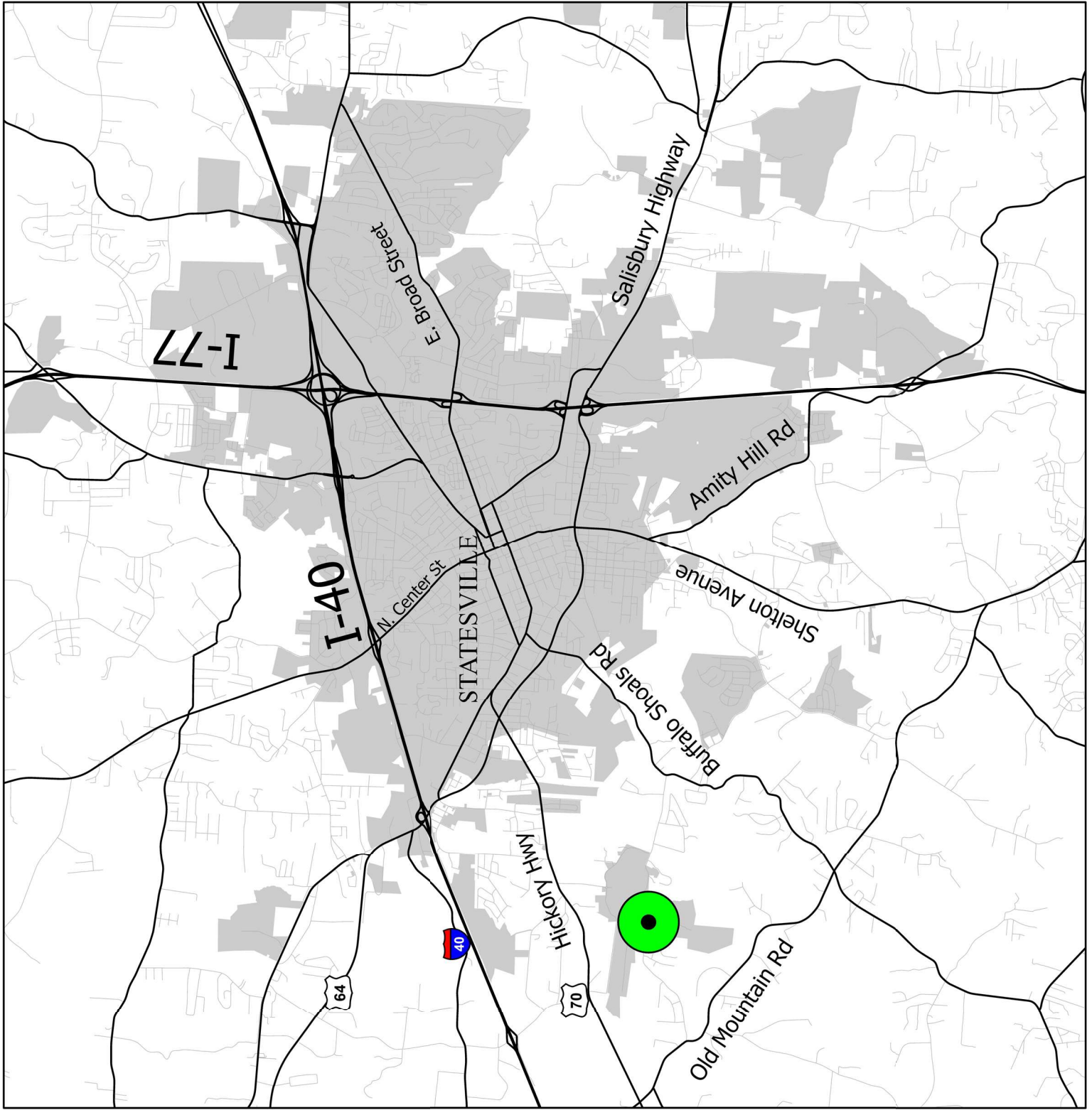
Concur with the staff recommendation.

8. Next Steps:

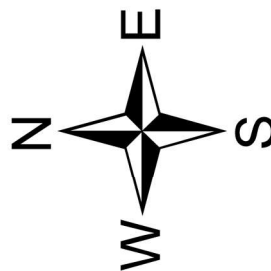
If approved, the second reading will be October 5, 2026.

9. Attachments:

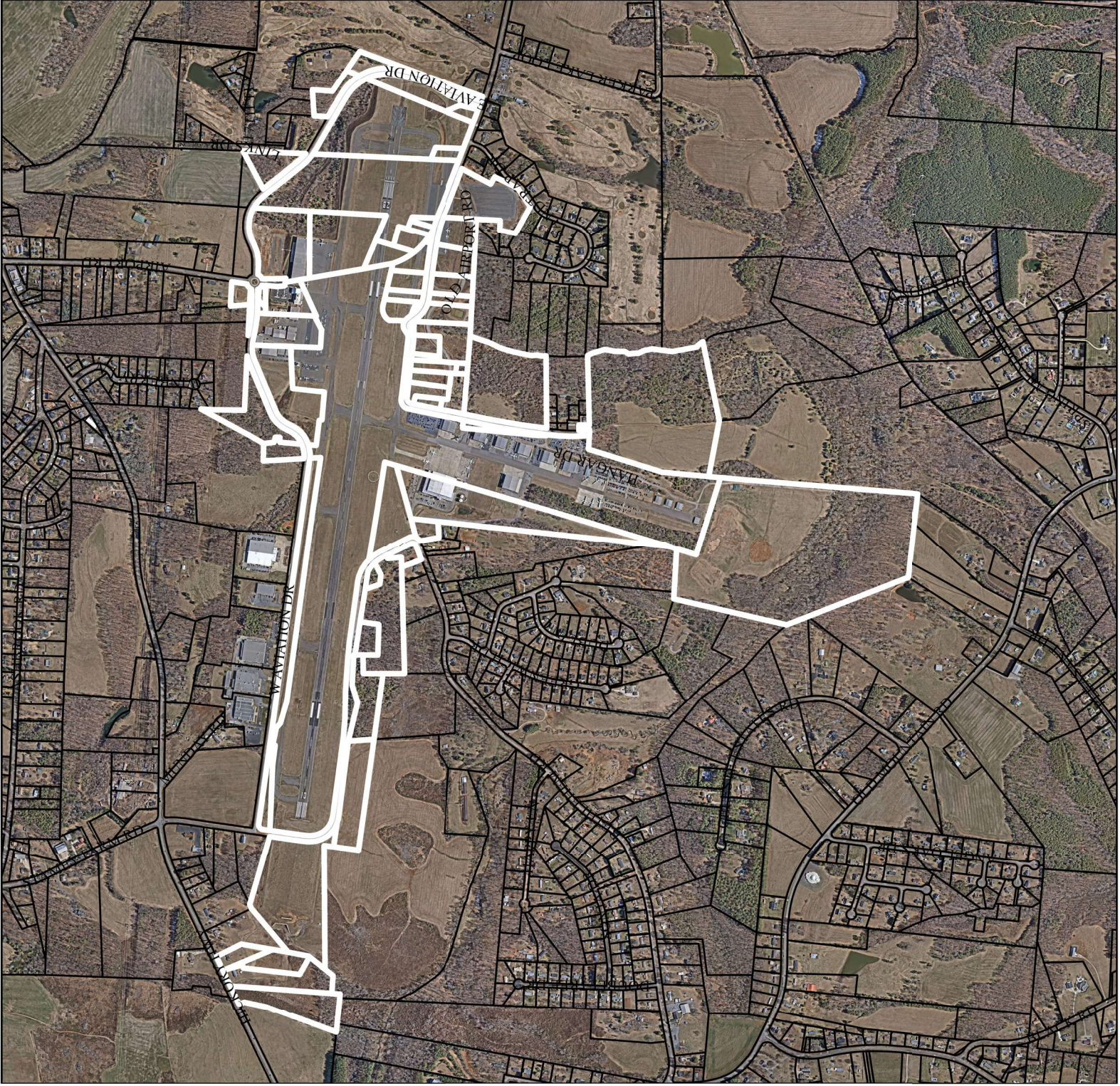
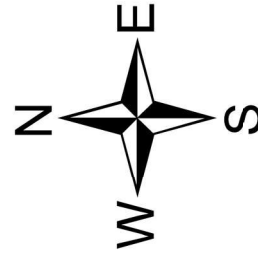
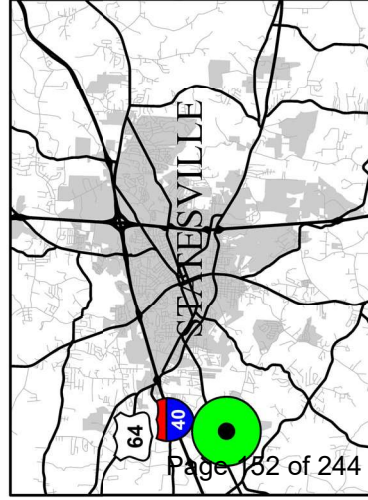
1. CAR Attachments ZC26-10 238 Airport Rd (2)
2. Zoning Ordinance ZC26-10 Statesville Regional Airport (2)

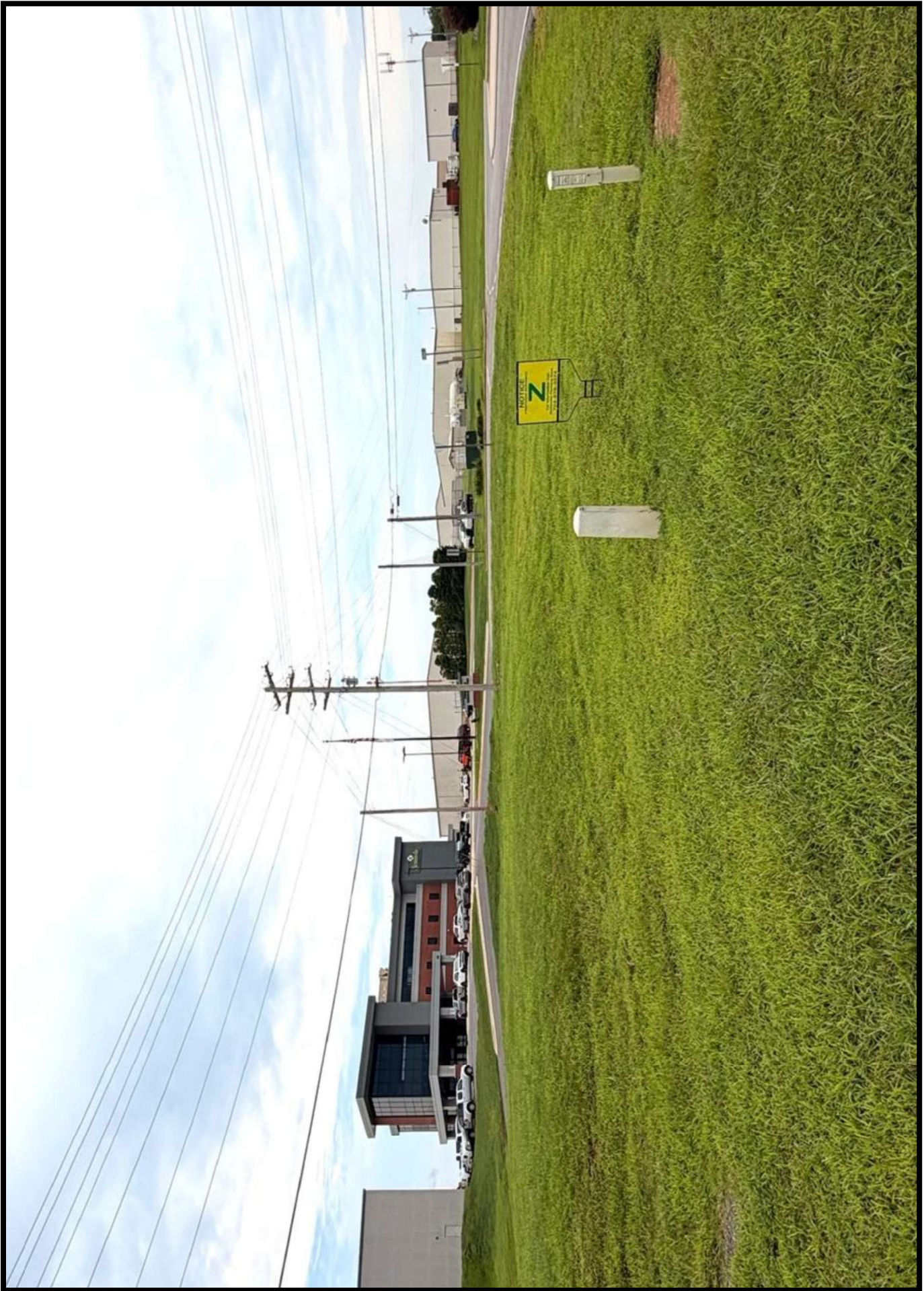


ZC 26-10:
Statesville
Regional Airport

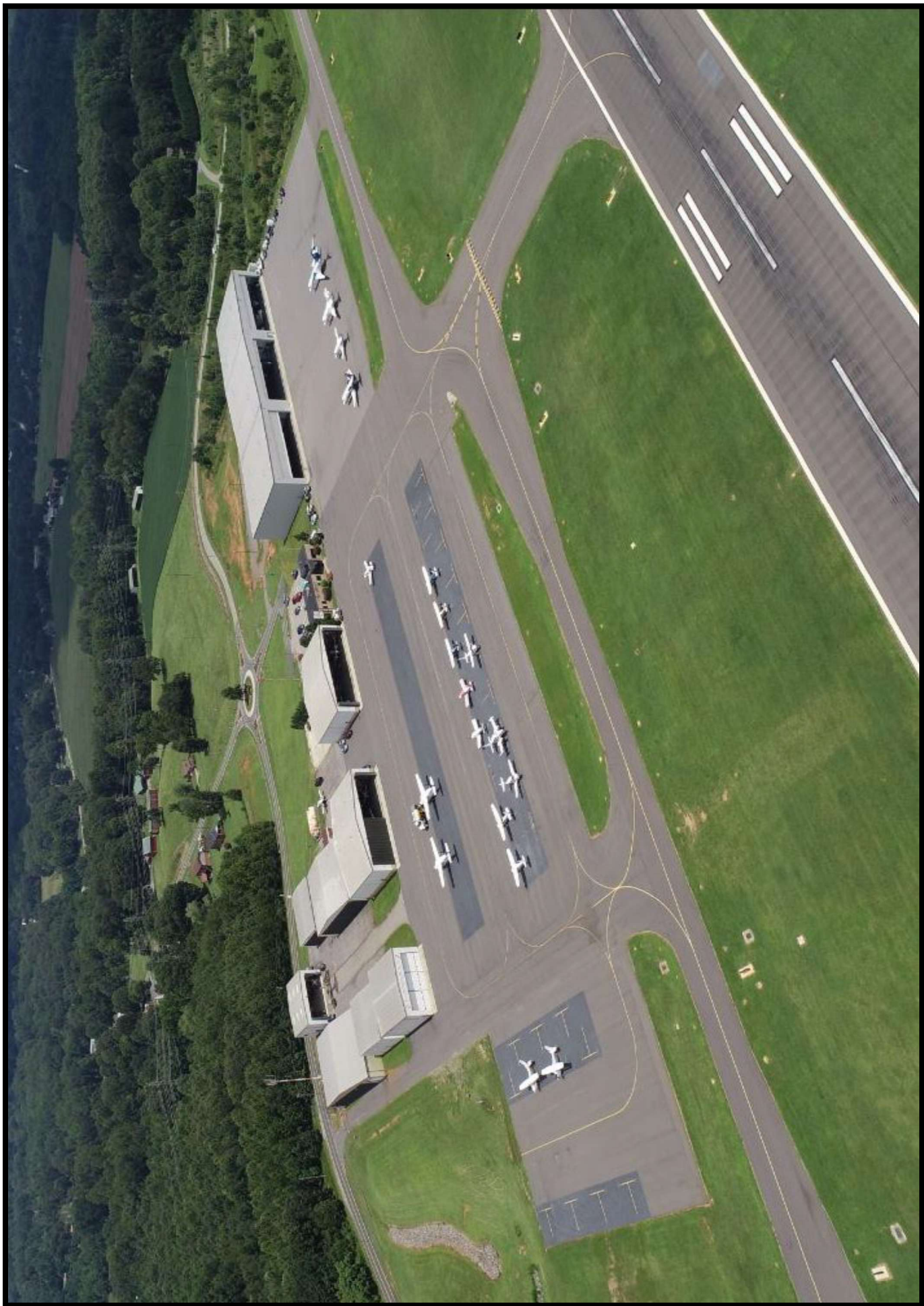


ZC 26-10:
 Statesville
 Regional Airport

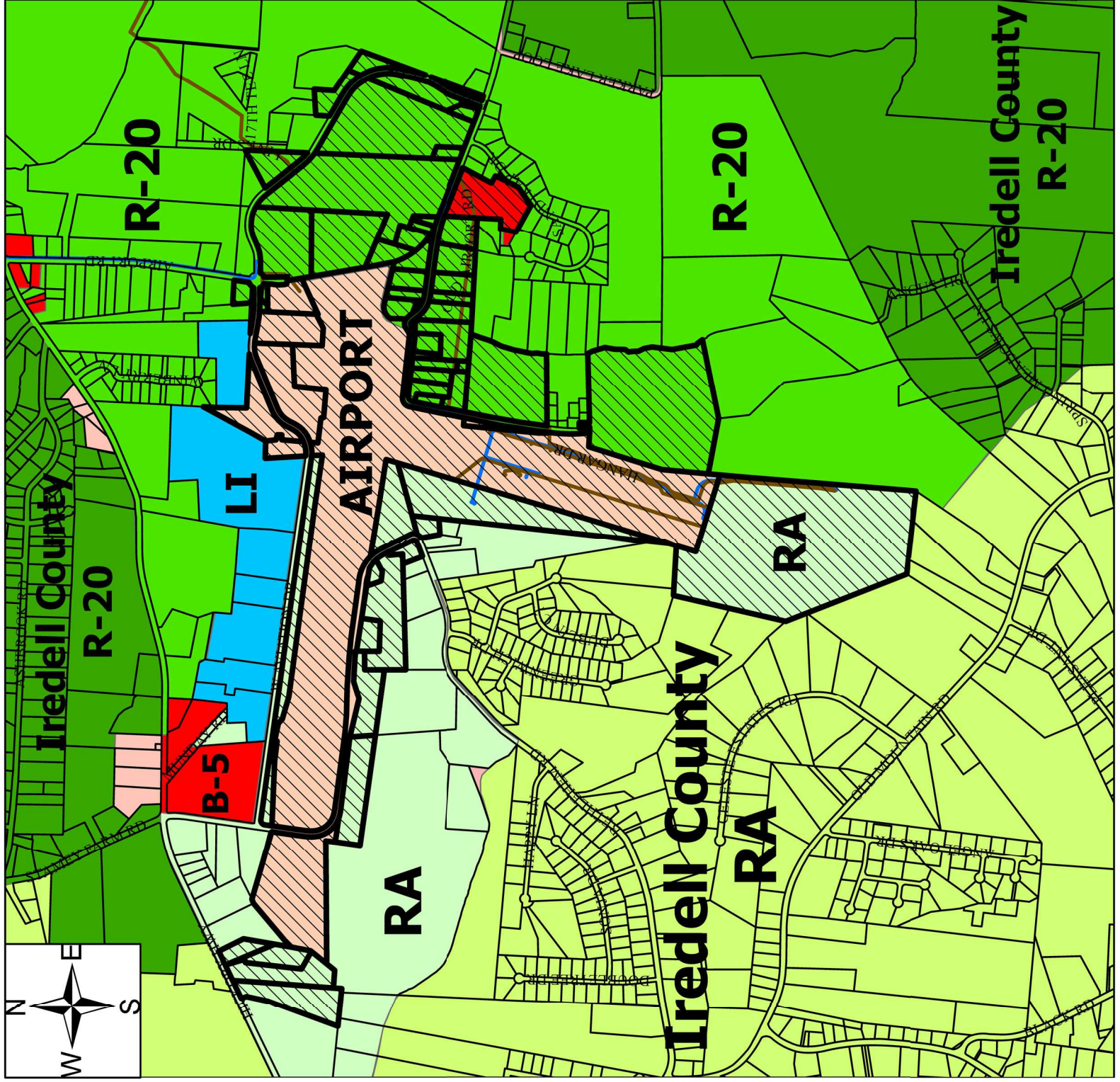




ZC26-10 Statesville Regional Airport – E. Aviation Drive & Airport Road



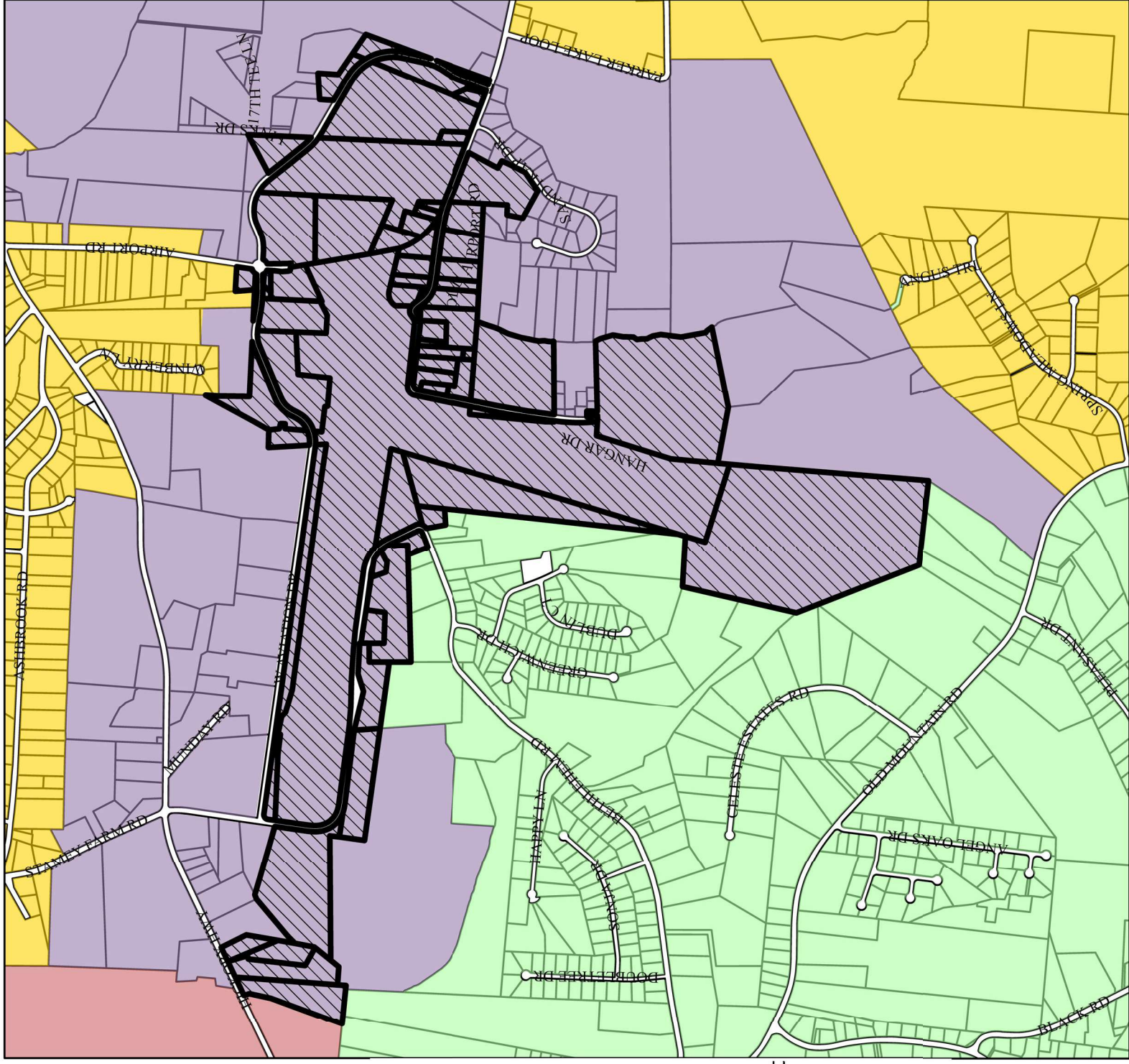
ZC26-10 238 Airport Rd (Site photo from above)



ZC 26-10: Statesville Regional Airport

Legend

2045 LDP	Rural Areas
Activity Areas	Employment Areas
Activity Center	Employment
Activity Corridor	Center /
Downtown and Core	Industrial Flex
Neighborhoods	Redevelopment
Neighborhood 1	Corridor
Neighborhood 2	Special Areas and
City Neighborhoods	Institutions
Complete	Medical Core
Neighborhood 1	Medical Support
Neighborhood 2	Institutional
	Recreational
	Open Space
	Subject Parcels



Employment Center / Industrial Flex

Character Intent

This character area serves as an engine of employment for the city including business parks, corporate campuses, flex space, as well as heavy manufacturing, warehousing, logistics and distribution, research and development and other industrial uses. These areas are located along major road corridors that provide adequate truck access. The market for employment space is changing and requires flexibility to cater to new production models, employee preferences, and customers. Production facilities may include public-facing show rooms, test kitchens, or tour spaces. This character area allows for such diversification while maintaining a focus on industrial and manufacturing uses. Restaurants and convenience commercial are appropriate uses in these areas to reduce worker commutes and enhance productivity. Uses and loading areas should be buffered from adjacent lower intensity uses with landscaping and other transitions. Developments fronting gateway corridors should have enhanced landscaping and buffering to maximize visual quality along the corridor. Corporate campuses should be master planned to maximize pedestrian access between buildings and create a visually appealing entranceway through landscaping and signage.

For information about the changing market for employment space, See Real Estate Market Analysis Report, page 36.

Pattern & Form

Large format buildings on mid-size to longer block lengths.

Opportunities

New industries and employers.

Primary Uses

Heavy and light industrial, office, office – corporate campus, heavy commercial, entrepreneurial incubator spaces.

Secondary Uses

Convenience retail, restaurants and bars.

Form Characteristics

Building Height	One to five stories
Building Orientation	Buildings oriented toward primary street, complexes may be designed around common space or service streets, 20-50 ft setbacks
Building Types	Large and mid-size format production facilities, offices, and small format retail and service uses
Street Character	Streets capable of accommodating regular truck traffic, sidewalks connecting sites encouraged
Parking Character	Surface lots that serve development sites, shared parking preferred, parking includes adequate loading, maneuvering, and equipment parking, parking located to side or rear





To: City Council

From: Joseph Campbell, Planner II

Date: September 14, 2026

Subject: Rezoning

Case: ZC26-10

Address: 238 Airport Rd – Statesville Regional Airport

☐ **Option 1: Approve (Staff & Planning Board Recommendation)**

The zoning amendment is **hereby approved** and is consistent with the City's 2045 Land Development Plan. Specifically, the Airport/I-40 Area New Development Strategic Focus Area. The Plan supports maximizing the economic development potential of the Statesville Regional Airport and encourages aviation supportive uses. Furthermore, this request is reasonable and in the public interest because rezoning this site aligns the existing airport/helipad use with the appropriate zoning district.

☐ **Option 2: Deny**

The zoning amendment is **hereby denied** even though it is consistent with the City's 2045 Land Development Plan. The rezoning is not reasonable, nor in the public interest because this request is not in harmony with the surrounding area.

Date: J. Douglas Hendrix, Mayor

Date: Joseph Campbell, Planner II

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE DESCRIBED PROPERTIES FROM CITY OF STATESVILLE RA (RESIDENTIAL AGRICULTURE), AIRPORT ZONING, AND R-20 (SUBURBAN RESIDENTIAL) TO THE CITY OF STATESVILLE HI (HEAVY INDUSTRIAL) ZONING DISTRICT

**ZC26-10 238 Airport Rd
Statesville Regional
Airport**

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE CITY OF STATESVILLE'S PLANNING JURISDICTION WAS DULY GIVEN, notifying them of a public hearing to be held on September 14th, 2026, at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described property from City of Statesville RA (Residential Agriculture), Airport Zoning, and R-20 (Suburban Residential) to City of Statesville HI (Heavy Industrial); said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on September 3 and 10, 2026 and all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after-described properties be changed as particularly set out below, said property being more particularly described as follows:

Description: Approximately 481.5 acres located at 238 Airport Rd and comprised of the following properties recorded in the deed book and pages below.

DB2951/P1, DB2945/P1087, DB2958/P1839, DB2042/P2218, DB1428/P2232, DB490/P568, DB877/P1939, DB935/P1648, DB921/P1765, DB1515/P1694, DB1526/P1710, DB2508/P2059, DB2216/P1919, DB2200/P1664, DB2241/P678, DB2200/P1657, DB2203/P693, DB2195/ P1064, DB2233/P2443, DB2193/P1685, DB1531/P2177, DB1860/P655, DB783/P152, DB1582/P1526, DB1584/P787, DB2250/P2207, DB1465/P1370, DB1468/P2019, DB1522/ P710, DB1522/P710, DB1522/P873, DB1504/P952, DB1592/P1494, and DB864/P374.

This ordinance was introduced for first reading by Councilmember _____, seconded by Councilmember _____, and unanimously carried on the 14th day of September 2026.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 5th day of October 2026 and upon motion of Councilmember _____, seconded by Councilmember _____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 5th day of October 2026.

CITY OF STATESVILLE

By: _____

City Attorney

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Randall Moore, Stormwater Program Manager
DATE: 9/1/2026 4:38 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider approving TA26-06 to amend Chapter 20 - Stormwater & Chapter 21 - Streets and Sidewalks, Article I., General, Section 21.21 of the Statesville City Code and Appendix A - Unified Development Code, Article 1 - Administration, Section 1.04 - Responsibilities for Application of Code, C. Planning Director.

1. Summary of Information:

The proposed text amendment would remove Section 21.21 Depositing matter in gutters, drainage ways under Chapter 21 Streets and Sidewalks, Article 1., General and place it under Chapter 20 - Stormwater, Article I. - General, Sec. 20-2.

The proposed text amendment would also remove Public Works Director throughout Chapter 20 and replace with the City Engineer.

Article III - Tail Ditch Maintenance would be edited to allow for off right of way work on vacant properties where infrastructure needs repair to protect the safety of the roadway. Edits would also include only requiring a temporary construction easement and right-of entry to perform the work instead of a permanent utility easement.

The proposed text amendment would remove the responsibility of the Planning Director to serve as the Floodplain Administrator as this is in conflict with Article 2, Part 5, Section 2.25 - Floodplain Development Permit, where the Stormwater Program Manager is designated as the Floodplain Administrator.

2. Previous Council or Relevant Actions:

Council previously approved Ordinance No. 17-20, An Ordinance Amending Chapter 20 of the Statesville City Code on August 3, 2020. Council previously approved Ordinance No. 22-25, An Ordinance Amending Appendix A, Article II, Part 2, Section 2.25 Flood Development Permit on September 15, 2025.

Planning Board recommended approval of this proposed text amendment 6-0 on August 25, 2026.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.

Connecting Our Communities: Provide reliable, high-quality public safety to ensure the wellbeing of residents, businesses, and visitors.

Strategic Plan Values: We value Quality and Creativity

This meets the City's strategic goals because it will allow City staff to perform maintenance outside the ROW that would otherwise be prohibited to protect our infrastructure and provide safety for the citizens of Statesville on the roadways.

4. Budget/Funding Implications:

N/A

5. Consequences for Not Acting:

Some repairs will be left to private property owners and flooding will continue to occur on City maintained roadways making them unsafe.

6. Department Recommendation:

Staff recommends approving the text amendments.

7. Manager Comments:

Concur with the department recommendation.

8. Next Steps:

Approve 2nd reading and implement policy.

9. Attachments:

1. Draft ROW Code Comparison 7-20-26
2. TA ROW-IDDE 8-25-26

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 20 - STORMWATER AND CHAPTER 21 - STREETS AND SIDEWALKS, ARTICLE I. - GENERAL, SECTION 21.21 OF THE STATESVILLE CITY CODE AND APPENDIX A - UNIFIED DEVELOPMENT CODE, ARTICLE 1 - ADMINISTRATION, SECTION 1.04 - RESPONSIBILITIES FOR APPLICATION OF CODE, C. PLANNING DIRECTOR

TA26-06

CHAPTER 20 - STORMWATER ARTICLE I. - GENERAL

Sec. 20-1. - Supervision of Work.

It shall be the duty of the ~~Public Works Director~~ **City Engineer** and the Stormwater Program Manager, or their authorized representative, to supervise all work upon the stormwater conduits, structures, basins, and channels belonging to the city which are now or may be established. They shall report from time to time to the city council as directed on the condition of the stormwater conduits, structures, basins, and channels belonging to the city and, generally, keep the stormwater infrastructure of the city free from obstructions and in a state of good repair.

SEC. 20-2. - Depositing matter in gutters, drainageways.

(a) It shall be unlawful for any person to obstruct, or cause to be obstructed, the free flow of water in, over, along, upon or through any gutter or drainageway or ditch in any street or other public way in the city by depositing trash, refuse or other matter therein.

(b) It shall also be unlawful for any person to sweep the trash, dirt or other matter accumulating on sidewalks into any gutter or drainageway.

Sec. 20-3. - 20-25. - Reserved.

ARTICLE II. - ILLICIT DISCHARGE AND ILLICIT CONNECTION

Sec. 20-26. - General Provisions.

(a) *Authority.* The City Council of the City of Statesville, further referred to herein as "the City", is authorized to adopt this section pursuant to North Carolina law, including but not limited to, Article 14, Section 5 of the Constitution of North Carolina; G.S. 143-214.7 and rules promulgated by the environmental management commission thereunder; Session Law 2004-163, G.S. 160A-174 and 160A-185.

(b) *Findings.* It is hereby determined that:

- (1) Pollutants allowed to enter streams and lakes are harmful to public health and safety as well as to the natural environment.

- (2) Further, the Federal Water Pollution Control Act of 1972 ("Clean Water Act") and Federal Phase II Stormwater Rules promulgated under it, as well as rules of the North Carolina Environmental Management Commission promulgated in response to Federal Phase II requirements, compel certain urbanized areas, including this jurisdiction, to adopt minimum stormwater controls such as those included in this section.
- (3) Therefore, the Statesville City Council establishes this set of water quality regulations to meet the requirements of state and federal law regarding non-stormwater discharges to the storm drainage system.
- (c) *Purpose.* The purpose of this article is to provide for the health, safety, and general welfare for the citizens of the City of Statesville through the regulation of non-stormwater discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This article establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the City's National Pollutant Discharge Elimination System (NPDES) permit. The objectives of this article are:
 - (1) To enforce the City's Stormwater Management Program;
 - (2) To reduce or prevent pollutants in the MS4 to the maximum extent practicable;
 - (3) To prohibit illicit connections and discharges to the MS4;
 - (4) To prevent improper disposal of materials that degrade water quality; and
 - (5) To authorize all inspections, surveillance and monitoring procedures necessary to ensure compliance with this article.
- (d) *Definitions.* For the purposes of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - (1) *Clean Water Act.* The federal Water Pollution Control Act (33 U.S.C. §§ 1251 et seq.), and any subsequent amendments thereto.
 - (2) *Construction Activity.* Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of one acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.
 - (3) *Facility.* Any land use including, but not limited to: commercial, industrial, and residential land uses, and any other source including, but not limited to: motor vehicles and rolling stock that directly or indirectly contribute, cause, or permit the contribution of any discharge, illicit or otherwise, to the MS4.
 - (4) *Hazardous Materials.* Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to

human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(5) *Illegal or Illicit Discharge*. Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted elsewhere in this article.

(6) *Illicit Connections*. Either of the following:

- a. Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the storm drain system including but not limited to any conveyances that allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- b. Any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(7) *Industrial Activity*. Activities subject to NPDES industrial stormwater permits as defined in 40 CFR, § 122.26 (b)(14).

(8) *Municipal Separate Storm Sewer System (MS4)*. The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) owned and operated by the City of Statesville and designed or used for collecting or conveying stormwater, and that is not used for collecting or conveying sewage.

(9) *National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit*. A permit issued by EPA (or by a state under authority delegated pursuant to 33 U.S.C. § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

(10) *Non-Commercial Car Washing*. Any occasional automotive washing performed by individuals or groups without charging any fee or in exchange for a charitable donation. This shall include, but is not limited to, car washes performed by local church groups, school groups, athletic teams, youth organizations, and individuals at their place of residence.

(11) *Non-Stormwater Discharge*. Any discharge to the storm drain system that is not composed entirely of stormwater.

(12) *Person*. Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

- (13) *Pollutant*. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid wastes, solid wastes, animal wastes, and yard wastes (including grass clippings and leaves); refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage (including flushing of sanitary sewer lines and equipment), fecal coliform, and pathogens; dissolved and particulate metals; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.
- (14) *Premises*. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.
- (15) *Storm Drainage System*. Facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.
- (16) *Stormwater*. Any surface flow, runoff, and/or drainage occurring during or following any form of natural precipitation and resulting from such precipitation.
- (17) *Stormwater Control Measures (SCMs)*. There are two major categories of SCMs: structural and non-structural.
- a. Structural SCMs refer to physical structures designed to remove pollutants from stormwater runoff, reduce downstream erosion, provide flood control, and/or promote groundwater recharge. Structural SCMs may be mandated as a condition of site development.
 - b. Non-Structural SCMs are typically passive or programmatic and tend to be source control or pollution prevention measures that reduce pollution in runoff by reducing the opportunity for stormwater runoff to be exposed to pollutants. Non-Structural SCMs are encouraged on all properties and should be implemented wherever feasible, however Non-Structural SCMs are typically not mandated as a condition of site development.
- (18) *Stormwater Conveyance System*. A network of linear and point structures designed to collect, receive, convey, and otherwise manage the controlled movement of stormwater runoff on and from the development site. The Stormwater Conveyance System can consist of numerous types of manmade structures and devices and natural conveyances including, but not limited to, swales, ditches, channels, pipes, culverts, tiles, curb inlets, yard inlets, drop inlets, junction

boxes, manholes, outfalls, and the like.

- (19) *Stormwater Management Plan*. A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to

eliminate or reduce pollutant discharges to stormwater, stormwater conveyance systems, and/or receiving waters to the maximum extent practicable.

- (20) *Stormwater Management System*. All conveyances and structures (SCMs) that are constructed on a development site for the purposes of managing stormwater runoff by collecting, conveying, controlling, storing, detaining, retaining, infiltrating, filtering, and otherwise mitigating the negative impacts that stormwater has on the natural environment.

- (21) *Stormwater Program Manager*. The City employee hired by the City Manager to manage the City's stormwater programs.

- (22) *Wastewater*. Any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

- (e) *Jurisdiction and Scope of Authority*. The Illicit Discharge and Illicit Connection Ordinance codified in this article, hereinafter the article, shall apply to all facilities within the City limits. All persons whose facility is subject to this article, regardless of whether the facility is managed or operated by another person, shall comply with this article as well as any permits, enforcement actions or orders issued hereunder. The Stormwater Program Manager shall administer, implement, and enforce the provisions of this article. Any powers granted or imposed on the Stormwater Program Manager may be delegated by the Stormwater Program Manager to other designated personnel as may be necessary. Nothing in this article shall be interpreted to impose an obligation on the City to construct, maintain, repair or operate a storm drainage system, or any part thereof, located on another person's property.

- (f) *Abrogation*. This article is not intended to repeal, abrogate, annul, impair, or interfere with any existing agreements, covenants, rules, regulations or permits previously adopted or issued. However, if any provisions or requirements of this article conflict with any existing regulations or ordinances, the more restrictive provisions shall apply.

Sec. 20-27. - Prohibited Discharges and Connections.

- (a) *Illicit Discharges*. No person shall cause or allow the discharge, emission, disposal, pouring or pumping of any liquid, solid, gas or other substance, including but not limited to fuel, oil, anti-freeze, chemicals, soaps, animal waste, paints, garbage or litter, other than stormwater, in such manner and amount, directly or indirectly, so that the substance either does or is likely to reach any stormwater conveyance, waters of the state or lands within the City, except as provided in Sec. 20-27.(b).

- (b) *Allowable Discharges*. Non-stormwater discharges associated with the

following activities are allowed and provided that they do not significantly impact water quality:

- (1) Water line flushing;
- (2) Landscape irrigation;
- (3) Diverted stream flows;
- (4) Rising ground waters;
- (5) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
- (6) Uncontaminated pumped ground water;
- (7) Discharges from potable water sources;
- (8) Foundation drains;
- (9) Air conditioning condensation;
- (10) Irrigation water;
- (11) Springs;
- (12) Water from crawl space pumps;
- (13) Footing drains;
- (14) Lawn watering;
- (15) Residential and charity car washing;
- (16) Flows from riparian habitats and wetlands;
- (17) De-chlorinated swimming pool discharges (free and total chlorine less than 1 ppm);
- (18) Firefighting discharge;
- (19) Dyes (that are both biodegradable and non-toxic) normally used to identify and trace underground pipe networks, but only if the Stormwater Program Manager is notified at least 24 hours prior to the time of the test;
- (20) Street wash water (note: prior to street washing, excess mud, sediment, debris, and other pollutants shall be removed to prohibit such from entering the drainage system);
- (21) Any other non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued and administered under the authority of the EPA, or DWQ, provided that the permittee is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations. Discharges specified in writing by the Stormwater Program Manager as being necessary to protect public health and safety or discharges that have been filtered

through an approved pretreatment system that consistently demonstrate no discharge of pollutants.

(c) *Illicit Connections.*

- (1) Connections to a stormwater conveyance system that allow or potentially allow the discharge of non-stormwater, other than the exclusions described in Section 20-27 (b) are unlawful. Prohibited connections include, but are not limited to: floor drains, domestic and commercial washing machines, commercial vehicle washing or steam cleaning, septic systems and sanitary sewers.
- (2) This prohibition includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) Where it is determined that said connection:
 - a. May result in the discharge of hazardous materials or may pose an immediate threat to health and safety, or is likely to result in immediate injury and harm to real or personal property, natural resources, wildlife, or habitat; or
 - b. Was made in violation of any applicable regulation or ordinance, other than this section;

The City Stormwater Program Manager shall designate the time within which the connection shall be removed.

- (4) In setting the time limit for compliance, the Stormwater Program Manager shall take into consideration:
 - a. The quantity and complexity of the work;
 - b. The consequences of delay;
 - c. The potential harm to the environment, to the public health, and to public and private property; and
 - d. The cost of remedying the damage.

(5) When necessary to stop an actual or threatened discharge that is imminently dangerous or prejudicial to the public's health or safety, the Stormwater Program Manager may, without prior notice, order that access to the MS4 be suspended. If the violator fails to comply with this suspension order, the Stormwater Program Manager may take such steps as deemed necessary to remove, abate or remedy the actual or threatened discharge. The violator shall reimburse the City the full cost of such removal, abatement or remedy according to the terms of this article. The violator may appeal the Stormwater Program Manager's decision pursuant to this article but may not reconnect to the MS4 without prior written approval of the City.

(d) *Spills.*

- (1) Spills or leaks of polluting substances released, discharged to, or having the potential to be released or discharged to the stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to their preexisting condition.
- (2) In the event of a known or suspected illicit discharge of hazardous materials into the MS4, the observant or their employee, contractor, or agent, shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a non-hazardous illicit discharge, the observant shall notify the Stormwater Program Manager in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Statesville Stormwater Program Manager within three business days of the phone notice. If an illicit discharge emanates from a commercial or industrial land use, the person responsible for the facility shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Sec. 20-28. - Right of Entry.

- (a) The Stormwater Program Manager or designee shall have the right to inspect the property and/or facility of any person subject to this article and any permit/document issued hereunder. The Stormwater Program Manager or designee shall be provided ready access to all parts of the premises for the purposes of inspection, monitoring, sampling, inventory, records examination and copying, and the performance of any other duties necessary to determine compliance with this article. Such inspection shall be made with the prior consent of the owner, manager, or signatory official. If such consent is refused the Stormwater Program Manager or designee may seek issuance of an administrative search warrant pursuant to G.S. 15-27.2 or its successor.
- (b) Where a person has security measures in force which require proper identification and clearance before entry into its premises, the person shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Stormwater Program Manager or designee will be permitted to enter without delay for the purposes of performing specific responsibilities.
- (c) The Stormwater Program Manager or designee shall have the right to set up on the person's property such devices as are necessary to conduct sampling and/or metering of the person's operations.
- (d) Any temporary or permanent obstruction to safe and easy access to the areas to be inspected and/or monitored shall be removed promptly by the person at the written or verbal request of the Stormwater Program Manager or designee. The costs of clearing such access shall be borne by the person.
- (e) In no case shall inspection, monitoring, sampling, or other duties performed by the Stormwater Program Manager or designee to ensure compliance with the article confer an obligation on the City of Statesville to assume

responsibility for the structural SCM.

Sec. 20-29. - Enforcement.

- (a) *Authority to Enforce.* The provisions of this section shall be enforced by the Stormwater Program Manager, his or her designee, or any authorized agent of the City of Statesville. Whenever this section refers to the Stormwater Program Manager, it includes his or her designee as well as any authorized agent of the City of Statesville.
- (b) *Violation Unlawful.* Any failure to comply with an applicable requirement, prohibition, standard, or limitation imposed by this section, or the terms or conditions of any permit or other development or redevelopment approval or authorization granted pursuant to this section, is unlawful and shall constitute a violation of this article.
- (c) *Each Day a Separate Offense.* Each day that a violation continues shall constitute a separate and distinct violation or offense.
- (d) *Responsible Person/Entities.* Responsible persons are all persons or dischargers who participate in, assist, direct, create, cause, or maintain a condition that constitutes a violation of this article, or fails to take appropriate action so that a violation of this article results or persists.
 - (1) Responsible persons include, but are not limited to, owners of property where a violation occurs; persons in the design or construction field who have created, directed, or assisted in the design or construction of an improvement or feature in violation of the requirements of this article; and persons who have control over the use or maintenance of property or the activities occurring on property where a violation has occurred.
 - (2) Multiple violations may be charged against multiple individuals or entities for an action that violates this article.
- (e) *Public Nuisance.* In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the responsible person's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.
- (f) *Notice of Violation.*
 - (1) Whenever the City finds that a person has violated this article, the City shall notify the person and/or property owner in writing by (1) registered or certified mail, and
 - (2) personal service or posting of said notice at the facility where the alleged violation occurred. The notice shall specify the violation and actions needed to be taken to comply. The notice may also indicate a requirement for the discharger to perform any or all of the following:
 - a. Install equipment or perform testing necessary to monitor, analyze and report of the condition of the facility's storm

drainage system;

- b. Eliminate illicit connections or discharges;
- c. Cease and desist all violating discharges, practices or operations;
- d. Abate or remedy the stormwater pollution or contamination hazards and restore any affected property;
- e. Pay a civil penalty; or
- f. Implement source control or treatment SCM(s).

(2) If abatement of a violation and/or restoration of affected property are required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to meet the deadline, then representatives of the City shall enter upon the facility and are authorized to take any and all measures necessary to abate the violation and/or restore the facility and the expense thereof shall be charged to the violator and collected pursuant to Section 20-28. - Right of Entry. Refusal to accept the notice shall not relieve the violator of the obligation set forth herein.

(g) *Remedies.*

(1) *Recovery of costs and fines.* As authorized by G.S. § 160A-193, the offender shall be liable to the City for the civil penalty, all costs incurred by the City while enforcing this article, including but not limited to: abatement costs, remedying the damage caused by the illicit discharge, restoring the facility, sampling, clean-up, the City's administrative costs, costs of court, and costs of litigation, to include reasonable attorney's fees. Within 30 days after the City has completed its abatement of the violation, restoration of the facility and/or its investigation and inspection, the violating HSec-Of person will be notified of the City's total costs and the civil penalty, if any. The total amount due shall be paid within 30 days of the date of notice. If the amount due is not paid within 30 days, the charges shall constitute a lien on the land or premises where the nuisance occurred. A lien established pursuant to this division shall have the same priority and be collected as unpaid ad valorem taxes. The total amount due is also a lien on any other real property owned by the violating person within the City limits, except for the person's primary residence. A lien established pursuant to this division is inferior to all prior liens and shall be collected as a money judgment. The violating person may avoid the lien on any other real property owned within the City limits only if it can be shown that the accrual or threatened discharge was created solely by another person. In the event that the violating person is able to pass the liability onto another person, the other person shall be liable to the City pursuant to this section.

(2) *Withholding of inspections, permits, certificate of occupancy or other approvals.* Building inspections; permits for development or other improvements; requests for plan approval for zoning, subdivision, other development or construction; and certificates of occupancy may

be withheld or conditioned upon compliance with this article until a responsible person with ownership or management of the property for which permits or approvals are sought has fully complied with this article and all actions taken pursuant to this article.

- (3) *Remedies not limited.* The remedies provided herein, whether civil, criminal, or administrative, are not exclusive; may be exercised singly, simultaneously, or cumulatively; may be combined with any other remedies authorized under the law; and may be exercised in any order.
- (4) *Remedies not exclusive.* The remedies listed in this article are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City to seek cumulative remedies.

(h) *Civil Penalties.*

- (1) Any person who violates or fails to act in accordance with any of the provisions of this article or rules or orders adopted or issued pursuant to this article shall be subject to consideration of a civil penalty as described herein. When a civil penalty is assessed, each day of a continuing violation shall constitute a separate violation under this subsection. Failure to comply with the requirements of this article may result in imposition of enforcement measures as authorized by G.S. 143-215.6B.
- (2) Said penalties shall be assessed by the City Manager, or his/her designee. No penalty shall be assessed until the person alleged to be in violation is served in writing by (1) certified mail, and (2) personal service or posting of said notice at the facility where the alleged violation occurred.
- (3) In the event the City is fined by the state or federal governments resulting from an illicit discharge or connection made by a discharger or other person, the discharger or other person at fault shall reimburse the City for the full amount of the civil penalty assessed by the state and/or federal governments as well as for the abatement costs incurred by the City during the investigation and restoration process pursuant to this article.
- (4) Civil penalties collected pursuant to this article shall be used or disbursed as directed by law.
- (5) *Illicit discharges.* Any person, including but not limited to, a designer, contractor, agent, or engineer, who allows, acts, participates in, assists, or directs an illicit discharge, either directly or indirectly, may be subject to civil penalties as follows:
 - a. For first-time offenders:
 - 1. If the quantity of the discharge is equal to or less than five (5) gallons and consists of domestic or household products in quantities considered ordinary for

household purposes, said person shall be assessed a written warning describing the offense and any corrective action(s) necessary to mitigate the discharge and prevent its recurrence. The warning shall also establish a date by which the corrective action(s) shall be completed, which shall be 30 days from the date of the written warning. If the corrective action(s) are not completed by the date specified, the offender shall be assessed a Category I Civil Penalty per violation, per day.

2. If the quantity of the discharge is greater than five (5) gallons or contains non-domestic substances, including but not limited to process wastewater, said person shall be assessed a Category I Civil Penalty per violation, per day.

b. First-time offenders who discharge into the MS4 any substance that is a byproduct of a commercial or industrial process or any substance that was purchased at a bulk sales location shall be assessed a Category II Civil penalty. Each day's continuing violation shall constitute a separate and distinct offense for the purpose of assessing a civil penalty.

c. Repeat offenders. A person who discharges into the MS4 in violation of this article more than once within a 12-month period shall be assessed a civil penalty at one category level higher than the category assessed for a first-time offender of the substance and/or volume discharged. Each day's continuing violation shall constitute a separate and distinct offense for the purpose of assessing a civil penalty.

(6) *Illicit Connections*. Any person, including but not limited to a designer, contractor, agent, or engineer, who allows, acts, participates in, assists, or directs the establishment of an illicit connection, either directly or indirectly, may be subject to civil penalties as follows:

a. First-time offenders shall be assessed a Category I civil penalty in an amount set forth in the schedule of civil penalties. Each day's continuing violation shall constitute a separate and distinct offense for the purpose of assessing a civil penalty.

b. A person who is found to have violated this section more than once within a 12-month period shall be assessed a Category II civil penalty in an amount set forth in the schedule of civil penalties. Each day's continuing violation shall constitute a separate and distinct offense for the purpose of assessing a civil penalty.

(7) *Penalty considerations*. In determining the amount of the penalty, the Stormwater Program Manager or designee shall consider:

a. The degree and extent of harm to the environment, public health and public and private property; and

- b. The cost of remedying the damage; and
- c. The duration of the violation; and
- d. Whether or not the violation was willful; and
- e. The prior record of the person responsible for the violation in complying with this article; and
- f. The City's enforcement costs, and the amount of money saved by the violator through his, her or its noncompliance; and
- g. Any other consideration relevant to the violation.

(8) *Schedule of penalties.* The following civil penalties shall be imposed, up to the amount shown for each category, upon the person found to have violated this article:

- a. First Offense, discharge less than 5 gallons of domestic, household, and/or ordinary products: Written warning, with the conditions outlined in paragraph {h}(5) a.1. above.
- b. Category I: civil penalty not to exceed \$100 per day per violation.
- c. Category II: civil penalty not to exceed \$1,000 per day per violation.
- d. Category III: civil penalty not to exceed \$5,000 per day per violation.

(9) *Other remedies still required.* Assessment of a civil penalty does not exempt the violator from the responsibility to perform other remedies as allowed in paragraphs (e), (f) and (g) of this Section.

Sec. 20-30. - Appeals.

- (a) Any order, requirement, decision or determination made by the Stormwater Program Manager may be appealed to and decided by the Statesville Board of Adjustment.
- (b) An appeal from a decision of the Stormwater Program Manager must be submitted to the Statesville Board of Adjustment within 30 days from the date the order, interpretation, decision or determination is made. All appeals must be made in writing stating the reasons for appeal. Appeals must be mailed or delivered to the ~~Public Works Director~~ City Engineer and clearly marked with the following: "Appeal of IDIC Decision - Board of Adjustment." Following submission of an appeal, the ~~Public Works Director~~ City Engineer will forward the appeal request to the BOA. Within 30 days or at the next regular BOA meeting, the Stormwater Program Manager shall provide all documentation constituting the record upon which the action appealed from was taken.
- (c) An appeal stays all proceedings in furtherance of the action appealed, unless the City of Statesville ~~City Engineer~~ Public Works Director certifies to the Statesville Board of Adjustment, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case,

proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record upon due cause shown.

- (d) The Statesville Board of Adjustment shall fix a reasonable time for hearing the appeal and give notice thereof to the parties and shall decide the same within a reasonable time. At the hearing, any party may appear in person, by agent or by attorney. Decisions of the Statesville Board of Adjustment are final.

Sec. 20-31. - Nuisance; Injunctive Relief.

- (a) Illicit discharges and illicit connections which exist within the City are hereby found, deemed, and declared to be dangerous or prejudicial to the public health or public safety and are found, deemed, and declared to be public nuisances.
- (b) It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. If a person has violated or continues to violate the provisions of this article, the City may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Sec. 20-32. - 20-50. - Reserved.

ARTICLE III. - TAIL-DITCH MAINTENANCE

Sec. 20-51. - General Purpose.

- (a) The intended purpose of this policy is to provide general guidelines and procedures for maintenance and repair of tail ditches within the City of Statesville's (City) jurisdiction. The City maintains the drainage system within the City's right-of-way (ROW) and on City property. Consistent with the provisions of this Policy and City ordinances, the City may also maintain and repair drainage infrastructure outside of City ROW for the purpose of protecting City-owned infrastructure.
- (b) It is recognized that many properties have been privately developed in the floodplains of creeks and streams in Statesville and that such properties are occasionally subject to nuisance flooding, standing water, and poor drainage. The City is not legally or fiscally responsible for the repair and maintenance of general flooding on private property. However, it shall be the policy of the City to enter onto private property under these conditions and for the purpose of maintaining and repairing city infrastructure, which includes but is not limited to streets, curb and gutter, pavement, or storm pipes when it is determined that: (1) a problem has been created due to a tail-ditch issue; and (2) the City determines all of the Primary Criteria listed herein are met. The Stormwater Program Manager or designee shall administer and interpret this policy.
- (c) ~~This policy is not intended for problems affecting recently constructed, occupied structures. This policy is intended only for a residence wherein a certificate of occupancy has been issued at least ten (10) years prior. This policy is also not intended to address control issues such as algae, mosquitoes, water quality, and trash removal, and they do not qualify for~~

maintenance or improvements through this policy.

Sec. 20-52. - Primary Criteria for Tail Ditch Maintenance.

- (a) The Stormwater Program Manager shall analyze each tail ditch to determine if the following primary criteria are present:
- (1) The tail-ditch is located within the City limits of Statesville, North Carolina, or a tail-ditch located outside of the territorial limits affects City infrastructure, such as roads or streets;
 - (2) A Certificate of Occupancy has been issued for the residence at least ten (10) years prior to the date the application was submitted;
 - (3) The property owner(s) is (are) willing to execute a Right of Entry Agreement;
 - (4) The problem threatens or creates a danger to public safety in a City ROW;
 - (5) The problem is caused by stormwaters emanating from public or private lands or right-of-way (i.e. public stormwater).

Sec. 20-53. - Terms and Conditions of City Participation.

- (a) If the Stormwater Program Manager determines all primary criteria are present, he or she shall do repair and maintenance work to tail-ditch issues as funding allows. The Stormwater Program Manager must prioritize approved applications according to approved, available funds, net public benefit, and potential dangers and harm to the public or public property.
- (b) Any work performed must be done according to the following terms and conditions:
- (1) All work must be performed by City personnel or a City contractor. The City will not furnish materials to the property owner for installation by Owner or Owner's contractor;
 - (2) Participating property owners must donate to the City, where necessary, a permanent temporary construction easement and right of entry agreement to construct the Project and maintain repair the drainage system. Future stormwater maintenance by the City shall be limited to repairs and maintenance of a substantive nature that ensures the adequate performance of the infrastructure shall be the responsibility of the property owner following completion of repair. Ongoing stormwater system maintenance for the purposes of aesthetics or convenience shall be the responsibility of the property owner after repair.
 - (3) All maintenance and repair services are subject to available funding, determined each Fiscal year pursuant to the direction of the Statesville City Council.
 - (4) The City will not participate in maintenance and repair of Stormwater Control Measures or Stormwater Best Management Practices that are

privately owned and/or required under site plans approved by the City or NC Department Environmental Quality.

- (5) All work performed by the City shall be constructed to meet current City design standards located in the Drainage Design Manual.

Sec. 20-54. - 20-75. - Reserved.

CHAPTER 21 – STREETS AND

SIDEWALKS ARTICLE I. - GENERAL

~~Sec.21-21. - Depositing matter in gutters, drainageways. Reserved~~

- ~~(a) It shall be unlawful for any person to obstruct, or cause to be obstructed, the free flow of water in, over, along, upon or through any gutter or drainageway or ditch in any street or other public way in the city by depositing trash, refuse or other matter therein.~~
- ~~(b) It shall also be unlawful for any person to sweep the trash, dirt or other matter accumulating on sidewalks into any gutter or drainageway.~~

APPENDIX A – UNIFIED

DEVELOPMENT CODE ARTICLE 1. –

ADMINISTRATION

Section 1.04 – Responsibilities for Application of Code

C. Planning Director

The Planning Director, and their designees, (hereafter “local administrator” or “staff”) shall:

1. Administer, interpret and enforce the provisions of this Code.
2. Serve as staff for the City Council, Planning Board, Board of Adjustment, Historic Preservation Commission, Downtown Design Review Committee, and Technical Review Committee, and act as a liaison to other agencies and organizations in land use matters.
3. Review and render interpretations of this Code and the Official Zoning Map.
4. Review and decide on applications made under this Code.
5. Recommend approval, approval with conditions, or denial of applications.
6. Review subdivisions, abandonments of streets, plats and make recommendations to the TRC, DRC, HPC, and Board of Adjustment, Planning Board, and City Council.
7. Review and approve conveyances and plat adjustments or corrections.
8. Review and approve, approve with conditions, or deny applications for

- construction plan approval.
9. Keep a record of all permits, appeals, variances and such other related business and correspondence pertaining to the administration of this Code.
 10. Notify in writing any person responsible for violating this code, indicating the nature of the violation and ordering action necessary to correct it. In doing so, the Planning Director shall:
 - a. order the discontinuance of the illegal use of land, buildings or structures;
 - b. order the removal of illegal buildings or structures, or additions, alterations or structural changes thereto;
 - c. order the discontinuance of any illegal work being done; or
 - d. take any other action authorized by this Code and the City Council to ensure compliance and to prevent violation of its provisions.
 11. Serve as agents for the purposes of enforcing this Code, completing, signing, issuing, and serving citations.
 12. Waive information requirements of this Code and its Appendices if the requirements of the Code can be accomplished without such information.
 13. Review and approve minor exceptions and waivers as authorized by this Code.
 14. ~~Serve as the local administrator of Flood Plain Development Permits, reviewing all floodplain development permits to assure that the permit requirements of Article 2 have been satisfied.~~
 15. Other responsibilities as may be assigned and delegated by the City Council.
 16. Conflict of Interest. Staff shall not make a final decision on an administrative decision required by this Ordinance if the outcome of that decision would have a direct, substantial, and readily identifiable impact on the staff member or if the applicant or other person subject to that decision is a person with whom the member has a close familial, business, or other associational relationship per NCGS 160D-109(c).
 17. Oath of Office. Staff shall take and subscribe the oath of office prescribed in Article VI, [§ 7](#) of the Constitution as stipulated in NCGS 160A-61.

This ordinance was introduced for first reading by Council member _____,
seconded by Council member _____, and unanimously carried on the _____ day of _____, 2026.

AYES:

NAYS:

The second and final reading of this ordinance was heard on the ____ day of _____,
2026, and upon motion of Council member _____, seconded by
Council member _____

_____, and unanimously carried, was adopted.

AYES:

NAYS:

This ordinance is to be in full force and effect from and after the _____ day of _____, 2026.

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CITY OF STATESVILLE

J. Douglas Hendrix,

Mayor APPROVED AS

TO FORM

ATTEST: Leah Gaines Messick, City Attorney

Emily Kurfees, City Clerk

(Seal)



**AN ORDINANCE AMENDING CHAPTER 20-
STORMWATER AND CHAPTER 21-STREETS AND
SIDEWALKS, ARTICLE I.-GENERAL, SECTION
21.21 OF THE STATESVILLE CITY CODE
&
APPENDIX A-UNIFIED DEVELOPMENT CODE,
ARTICLE 1-ADMINISTRATION, SECTION 1.04-
RESPONSIBILITIES FOR APPLICATION OF CODE,
C. PLANNING DIRECTOR**

1



Purpose for Amendment Request

- The Stormwater Division performs repairs of infrastructure to prevent flooding of City rights-of-way. Sometimes that work needs to take place off the ROW in order to prevent the roads from flooding.
- Current ***Tail Ditch Maintenance Policy*** requires the City to get a permanent easement for maintenance in perpetuity for the infrastructure.
- The Policy also does not allow for repairs of infrastructure where a Certificate of Occupancy has not been issued for ten (10) or more years prior to the repair being needed. (Vacant Lots)

2



Purpose for Amendment Request

Staff is proposing to edit the Tail-Ditch Maintenance Policy following sections:

Sec. 20-51. – General Purpose

~~(c) This policy is not intended for problems affecting recently constructed, occupied structures. This policy is intended only for a residence wherein a certificate of occupancy has been issued at least ten (10) years prior. This policy is also not intended to address control issues such as algae, mosquitoes, water quality, and trash removal, and they do not qualify for maintenance or improvements through this policy.~~

3



Purpose for Amendment Request

Sec. 20-52. – Primary Criteria for Tail Ditch Maintenance

(a) The Stormwater Program Manager shall analyze each tail ditch to determine if the following primary criteria are present:

~~(2) A Certificate of Occupancy has been issued for the residence at least ten (10) years prior to the date the application was submitted;~~

4

MH1



Vacant lot with private infrastructure, causing flooding of right-of-way.



5



Road flooding after large rainfall events



6

MH1



Purpose for Amendment Request

Sec. 20-53. – Terms and Conditions of City Participation

(b) Any work performed must be done according to the following terms and conditions:

(2) Participating property owners must donate to the City, where necessary, a permanent **temporary construction** easement **and right of entry agreement** to construct the Project and maintain **repair** the drainage system. Future stormwater maintenance by the City shall be limited to repairs and maintenance of a substantive nature that ensures the adequate performance of the infrastructure **shall be the responsibility of the property owner following completion of repair**. Ongoing stormwater system maintenance for the purposes of aesthetics or convenience shall be the responsibility of the property owner after repair.

7



Another root ball here resulting in the road flooding during large events. The City wants to remove the root ball but not be responsible for ongoing maintenance outside of the right-of-way.



8



Other Proposed Changes Include:

- Under CHAPTER 20 – STORMWATER, ARTICLE I. – GENERAL, create Sec. 20-2.2. – Depositing matter in gutters, drainageways.
- SEC. 20-2.2. - Depositing matter in gutters, drainageways.
- (a) It shall be unlawful for any person to obstruct, or cause to be obstructed, the free flow of water in, over, along, upon or through any gutter or drainageway or ditch in any street or other public way in the city by depositing trash, refuse or other matter therein.
- (b) It shall also be unlawful for any person to sweep the trash, dirt or other matter accumulating on sidewalks into any gutter or drainageway.

9



Other Proposed Changes Include:



- CHAPTER 21 – STREETS AND SIDEWALKS, ARTICLE I. – GENERAL, Sec. 21-21 – Depositing matter in gutters, drainageways.
- Change to Reserved, as this is moved into CHAPTER 20 Stormwater.

10



Other Proposed Changes Include:

- Editing Public Works Director to City Engineer throughout CHAPTER 20 – Stormwater

11



Other Proposed Changes Include:

- Edit Appendix A – Unified Development Code, Article I – Administration, Section 1.04 Responsibilities for Application of Code, C. Planning Director, 14.
- Serve as the local administrator of Flood Plain Development Permits, reviewing all floodplain development permits to assure that the permit requirements of Article 2 have been satisfied.

CITY OF STATESVILLE
FLOODPLAIN DEVELOPMENT APPLICATION

Date Applied: _____

Property Address/Location of Proposed Development: _____

Applicant Name: _____ Telephone No.: (____) _____

Mailing Address: _____ (Street) _____ (City) _____ (State) _____ (Zip)

Type of Development: (Check all that apply)

☐ Excavation ☐ Utility Construction ☐ Grading ☐ Road Construction

☐ Residential Construction ☐ Nonresidential Construction ☐ Addition ☐ Renovation

Other (specify): _____

Area in Acres of Proposed Development: _____ acres Number of Lots: _____ lots

Flood Insurance Rate Map Information

Map Panel No.: _____ Suffix Map Panel Date: _____ Map Index Date: _____

Flood Zone: _____ (State zone)

Regulatory Floodway/Non-encroachment Area Info: (Enter Yes/No Below)

Inside Regulatory Floodway/Non-encroachment Area: _____

Development Standards (If an item is not applicable, place "N/A" on that line)

1. If "Inside Regulatory Floodway/Non-encroachment zone" is checked above, attach engineering certification and supporting data as required.
2. Base flood elevation (BFE) per () FIRM or () FFS at development site: _____
3. Regulatory flood elevation at development site (RFE+4): _____
4. Elevation to which the lowest floor (including basement) must be constructed: _____
5. Elevation to be at or above RFE +4: _____
6. Elevation at or above which all structural utilities to include, but not limited to, all heating, air conditioning and electrical equipment must be installed: _____ (Elevation to be at or above RFE +4)
7. Will garage (if applicable) be used for any purpose other than parking vehicles, building access, or storage? ☐ Yes ☐ No If yes, then the garage must be used in determining the lowest floor elevation. _____ (Yes/No)
8. Proposed method of elevating the structure: _____
9. (a) If foundation wall is used provide the number of openings: _____ (minimum of 3 openings)
- (b) Total area of openings required: _____ (1 sq. inch per sq. foot of enclosed footprint area below RFE)
10. Will any watercourse be altered or relocated as a result of the proposed development? _____
11. Flood proofing information: (Non-residential structures in A/E zones only)
- Elevation to which structure shall be flood proofed: _____

Applicant acknowledgment: I, the undersigned, understand that the issuance of a floodplain development permit is contingent upon the above information being correct and that the plans and supporting data have been or shall be provided as required. I also understand that prior to occupancy of the structure being permitted, an elevation and/or flood proofing certificate signed by a professional engineer or registered land surveyor must be on file with the City of Statesville indicating the "as built" elevations in relation to NAVD 1988.

Print or Type Name of Applicant: _____ Print or Type Name of Agent: _____

12



13



14

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Erika Martin, Aicp, Planning Director
DATE: 9/2/2026 5:03 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of the rezoning request ZC26-04 Wall Street Havenwood Subdivision, to rezone from LI (Light Industrial) District to R-5MF CZ (High Density Multi-Family Residential) Conditional Zoning District.

1. Summary of Information:

This request has been filed by Matt Dent of Smith Douglas Homes, for three parcels located at the end of Wall Street. This is a conditional rezoning, meaning the project will be tied to the concept plan (see attached), along with any conditions approved by the City Council. The properties are located within the city limits, and the proposed project site is approximately 139 acres located at the end of Wall Street. The applicant is applying to rezone the properties to build a subdivision with both single-family detached and duplex homes.

A community input meeting was held on January 28, 2026, attended by 11 members of the community. Concerns voiced at this meeting include the current condition of Wall Street and what improvements would be required as well as the proposed location of utility line extensions.

The project is required to provide an 8ft wide (Type A) street yards landscaping buffer along all streets and a 15ft wide (Type C) vegetative buffers on all sides. The 2019 Mobility and Development Plan calls for a 10ft greenway (20ft easement) to be constructed by the developer and will be maintained by the City. The concept plan shows 14.03 acres of active open space (13.95 acres required) which includes a community pool and cabana, grass play areas, and benches. The active open space does include the greenway that will be dedicated to the city.

The 2045 Land Development Plan shows the property to be in an area suitable for Complete Neighborhood 2 Character Intent which includes single-family residential uses. In addition, water, sewer, and Statesville Public Power will serve the site.

The surrounding zoning districts and land uses are as follows:

There are existing residential zoning districts to the south, west and northwest of the site with undeveloped land, the Larkin Subdivision, and the proposed Highland Acres subdivision.

Northeast of the site is zoned light industrial with undeveloped land. East of the site is I-77.

Following the Planning Board meeting the Applicant made some changes to the southern portion of

the site. A central greenspace was introduced to break up the overall block length, improve the streetscape, and create a more intentional open-space feature within the community. The revised layout also provides an additional pedestrian connection to the greenway, improving overall connectivity and access for residents.

2. Previous Council or Relevant Actions:

NA

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: Invest in services and critical public infrastructure to align with land use plan goals and accommodate future growth citywide.

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values:

These parcels are in the Tier 1 Growth Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

The current tax value of the site is \$2,201,300.

5. Consequences for Not Acting:

The property owner(s) could pursue by-right development under the current zoning.

6. Department Recommendation:

The planning Board recommended denial with a split vote of 3-2.

Iredell Economic Development Corporation (ICEDC) recommends the site remain industrial, stating "It is one of our best sites for large advanced manufacturing and logistics and we are submitting it on a number of really good opportunities."

Staff initially recommended Option 1, approval based on the 2045 Land Use Plan designation. Due to the concerns raised by the ICEDC, the City may want to approve Option 2, to deny the request and update the future land use plan to reflect industrial.

7. Manager Comments:

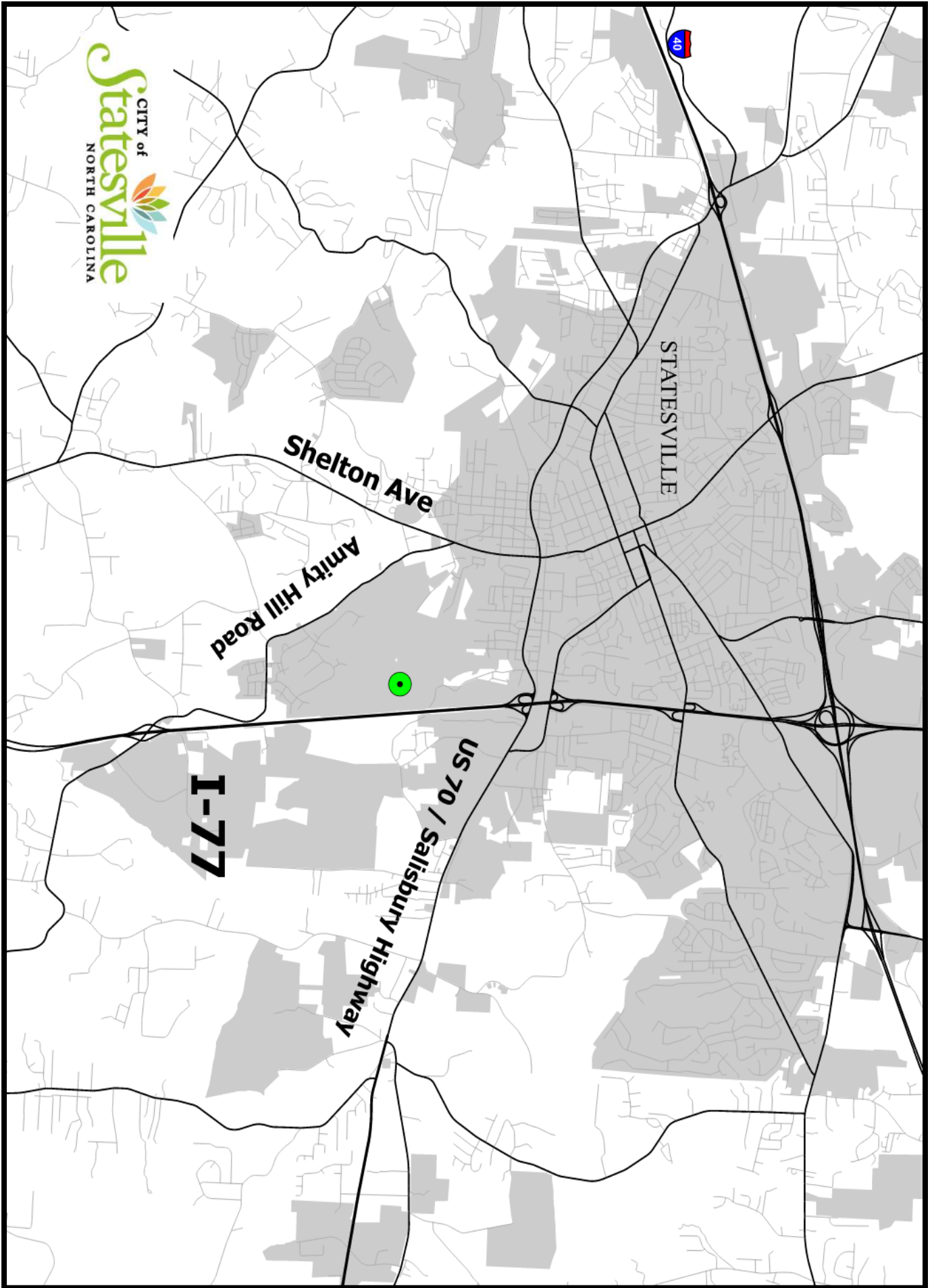
I tend to agree with the ICEDC. Industrially zoned sites are at a premium and can be difficult to come by, especially in this day of increased public opposition to rezoning requests.

8. Next Steps:

If approved, the rezoning would be effective October 5, 2026.

9. Attachments:

1. Packet Maps ZC26-04 Wall Street
2. 2045 LDP and Character Intent ZC26-04
3. Havenwood_Rezoning_Plan_08.04.2026
4. 2026.08.13 - Master Plan Rendering
5. Consistency Statements for CC ZC26-04 Wall Street (1)
6. Zoning Ordinance ZC26-04 Wall Street Havenwood (3)

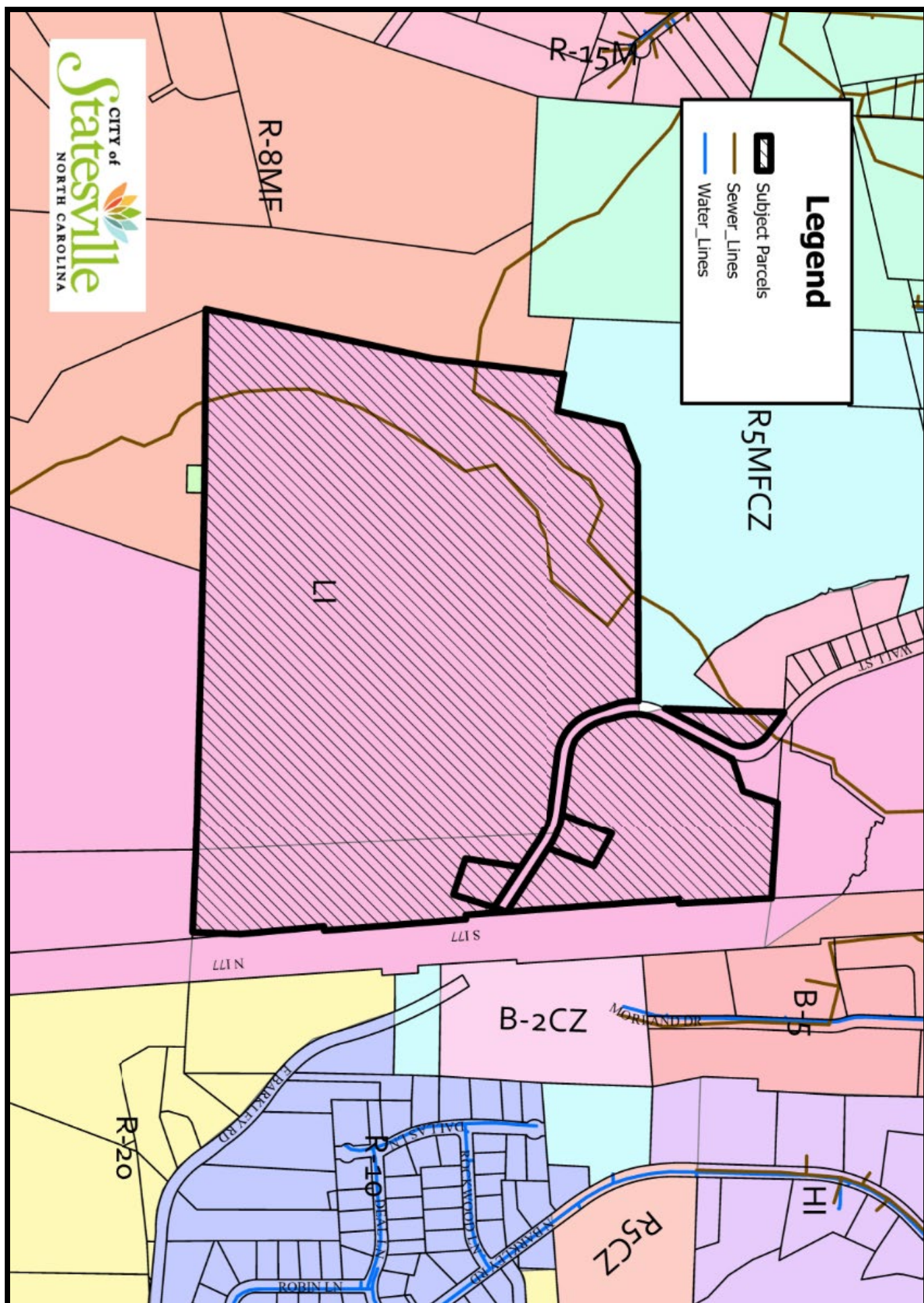




Aerial Photo ZC26-04 Wall Street (Havenwood)



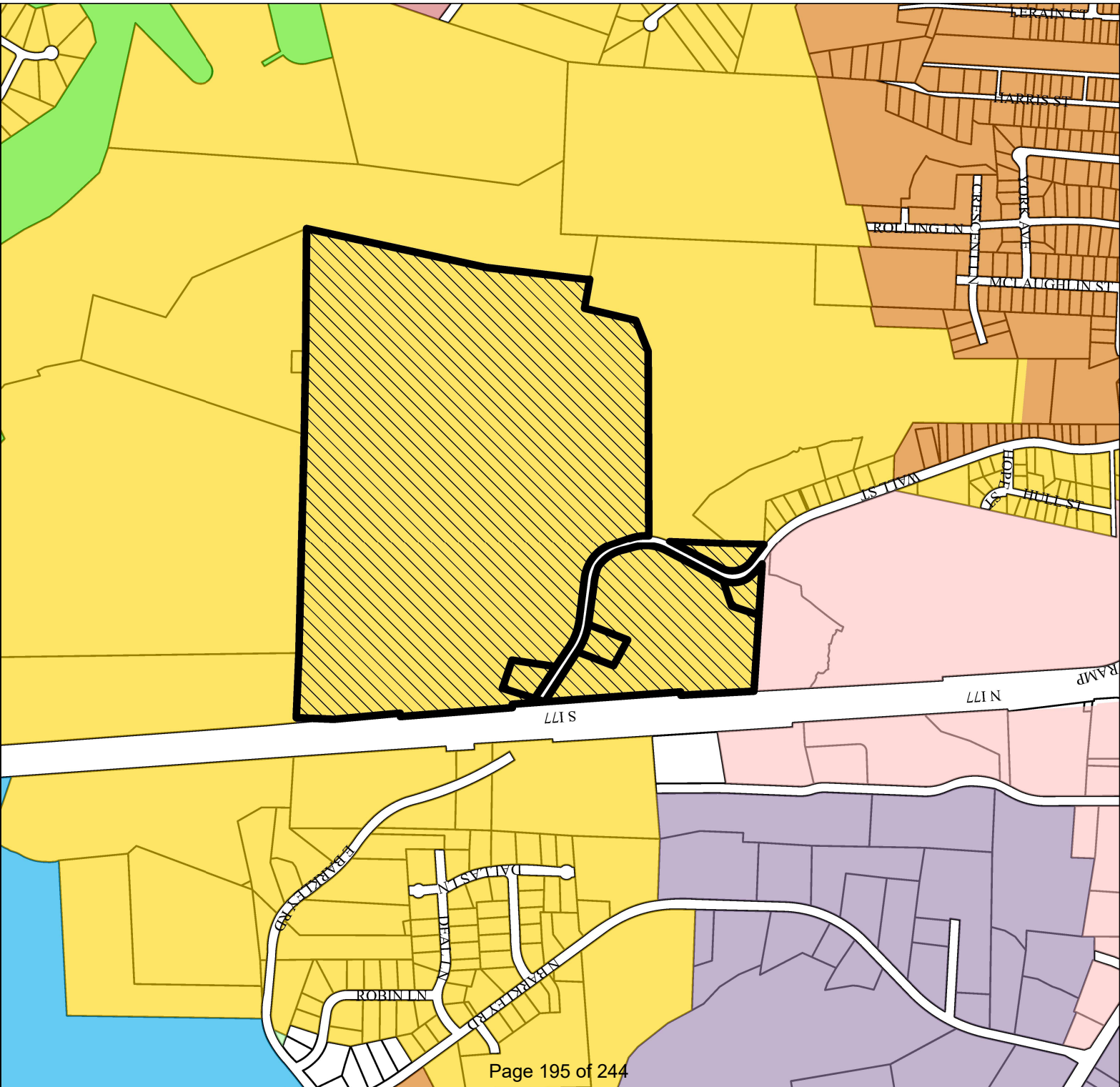
Site Photo ZC26-04 Wall Street (Havenwood)



ZC26-04 Wall Street Havenwood

Legend

- | | |
|--|---------------------------------------|
| 2045 LDP | Rural Areas |
| Activity Areas | Rural |
| Activity Center | Employment Areas |
| Activity Corridor | Employment Center / Industrial Flex |
| Downtown and Core Neighborhoods | Redevelopment Corridor |
| Downtown Center | Special Areas and Institutions |
| Downtown | Medical Core |
| Neighborhood 1 | Medical Support |
| Neighborhood 2 | Institutional |
| City Neighborhoods | Recreational Open Space |
| Complete | |
| Neighborhood 1 | |
| Complete | |
| Neighborhood 2 | |
| | Subject Parcels |



Complete Neighborhood 2

Character Intent

Complete Neighborhoods 2 are opportunities for new neighborhoods built using traditional neighborhood designs that provide a mix of residential uses. These neighborhoods are best designed as master planned neighborhoods that use a traditional grid or modified grid network, shorter block lengths, and pedestrian pathways connecting residences to internal and external destinations. Typically, a larger portion of neighborhoods will be dedicated to single-family detached homes. Predominantly single family neighborhoods may be supplemented with a variety of housing type choices (see page 36) and multifamily development, provided that sites are adjacent to commercial centers or nodes that can adequately provide basic retail goods and services, and/or along central thoroughfares that can accommodate the significant traffic impacts associated with the higher density residential development. Supplemental housing type choices and multifamily development may also be appropriate when part of a live-work or mixed-use cluster within a larger planned neighborhood or community, or as a part of a planned effort to build the demand that can bring basic retail goods and services to an area or neighborhood that lacks them where increased services and some multifamily is the goal. Sidewalks, multi-use paths, on-street parking, and narrow street designs prioritize walking and biking through neighborhoods and accommodate connections to adjacent uses. These neighborhoods should also include parks and community open spaces accessible to neighborhood residents and preferably to the public. Pockets of community-serving institutional uses like schools, community centers and churches are also appropriate. Limited use of neighborhood-scale, multistory commercial and office centers is appropriate in this character area when clustered along major thoroughfares and street corners.

Pattern & Form

Grid or modified grid network with short and medium block lengths.

Opportunities

New master planned developments organized around community gathering spaces (commercial or open space).

Primary Uses

Residential

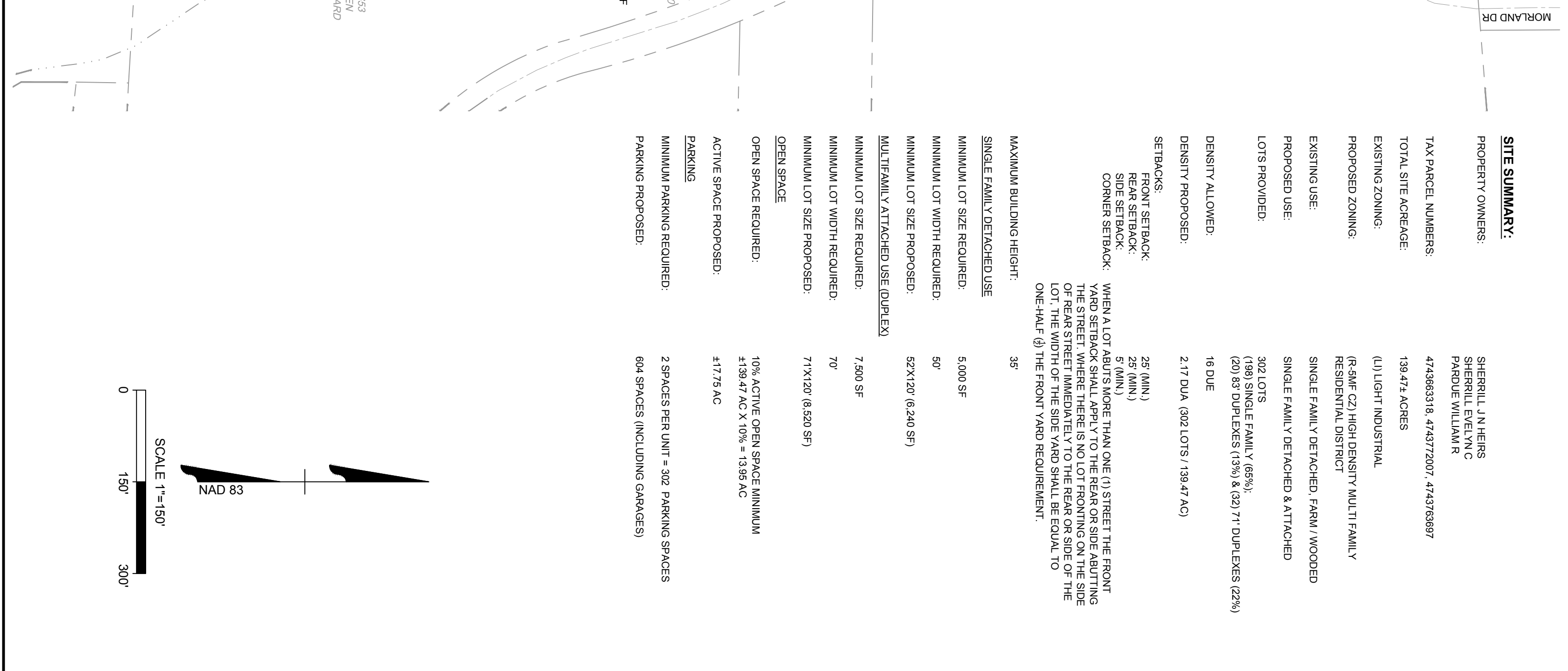
Secondary Uses

Clubhouses and recreation centers, neighborhood scale corner commercial/offices, institutional, park and open space, daycare.

Form Characteristics

Building Height	One to three stories
Building Orientation	Residences oriented towards the primary street, 0-30 ft setbacks
Building Types	Single family detached homes, limited use of a variety of housing type choices (see page 37), and multifamily in centralized locations, limited use of neighborhood-scale and multistory commercial or office centers in centralized locations, and institutional buildings.
Street Character	Local streets with sidewalks on both sides and street trees, off-street pedestrian and bike circulation connections (trails and paths)
Parking Character	Alley parking preferred for residential, some on-street parking, neighborhood nonresidential uses share small surface lots

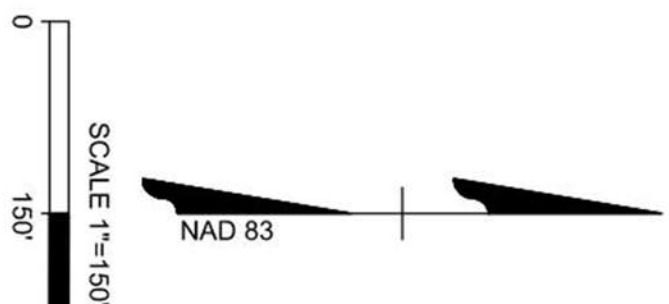




YOUR VISION ACHIEVED THROUGH OUR

REZONING CONCEPT PLAN

THIS DRAWING PREPARED AT THE
CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.602.8600 FAX 704.376.1076 www.timmons.com



YOUR VISION ACHIEVED THROUGH OURS.

REZONING CONCEPT PLAN



To: Statesville Planning Board

From: Erika Martin, AICP, Planning Director

Date: September 14, 2026

Subject: Rezoning

Case: ZC26-04 Wall Street (Havenwood Subdivision)

Address: Properties located at the end of Wall Street

☐ **Option 1: Approve (Planning Staff)**

The zoning amendment is **hereby approved** with the agreed upon conditions and is consistent with the City's 2045 Land Use Plan. Specifically, Complete Neighborhood 2 are sites that are predominately residential neighborhoods in close proximity to commercial centers and services. The rezoning, is reasonable, and in public interest because the houses will provide convenient access to interstate 77 and support existing commercial in the area.

☐ **Option 2: Deny (Planning Board Recommendation)**

The zoning amendment is **hereby denied** even though it is consistent with the City's comprehensive land plan. Specifically, it is not reasonable, nor in the public interest, to approve this residential proposal as it was rezoned to Light Industrial during development of the land use plan. Furthermore, Iredell Economic Development Corporation has indicated this area is a strategic area for industrial. Therefore, as part of this action, the the 2045 Land Use Plan will be updated to reflect the Employment Center / Industrial Flex land use designation.

Date: J. Douglas Hendrix Mayor

Date: Erika Martin, Planning Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE DESCRIBED PROPERTIES FROM LI (LIGHT INDUSTRIAL) TO R-5MF CZ (HIGH-DENSITY MULTI-FAMILY) CONDITIONAL ZONING DISTRICT

ZC26-04 Wall Street (Havenwood Subdivision)

Wall Street

Iredell County Tax Map Parcels 4743-66-3318, 4743-77-2007 and 4743-76-3697

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE CITY OF STATESVILLE'S PLANNING JURISDICTION WAS DULY GIVEN, notifying them of a public hearing to be held on September 14th, 2026, at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described property from LI (Light Industrial) to R-5MF CZ (High-Density Multi-Family) Conditional Zoning District; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on September 3 and 10, 2026 and all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

WHEREAS, the property is subject to the following conditions:

Section 1. Conformance

1. The Property shall be developed in conformance with the conditional rezoning site plan as approved by City Council.
2. Minor modifications to the approved site plan may be approved administratively by the Planning Director or designee in accordance with the Unified Development Ordinance ("UDO").

Section 2. Permitted Uses

1. Uses on the property shall be limited to residential use permitted in the approved R-5MF zoning district.

Section 3. Density and Unit Limitation

1. The total number of dwelling units on the Property shall not exceed ten percent (10%) above the approved rezoning maximum of 302 dwelling units.
2. Overall residential density shall not exceed 2.16 dwelling units per acre.
3. Density shall not be less than 10 percent (10%) of the approved rezoning density.

Section 4. Dimensional Standards

1. Minimum lot sizes, setbacks, and building heights shall comply with the standards of the underlying R-5MF zoning district.

Section 5. Transportation and Access

1. Streets within the development shall be designed and constructed in accordance with City of Statesville standards and, where applicable, North Carolina Department of Transportation (NCDOT) requirements.
2. Sidewalks shall be provided in accordance with the UDO.
3. Street stubs shall be provided to adjoining undeveloped parcels where required to facilitate future connectivity, unless waived by City staff.
4. Any required off-site transportation improvements shall be designed, permitted, and constructed in accordance with all applicable City of Statesville and/or NCDOT standards and approvals.
5. In the event the necessary off-site right-of-way for such improvements cannot be obtained by the developer, the developer may coordinate with City staff and/or NCDOT to identify an alternative improvement, or other mutually acceptable mitigation, as approved by City staff and/or NCDOT.

Section 6. Buffers and Transitions

1. Buffers shall be provided in accordance with the UDO where the Property abuts existing residential or lower-intensity zoning.
2. Buffer reductions may be approved administratively where existing vegetation is preserved and deemed acceptable by Planning staff.

Section 7. Utilities and Public Services

1. The development shall be served by City of Statesville water, sanitary sewer, and electric utilities and capacity will be assured at time of rezoning approval.

Section 8. Stormwater and Environmental Compliance

1. Stormwater management facilities shall be designed, constructed, and maintained in compliance with all applicable City, State, and Federal regulations.
2. No development shall occur within regulated floodplains or stream buffers except as permitted by applicable regulations.
3. Stormwater management facilities shall be maintained by the homeowners' association (HOA) or another entity approved by City staff.

Section 9. Open Space and Greenway

1. Open space shown on the approved site plan shall be provided and maintained by the homeowners' association (HOA).
2. A greenway shall be provided to the extent feasible and practical, in accordance with the City of Statesville Greenway Standards, and an associated greenway easement shall be dedicated to the City of Statesville.
3. The greenway shall be limited to outside stream and wetland buffers, and shall not require bridges, boardwalks, or creek crossings.

Section 10. Phasing

1. The development may be constructed in phases at the discretion of the developer.
2. Off-site traffic improvements intended to serve future phases of development shall not be required until impacts attributable solely to such future phases are created, as identified in an approved Traffic Impact Analysis (TIA) prepared in accordance with the City of Statesville Unified Development Ordinance and applicable NCDOT standards.
3. Off-site utility improvements intended to serve future phases of development shall not be required until capacity demands attributable solely to such future phases are created.

Section 11. Architectural Standards

1. Primary front elevations shall include a mix of vinyl, brick, stone, masonry, fiber-cement siding, engineered wood, or materials of comparable durability and appearance.

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after-described properties be changed as particularly set out below, said property being more particularly described as follows:

Description

ALL THAT REAL PROPERTY, ON THE WESTERN SIDE OF INTERSTATE 77 AND ON S.R.2339 WALL STREET, IN THE CITY OF STATESVILLE, IN THE TOWNSHIP OF STATESVILLE, IN THE COUNTY OF IREDELL, OF THE STATE OF NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN EXISTING 3/4 INCH PIPE, WITH NC GRID NAD 83(2011) COORDINATES (N:738,022.56 E:1,447,490.95), AND BEING LOCATED S 04°09'52" E 4,368.96 FEET (GROUND)(CGF=0.99987381) FROM NCGS MONUMENT "RAMADA" (N:742,379.98 E:1,447,173.67). SAID PIPE BEING IN THE WESTERN RIGHT OF WAY OF INTERSTATE 77 AND THE SOUTHEASTERN CORNER OF SKEET'S AUTO BODY REPAIR, INC. (DB 2463 PG 1618, PB 65 PG 128):

THENCE WITH THE WESTERN RIGHT OF WAY OF INTERSTATE 77 THE FOLLOWING EIGHT (8) BEARINGS AND DISTANCES:

- (1) S 04°40'21" E 42.75 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (2) S 04°01'56" E 460.29 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (3) S 85°23'08" W 22.62 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (4) S 04°04'43" E 1,000.11 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (5) N 85°19'03" E 22.44 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (6) S 04°04'16" E 700.18 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (7) S 88°42'55" W 12.53 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (8) S 04°04'27" E 407.80 FEET TO A #5 REBAR W/CAP SET

THENCE LEAVING THE WESTERN RIGHT OF WAY OF INTERSTATE 77 S 01°26'04" W 218.31 FEET TO A #5 REBAR W/CAP SET IN THE LINE OF CHARLES RUSSELL GUY (DB 3062 PG 445) AND BEING LOCATED N 87°33'18" W 21.09 FEET FROM A CONCRETE RIGHT-OF-WAY MONUMENT IN THE WESTERN RIGHT OF WAY OF INTERSTATE 77:

THENCE WITH THE LINE OF SAID GUY N 87°33'18" W 436.24 FEET TO A #4 REBAR

FOUND:

THENCE WITH THE LINE OF DOUBLE B PROPERTIES OF IREDELL, LLP (DB 3034 PG 2257) N 87°23'14" W 1,275.66 FEET TO A 3/4 INCH PIPE FOUND:

THENCE WITH THE LINE OF HPT INVESTMENT HOLDING, LLC (DB 2900 PG 1477) AND JAMES C. WALKER III (DB 2622 PG 2341) N 87°56'12" W 504.30 FEET TO A BENT 3/8 INCH PIPE FOUND, SAID PIPE BEING THE NORTHWEST CORNER OF SAID WALKER:

THENCE CONTINUING WITH THE LINE OF HPT INVESTMENT HOLDING, LLC (DB 2900 PG 1477) N 88°30'52" W 741.27 FEET TO A #3 REBAR IN CONCRETE FOUND, SAID REBAR BEING THE COMMON CORNER OF HPT INVESTMENT HOLDING, LLC TRACT 1 AND TRACT 2:

THENCE WITH THE EASTERN LINE OF SAID HPT INVESTMENT HOLDING, LLC TRACT 2 (DB 2900 PG 1477) N 09°42'20" E 1,735.66 FEET TO A BENT 1 INCH ROD FOUND IN THE LINE OF IREDELL PARTNERS, LLC (DB 2822 PG 679):

THENCE WITH THE SOUTHERN LINE OF IREDELL PARTNERS, LLC (DB 2822 PG 679) THE FOLLOWING FOUR (4) BEARINGS AND DISTANCES:

(1) S 79°17'13" E 175.24 FEET TO A 1 1/4 INCH PIPE FOUND INSIDE A 40 INCH OAK TREE

(2) N 14°50'42" E 320.06 FEET TO A 1 1/4 INCH PIPE FOUND

(3) N 68°27'04" E 199.88 FEET TO A 1 1/2 INCH ROD FOUND

(4) S 89°37'34" E 1,145.49 FEET TO A #5 REBAR W/CAP SET IN S.R.2339 "WALL STREET" (GRAVEL), SAID REBAR BEING N 89°37'34" W 355.10 FEET FROM 1 1/2 INCH PIPE FOUND:

THENCE WITH THE EAST LINE OF IREDELL PARTNERS, LLC (DB 2822 PG 679) AND KENNETH C. GRIFFIN, FORMERLY WILLIAM A. GRAY AND WIFE, ARABELLA M. GRAY (DB 677 PG 636, DB 703 PG 935), N 01°02'53" E 694.46 FEET TO A CONCRETE MONUMENT FOUND:

THENCE S 87°38'05" E 15.61 FEET TO A CALCULATED POINT IN THE WESTERN RIGHT OF WAY OF "WALL STREET" S.R.2339 (PB 66 PG 40), SAID POINT BEING LOCATED N 87°40'05" W 70.26 FEET FROM AN EXISTING #4 REBAR:

THENCE WITH THE WESTERN RIGHT OF WAY OF SAID ROAD THE FOLLOWING THREE (3) BEARINGS AND DISTANCES:

(1) S 52°30'15" E 116.08 FEET TO A CALCULATED POINT

(2) A CURVE TO THE RIGHT HAVING A RADIUS OF 134.85 FEET, AN ARC LENGTH OF 212.39 FEET AND A CHORD BEARING AND DISTANCE OF S 12°42'04" E 191.11 FEET TO A CALCULATED POINT

(3) S 27°58'57" W 15.11 FEET TO A #5 REBAR W/CAP SET

THENCE CROSSING SAID ROAD N 69°54'38" E 84.91 FEET TO A #4 REBAR FOUND ON THE EASTERN RIGHT OF WAY OF SAID ROAD:

THENCE WITH THE LINE OF SKEET'S AUTO BODY REPAIR INC (DB 2474 PG 2131, PB 66 PG 40) THE FOLLOWING TWO (2) BEARINGS AND DISTANCES:

(1) N 69°54'38" E 166.07 FEET TO A #4 REBAR FOUND

(2) N 17°34'34" E 174.46 FEET TO A #4 REBAR FOUND

THENCE WITH THE LINE OF SKEET'S AUTO BODY REPAIR INC (DB 2463 PG 1618, PB 65 PG 128) S 87°29'01" E 466.23 FEET TO THE POINT OF BEGINNING:

THE ABOVE-DESCRIBED LAND CONTAINS 142.986 ACRES; LESS AND EXCEPT THE 1.036 ACRE AND THE 1.183 ACRE TRACTS DESCRIBED BELOW; RESULTING IN A REMAINING AREA OF 140.767 ACRES, AND IS SHOWN ON AN UNRECORDED PLAT BY CESI TITLED "BOUNDARY SURVEY OF PIN:4743-66-3318, 4743-77-2007 AND 4743-76-697, DATED JANUARY 22ND 2026, CESI JOB NUMBER 260009.000

LESS AND EXCEPT

ALL THAT REAL PROPERTY, LOCATED ON WALL STREET, IN THE CITY OF STATESVILLE, IN THE TOWNSHIP OF STATESVILLE, IN THE COUNTY OF IREDELL, OF THE STATE OF NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN EXISTING 3/4 INCH PIPE, WITH NC GRID NAD 83(2011) COORDINATES (N:738,022.56 E:1,447,490.95), AND BEING LOCATED S 04°09'52" E 4,368.96 FEET (GROUND)(CGF=0.99987381) FROM NCGS MONUMENT "RAMADA" (N:742,379.98 E:1,447,173.67). SAID PIPE BEING IN THE WESTERN RIGHT OF WAY OF INTERSTATE 77 AND THE SOUTHEASTERN CORNER OF SKEET'S AUTO BODY REPAIR INC (DB 2463 PG 1618, PB 65 PG 128):

THENCE WITH THE WESTERN RIGHT OF WAY OF INTERSTATE 77 THE FOLLOWING THREE (3) BEARINGS AND DISTANCES:

- (1) S 04°40'21" E 42.75 FEET TO A CONCRETE RIGHT OF WAY MONUMENT
- (2) S 04°01'56" E 460.29 FEET TO A CONCRETE RIGHT OF WAY MONUMENT
- (3) S 85°23'08" W 22.62 FEET TO A CONCRETE RIGHT OF WAY MONUMENT

THENCE LEAVING THE WESTERN RIGHT OF WAY OF INTERSTATE 77 S 44°07'57" W 418.14 FEET TO A #5 REBAR W/CAP SET AND BEING THE POINT OF BEGINNING

THENCE WITH THE LINES OF JOSEPH N. SHERRILL AND WIFE, SUSAN B. SHERILL HEIRS (DB 153 PG 48, DB 2941 PG 415) THE FOLLOWING FOUR (4) BEARINGS AND DISTANCES:

- (1) S 61°15'02" E 175.00 FEET TO A #5 REBAR W/CAP SET
- (2) S 21°14'58" W 260.00 FEET TO A #5 REBAR W/CAP SET IN "WALL STREET" S.R.2339
- (3) N 61°15'02" W 175.00 FEET TO A #5 REBAR W/CAP SET IN "WALL STREET" S.R.2339
- (4) N 21°14'58" E 260.00 FEET TO THE POINT OF BEGINNING

THE ABOVE-DESCRIBED LOT CONTAINS 1.036 ACRES AND IS SHOWN ON A UNRECORDED PLAT BY CESI TITLED "BOUNDARY SURVEY OF PIN:4743-66-3318, 4743-77-2007 AND 4743-76-3697, DATED JANUARY 22ND 2026, CESI JOB NUMBER 260009.000

LESS AND EXCEPT

ALL THAT REAL PROPERTY, LOCATED ON WALL STREET, IN THE CITY OF STATESVILLE, IN THE TOWNSHIP OF STATESVILLE, IN THE COUNTY OF IREDELL, OF THE STATE OF NORTH CAROLINA AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT AN EXISTING 3/4 INCH PIPE, WITH NC GRID NAD 83(2011) COORDINATES (N:738,022.56 E:1,447,490.95), AND BEING LOCATED S 04°09'52" E 4,368.96 FEET (GROUND)(CGF=0.99987381) FROM NCGS MONUMENT "RAMADA" (N:742,379.98 E:1,447,173.67). SAID PIPE BEING IN THE WESTERN RIGHT OF WAY OF INTERSTATE 77 AND THE SOUTHEASTERN CORNER OF SKEET'S AUTO BODY REPAIR INC (DB 2463 PG 1618, PB 65 PG 128):

THENCE WITH THE WESTERN RIGHT OF WAY OF INTERSTATE 77 THE FOLLOWING FOUR (4) BEARINGS AND DISTANCES:

- (1) S 04°40'21" E 42.75 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (2) S 04°01'56" E 460.29 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (3) S 85°23'08" W 22.62 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT
- (4) S 04°04'43" E 1,000.11 FEET TO A CONCRETE RIGHT-OF-WAY MONUMENT

THENCE LEAVING THE WESTERN RIGHT OF WAY OF INTERSTATE 77 S 68°03'16" W 88.87 FEET TO A #5 REBAR W/CAP SET AND BEING THE POINT OF BEGINNING THENCE WITH THE LINES OF JOSEPH N. SHERRILL AND WIFE, SUSAN B. SHERILL HEIRS (DB 153 PG 48, DB 2941 PG 415) THE FOLLOWING FOUR (4) BEARINGS AND DISTANCES:

- (1) N 74°05'00" W 177.50 FEET TO A #5 REBAR W/CAP SET
- (2) N 06°05'00" E 293.80 FEET TO A #5 REBAR W/CAP SET IN "WALL STREET" S.R.2339
- (3) S 59°30'00" E 232.00 FEET TO A #5 REBAR W/CAP SET IN "WALL STREET" S.R.2339
- (4) S 15°08'08" W 231.09 FEET TO THE POINT OF BEGINNING

THE ABOVE-DESCRIBED LOT CONTAINS 1.183 ACRES AND IS SHOWN ON A UNRECORDED PLAT BY CESI TITLED "BOUNDARY SURVEY OF PIN:4743-66-3318, 4743-77-2007 AND 4743-76-3697, DATED JANUARY 22 ND 2026, CESI JOB NUMBER 260009.000

This ordinance was introduced for first reading by Councilmember_____, seconded by Councilmember_____, and unanimously carried on the 14th day of September 2026.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 5th day of October 2026 and upon motion of Councilmember_____, seconded by Councilmember_____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 5th day of October 2026.

CITY OF STATESVILLE

J. Douglas Hendrix, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/3/2026 10:14 AM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of rezoning request ZC26-09 Moose Club Road (Novel Holdings) Subdivision, filed by Mr. Shane Seagle of North State Development for approximately 19 acres located along Moose Club Road.

1. Summary of Information:

The request is to rezone the property from the Town of Troutman RS (Suburban Residential) and Iredell County RA (Residential Agricultural) Jurisdiction to the City of Statesville's R-8 CZ (Medium Density Single-Family) Conditional Zoning District. Annexation is being sought concurrently to connect to City of Statesville Utilities. Water and sewer can serve this site as they are existing in the adjacent Wildewood Subdivision.

This is a conditional rezoning, so the project will be tied to the concept plan (see attached), along with any conditions agreed upon by the Applicant and City Council. The property is not located within the city limits; therefore, the Applicant has submitted an annexation petition concurrently. The proposed project site is approximately 19 acres located along Moose Club Road. The applicant is applying to conditionally rezone the properties to build 56 single-family detached homes. A community input meeting was held on May 28, 2026, and attended by two (2) members of the community that had concerns over landscaping buffer requirements and water pressure concerns.

The City's 2045 Land Development Plan calls for this area to be classified as Complete Neighborhood 2, which includes residential uses. The surrounding property to the North, East, and South is zoned either Iredell County's RA (Residential Agricultural), Town of Troutman RS (Residential Suburban) or the Town of Troutman MU (Mixed Use) with wooded tracts, single-family residences, and pastures. The property to the West is zoned City of Statesville R-8 and is the Wildewood Subdivision that was rezoned and annexed into the City in 2007. The project requires a 15ft wide (Type C) vegetative buffers along the perimeter of the site, and an 8ft street yard along Moose Club Road. In addition, there will also be sidewalks, curbs, and gutters as well as street trees along both sides of all streets.

The concept plan shows 6.86 acres of total open space, including 1.97 acres of active open space that includes a community greenway trail and a fishing pond. No additional amenities have been provided.

2. Previous Council or Relevant Actions:

City Council will conduct the public hearing and consider passing the first reading of the annexation (AX26-09) at this meeting.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values:

These parcels are in the Tier 2 Growth Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

The current tax value of the parcel is \$400,000.

5. Consequences for Not Acting:

The property owner(s) could pursue by-right development.

6. Department Recommendation:

Staff recommends Option 1 - Approval

7. Manager Comments:

I realize there is less inclination by the Council to satellite annex new residential development into Statesville. However, in this case, the proposed development abuts another neighborhood (Wildewood) and is close proximity to another (500 Club/Larkin) that both have Statesville rolling services (sanitation, police, fire, etc.). Utilities are directly adjacent to this site, thus giving this one proposal some infill characteristics. I would therefore concur with the department recommendation.

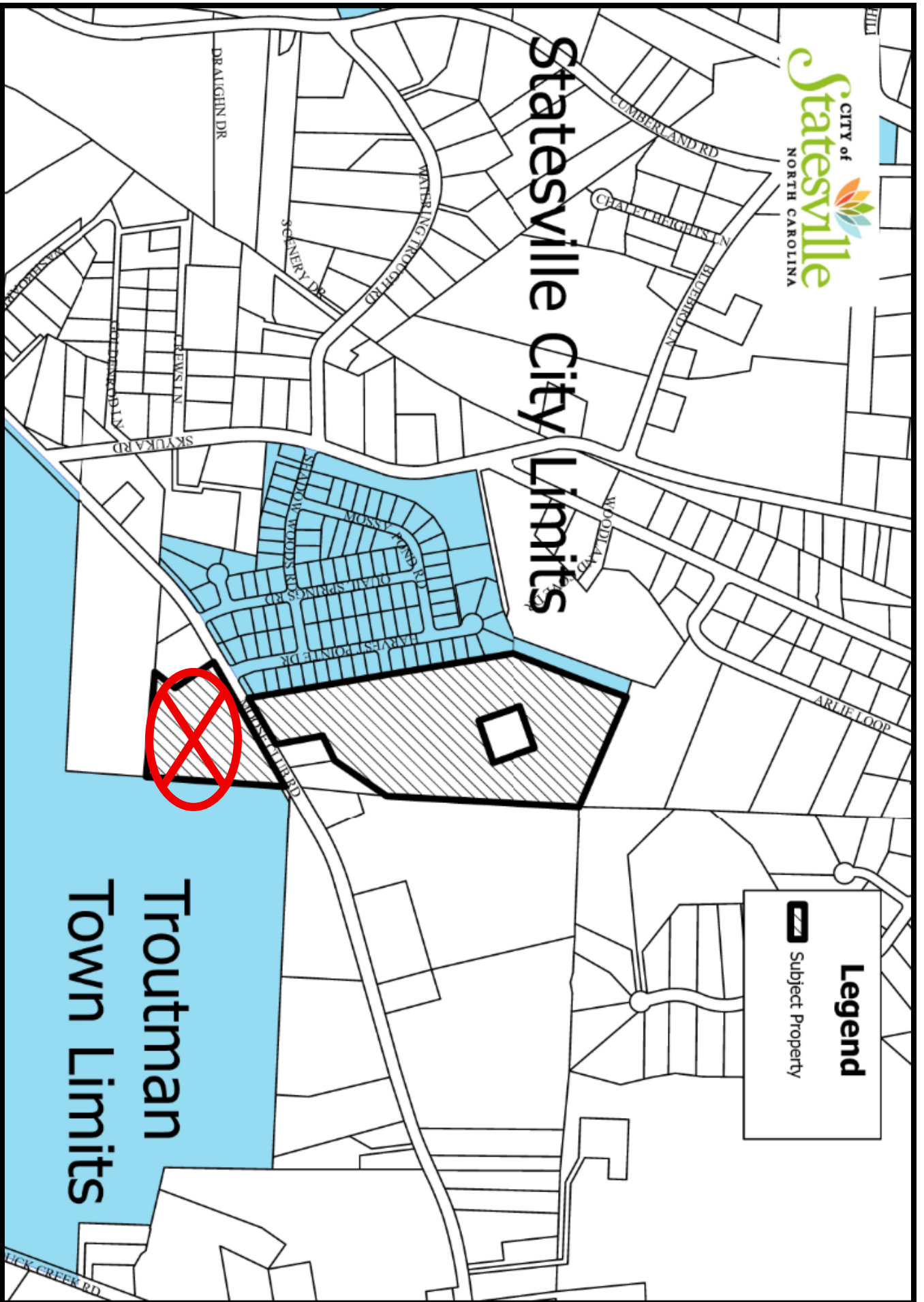
8. Next Steps:

If approved, the second reading will be October 5, 2026.

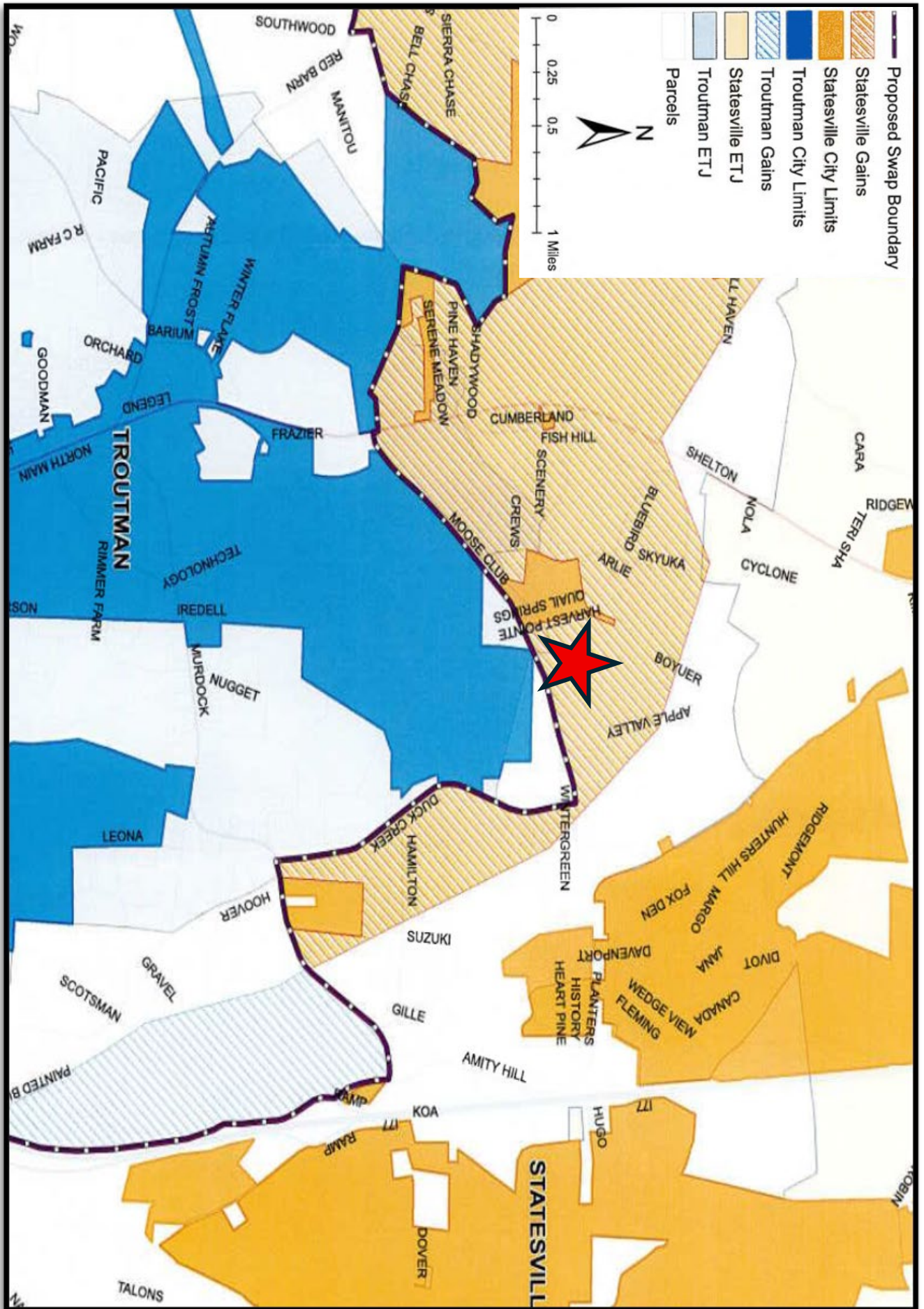
9. Attachments:

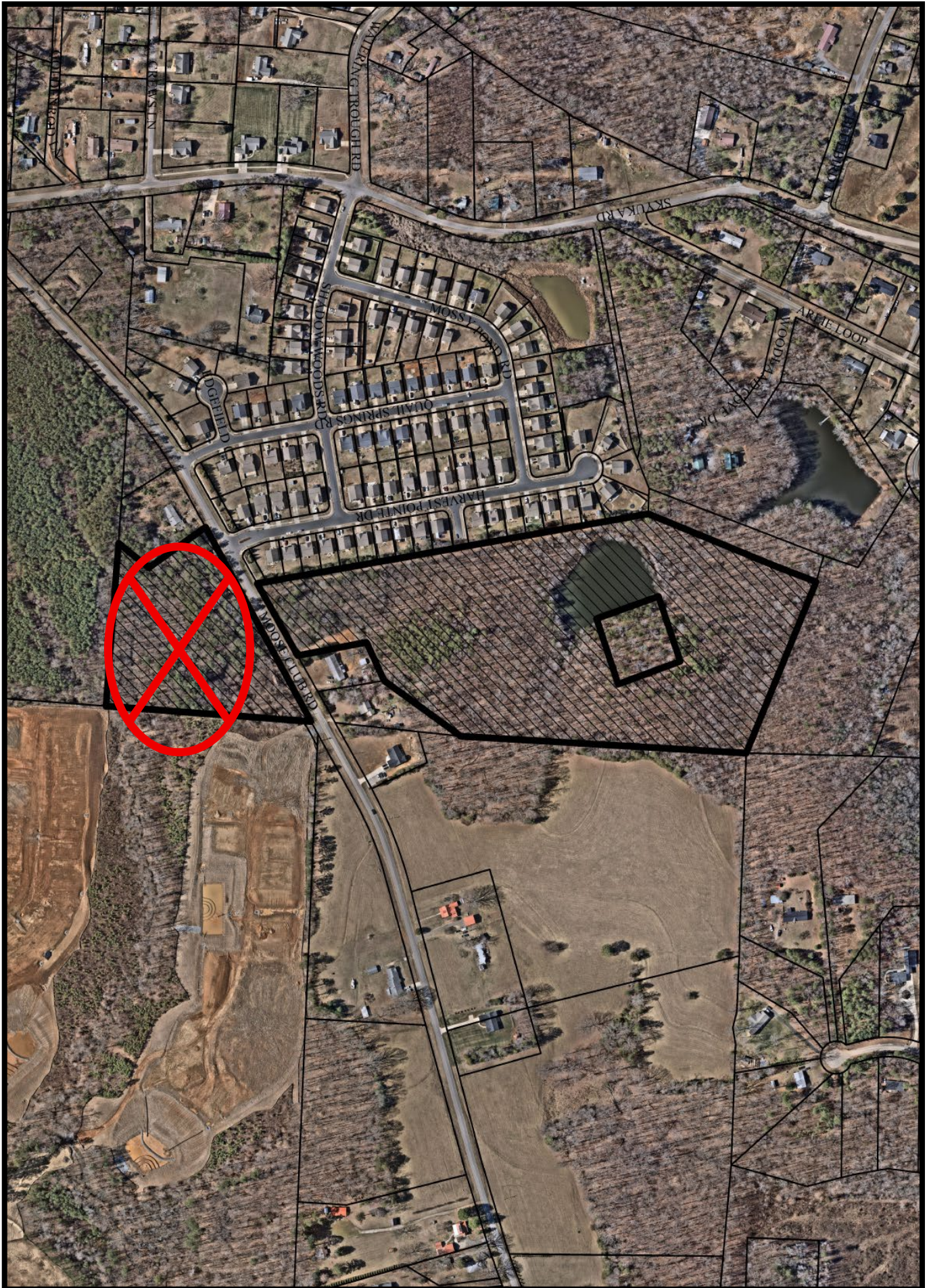
1. Packet Maps ZC26-09 Moose Club Novel
2. Concept Plan ZC26-09 Moose Club Road Novel Holdings
3. Land Use Plan ZC26-09 Moose Club Novel
4. Complete Neighborhood 2 Intent
5. Consistency Statements for CC ZC26-09 Moose Club Novel Holdings
6. Zoning Ordinance ZC26-09 Moose Club Road Novel Holdings

Statesville City Limits

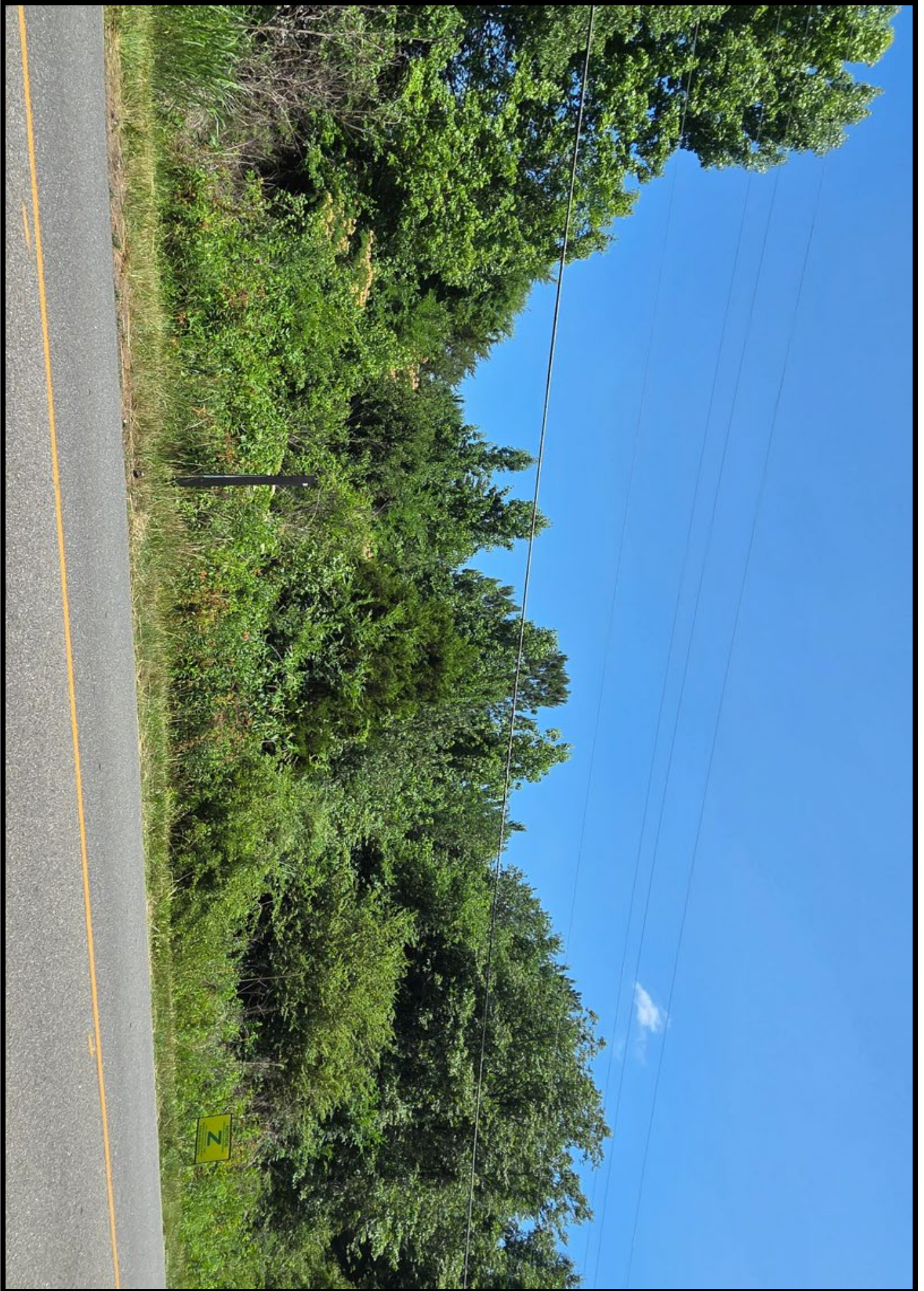


Location Map

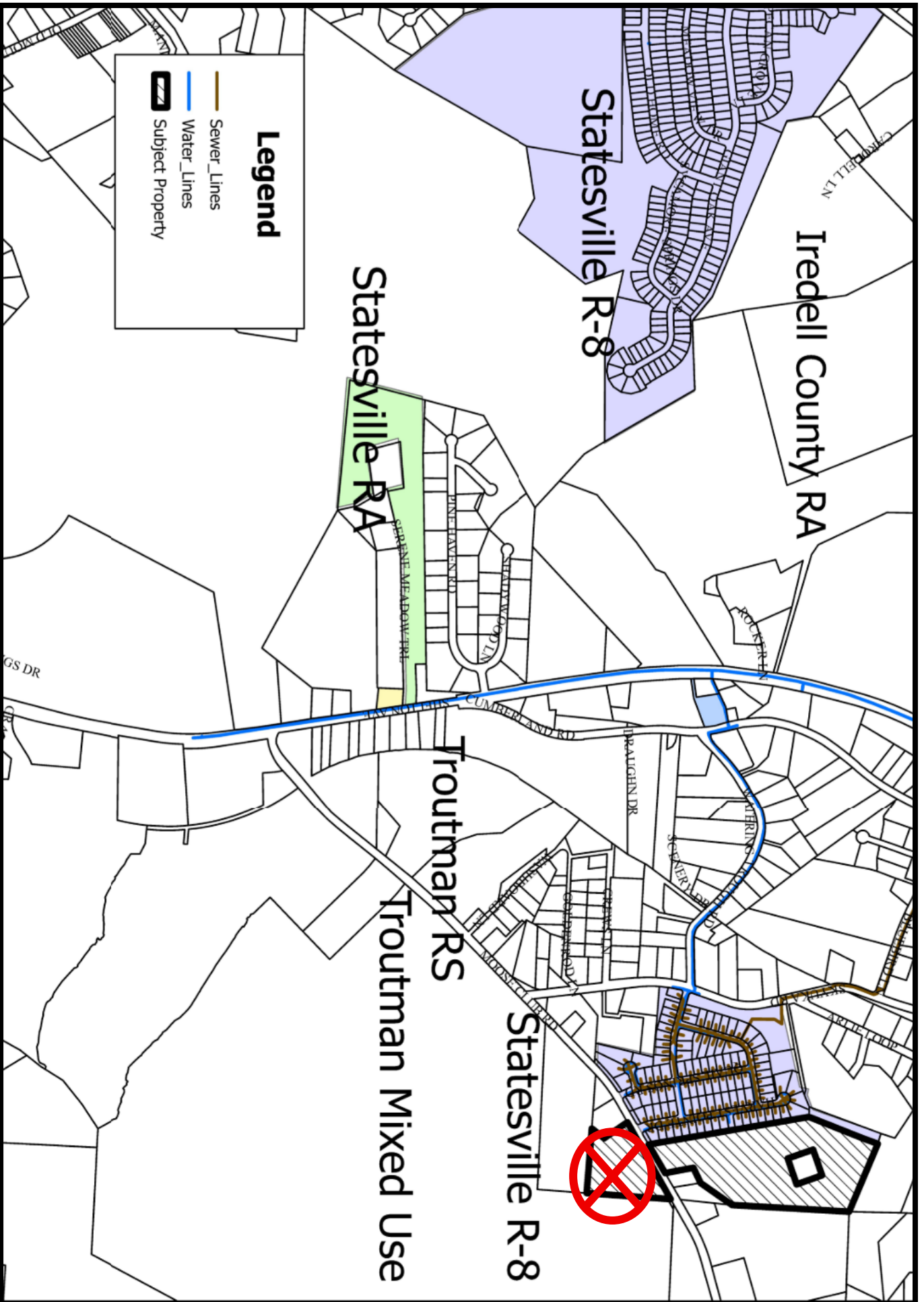


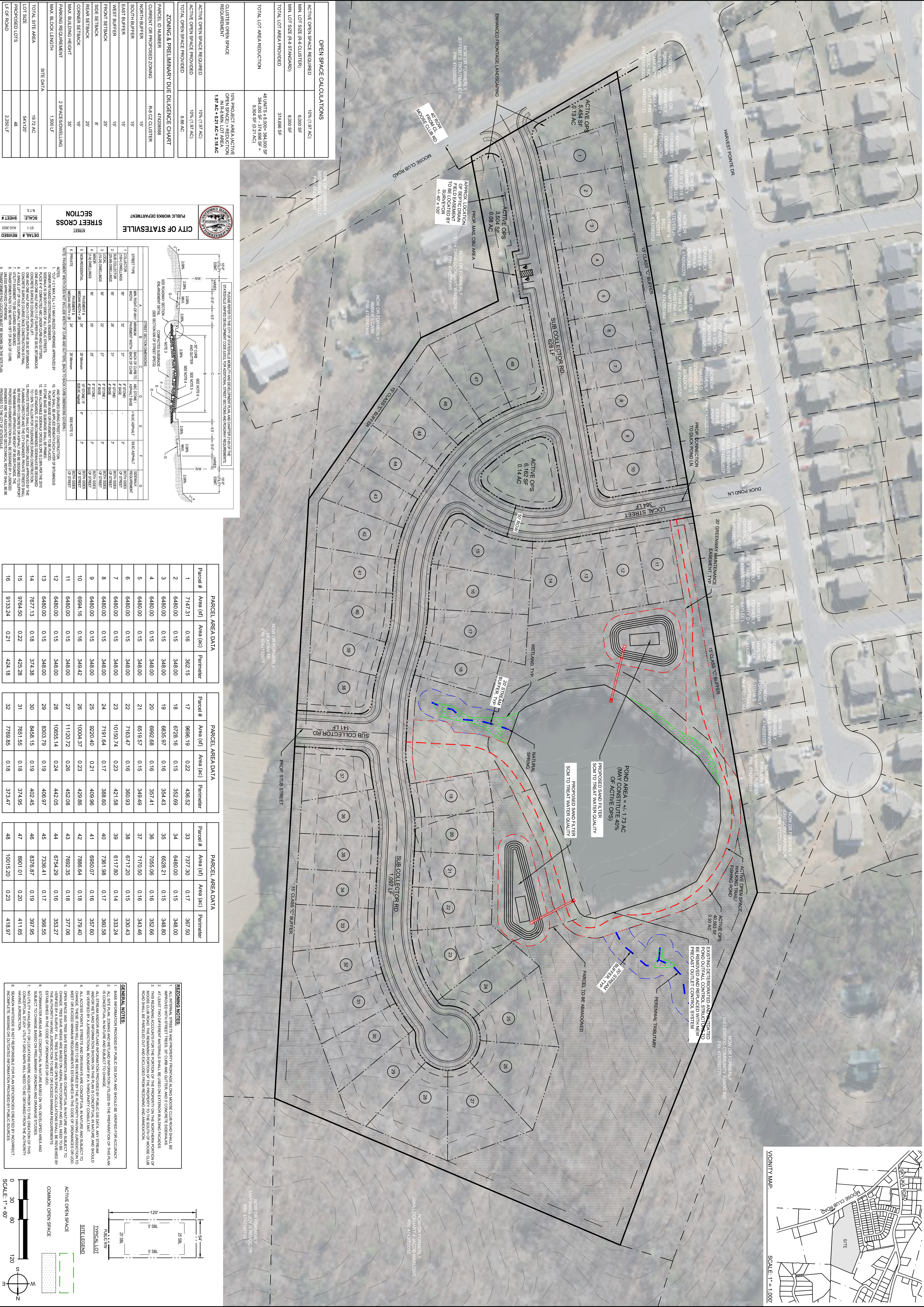


Aerial Photo



Site Photo



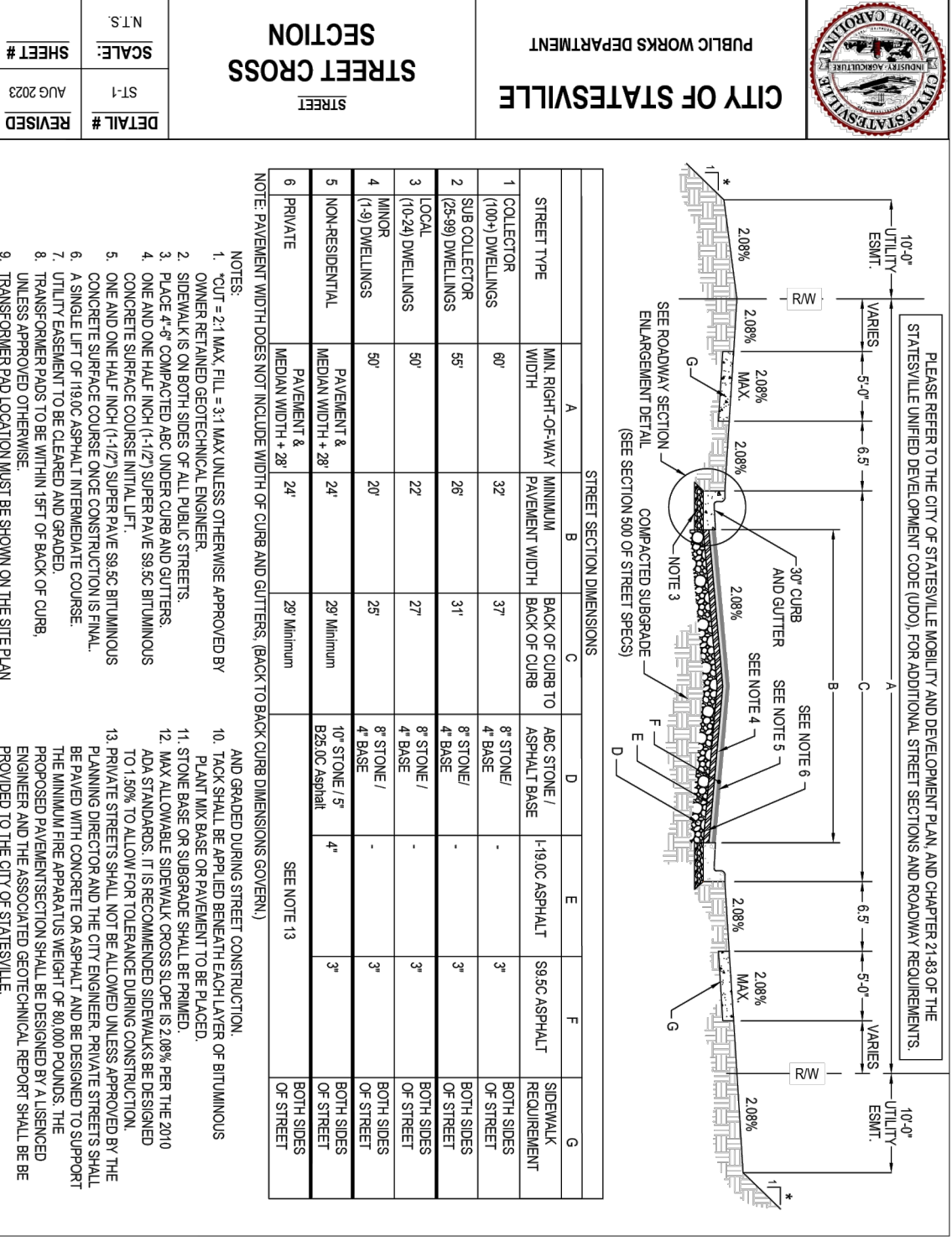


OPEN SPACE CALCULATIONS	
ACTIVE OPEN SPACE REQUIRED	10% (1.97 AC)
MIN. LOT SIZE (R-8 CLUSTER)	6,000 SF
MIN. LOT SIZE (R-8 STANDARD)	8,000 SF
TOTAL LOT AREA PROVIDED	374,686 SF
TOTAL LOT AREA REDUCTION	48 UNITS x 8,000 = 384,000 SF 384,000 SF - 374,686 SF = 9,314 SF (0.21 AC)

CUSTOMER OPEN SPACE REQUIREMENT	10% PROJECT AREA, ACTIVE OPEN SPACE + REDUCTION IN R-8 MIN. LOT AREA 1.97 AC + 0.21 AC = 2.18 AC
ACTIVE OPEN SPACE REQUIRED	10% (1.97 AC)
ACTIVE OPEN SPACE PROVIDED	10% (1.97 AC)
TOTAL OPEN SPACE PROVIDED	6.86 AC

ZONING & PRELIMINARY DUE DILIGENCE CHART	
PARCEL ID NUMBER	474208588
CURRENT OR PROPOSED ZONING	R-8 C2 CLUSTER

NORTH BUFFER	15'
SOUTH BUFFER	15'
EAST BUFFER	15'
WEST BUFFER	15'
FRONT SETBACK	25'
SIDE SETBACK	8'
REAR SETBACK	25'
CORNER SETBACK	16'
MAX. BUILDING HEIGHT	35'
PARKING REQUIREMENT	2 SPACES/STEWELING
MAX. BLOCK LENGTH	1,500 LF
SITE DATA	
TOTAL SITE AREA	19,722 AC
LOT SIZE	54,140 SF
PROPOSED LOTS	48
LF OF ROAD	2,550 LF



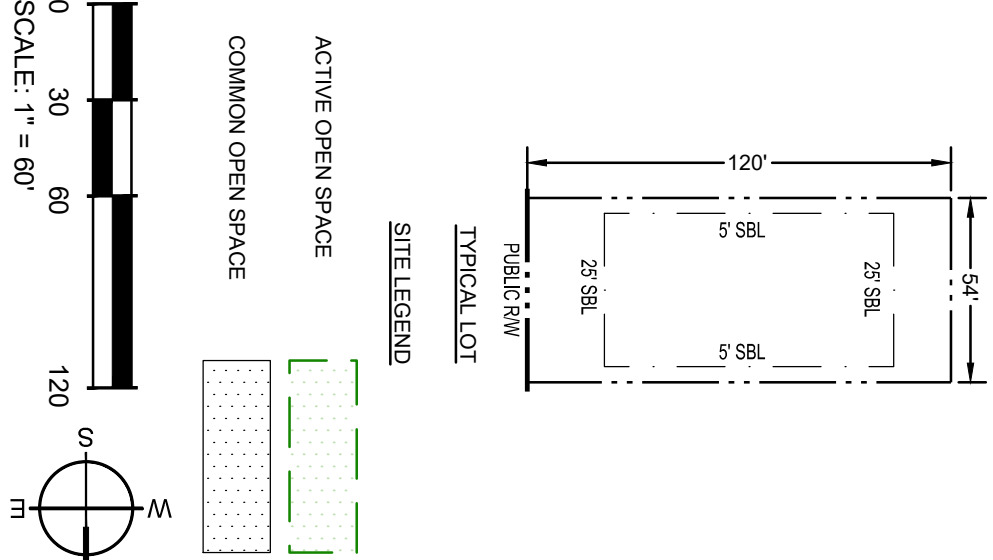
PARCEL AREA DATA			
Parcel #	Area (sf)	Area (ac)	Perimeter
1	7147.31	0.16	382.15
2	6480.00	0.15	348.00
3	6480.00	0.15	348.00
4	6480.00	0.15	348.00
5	6480.00	0.15	348.00
6	6480.00	0.15	348.00
7	6480.00	0.15	348.00
8	6480.00	0.15	348.00
9	6480.00	0.15	348.00
10	6994.16	0.16	349.42
11	6480.00	0.15	348.00
12	6480.00	0.15	348.00
13	6480.00	0.15	348.00
14	7677.13	0.18	374.38
15	9794.50	0.22	425.28
16	9133.24	0.21	424.18

PARCEL AREA DATA			
Parcel #	Area (sf)	Area (ac)	Perimeter
17	9866.19	0.22	438.52
18	6728.16	0.15	352.69
19	8353.97	0.16	354.43
20	6992.68	0.16	351.41
21	6519.57	0.15	343.49
22	7163.47	0.16	360.93
23	10150.74	0.23	421.58
24	7191.64	0.17	386.60
25	9220.40	0.21	423.86
26	10004.37	0.23	429.86
27	11120.72	0.26	452.08
28	10655.14	0.24	442.05
29	8303.79	0.19	406.97
30	8458.15	0.19	402.45
31	7651.55	0.18	374.95
32	7769.85	0.18	373.47

PARCEL AREA DATA			
Parcel #	Area (sf)	Area (ac)	Perimeter
33	7377.30	0.17	367.50
34	6480.00	0.15	348.00
35	6528.21	0.15	348.80
36	7055.06	0.16	352.66
37	7170.50	0.16	343.46
38	6777.20	0.15	330.43
39	6117.80	0.14	333.24
40	7361.98	0.17	360.58
41	6950.07	0.16	357.60
42	7886.64	0.18	379.40
43	7662.55	0.18	377.06
44	6724.29	0.16	353.27
45	7356.41	0.17	366.55
46	8376.67	0.19	387.55
47	8901.01	0.20	411.65
48	10015.20	0.23	418.97

REZONING NOTES:	
1.	ALL INTERNAL STREETS AND PROPERTY FRONTAGE ALONG MOOSE CLUB ROAD SHALL BE REZONED TO R-8 C2 CLUSTER.
2.	AT LEAST TWO DIFFERENT MATERIALS SHALL BE USED ON EXTERIOR BUILDING FACADES.
3.	THIS REZONING ACCOUNTS FOR THE PORTION OF THE PROPERTY TO THE NORTH OF MOOSE CLUB ROAD THAT WILL BE REZONED TO R-8 C2 CLUSTER.
4.	MOOSE CLUB ROAD SHALL BE REZONED TO R-8 C2 CLUSTER.

GENERAL NOTES:	
1.	BASE INFORMATION PROVIDED BY PUBLIC GIS DATA AND SHOULD BE VERIFIED FOR ACCURACY.
2.	ALL SITE PLAN, ZONING AND WETLAND INFORMATION UTILIZED IN THE PREPARATION OF THIS PLAN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE.
3.	ALL CONCEPTUAL INFORMATION SHOWN ON THIS PLAN IS CONCEPTUAL IN NATURE AND SHOULD BE VERIFIED BY A JURISDICTIONAL BOUNDARY BY A THIRD-PARTY CONSULTANT.
4.	ALL ACCESS POINTS, STREETS AND DRIVEWAYS ARE CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE. THE AUTHORITY HAVING JURISDICTION TO VERIFY OR EXCEED MINIMUM REQUIREMENTS.
5.	OPEN SPACE AND TREE SAVING REQUIREMENTS ARE CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE. THE AUTHORITY HAVING JURISDICTION TO VERIFY OR EXCEED MINIMUM REQUIREMENTS.
6.	STORMWATER AREAS ARE CONCEPTUAL IN NATURE BASED ON 1% DEVELOPED AREA AND SUBJECT TO CHANGE. THE AUTHORITY HAVING JURISDICTION TO VERIFY OR EXCEED MINIMUM REQUIREMENTS.
7.	NO UTILITY AVAILABLE ON LOT (S) WERE ACQUIRED PRIOR TO THE CREATION OF THIS DRAWING. THE UTILITY AVAILABLE ON LOT (S) WERE ACQUIRED PRIOR TO THE CREATION OF THIS DRAWING. THE UTILITY AVAILABLE ON LOT (S) WERE ACQUIRED PRIOR TO THE CREATION OF THIS DRAWING.
8.	SEAMON WHITESIDE & ASSOCIATES, INC. IS NOT RESPONSIBLE FOR ANY INFORMATION PROVIDED BY INCORRECT, INCOMPLETE, MISSING OR OUTDATED INFORMATION PROVIDED BY PUBLIC SOURCES.



MOOSE CLUB ROAD RESIDENTIAL

NORTH STATE DEVELOPMENT

CITY OF STATESVILLE, NC

REZONING PLAN
(NOT FOR CONSTRUCTION)

SWA PROJECT: 13894

DATE: 04/01/26

DRAWN BY: KMA

CHECKED BY: ATB

REVISION HISTORY

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04/01/26

NOT FOR CONSTRUCTION

SEAMON WHITESIDE & ASSOCIATES, INC.

CERTIFICATE OF QUALIFICATION

NO. C-2465

DISCLAIMER:

PLAN SETS ARE INTENDED TO BE VIEWED AND PRINTED IN COLOR

WWW.SEAMONWHITESIDE.COM

MOUNT PLEASANT, SC

843.884.1667

GREENVILLE, SC

864.286.0534

SUMMERVILLE, SC

843.372.0710

SPARTANBURG, SC

864.772.1272

CHARLOTTE, NC

980.312.4540

PALEIGH, NC

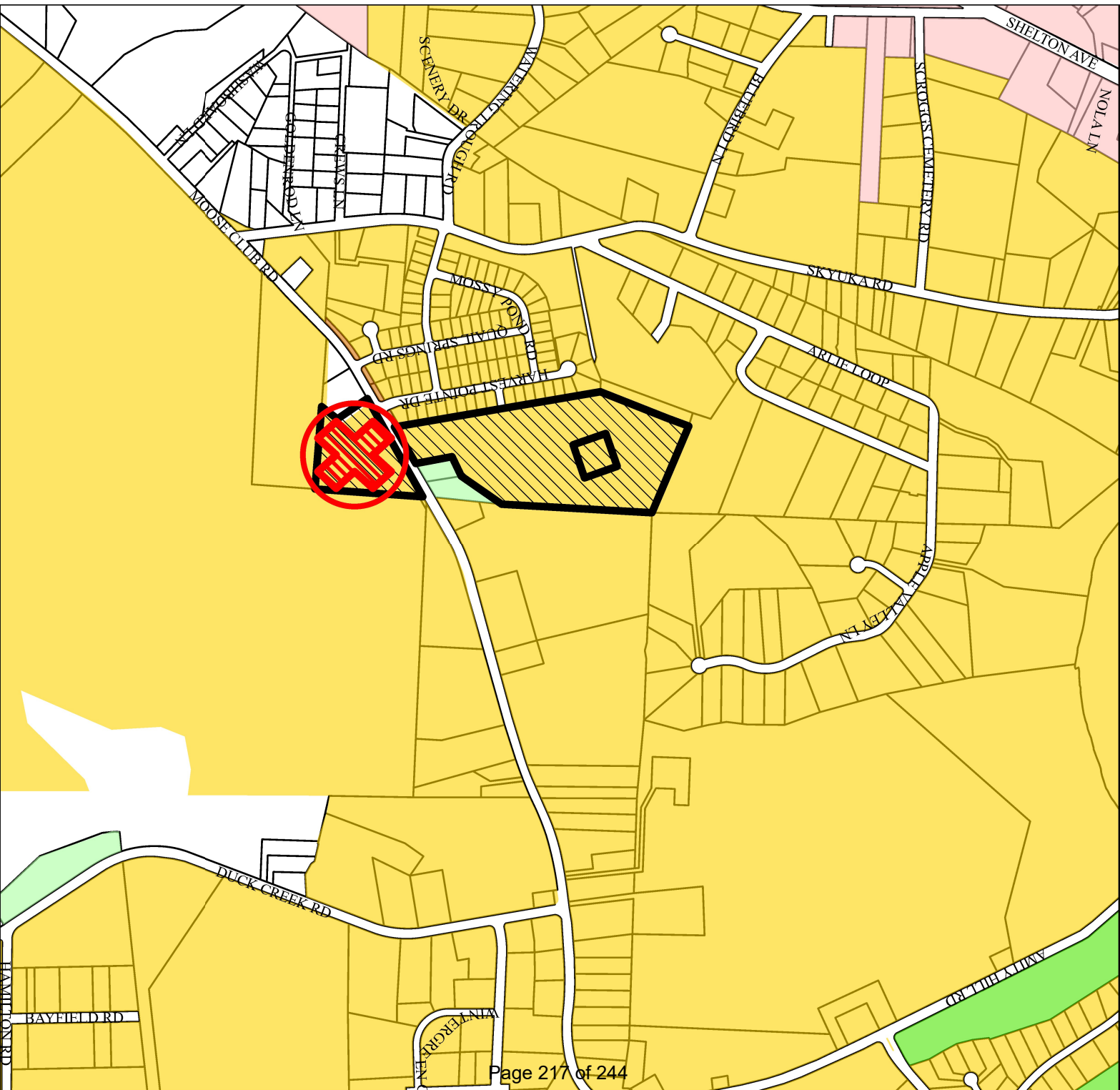
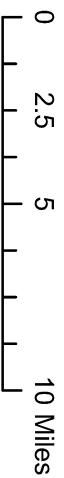
SW

SEAMONWHITESIDE

ZC 26-09 Moose Club Road Novel Holdings

Legend

- | | |
|--|-------------------------------------|
| 2045 LDP | Rural Areas |
| Activity Areas | Rural |
| Activity Center | Employment Areas |
| Activity Corridor | Employment Center / Industrial Flex |
| Downtown and Core Neighborhoods | Redevelopment Corridor |
| Downtown Center | Special Areas and Institutions |
| Downtown | Medical Core |
| Neighborhood 1 | Medical Support |
| Neighborhood 2 | Institutional |
| City Neighborhoods | Recreational Open Space |
| Complete | |
| Neighborhood 1 | |
| Complete | |
| Neighborhood 2 | |
| | Subject Parcels |



Complete Neighborhood 2

Character Intent

Complete Neighborhoods 2 are opportunities for new neighborhoods built using traditional neighborhood designs that provide a mix of residential uses. These neighborhoods are best designed as master planned neighborhoods that use a traditional grid or modified grid network, shorter block lengths, and pedestrian pathways connecting residences to internal and external destinations. Typically, a larger portion of neighborhoods will be dedicated to single-family detached homes. Predominantly single family neighborhoods may be supplemented with a variety of housing type choices (see page 36) and multifamily development, provided that sites are adjacent to commercial centers or nodes that can adequately provide basic retail goods and services, and/or along central thoroughfares that can accommodate the significant traffic impacts associated with the higher density residential development. Supplemental housing type choices and multifamily development may also be appropriate when part of a live-work or mixed-use cluster within a larger planned neighborhood or community, or as a part of a planned effort to build the demand that can bring basic retail goods and services to an area or neighborhood that lacks them where increased services and some multifamily is the goal. Sidewalks, multi-use paths, on-street parking, and narrow street designs prioritize walking and biking through neighborhoods and accommodate connections to adjacent uses. These neighborhoods should also include parks and community open spaces accessible to neighborhood residents and preferably to the public. Pockets of community-serving institutional uses like schools, community centers and churches are also appropriate. Limited use of neighborhood-scale, multistory commercial and office centers is appropriate in this character area when clustered along major thoroughfares and street corners.

Pattern & Form

Grid or modified grid network with short and medium block lengths.

Opportunities

New master planned developments organized around community gathering spaces (commercial or open space).

Primary Uses

Residential

Secondary Uses

Clubhouses and recreation centers, neighborhood scale corner commercial/offices, institutional, park and open space, daycare.

Form Characteristics

Building Height	One to three stories
Building Orientation	Residences oriented towards the primary street, 0-30 ft setbacks
Building Types	Single family detached homes, limited use of a variety of housing type choices (see page 37), and multifamily in centralized locations, limited use of neighborhood-scale and multistory commercial or office centers in centralized locations, and institutional buildings.
Street Character	Local streets with sidewalks on both sides and street trees, off-street pedestrian and bike circulation connections (trails and paths)
Parking Character	Alley parking preferred for residential, some on-street parking, neighborhood nonresidential uses share small surface lots



To: Statesville City Council

From: Matthew Kirkendall, Senior Planner

Date: September 14, 2026

Subject: Rezoning

Case: ZC26-09 Moose Club Road (Novel Holdings Subdivision)

Address: Properties located along Moose Club Road near Wildewood Subdivision

☐ **Option 1: Approve with update to 2045 (Staff and Planning Board Recommendation)**

The zoning amendment is **hereby approved** with the agreed upon conditions and is consistent with the City's comprehensive land use plan because the 2045 Future Land Use Plan calls for this area to be designated as Complete Neighborhood 2, which includes residential uses and city services can be provided.

☐ **Option 2: Denial**

The zoning amendment is **hereby denied** because although it is consistent with the City's comprehensive land plan, this request is not reasonable, nor in the public interest, because approval at this location would represent an expansion pattern that is inconsistent with the City's long-range planning objectives.

Date: _____
J. Douglas Hendrix, Mayor

Date: _____
Matthew Kirkendall, Senior Planner

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE DESCRIBED PROPERTIES FROM TOWN OF TROUTMAN RS (SUBURBAN RESIDENTIAL) AND IREDELL COUNTY RA (RESIDENTIAL AGRICULTURAL) TO THE CITY OF STATESVILLE R-8 CZ (MEDIUM-DENSITY SINGLE-FAMILY) CONDITIONAL ZONING DISTRICT

**ZC26-09 Moose Club Road Novel Holdings
Moose Club Road
Iredell County Tax Map Parcel #'s 4742-08-5839 and 4742-08-5888 (portion)**

WHEREAS, A NOTICE TO THE GENERAL PUBLIC AND PARTICULARLY THE CITIZENS OF THE CITY OF STATESVILLE'S PLANNING JURISDICTION WAS DULY GIVEN, notifying them of a public hearing to be held on September 14th, 2026, at 6:00 p.m. in the Council Chambers at City Hall, 227 South Center Street, Statesville, North Carolina, for the purpose of considering a proposed ordinance to change the zoning classification of the after described property from Town of Troutman RS (Suburban Residential) and Iredell County RA (Residential Agricultural) Jurisdiction to the City of Statesville's R-8 CZ (Medium Density Single-Family) Conditional Zoning District; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on September 3 and 10, 2026 and all in accordance with the procedure set forth in N.C.G.S. 160D-601; and

WHEREAS, said public hearing was duly held in accordance with law, and all persons present were given an opportunity to be heard on said proposed ordinance prior to any action being taken thereon by the City Council;

WHEREAS, the property is subject to the following conditions:

1. Dedicate 40' of ROW from centerline along Moose Club Road.
2. The Concept Plan and subsequent submittals to the City for plan review shall list the approved conditions as listed in this Ordinance.
3. The development will include a maximum of 56 single-family houses. A reduction in units by up to 10% may occur due to engineering and/or other factors; such a decrease will be approved by staff
4. A community (HOA maintained) greenway shall be included.

NOW, THEREFORE, BE IT ORDAINED, that the zoning classification of the after-described properties be changed as particularly set out below, said property being more particularly described as follows:

Description

ALL that certain piece, parcel or tract of land lying and being in the City of Statesville, Statesville Township, Iredell County, North Carolina, and being more particularly described as follows: All that certain tract or parcel of land containing thirty and two-tents (19.902) acres, more or less, in Statesville Outside Township, Iredell County, North Carolina, bounded on the North by the land of V.R. Brawley, on the East by the lands of C. W. Smith and Barium Springs Presbyterian Orphanage, on the South by the lands of Joe Myers, and on the West by the lands of A. H. Plyler and wife. Being subject to all easements of record now extending upon and across said premises.

This ordinance was introduced for first reading by Councilmember _____, seconded by

Councilmember _____, and unanimously carried on the 14th day of September 2026.

Ayes:

Nayes:

The second and final reading of this ordinance was heard on the 5th day of October 2026 and upon motion of Councilmember _____, seconded by Councilmember _____, and unanimously carried, was adopted.

Ayes:

Nayes:

This ordinance is to be in full force and effect from and after the 5th day of October 2026.

CITY OF STATESVILLE

J. Douglas Hendrix, Mayor

APPROVED AS TO FORM:

By: _____
City Attorney

ATTEST:

City Clerk

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CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Matthew Kirkendall, Senior Planner
DATE: 9/3/2026 10:15 AM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Conduct a public hearing and consider passing the first reading of annexation request AX26-09 Moose Club Road (Novel Holdings) Subdivision, filed by Mr. Shane Seagle of North State Development for an approximately 19 acre site located along Moose Club Road.

1. Summary of Information:

The property is approximately 19.902 acres located along Moose Club Road. The applicant is requesting the annexation of the properties concurrently with a conditional rezoning request to build a new subdivision with up to 56 single-family detached homes.

- Planning: The city adopted the annexation boundary agreement with the Town of Troutman in 2023.
- Fire: Station 1 response time would be 7-8 minutes.
- Police: No concerns at this time, additional staffing will be requested as population rises.
- Water/Sewer: a. COS water. Wildewood S/D (6-in); b. Note: possible future waterline extension in Moose Club Road servicing Wakefield development. c. COS sewer. Wildewood S/D
- Electricity: The site would be served by Duke Energy.
- Stormwater: Post-construction stormwater controls will be required.
- Ward: The site is closest to voting Ward 1.

2. Previous Council or Relevant Actions:

City Council will conduct the public hearing and consider passing the first reading of the conditional rezoning (ZC26-09) at this meeting.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: N/A

Connecting Our City: N/A

Connecting Our Communities: Promote the development of a range of housing types throughout our community and housing stability for residents.

Strategic Plan Values:

These parcels are in the Tier 2 Growth Area of the 2045 Land Development Plan.

4. Budget/Funding Implications:

The current tax value of the parcel is \$400,000.

5. Consequences for Not Acting:

The property owner(s) could pursue by-right development.

6. Department Recommendation:

The site meets the statutory requirements for annexation.

7. Manager Comments:

Concur with the department recommendation.

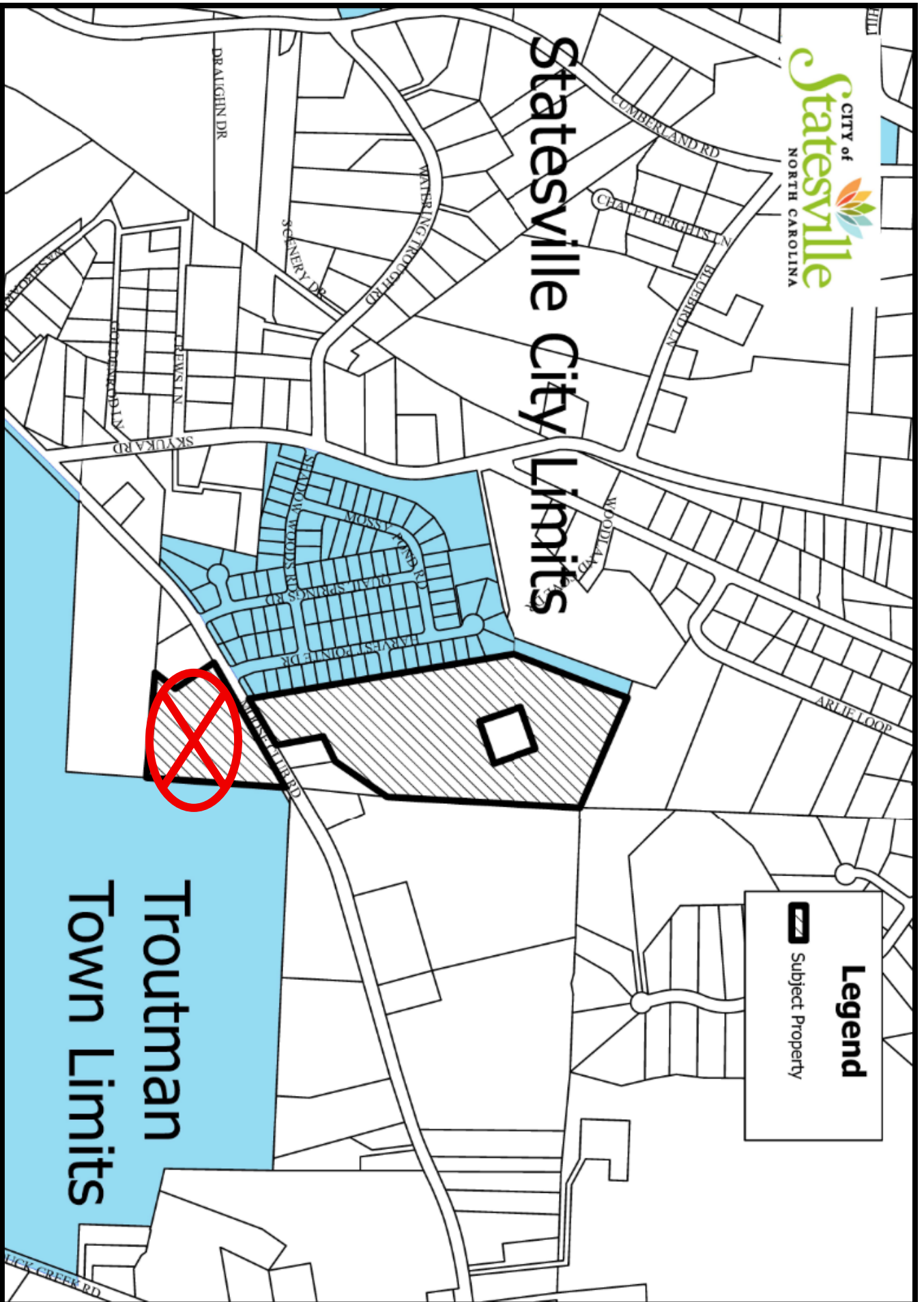
8. Next Steps:

If approved, the second reading will be October 5, 2026.

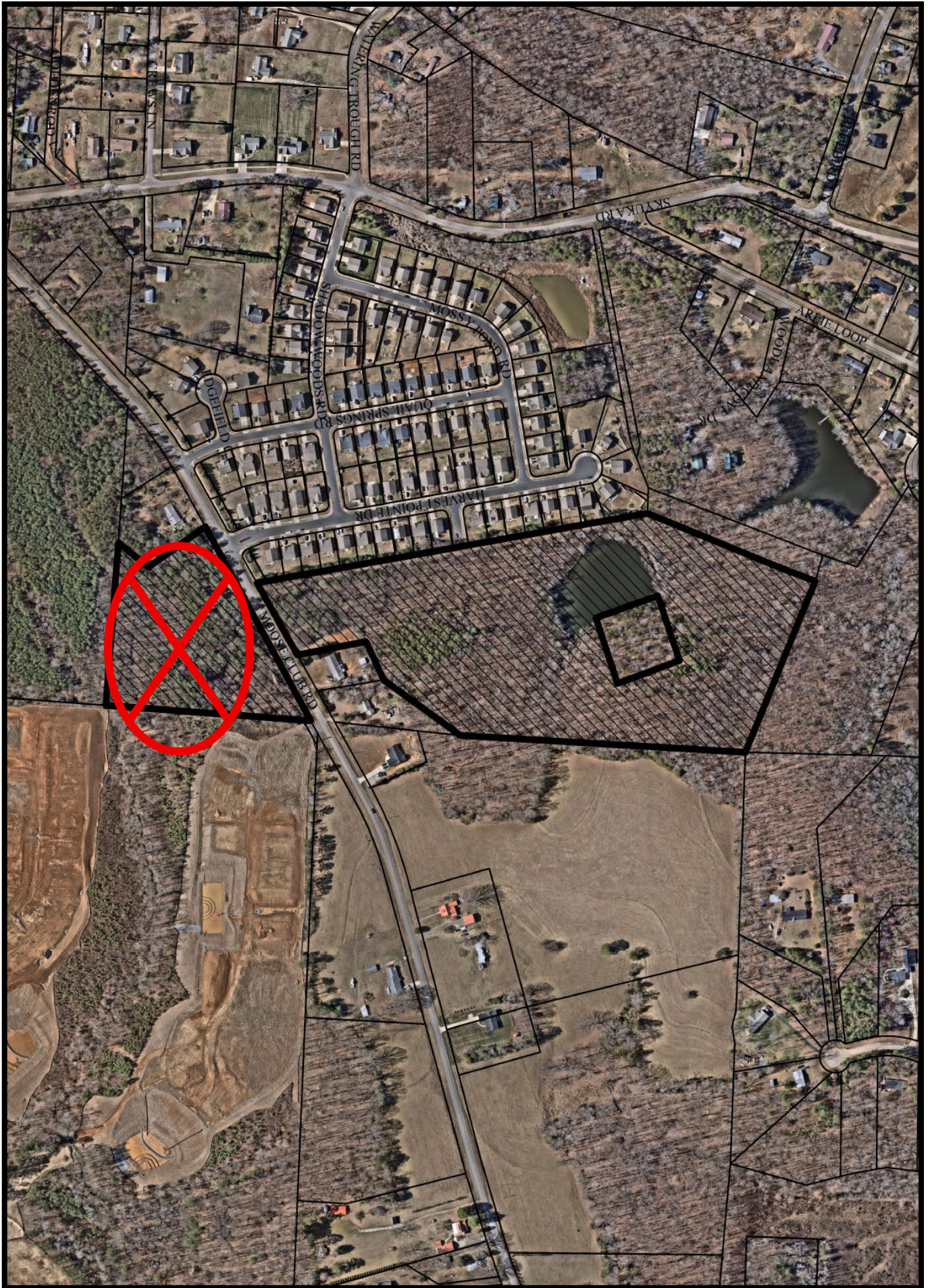
9. Attachments:

1. Packet Maps AX26-09 Moose Club Novel
2. Ordinance AX26-09 Moose Club Novel Holdings

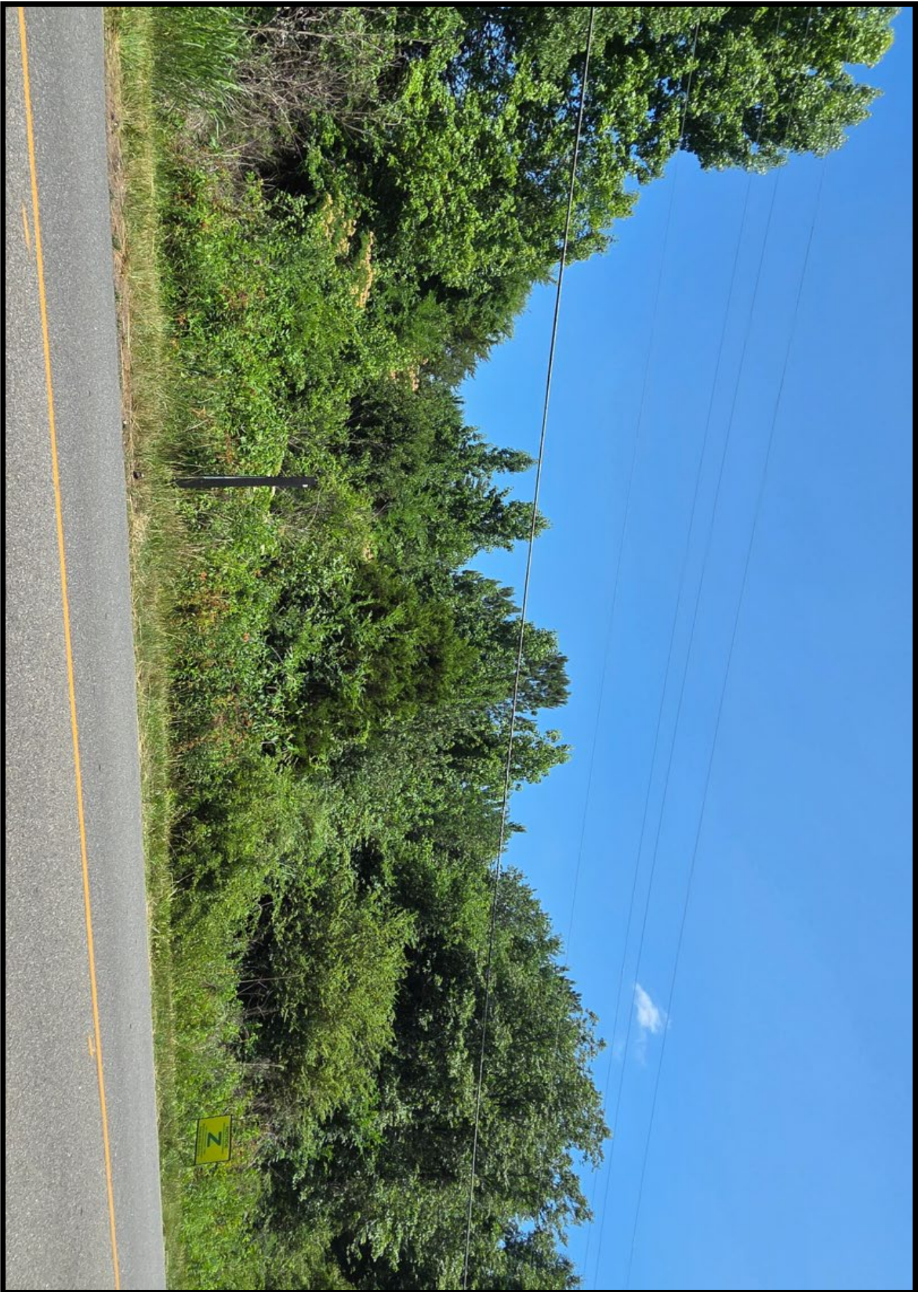
Statesville City Limits



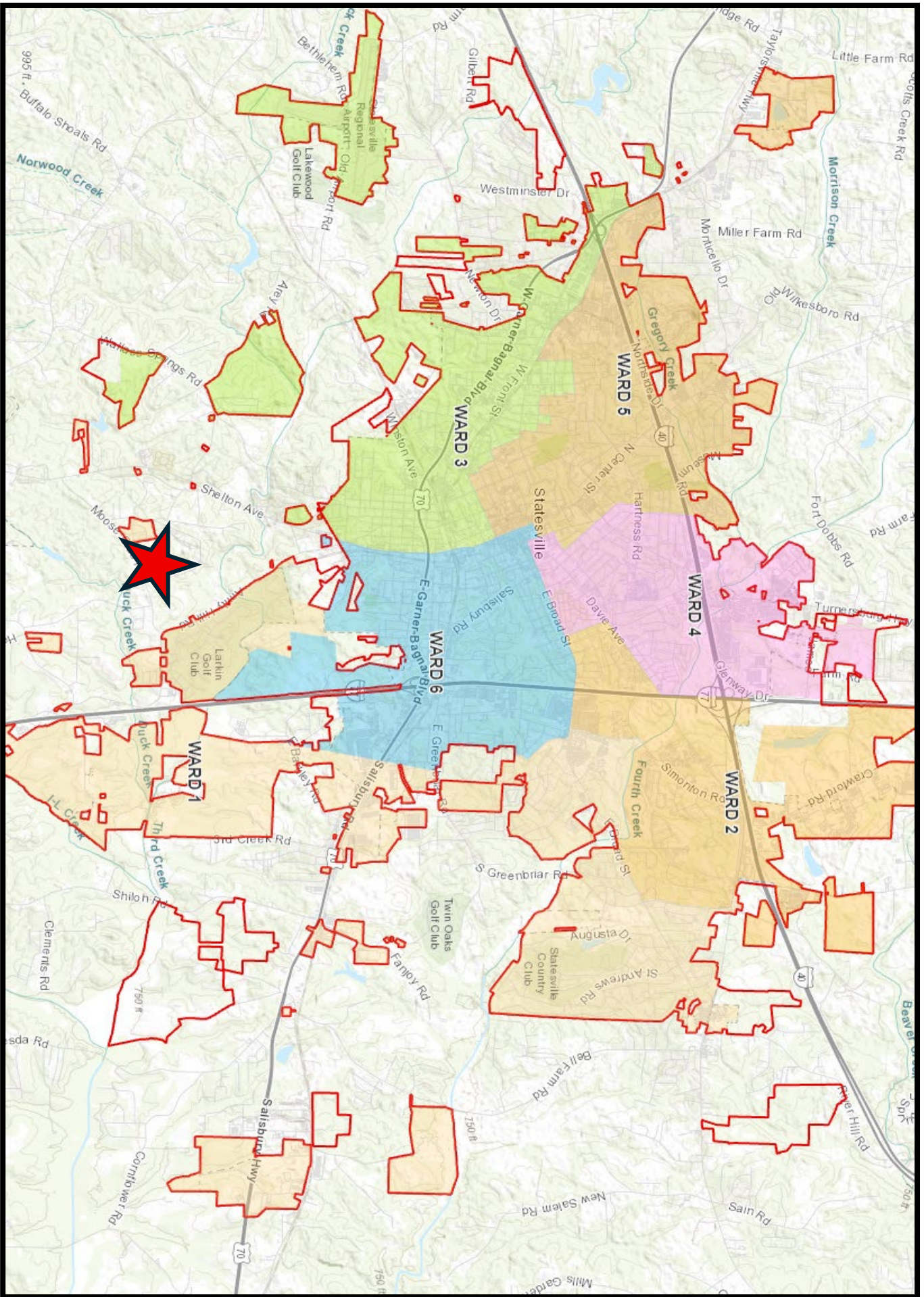
Location Map



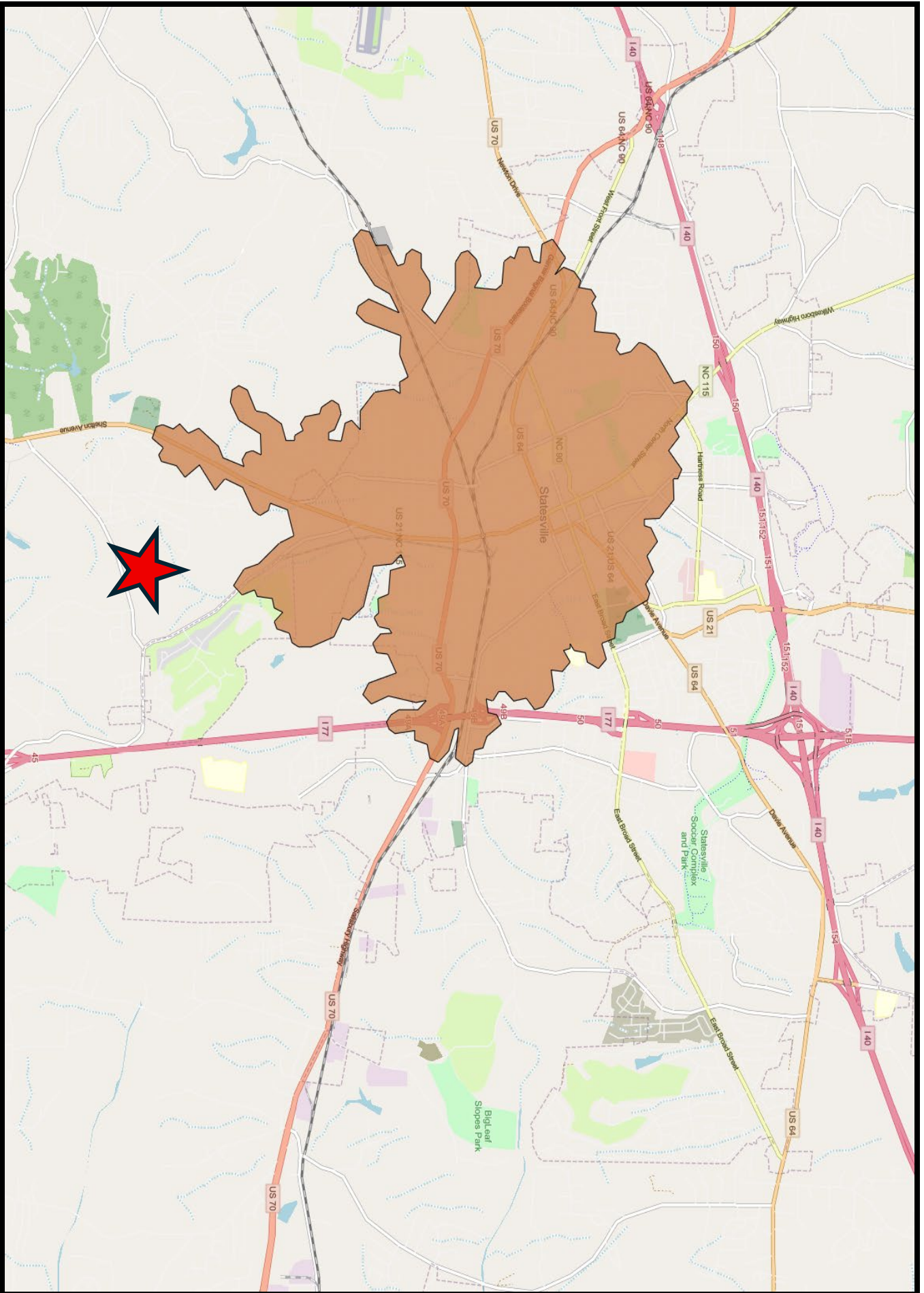
Aerial Photo



Site Photo

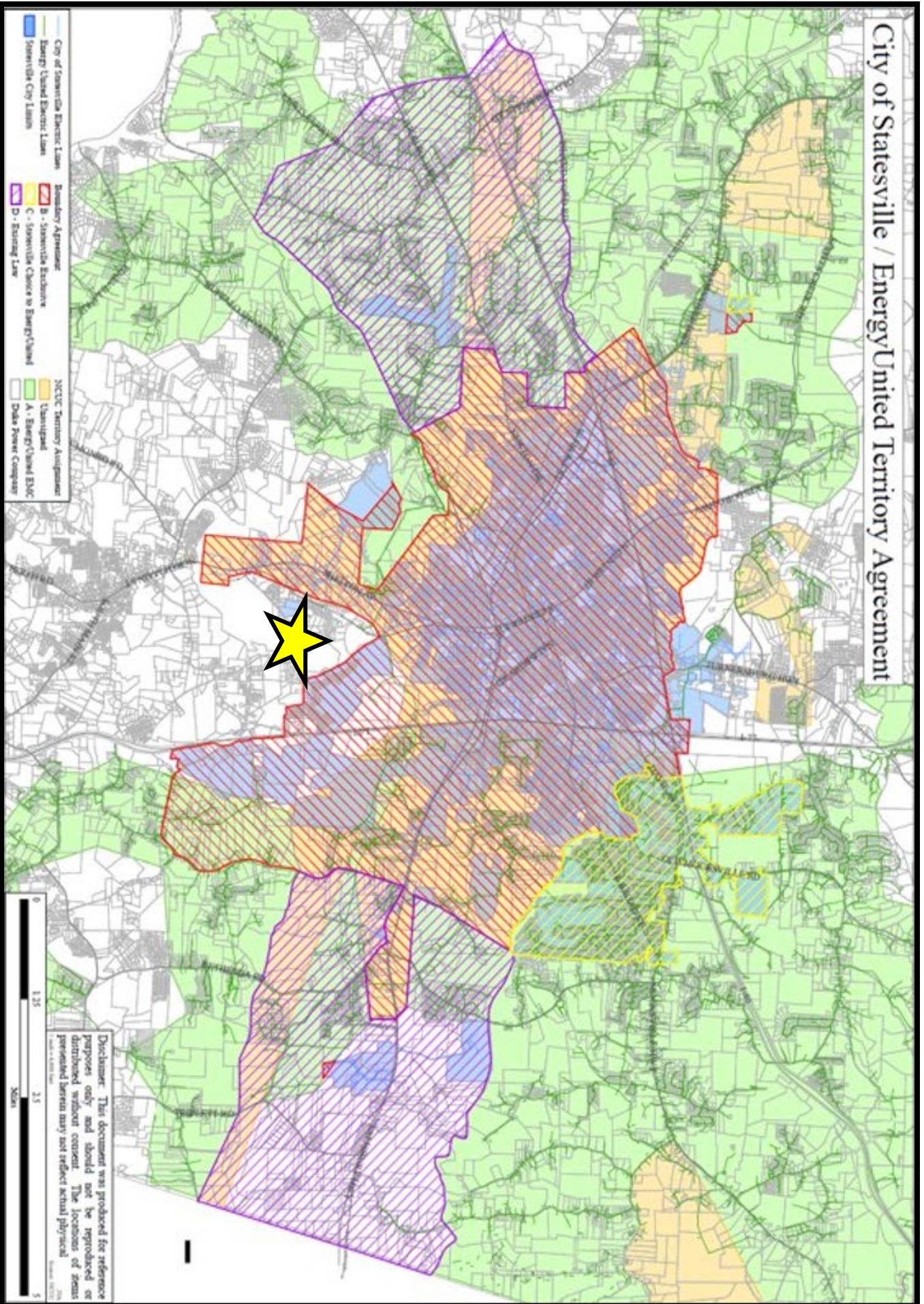


Election Ward Map



Fire Station One 4-Minutet Response Time

City of Statesville / EnergyUnited Territory Agreement



ORDINANCE NO. _____

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF STATESVILLE,
NORTH CAROLINA**

**AX26-09 Moose Club Road Novel Holdings
Parcel #'s 4742-08-5839 and 4742-08-5888 (portion)**

WHEREAS, the Statesville City Council has petitioned under G.S. 160A-58.1, to annex the non-contiguous area described below; and

WHEREAS, the Statesville City Council has by resolution directed the Clerk to investigate the sufficiency of the petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Statesville City Hall at 6:00 o'clock p.m. on the 14th day of September 2026 after due notice by publication on the 3rd day of September 2026; and

WHEREAS, the Statesville City Council finds that the petition meets the requirements of G.S. 160A-58.1:

WHEREAS, the Statesville City Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Statesville City Council further finds that the petition is otherwise valid, and that the public health, safety, and welfare of the City and of the area proposed for annexation will be best served by annexing the area described.

NOW, THEREFORE, BE IT ORDAINED BY the Statesville City Council of the City of Statesville, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.1, the following described contiguous territory is hereby annexed and made part of the City of Statesville, as of October 31, 2026, at 11:59 p.m.

All that certain tract or parcel of land containing thirty and two-tents (19.902) acres, more or less, in Statesville Outside Township, Iredell County, North Carolina, bounded on the North by the land of V.R. Brawley, on the East by the lands of C. W. Smith and Barium Springs Presbyterian Orphanage, on the South by the lands of Joe Myers, and on the West by the lands of A. H. Plyler and wife. Being subject to all easements of record now extending upon and across said premises.

Section 2. Upon and after October 31, 2026, at 11:59 p.m., the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Statesville and shall be entitled to the same privileges and benefits as other parts of the City of Statesville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.1.

Section 3. The Mayor of the City of Statesville shall cause to be recorded in the office of the Register of Deeds of Iredell County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together

with a duly certified copy of this ordinance. Such a map shall also be delivered to the Iredell County Board of Elections, as required by G.S. 163-288.1.

The Ordinance was introduced by a first reading by Councilmember _____, seconded by Councilmember _____, and carried on the 14th day of September 2026.

AYES:

NAYES:

The second and final reading of this ordinance was heard on the 5th day of October 2026 and upon motion of Councilmember _____, seconded by Councilmember _____, and unanimously carried, was adopted.

AYES:

NAYES:

The Ordinance to be in full force and effect from and after the 31st day of October 2026 at 11:59 p.m.

City of Statesville

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Scott Harrell, Assistant City Manager
DATE: 9/1/2026 12:00 PM

ACTION NEEDED ON: September 14, 2026
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider authorizing Amendment 1 for design services for Phases 3 & 4 of the Municipal Operations Center Project.

1. Summary of Information:

The design-build contract with Wharton-Smith, Inc. for Phases 3 & 4 of the Municipal Operations Center (MOC) project is structured to accommodate the entire project, with change orders at the completion of each task to fund the next task. (The tasks are conceptual design, detailed design, and construction.) The contract was based on the initial project scope (renovating the admin building and warehouse at an estimated cost of \$15M); Council appropriated \$1.6M in 2025 to fund the conceptual and detailed design tasks.

As previously discussed, the project scope has been expanded to reconstruct instead of renovate existing buildings, and to include the full site now in an effort to avoid higher future construction costs. The expanded scope – new admin building, covered parking, perimeter storage and other appurtenant structures – increased the total cost estimate to about \$42M. The total cost will be split between the general fund and enterprise funds.

With the expanded scope the cost of the conceptual and detailed design tasks has increased by an additional \$2.38M. That additional design cost is included in the \$42M total project estimate.

Amendment 1 adds \$2.38M to the initial \$1.6M on the Wharton-Smith contract to complete the design tasks. The FY2027 operating budget anticipated this change order and includes adequate funds for this request.

At the completion of design Wharton-Smith will provide the guaranteed maximum price (GMP) to perform the construction phase of the project.

2. Previous Council or Relevant Actions:

- September 9, 2021: The City Council met to discuss a space needs study and tour the existing MOC facility.
- September 20, 2021: Council directed staff to move forward with design and construction of Phase 1 and design of Phase 2.
- June 19, 2023: Council awarded the \$19,030,500 construction contract for Phases 1 & 2 to Wharton-Smith, Inc. (Charlotte).
- November 6, 2023: Council authorized staff to solicit design services for Phases 3 & 4.
- March 17, 2025: Council authorized a design services contract with Wharton-Smith, Inc. for

Phases 3 & 4.

3. Strategic Initiatives Supported/Impacted:

Developing Our City: Attract and retain a talented, engaged workforce responsive to the needs of our growing community.

Connecting Our City: Proactively maintain existing infrastructure assets and systems to ensure current quality and long-term viability.

Connecting Our Communities: N/A

Strategic Plan Values: We value City Staff.

The MOC serves as the operational base for approximately 130 employees from four City Departments -- Statesville Public Power, Public Works, Public Utilities, and Engineering (Stormwater). These employees provide and maintain services to every City resident, business, and industry, every day.

The existing MOC facility was last expanded in 1978 and is undersized and out of compliance with current safety and operational standards.

The new Public Power and Fleet Maintenance facilities (Phases 1 & 2, completed in 2025) have greatly improved the operational efficiency and capacity of those units; completing the MOC project will extend those benefits to the remaining operations divisions.

4. Budget/Funding Implications:

The Phase 3 & 4 project cost will ultimately be shared between the General Fund and Enterprise Funds. The approximate percentage to be borne by each fund is as follows:

- General: 43%
- Public Utilities: 26%
- Public Power: 22%
- Stormwater: 9%

Staff and representatives from Davenport described financing options with the Council in July; Staff will revisit these options and present a recommendation to the Council by early 2027.

5. Consequences for Not Acting:

Progress on design will stall as funds on the contract are depleted. This will delay Public Works and Public Utilities operations divisions moving out of the existing facility, which is obsolete, undersized, and in need of significant upgrades to meet current safety codes.

6. Department Recommendation:

Staff recommends approving Amendment 1 to the design contract for Phases 3 & 4 of the Municipal Operations Center construction project.

7. Manager Comments:

I concur with the department recommendation. This is a necessary project which has been in the works for five years.

8. Next Steps:

- Completion of detailed design drawings is anticipated in December, with permitting extending in to 2027
- Early site work is scheduled to begin in late 2026; staff will present that option and pricing to Council in October - November
- Permitting and final pricing is scheduled for early 2027, with the GMP anticipated in March 2027
- Construction to commence by mid-2027, once permitting is complete and funding is established

9. Attachments:

1. Task 2 Change Order_Cover
2. Task 2 Change Order
3. Warehouse Pictures



Date: March 11th, 2026

To: Scott Harrell
City of Statesville
Post Office Box 1111
Statesville, North Carolina 28687

Project: Statesville Phase Operations Center Phase 3 and 4

Subject: Task 2 Change Order Request – Expanded Scope of Work

Dear Mr. Harrell,

In accordance with the requirements of the **Design-Build Agreement (DBIA Contract)** for the above-referenced project, **Wharton-Smith** respectfully submits this request for a **Change Order in the amount of \$2,379,432.00** for additional work associated with the **expanded project scope**.

As discussed during recent coordination meetings and subsequent written directives from the Owner, the Project scope has been expanded to include additional design development, procurement, and construction activities beyond those originally defined in the Contract Documents. These modifications require substantial adjustments to the design, materials, labor, equipment, and associated project management efforts necessary to successfully deliver the revised scope.

The requested Change Order reflects the costs associated with:

- Additional design and engineering services required to incorporate the expanded scope.
- Project management, supervision, and quality control necessary to execute the revised scope.
- Schedule coordination and integration of the added work within the ongoing project operations

A detailed breakdown of costs, supporting documentation, and revised scope descriptions are included in the attached Change Order package for the Owner's review. This package outlines the basis of estimate, assumptions, and supporting quantities used to develop the requested amount.

Approval of this Change Order will allow the Design-Builder to proceed with Task 2 which includes SD drawings, DD drawings and CD drawings and the expanded scope in a timely manner all the way through GMP while maintaining project coordination and minimizing potential impacts to the overall project schedule.

We appreciate the Owner's continued collaboration and look forward to working together to successfully deliver the enhanced project scope. Should you require any additional information or clarification regarding this request, please do not hesitate to contact us.

Sincerely,

David Price
Senior Project Manager
Wharton-Smith
704-340-5438

Attachments:

5601 77 Center Drive, Suite 120, Charlotte, NC 28217 | Phone: (704) 525-5695 | Fax: (704) 525-5697



Design-Build Change Order Form

For use with DBIA Document No. 535 *Standard Form of General Conditions of Contract Between Owner and Design-Builder* and in accordance with Article 6.7 of the General Conditions of Contract.

Change Order Number: 001	Change Order Effective Date: 3/11/2026 (date when executed by both parties)
Project: Statesville Warehouse Ops Phase 3&4 Precon	Design-Builder's Project No: 25-096
	Date of Agreement: 7/9/2025
Owner: City of Statesville Post Office Box 1111 Statesville, North Carolina 28687	Design-Builder: Wharton-Smith, Inc. 5601 77 Center Dr. Ste 120 Charlotte, NC 28217

Scope of the Change: PCO #1 – Increase Scope for Task 2. This CO will cover the increased design needs derived from the 20-year space needs study. This does not include additional construction.

Original Contract Price:	\$ 1,600,219.00
Net Change by Previous Change Order No(s): 0 to 1	\$ 0.00
This Change Order Increase /Decrease (attach breakdown):	\$ 2,379,432.00
New Contract Price:	\$ 3,979,651.00

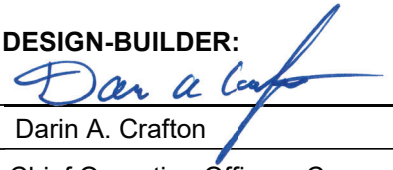
Original Contract Completion Date:	TBD	2026__
Adjustments by Change Order No(s) 0 to 1		(calendar days)
This Change Order Contract Time Increase/Decrease:	0	(calendar days)
Revised Substantial Completion Date:	February	2027

By executing this Change Order, Owner and Design-Builder agree to modify the Agreement's Scope of Work, Contract Price and Contract Time as stated above. Upon execution, this Change Order becomes a Contract Document issued in accordance with DBIA Document No. 535, *Standard Form of General Conditions of Contract Between Owner and Design-Builder*, (2022 Edition).

OWNER:

DESIGN-BUILDER:

By: _____
Printed Name: Beau Blackwelder
Title: Construction Project Manager
Date: _____

By: 
Printed Name: Darin A. Crafton
Title: Chief Operating Officer - Commercial
Date: 3/18/2026



Streets Division





Sanitation Division



Main Building



Statesville ABC Board Minutes

Tuesday July 28th, 2026 11:00am

Meeting in the Board Room of the Statesville ABC Board

I. Call to order

The meeting was called to order by Ron Matthews, Chairperson. Also in attendance were board members David Pope and Michelle Rokes; General Manager Tip Nicholson; Assistant General Manager Paulette Inscoe; By phone, NC ABC Board Auditor/Program Analyst Eric McClary.

II. Statement of Potential Conflicts of Interest

Does any board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

Mr. Pope recused himself from a discussion on Statesville Roofing due to his son being employed there.

III. Approval of minutes from Tuesday May 26, 2026 meeting

The minutes were approved unanimously

IV. Reports

- ABC Commission Audit Draft Report

Mr. McClary presented the draft copy of the periodic performance review. The board approved the report and submitted a letter to the ABC Commission and a Certificate of Accountability.

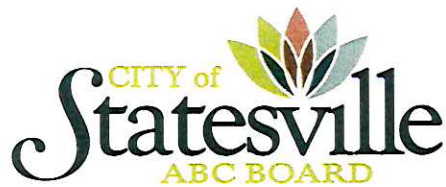
- Reports from the NCAABC and ABC Commission

Due to a squabble with leadership in the NC General Assembly, the ABC Commission warehouse construction project has been removed from this year's budget. It is hopeful that it can again be considered in the next legislative session. The new revised ethics policy will be voted on by ABC boards at the summer annual meeting.

- Store reports from staff

Staff has been reorganizing the warehouse at the downtown location. This will also be done at store #2 along with the installation of new shelving. The new scanners and software are working well.

- Financial Report



Monthly Sales Figures

June	% Compared to Last Year	% Fiscal Year to Date
Store #1	2.67	-4.98
Store #2	0.04	0.03
Total	1.61	-2.91
NC Total	3.08	-1.10

V. Old & New Business

- Downtown roof replacement

The project has been completed with one change order. Mr. Nicholson was very complimentary of the work done by Statesville Roofing.

- Ron Matthew's reappointment to the board

The City Council has reappointed Mr. Matthews to a new term beginning in October.

VI. Other business

It is recommended that the upcoming August and September board meetings dates be changed to accommodate attendance at the NC Association of ABC Boards annual meeting. The August meeting will now be held on Tuesday September 1st, and the September meeting will be moved to Tuesday September 29th.

Adjournment

The meeting was adjourned at 11:36am

Ron Matthews

David Pope

Michelle Rokes

Three handwritten signatures are written over three horizontal lines. The top signature is for Ron Matthews, the middle for David Pope, and the bottom for Michelle Rokes. The signatures are in black ink and are somewhat stylized.



ABC Commission
400 E. Tryon Rd.
Raleigh, NC 27610

July 28, 2026

We truly appreciate your support and recommendations from the audit recently performed. This performance audit will help us with the areas that need improvement. Please find below our responses to the findings and recommendations.

Item 1: ABC Board members must complete ethics training within one (1) year of each appointment and again following all reappointments under NCGS 18B-706(b).

All recommendations will be followed.

Item 2: In connection with the periodic audit, a Certificate of Accountability attestation form should be reviewed and signed by board members and applicable personnel. A signed copy would then only need to be emailed to Commission personnel for recordkeeping.

All recommendations will be followed.

Sincerely,

A handwritten signature in black ink, appearing to read "Tip N. Nichols". The signature is written over a horizontal line.

Chairman

A handwritten signature in black ink, appearing to read "Tip N. Nichols". The signature is written over a horizontal line.

GM

Statesville ABC Board

7 28 2026
Month Day Year

Statesville
ABC Board

Certificate of Accountability

This document assures this Board and the State of North Carolina that the following statutory duties required of local ABC Boards have been properly performed.

1. The system has complied with all State uniform pricing requirements pursuant to NCGS §18B-804.
2. That all alcoholic beverages sold have been approved by the Commission for sale in this State pursuant to NCGS §18B-800.
3. That all "gross receipts" pursuant to NCGS §18B-805(a) have been properly accounted for and are lawful.
4. That all taxes due and board expenses have been properly and timely paid pursuant to NCGS §18B-805(b).
5. That all distributions pursuant to NCGS §18B-805 have been properly and timely paid.
6. That the finance officer for the board has properly performed all duties as required pursuant to NCGS §18B-702(k).

Trip Nichols
General Manager

By [Signature]
Financial Officer

[Signature]
Chairman

Michelle McKee
Board Member

Board Member

[Signature]
Board Member

Board Member