



CITY COUNCIL MEETING AGENDA

OCTOBER 03, 2022

Pre-Agenda Meeting – 6:00p.m. / Regular Meeting – 7:00p.m.
City Hall Council Chambers – 227 S. Center Street, Statesville, NC

- I **Call to Order**
- II **Invocation** (*Only at Council Meeting*)
- III **Pledge of Allegiance** (*Only at Council Meeting*)
- IV **Adoption of the Agenda** (*Only at Council Meeting*)
- V **Code of Ethics** Pg. 3
- VI **Presentations & Recognitions** (*Only at Council Meeting*) Pg. 6
 - 1. Proclamation – Public Power Week
 - 2. Proclamation – Fire Prevention Week
 - 3. Proclamation – Crime Prevention Month
 - 4. Proclamation – Domestic Awareness Month
- VII **Consent Agenda** – All items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.
 - A. **Consider approving September 19, 2022 Pre-Agenda and Council meeting minutes.** (*Fugett*) Pgs. 11 & 16
 - B. **Consider accepting funds from the State Capital and Infrastructure Fund in the amount of \$6.7 million and consider adopting a Capital Project Fund ordinance for the construction of a new Airport Terminal Building.** (*Ferguson*) Pg. 22
 - C. **Consider granting permission to Statesville Police Department staff to accept a grant from the NC Governor’s Crime Commission Block Grant for up to \$22,800 for the purpose of supporting the purchase of ALPR Systems (camera, software, installation, data storage, licensing, training, etc.) to improve criminal investigation outcomes cleared by arrests, along with assistance on identifying & apprehending wanted persons and approve Budget Amendment #2023-10.** (*Navey*) Pg. 26
 - D. **Consider granting permission to Statesville Police Department staff to accept a grant from the NC Governor’s Crime Commission, Federal Violence Against Women Act - for up to \$100,166.75 for the purpose of supporting the department’s Domestic Violence Initiative and two Domestic Violence Investigators salaries and fringe benefits.** (*No Budget Amendment is needed per Finance*) (*Navey*) Pg. 33
 - E. **Consider appropriating fund balance to approve Budget Amendment #2023-07 to pay an economic incentive in the amount of \$103,334.68 to Cheney Bros, Inc.** (*Roberts*) Pg. 39

- F. Consider recognizing the revenue and appropriating the funds received from the extension of the Lane Construction Corporation lease of the cinema property located on Free Nancy Ave. for costs associated with greenway repair and development (\$2,500/month) and approve Budget Amendment #2023-09. *(Griggs) Pg. 41*
- G. Consider accepting \$10,000 from the Iredell-Statesville School system for the purchase of a Narcotics Detection Dog, and approving Budget Amendment #2023-11. *(Onley) Pg. 43*
- H. Consider approving Budget Amendment 2023-08 to appropriate FEMA funds for the first stage of the South Yadkin River Pump Station repair. *(Vaughan) Pg. 45*
- I. Consider approving Budget Amendment #2023-12 to increase the overall budget of the Water Sewer Fund and authorizing payments for the System Development Fee (SDF) lawsuit settlement. *(Harrell) Pg. 53*
- J. Consider re-appointing Michelle Rokes to the ABC board. *Pg. 55*

REGULAR AGENDA

- VIII Conduct a public hearing and consider approving first reading of AX22-16, an ordinance to annex the property located at 112 Butterfield near Taylorsville Highway, the Shumaker property, PIN #4725-33-4521. *(Ashley) Pg. 57*
- IX Consider approving 2nd reading of rezoning request ZC22-03 for property located on East Greenbriar Road; Iredell County Tax Parcel Identification #4754-23-6335 from R-A (Residential-Agricultural) District and R-8 MFM (Medium Density Multi-Family/Manufactured Housing Residential) District to R-8 CZ Cluster Subdivision (Medium Density Single-Family Residential Conditional Zoning) District. *(Ashley) Pg. 65*
- X Receive a presentation from Enterprise Fleet Management and consider directing staff to obtain a detailed proposal for fleet management services. *(Harrell/Roberts) Pg. 90*
- XI Receive a presentation and consider adopting the 2022 Route 2 Recreation Master Plan. *(Griggs) Pg. 91*
- XII Consider approving a Police Department Pay Incentive Plan, expansion of the Take-Home Vehicle Policy and Budget Amendment #2023-13. *(Onley) Pg. 107*
- XIII **Advisory Boards and Commissions Meeting Minutes** *Pg. 110*
 - 1. 09/08/2022 Historic Preservation Commission Meeting Minutes
 - 2. 09/01/2022 Planning Board meeting minutes
- XIV **Other Business**
- XV **Closed Session** *(After Pre-Agenda if needed)*
- XVI **Adjournment**

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.

Accepted this the 1st day of February, 2021.

I affirm that I have read and understand the City of Statesville Code of Ethics this the 19th day of September, 2022.



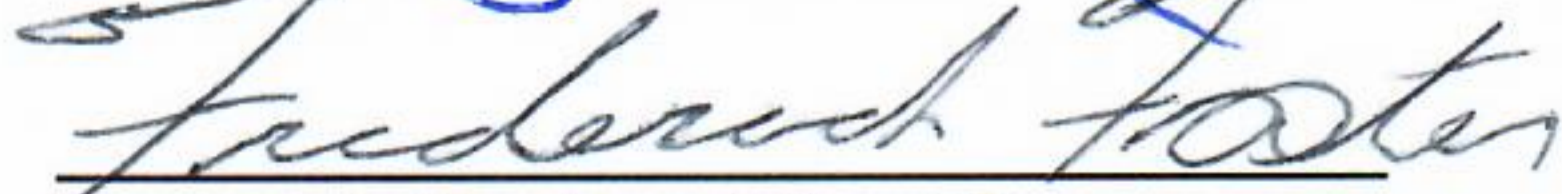
Constantine H. Kutteh, Mayor



C.O. "Jap" Johnson – Ward Two



Amy Lawton – Ward Four



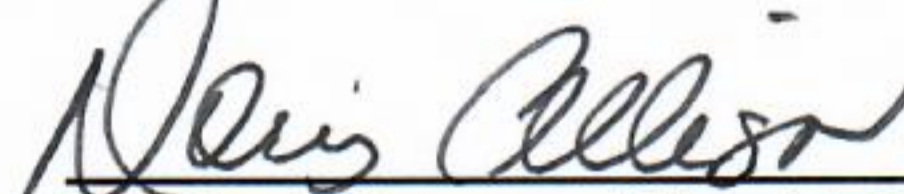
Frederick Foster – Ward Six



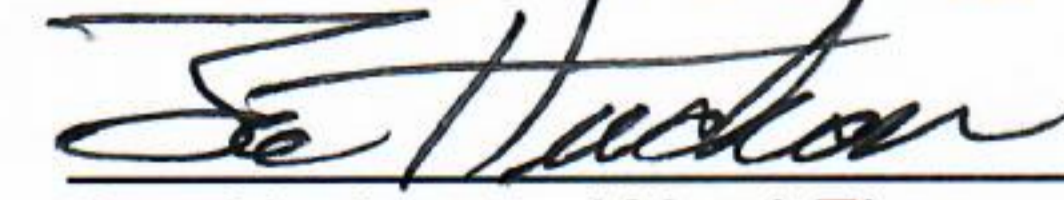
Kimberly Wasson – At Large



David Jones – Ward One



Doris Allison – Ward Three



Joe Hudson – Ward Five



Steve Johnson – At Large

CITY COUNCIL PRESENTATIONS/RECOGNITIONS

TO: Mayor and City Council
FROM: Ron Smith, City Manager
DATE: September 20, 2022

TO BE REPORTED: October 3, 2022
(Date of Council Meeting)

1. Proclamation – Public Power Week
2. Proclamation – Fire Prevention Week
3. Proclamation – Crime Prevention Month
4. Proclamation – Domestic Awareness Month

City of Statesville

North Carolina



Office of the Mayor

Proclamation

NC Public Power Week - October 2-8, 2022

WHEREAS, public power is a crucial component in cities and towns across North Carolina, contributing to the overall health of communities by providing reliable electricity, excellent local service and prompt restoration;

WHEREAS, North Carolina's more than 70 public power cities and towns are among more than 2,000 across the country;

WHEREAS, Statesville is the oldest public power community in North Carolina and one of many public power cities and towns that have been electric providers for more than 100 years, assisting their communities through boom times as well as pandemics and economic downturns;

WHEREAS, North Carolina's public power utilities are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and,

WHEREAS, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community;

NOW THEREFORE I, Constantine H. Kutteh, Mayor of the City of Statesville, do hereby proclaim the week of October 2-8, 2022, as Public Power Week in Statesville, and invite all residents, businesses and industries to join us in celebrating our community-owned, not-for-profit electric utility, recognizing that public power exists to be here with you and for you - neighbors serving neighbors.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the great seal of the City of Statesville to be affixed this the 3rd day of October in the year of our Lord two thousand twenty-two.

Constantine H. Kutteh, Mayor

City of Statesville, North Carolina

Office of the Mayor

Proclamation

FIRE PREVENTION WEEK - 2022

WHEREAS the City of Statesville is committed to ensuring the safety and security of all those living and visiting our City; and

WHEREAS fire is a serious public safety concern, both locally and nationally, and homes are where people are at the greatest risk to fire; and

WHEREAS roughly two-thirds of home fire deaths resulted from fires in which no smoke alarms or no working smoke alarms were present; and

WHEREAS working smoke alarms cut the chance of dying in a reported fire in half; and

WHEREAS the Statesville Fire Code requires at least one smoke alarm on every level of the home (including the basement) and outside all sleeping areas; and

WHEREAS informing the public about the importance of smoke alarm installation and maintenance serves an essential step toward increasing the public's safety from home fires; and

WHEREAS Statesville residents are dedicated to public education measures and are able to take personal responsibility to increase their safety from fire, especially in their homes; and

WHEREAS this year is the 100th Anniversary of Fire Prevention Week and the 2022 Fire Prevention theme for this period is “**Fire Won’t Wait. Plan Your Escape.**”

NOW THEREFORE, I Constantine H. Kutteh, Mayor of Statesville, do hereby proclaim October 9th – 15th, 2022 as Fire Prevention Week; and

FURTHER, I challenge all residents to take responsibility for their fire safety and check their homes and ensure that they have a working smoke alarm on every floor of their house and outside their sleeping areas, as well as at least one working carbon monoxide alarm and have planned and practiced their home escape plan.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the great seal of the City of Statesville to be affixed this the 3rd day of October in the year of our Lord two thousand twenty-two.

Constantine H. Kutteh, Mayor

City of Statesville, North Carolina

Office of the Mayor

Proclamation

Crime Prevention Month – October 2022

WHEREAS, the vitality of our City depends on how safe we keep our homes, neighborhoods, schools, workplaces, and communities; and

WHEREAS, crime and fear of crime destroy our trust in others and in civic institutions, threatening the community's health, prosperity, and quality of life; and

WHEREAS, people of all ages must be made aware of what they can do to prevent themselves and their families, neighbors, and coworkers from being harmed by crime; and

WHEREAS, crime prevention initiatives must include self-protection and security, but they must go beyond these to promote collaborative efforts to make neighborhoods safer for all ages and to develop positive opportunities for young people; and

WHEREAS, effective crime prevention programs succeed because of partnerships with law enforcement, other government agencies, civic groups, schools, faith communities, businesses, and individuals as they help to nurture communal responsibility and instill pride;

NOW THEREFORE I, Constantine H. Kutteh, Mayor of the City of Statesville, do hereby proclaim October 2022 as Crime Prevention Month in Statesville and urge all citizens, government agencies, public and private institutions, and businesses to invest in the power of prevention and work together to make Statesville a safer, stronger, more caring community; and further invite the community to participate in the Statesville Police Department's Night Out Against Crime on Tuesday, October 4th, from 5-7:30 p.m. on West Broad Street between Mulberry and Kelly streets, where together, we can build community-police partnerships that truly make a difference.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the great seal of the City of Statesville to be affixed this the 3rd day of October in the year of our Lord two thousand twenty-two.

Constantine H. Kutteh, Mayor

City of Statesville

North Carolina



Office of the Mayor

Proclamation

DOMESTIC VIOLENCE AWARENESS MONTH – 2022

WHEREAS, each year, during the month of October, we acknowledge Domestic Violence as an ongoing issue and recommit ourselves to reducing Domestic Violence within our community. Despite the significant progress we have made in addressing Domestic Violence, statistics available from the National Coalition Against Domestic Violence estimate that four women die as a result of Domestic Violence each day; and

WHEREAS, the long-term effects of Domestic Violence are staggering, and exposure puts individuals in danger of long-term physical, psychological and emotional harm. Panic attacks, post-traumatic stress disorder, substance abuse, depression and anxiety are often ignited by Domestic Violence and/or other forms of related abuse. Children who experience Domestic Violence are at greater risk for failure in school, emotional disorders, substance use and are statistically more likely to perpetuate the cycle of violence in later life; and

WHEREAS, it is often assumed that Domestic Violence only occurs in lower-income, minority or rural communities; the truth is that Domestic Violence can happen to anyone, anywhere, regardless of who they are, what they do for a living or where they live; and

WHEREAS, let us formally recognize Domestic Violence Awareness Month as a public health issue right here in our own community, and to commit ourselves once again to continue working on issues related to addressing Domestic Violence.

NOW THEREFORE BE IT RESOLVED THAT I, Constantine H. Kutteh, Mayor of the City of Statesville, do hereby proclaim **October 2022** as **“Domestic Violence Awareness Month”** and pledge the support of our governing body to continue educating, connecting, and inspiring our community to end Domestic Violence in Statesville, North Carolina and all citizens are encouraged to join in working together each day throughout the year to end Domestic Violence in our community.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of October, 2022.

Constantine H. Kutteh, Mayor

**MINUTE BOOK , PAGE
CITY OF STATESVILLE PRE-AGENDA MEETING – SEPTEMBER 19, 2022
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.**

Council Present: Mayor Kutteh presiding, J. Johnson, Wasson, Jones, Allison, Lawton, Hudson, Foster, S. Johnson

Council Absent: 0

Staff Present: Ron Smith, Messick, Fugett, Ashley, Nesbit, Roberts, Gregory, Francica, Onley, Pierce, Weatherman, Berger, Moore, Vaughan, E. Kurfees, Harrell, Shelton, M. Taylor, G. Kurfees, Turkessia Brown-Evans

I Call to Order

Mayor Kutteh called the meeting to order. He asked Council members to sign a new copy of the Code of Ethics that is circulating.

II Invocation *(Only at Council Meeting)*

III Pledge of Allegiance *(Only at Council Meeting)*

IV Adoption of the Agenda *(Only at Council Meeting)*

V Code of Ethics

VI Call to Order

VII Invocation *(Only at Council Meeting)*

VIII Pledge of Allegiance *(Only at Council Meeting)*

IX Adoption of the Agenda *(Only at Council Meeting)*

X Code of Ethics

XI Presentations & Recognitions *(Only at Council Meeting)*

1. Proclamation – Constitution Week
2. Proclamation – Suicide Prevention Month

XII Public Comment *(Only at Council Meeting)*

Mayor Kutteh reviewed the following Consent Agenda.

XIII Consent Agenda – All items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

A. Consider approving August 15, 2022 Pre-Agenda and Council meeting minutes.
(Fugett)

- B. Consider approving a Resolution directing the City Clerk to Investigate a Petition of Annexation for Case Number AX22-16, the Shumaker property, located at 112 Butterfield Circle, PIN #4725-33-4521; Receive the City Clerk's Certificate of Sufficiency and Consider approving a Resolution fixing the date of October 3, 2022, for a public hearing for the petition for annexation. (Ashley)**

Mayor Kutteh advised that a member of his law firm is representing this item so he will not be participating in any discussion.

- C. Consider approving 2nd reading of rezoning request ZC22-19 for a property located on US 64 and Marble Road; Iredell County Tax Parcel Identification # 4725-31-8928; from RA (Residential Agricultural) and B-5 (General Business) districts to the LI (Light Industrial) District. (Ashley)**

- D. Consider accepting a \$500,000 Brownfields Assessment Grant from the U.S. Environmental Protection Agency; Consider approving the Task Order to Cardno, now Stantec, in an amount not to exceed \$481,400; Consider approving Budget Amendment #2023-05. (Pierce)**

Mayor Kutteh stated that on May 12, 2022, the U.S. Environmental Protection Agency Awarded the City of Statesville a \$500,000 Brownfields Assessment Grant. Assessment Grants provide funding for a grant recipient to inventory, characterize, assess, conduct a range of planning activities, develop site-specific cleanup plans, and conduct community engagement related to brownfield sites.

Cardno has been selected as the City's Qualified Environmental Professional (QEP) per the requirements of the EPA Brownfields Program to complete the scope of work (SoW) per the attached EPA Cooperative Agreement Work Plan. Cardno was purchased by Stantec late in 2021. The FY22 EPA Brownfields Assessment Grant awarded to the City has a 4-year grant period. The Task Order includes Pre-award costs eligible per the Terms and Conditions of the grant beginning July 1, 2022 and runs through the end of the grant period: September 30, 2026. The Brownfields Assessment Grant requires the formation of an advisory group to help identify buildings/areas that are good candidates for industrial redevelopment. Assessment funds are then used to perform studies to move those buildings/areas toward marketability, reuse, or redevelopment.

- E. Consider approving a Resolution to ratify the amended Centralina Charter. (Smith)**

Mayor Kutteh said that earlier this year, Centralina management identified an unresolved issue with the organization's tax status. Legal counsel determined that Centralina qualifies for federal income tax exempt status because the organization performs an "essential government function" consistent with Internal Revenue Code Section 115(1), which specifies tax exemption for income derived from such a function. Specific sections of the Centralina Charter and By-laws needed to be amended to prohibit any private party from benefitting from or having an interest in the organization's earnings and assets. At the February 9th Centralina Board of Delegates meeting, the Board adopted a resolution to amend the Charter and Bylaws to resolve this issue. To finalize the Charter amendment process, the governing body of each Centralina member government must ratify the updated Charter.

- F. Consider awarding the FY2022-23 and Street Improvement and Resurfacing Contract - GG. (M. Taylor)**

This item has been removed from the agenda.

G. Consider approving a request from Southern Distilling for an outside sewer connection. (Vaughan)

Mayor Kutteh advised that the petition for annexation has not yet been received from Southern Distilling, so the connection will not be made until that has been received and approved. City Manager Ron Smith said that staff has been discussing with Southern Distilling the need to annex the entire piece of property. Originally Southern Distilling had asked to annex only a small piece, just to allow the building being connected to city sewer to be annexed. They have combined their entire tract of 11-acres, so staff has informed them that all of it needs to be annexed. Until this is worked out, they cannot connect to city sewer.

H. Consider accepting a temporary construction easement for NCDOT project #480189 (bridge construction on Jennings Road (SR 1892)). (Vaughan)

Mayor Kutteh stated that NCDOT is replacing the bridge on Jennings Road (SR 1892) over the South Yadkin River. The work abuts City property associated with the South Yadkin River Pump Station. This City property (116 Redemption Road) contains 13.293 acres on the west side of Jennings Road and both sides of Redemption Road. Bridge relocation is to the east, away from City property. The existing bridge will be demolished. NCDOT requires three temporary construction easements for bridge construction and road relocation.

At the 7/18/22 meeting Council instructed staff to explore whether NCDOT would either increase the compensation for the temporary easement from their initial offer of \$925 or install additional sidewalk and curb & gutter along Davie Avenue in the vicinity of the new bridge over I-77. Staff contacted DOT and they agreed to compensate the City \$5,000 for the easement instead of \$925.

Regarding the Davie Avenue sidewalk, curb & gutter request, the current NCDOT project will include sidewalk on the south side of the bridge. Sidewalk will also be constructed for a short distance west of the bridge and will extend east of the bridge to Simonton Rd. Also, DOT will replace sidewalk that was removed to facilitate construction along Simonton Road and along Davie Ave from Simonton to Fern Creek Rd. In late 2020 staff requested that DOT include additional sidewalk in the vicinity of the bridge. DOT's response in March 2021 was that the project was too far along to add sidewalk to the north side of the bridge, and that extending sidewalk further west along Davie Avenue could be performed more cost-effectively by the City after the DOT project is completed. In the City's list of top ranked sidewalk projects, extending sidewalk east of the bridge to the greenway is the #3 project, and extending sidewalk west of the bridge is the #11 project.

I. Consider appointing Richard Rainwater to the Stormwater Advisory Commission. (Moore)

J. Consider allowing Stormwater to use an additional \$78,650 in Capital Improvement Funds to cover the cost of the Lucille Street Pipe Replacement. (Moore)

Mayor Kutteh said that the fiscal year 2022-23 Stormwater Capital Improvement budget includes \$90,000 to replace the cross-pipe on Lucille St between Joe Rd and Walton Dr. (roughly double what a similar pipe replacement cost last September). Two bids were received on Friday August 19th and the low bid was \$168,650. The Stormwater Capital Improvement budget also has \$350,000 slated for the Holland Drive Culvert Replacement

Project. The estimated cost of construction for Holland Drive is \$1,000,000 and is not expected to be bid out until fiscal year 2025. Some of these funds could be used to cover the cost of the Lucille St. pipe replacement, but there may be an impact to the Holland Drive project schedule.

Council member S. Johnson asked staff if these funds are taken from the Stormwater budget now, are they confident that they will have the funds to do the Holland Drive project in 2025. Stormwater Manager Randall Moore explained that staff is setting aside \$350,000 annually in their budget to make sure they have the funds available by 2025 to do the Holland Drive project. Stormwater Staff is also applying for a grant with the Golden Leaf Foundation that could cover a portion of or possibly even the entire cost of the project. Moore said he is confident they will have the funds in 2025.

K. Consider adopting Budget Amendment 23-06 in the amount of \$553,818 necessary to settle a legal issue. (Smith/Messick)

Mayor Kutteh stated that this action will utilize Risk Management fund balance to pay for a legal settlement.

REGULAR AGENDA

IX Consider approving a Resolution supporting Operation Green Light for Veterans. (Smith)

Mayor Kutteh said that this coming Veterans Day, the National Association of Counties and the National Association of County Veteran Service Officers invite the nation's 3,069 counties, parishes, and boroughs to join Operation Green Light and show support for veterans by lighting our buildings green from November 7th to November 13th. By shining a green light, county and city governments and our residents will let veterans know that they are seen, appreciated and supported.

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

X Consider a request from the Mr. Todd Scott, representing the Statesville Branch of the NAACP, to name the new Fire Station #1 in honor of Mr. William T. (Woody) Woodard. (Smith)

XI Administer oaths to appoint City Manager Ron Smith as the Commissioner to the Electricities NCMPA1 Board of Commissioners, Council member Amy Lawton as the First Alternate, and Mayor Kutteh as the Second Alternate to represent the City of Statesville on the board. (Smith)

Mayor Kutteh advised that the City Clerk will administer the oath at this time.

XII Consider approving an ordinance to amend Chapter 10 of the Statesville Code of Ordinances to designate Social Districts. (Marlow/Petree)

XIII Consider approving 2nd reading of an ordinance to demolish the dwelling located at 522 Stockton Street as unfit for human occupancy. (Ashley)

Mayor Kutteh advised that the recommendation is to deny this. Council member Lawton has been working closely with this item and she has informed him that she is satisfied with the progress they have made on the dwelling since the last meeting. Unless others do not agree he would like to move this item to the Consent Agenda and postpone it for another 60 days and review their progress again at that time.

XIV Authorize staff to execute a contract with Centralina Regional Council to undertake a Strategic Planning Process, as discussed at the Winter Retreat. (Smith)

Mayor Kutteh stated that during the retreat earlier this year, there was a significant amount of time dedicated to discussing growth, and how to deal with it moving forward. Impacts of that growth are going to influence city services and citizen needs for the upcoming years. Staff spends quite a bit of time on projects and initiatives, without a concerted effort of plan. This process would help the City Council to develop and implement a process to create a strategic plan with the following components: vision, mission, core values, goals, strategies, fiscal year 2024 priority actions and an evaluation/monitoring approach. A strategic planning process would mesh well with the capital planning and financing efforts we are currently undertaking with Davenport Financial Advisors. The process itself would garner citizen input which would be used in the development of the overall process. Money was included in the budget for this process. Centralina was the facilitator at the retreat and knows Statesville well.

XV Receive a Fire Station Location Analysis presentation from the Statesville Fire Department that anticipates growth currently occurring and which is Statesville, as well as the current location and state of its stations. No action is necessary. (Weatherman)

Mayor Kutteh stated that no action is required for this item at this time. It is for informational purposes only.

XVI Advisory Boards and Commissions Meeting Minutes

08/10/2022 Airport Commission Meeting Minutes

08/11/2022 Downtown Design Review Committee Meeting Minutes

07/28/2022 Historic Preservation Commission Meeting Minutes

XVII Other Business

No other business.

XI Closed Session

Council member J. Johnson made a motion to move to Closed Session in accordance with NCGS 143-318.11(a)(5) a contract matter and a real estate matter, NCGS 143-318.11(a)(3) a litigation matter and to protect the attorney-client privilege. Council member Allison seconded the motion and it carried unanimously.

Upon return from Closed Session Mayor Kutteh advised that Council discussed a contract matter, a real estate matter and litigation. No action was taken.

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

Constantine H. Kutteh, Mayor

Brenda Fugett, City Clerk

**MINUTE BOOK , PAGE
CITY OF STATESVILLE COUNCIL MEETING – SEPTEMBER 19, 2022
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 7:00 P.M.**

Council Present: Mayor Kutteh presiding, J. Johnson, Wasson, Jones, Allison, Lawton, Hudson, Foster, S. Johnson

Council Absent: 0

Staff Present: Ron Smith, Messick, Fugett, Ashley, Nesbit, Roberts, Gregory, Francica, Onley, Pierce, Weatherman, Berger, Moore, Vaughan, E. Kurfees, Harrell, Shelton, M. Taylor, G. Kurfees, Turkessia Brown-Evans

I Call to Order

Mayor Kutteh called the meeting to order.

II Invocation

Mayor Kutteh asked for a moment of silence in honor of recently deceased Iredell County Commissioner Marvin Norman.

III Pledge of Allegiance

Mayor Kutteh led the Pledge of Allegiance.

IV Adoption of the Agenda

Mayor Kutteh stated that Item F on the Consent Agenda has been removed, Item K on the Consent Agenda was added, and Items IX and XIII on the Regular Agenda was moved to the Consent Agenda at the Pre-Agenda meeting.

Council member Hudson made a motion to adopt the agenda, seconded by Council member J. Johnson. The motion carried unanimously.

V Code of Ethics

VI Presentations & Recognitions

Proclamation – Constitution Week

Mayor Kutteh read the proclamation and presented it to Daughters of the American Revolution members Terri Eads and Doris Worthington.

Proclamation – Suicide Prevention Month

Mayor Kutteh read the proclamation and presented it to Kelly James and Susan Tolle.

VII Public Comment

Bill Brater, President of Nicholson Funeral Home, spoke about issues with Cemetery Lot and Monument Regulation “E” that states all east space owners are required to share the opposite side of an upright monument when a different party owns the west spaces in the same lot and vice versa. He suggested adding the language to the regulation that “if a buyer wants to buy, then the seller must sell”. He said Item E of the regulations needs to be cleaned up and clarified.

Dave Burleson, 636 E. Front Street, spoke about a car that crashed into a house on E. Front Street and caught the house on fire. He said he talked to Public Works Director Mark Taylor about putting a sign up in the curve or bollards to stop cars from being able to crash into homes. He said this is the third incident that has happened in this spot recently. He hopes the city can come up with something to eliminate this.

The following citizens all spoke about naming the new fire station after William T. "Woody" Woodard:

1. Amos McClorey – No address given
2. Susie Wiberg – No address given
3. Leon Imes – No address given
4. Lena Grady – No address given
5. Lee Woods – No address given
6. Dorothy Woodard – No address given
7. Marlene Scott – No address given

VIII Consent Agenda

Mayor Kutteh stated that all items below are considered to be routine by City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

- A. Consider approving August 15, 2022 Pre-Agenda and Council meeting minutes.**
- B. Consider approving a Resolution directing the City Clerk to Investigate a Petition of Annexation for Case Number AX22-16, the Shumaker property, located at 112 Butterfield Circle, PIN #4725-33-4521; Receive the City Clerk's Certificate of Sufficiency and Consider approving a Resolution fixing the date of October 3, 2022, for a public hearing for the petition for annexation. (Ashley)**
- C. Consider approving 2nd reading of rezoning request ZC22-19 for a property located on US 64 and Marble Road; Iredell County Tax Parcel Identification # 4725-31-8928; from RA (Residential Agricultural) and B-5 (General Business) districts to the LI (Light Industrial) District. (Ashley)**
- D. Consider accepting a \$500,000 Brownfields Assessment Grant from the U.S. Environmental Protection Agency; Consider approving the Task Order to Cardno, now Stantec, in an amount not to exceed \$481,400; Consider approving Budget Amendment #2023-05. (Pierce)**
- E. Consider approving a Resolution to ratify the amended Centralina Charter. (Smith)**
- F. Consider awarding the FY2022-23 and Street Improvement and Resurfacing Contract - GG. (M. Taylor)**

This item has been removed from the agenda.

- G. Consider approving a request from Southern Distilling for an outside sewer connection. (Vaughan)**

- H. **Consider accepting a temporary construction easement for NCDOT project #480189 (bridge construction on Jennings Road (SR 1892)).** *(Vaughan)*
- I. **Consider appointing Richard Rainwater to the Stormwater Advisory Commission.**
- J. **Consider allowing Stormwater to use an additional \$78,650 in Capital Improvement Funds to cover the cost of the Lucille Street Pipe Replacement.** *(Moore)*
- K. **Consider adopting Budget Amendment 23-06 in the amount of \$553,818 necessary to settle a legal issue.** *(Smith/Messick)*
- IX **Consider approving a Resolution supporting Operation Green Light for Veterans.**

Mayor Kutteh asked if any Council member wanted any of these items moved to the Regular Agenda. Hearing none he asked for a motion to approve the Consent Agenda.

Council member J. Johnson made a motion to approve the Consent Agenda, seconded by Council member Hudson. The motion carried unanimously.

REGULAR AGENDA

- IX **Consider approving a Resolution supporting Operation Green Light for Veterans.**
This item was moved to the Consent Agenda at the Pre-Agenda meeting.
- X **Consider a request from the Mr. Todd Scott, President of the Statesville Branch of the NAACP, to name the new Fire Station #1 in honor of Mr. William T. (Woody) Woodard.** *(Smith)*

Mr. Scott recounted more instances of Mr. Woodard's many good community works. He asked that if Council approves this request that they include the statement that the naming of the station after Woody would be forever or until the building was torn down and at that point, they would like for a marker to be placed in the location stating that the station was named after Mr. Woodard. Mr. Scott said this is not a black or white thing, it is about honoring a good person and all the work that he did for his community.

Council member J. Johnson agreed that Mr. Woodard was a great citizen, but that Council had voted on a policy years ago stating that the Council should not name city streets after individuals and that during the discussions included buildings and parks, but those were not included in the written policy passed by Council.

Council member S. Johnson said he agreed that naming buildings after people would set a dangerous precedent.

Council member Jones said he would base his decision on two things: 1. Did the individual's actions warrant such an honor? and 2. Did that person inspire other? He said he believed that Mr. Woodard not only lived a life of service but was also very much an inspiration to those around him and that is why he believes this fire station should be named in his memory.

Council member Jones made a motion to name the new Fire Station #1 after Mr. Woodard, however staff needs to develop a policy and criteria to do this. Council member Foster seconded the motion.

Council member S. Johnson said he cannot vote for this without a policy in place.

The vote on the motion was as follows:

Ayes: Jones, Foster, Wasson, Allison, Lawton, Hudson

Nays: J. Johnson, S. Johnson

Motion Carried: 6-2

- XI Administer oaths to appoint City Manager Ron Smith as the Commissioner to the Electricities NCMPA1 Board of Commissioners, Council member Amy Lawton as the First Alternate, and Mayor Kutteh as the Second Alternate to represent the City of Statesville on the board. (Smith)**
The City Clerk administered the oath at the Pre-Agenda meeting.

- XII Consider approving an ordinance to amend Chapter 10 of the Statesville Code of Ordinances to designate Social Districts. (Marlow/Petree)**
Brittany Marlow, DSDC Director, reviewed the changes that were made to the ordinance since the original presentation.

Mayor Kutteh asked Marlow if she had any information regarding problems that other municipalities have encountered with this so far. Marlow replied that Main Street keeps a spreadsheet of issues that they have seen and so far, things have been very positive, and no one has seen any documented increase in crime, only reporting more vibrancy and more people walking about. The districts have not been in place long enough to really show any huge increase in economical growth.

Council member Jones made a motion to approve, seconded by Council member Lawton.

Council member Wasson said that she had a great conversation with Brittany this weekend. Wasson said she believes that any opportunity for people to come downtown and spend money is a good thing, but we need to make sure that the police department can handle this and make any changes in the department that are needed.

Council member S. Johnson asked if there is going to be a traffic problem between churches and businesses on Sundays. Marlow replied that as of now, there are not enough businesses open during that time to create a problem and she does not foresee businesses downtown ever opening before noon on Sunday because Statesville is very much a church going community; however, if it changes in the future, adjustments will be made.

The vote on the motion was as follows:

Ayes: Jones, Lawton, Wasson, J. Johnson, Allison, Hudson, S. Johnson

Nays: Foster

Motion Carried: 7-1

- XIII Consider approving 2nd reading of an ordinance to demolish the dwelling located at 522 Stockton Street as unfit for human occupancy. (Ashley)**
This item was postponed for 60 days by Council at their Pre-Agenda meeting.

XIV Authorize staff to execute a contract with Centralina Regional Council to undertake a Strategic Planning Process, as discussed at the Winter Retreat. (Smith)

City Manager Ron Smith stated that during the retreat earlier this year, there was a significant amount of time dedicated to discussing growth, and how to deal with it moving forward. Impacts of that growth are going to influence city services and citizen needs for the upcoming years. Staff spends quite a bit of time on projects and initiatives, without a concerted effort of plan.

This process would help the City Council to develop and implement a process to create a strategic plan with the following components: vision, mission, core values, goals, strategies, FY2024 priority actions and an evaluation/monitoring approach. A strategic planning process would mesh well with the capital planning and financing efforts we are currently undertaking with Davenport Financial Advisors. The process itself would garner citizen input which would be used in the development of the overall process.

The city is at a crossroads due to growth, and needs are going to be growing as well. Grant funding, community initiatives, and overall needs are going to be stretched and prioritization is necessary for the city to determine how to allocate limited funds. Smith said he recommends the city move forward with this process, as discussed at the retreat and previously over the last two years. If approved, the contract will be signed, and we will begin the project immediately in correlation with the attached timeline. It will be important to stay on task so the results mesh with the upcoming budget year.

Council member J. Johnson said he does not believe this group or method accomplishes anything and he is 100% against it. Mayor Kutteh said the money has already been approved for it. Ron Smith said that other methods can be used if Council member J. Johnson does not like what has been used previously.

Council member Allison made a motion to approve, seconded by Council member Jones. The vote was as follows:

Ayes: Allison, Jones, Wasson, Lawton, Foster, Hudson, S. Johnson

Nays: J. Johnson

Motion Carried: 7-1

XV Receive a Fire Station Location Analysis presentation from the Statesville Fire Department that anticipates growth currently occurring and which is Statesville, as well as the current location and state of its stations. No action is necessary.

Fire Chief Andy Weatherman stated that that due to the future growth in the City of Statesville, City Manager Smith requested that the department use an outside firm to complete a Fire Station Location Analysis. This study was completed by NC Fire Chiefs Consulting (former Greensboro Fire Chief Greg Grayson). The analysis shows geographic locations for Fire Stations 5, 6, 7, and relocation of Station 2 based on VRI (Vulnerability Risk Index), Future Development and Service Demand Changes.

Greg Grayson reviewed the analysis presentation.

XVI Advisory Boards and Commissions Meeting Minutes

08/10/2022 Airport Commission Meeting Minutes

08/11/2022 Downtown Design Review Committee Meeting Minutes

XVII Other Business

Ron Smith announced that beginning Tuesday, September 20, 2022, South Center Street (U.S. 21) will be closed from East Bell Street to Garfield Street for approximately 3-4 weeks as the N.C. Department of Transportation and City of Statesville install a new storm drainage system and begin repairs on a sinkhole. Motorists are being asked to utilize the following detour:

West Front Street (U.S. 64) to Garner Bagnal Boulevard (U.S. 70) to South Center Street (U.S. 21) during the closure.

Detour signs will be placed to assist with traffic. The sidewalks will remain open, and businesses affected will be able to operate on a normal schedule.

Smith advised citizens that it is okay to call 911 to report on dirt bikes/motorcycles/4-wheelers driving erratically in the city.

XI Closed Session - None

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

Constantine H. Kutteh, Mayor

Brenda Fugett, City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: John Ferguson, Airport Manager
DATE: September 19, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider accepting funds from the State Capital and Infrastructure Fund in the amount of \$6.7 million and consider adopting a Capital Project Fund ordinance for the construction of a new Airport Terminal Building.

1. Summary of Information: The City desires to build a new Airport terminal building to modernize operations. The City was notified of \$6.7 million of State Capital and Infrastructure Fund (SCIF) monies available for the construction of a new terminal building. However, the amount requested was for \$8.7 million. State officials have advised us to request the additional \$2.0 million during the long session of the State Legislature. This would be a 100% grant with no local matching funds. Should the State not approve the additional \$2.0 million, Bilateral Infrastructure Funds from the Federal Government could be used to finish the project.

Establishing a capital project fund will provide a mechanism for tracking project costs in support of internal auditing, required grant reporting, and reimbursement requests.

2. Previous Council or Relevant Actions: N/A

3. Budget/Funding Implications: The project will be funded with grant funding. If approved, the initial budget will be based upon the \$6.7 million SCIF funds available now, with a future amendment required once the additional funds are secured.

4. Consequences for Not Acting: Loss of Grant

5. Department Recommendation: Airport staff recommends approval

6. Manager Comments: Concur with staff's recommendation.

7. Next Steps: N/A

8. Attachments:

1. Capital Project Fund Ordinance
2. Notification from NCDOT Aviation

ORDINANCE NO. ____

**AN ORDINANCE ESTABLISHING THE
AIRPORT TERMINAL BUILDING CONSTRUCTION FUND**

WHEREAS, the City Council of the City of Statesville desires to construct a new Airport Terminal Building, and

WHEREAS, the City Council of the City of Statesville has been awarded a grant through the State Capital and Infrastructure Funds (SCIF) for contracted services and professional services of the project, and

WHEREAS, the scope and timeline of the capital project will potentially cross fiscal years, and

WHEREAS, North Carolina General Statutes §159-13.2 authorizes the adoption of a capital project budget ordinance, and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Statesville that there is hereby adopted a Capital Project Budget Ordinance setting forth the following revenues and expenditures for the life of the project:

REVENUES:

Grant Revenues	\$6,700,000
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EXPENDITURES:

Project Expenditures	\$6,700,000
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Duly adopted this _____ day of _____, 2022.

Constantine H. Kutteh, Mayor

ATTEST:

Brenda Fugett, City Clerk



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

09/01/2022

The Honorable Costi Kutteh, Mayor
City of Statesville
PO Box 1111
Statesville, NC 28687

**RE: NOTIFICATION OF FUNDING ALLOCATION
Session Law 2022-74 State Capital & Infrastructure Fund**

Dear Mayor Kutteh:

On behalf of the State of North Carolina, the Department of Transportation, and Transportation Secretary J. Eric Boyette, this notification serves as official verification that State funds have been allocated for **Statesville Regional Airport**. Pursuant to the authorizing legislation, the Department of Transportation provides the funding outlined below for the purposes of capital improvements to the airport (G.S. 143c-1-1d (5)). The Airport Sponsor hereby represents and warrants that all funds shall be utilized exclusively for the purposes listed in the authorizing legislation and in compliance with all other applicable laws, rules, regulations, and requirements.

Any disbursement of funds described or contemplated herein is subject to appropriation by the North Carolina General Assembly and appropriate approval or authorization from the Office of State Budget and Management and the Department of Transportation.

The funding allocation is noted below:

Award ID	Purpose	SCIF Funds
36244.59.10.3	Capital Improvements	\$6,700,000

The Department of Transportation shall not allocate funds prior to receiving the following documentation:

- a. NCDOT Aviation (AV-109 Proposed Directed Funding Projects Form)
- b. Policy addressing conflicts of interest (G.S. 143c-6-23b)
- c. Sworn statement of no overdue tax debts

Once the grant agreement and required documentation has been uploaded in EBS, the Department shall make a determination whether the intended use of the funds matches the purposes of the program. All funds returned to the Department under this section or retained by the Department for failure of an eligible airport to submit a report under this subsection, shall be credited to the fund from which they were appropriated and shall remain unexpended and unencumbered until appropriated by the General Assembly.

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

Website: www.ncdot.gov/aviation

Location:
RDU AIRPORT
1050 MERIDIAN DRIVE
MORRISVILLE, NC 27560


Expenditures pursuant to Session Law 2022-74 directed grants, must comply with the intent and guidance found in the Session Law and ensure compliance with related state statutes and financial management standards.

The Department of Transportation shall disburse funds to a compliant airport for the approved funding. Once the required documentation has been uploaded in EBS, the Department shall disburse the grant funds in one payment of the total amount by October 19, 2022.

The application for the funding will be delivered through the NCDOT Enterprise Business System (EBS) portal. Please contact your assigned Airport Project Manager, for further guidance. As a reminder, the airport is a federally obligated airport; therefore, any activity as a result of these funds must also be consistent with Federal Aviation Administration requirements.

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:

59C6E3EBB04E410...
Bobby L. Walston, P.E.
Director of Aviation

BLW/sg

cc: John Ferguson, Airport Manager
Brian Roberts, Chief Finance Officer
Michelle Holman, Assistant Finance Director
Cynthia Dunford, Finance Director
Caleb Whitby, PE, Airport Project Manager

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Pamela Navey, Community Resource Coordinator
DATE: September 20, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider granting permission to Statesville Police Department staff to accept a grant from the NC Governor's Crime Commission Block Grant for up to \$22,800 for the purpose of supporting the purchase of ALPR Systems (camera, software, installation, data storage, licensing, training, etc.) to improve criminal investigation outcomes cleared by arrests, along with assistance on identifying & apprehending wanted persons and approve Budget Amendment #2023-10.

1. Summary of Information: The Statesville Police Department (SPD) received notification from Governor's Crime Commission (GCC) that the application has been selected to move forward with submission of a final revised application with the required signed documents. This grant is for 12-months and will be effective from October 1, 2022 through September 30, 2023 with a total projected budget of approximately \$22,800.00. The requested GCC funding will be used to pay 100% of equipment listed above.

There is NO match required by the City for this grant. The City's Finance Department will serve as fiscal agent. Pamela Navey has taken on the responsibility of a grant writer and project director with the Statesville Police Department on previous SPD grants and she will administer this grant as well. It is requested that Pamela be authorized to represent the City of Statesville in management of this grant and serve as liaison between the GCC and the City of Statesville for the duration of this grant.

- 2. Previous Council or Relevant Actions:** No prior Council action.
- 3. Budget/Funding Implications:** \$22,800 from GCC with NO match for City.
- 4. Consequences for Not Acting:** If the City of Statesville does not accept this award, we would be requesting to purchase these items from SPD budget.
- 5. Department Recommendation:** Allow SPD to accept GCC Criminal Justice Improvement funding of \$22,800.00.
- 6. Manager Comments:** Recommend for approval.
- 7. Next Steps:** If approved, documents to be signed when received from GCC to continue process to receive award effective October 1, 2022.
- 8. Attachments:**
 1. BA #2023-10
 2. GCC Budget

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-10
October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.5100.340.33.00	Revenue	NC Governor's Crime Comm	25,000	22,800	47,800
Total Revenues			<u>55,069,421</u>	<u>22,800</u>	<u>55,092,221</u>
010.5100	Expenditure	Police	14,298,264	22,800	14,321,064
Total Expenditures			<u>55,069,421</u>	<u>22,800</u>	<u>55,092,221</u>

DESCRIPTION: To receive and appropriate Governor's Crime Commission (GCC) grant revenues and expenditures.



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

Detailed Budget Narrative

Please refer to your solicitation for match and other budgetary requirements. If your project does not require match, the match information does not need to be provided

You may insert and delete rows in tables as needed to reflect your specific project.

Subrecipient Name:	City of Statesville
Project Name:	2022 Statesville Police Department Block Grant
Project Number:	PROJ015669

A. Personnel: Provide all employee name(s) to be allocated to the project (including names for each identified position) of the applicant/recipient organization, including in-kind costs for those positions whose work is tied to the grant project, including volunteers. The % of Time on Project should reflect each employee's funded time allocated to the GCC project.

Position	Name or TBD	Hourly or Monthly Rate (\$)	Number of Months or Hours	% of Time on Project	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe the role and responsibilities of each position as it relates to the project.
TOTAL						\$		
						\$		

B. Fringe Benefits: List each fringe benefit.

Fringe Benefit	Fringe Benefit Rate (%)	Hourly or Monthly Rate (\$)	Number of Months or Hours	Federal Share	Match Share	Match Description Cash or In-kind
TOTAL				\$	\$	

C. Travel: Explain the purpose and allocation for all in and out of state travel. Costs should reflect agency travel policy and fall within the federal and state regulations. (NOTE: If an organization does not have a travel policy that indicates reimbursement rates, the organization will be required to use the State's reimbursement rates.)

Travel Type	Location	Quantity	Unit Cost	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe the purpose of travel and how it relates to the project.
			Total	\$	\$		

D. Equipment: An article of tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of **\$5,000** or more per unit – federal definition. List each piece of equipment

Description	Unit Cost	Quantity	Project Utilization (%)	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the equipment relates to the project.
Automated License Plate Reader	2,850.00	8	100%	22,800	0	N/A	ALPR Systems of camera, software, installation, data storage, licensing, training, etc.to improve criminal investigation outcomes cleared by arrests, along with assistance on identifying & apprehending wanted persons.
	TOTAL			\$22,800	\$0		

E. Supplies: materials costing less than \$5,000 per unit and often having one-time use. Client transportation, emergency housing, food, etc. should be allocated to the program supplies subcategory. If an organization has multiple projects, you will need to disclose how much the printer, computer, projector, etc., will be used for the project in the project utilization category. (If indirect costs are requested, ensure costs are not covered through indirect cost rate agreement.)

NOTE: Rent cannot be charged if the organization owns the building. Additionally, the lease and floor plan (including common areas) is required for all projects allocating rent costs to the project.

Description	Quantity	Unit Cost	Project Utilization (%)	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the supplies relate to the project.

Description	Quantity	Unit Cost	Project Utilization (%)	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the supplies relate to the project.
			Total	\$	\$		

F. Contractual: An arrangement to carry out a portion of the programmatic effort or for the acquisition of routine goods or services under the grant. Contracts for office services such as copier and computer lease or maintenance should be included in this section.

Contracts or lease agreements are required for each individual or vendor listed below and must be approved by the assigned Grant Manager prior to requesting reimbursement for services. Contracts need to include any reimbursable expense for the project; this includes mileage, incidentals, lodging, training, etc. that the contractor may incur on behalf of the project. Travel, supplies and equipment costs required for contracted staff should be reported in their respective sections of the budget, not in contracts unless they are included in the negotiated cost of the overall contract.

Costs for contracts must be broken down in detail with narrative justification. If applicable, numbers of clients should be included in the costs.

Name/Vendor	Service	Hourly Rate	Number of Hours	% of Time on Project	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the services provided by the contractual agreement relate to the project.
				TOTAL	\$	\$		

G. Indirect cost rate: Indirect costs can only be claimed if your organization has a Federally Negotiated Indirect Cost Rate Agreement (NICRA) or has opted to use the de minimis rate of 10% per organization Overhead Costs. Calculations must be provided and align with your indirect cost rate agreement.

Indicate your organization's allocation method (direct costs, a federally negotiated indirect cost rate, or the de minimis rate) and the rate, if applicable.

Allocation Method	Rate (if applicable)	Federal Share (if applicable)	Match Share (if applicable)

H. Total Project Cost

Total Project Cost	\$22,800
Total Federal Share	\$22,800
Total Match Share	\$0

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Pamela Navey

DATE: September 20, 2022

ACTION NEEDED ON: October 03, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider granting permission to Statesville Police Department staff to accept a grant from the NC Governor’s Crime Commission, Federal Violence Against Women Act - for up to \$100,166.75 for the purpose of supporting the department’s Domestic Violence Initiative and two Domestic Violence Investigators salaries and fringe benefits. (No Budget Amendment is needed per Finance)

1. Summary of Information: The Statesville Police Department (SPD) received notification from GCC/VAWA that grant funding is available for modification prior to acceptance. This grant is for 12-months and will be effective from October 1, 2022 through September 30, 2023 with a total projected budget of approximately \$133,555.69. The requested GCC/VAWA Federal funding will be used for up to 75% of salaries, fringe benefits, supplies, and training for SPD’s two (2) current Domestic Violence Investigator positions of up to \$100,166.75.

There is 25% cash match required by the City for this grant of up to \$33,388.94. The City’s Finance Department will serve as fiscal agent. Pamela Navey has taken on the responsibility of grant writing and project director with the Statesville Police Department (SPD) on previous SPD grants and she will administer this grant as well. It is requested that Pamela be authorized to represent the City of Statesville in management of this grant and serve as liaison between the Governor’s Crime Commission (GCC) and the City of Statesville for the duration of this grant.

- 2. Previous Council or Relevant Actions:** CAR to apply was approved on December 6, 2021.
- 3. Budget/Funding Implications:** Up to \$33,388.94 match is required from City, which is 25% of the total budget for the GCC/VAWA Award.
- 4. Consequences of Not Acting:** If the City of Statesville does not accept this award, it would be funding these two investigators at full cost. This would divert funding from other projects and personnel needs.
- 5. Department Recommendation:** Allow SPD to accept GCC DV Initiative funding of \$100,166.75 Federal VAWA Award to support up to 75% of 2 DV Investigator’s positions.
- 6. Manager Comments:** Recommend for approval.
- 7. Next Steps:** Original documents will be delivered to Authorizing Official/City Manager upon receipt from GCC for signatures to continue the process of award acceptance effective after October 1, 2022.
- 8. Attachments:** GCC Budget

Detailed Budget Narrative

Please refer to your solicitation for match and other budgetary requirements. If your project does not require match, the match information does not need to be provided

You may insert and delete rows in tables as needed to reflect your specific project.

Subrecipient Name:	City of Statesville
Project Name:	Statesville Domestic Violence Initiative LE 2022
Project Number:	PROJ015668

A. Personnel: Provide all employee name(s) to be allocated to the project (including names for each identified position) of the applicant/recipient organization, including in-kind costs for those positions whose work is tied to the grant project, including volunteers. The % of Time on Project should reflect each employee’s funded time allocated to the GCC project.

Position	Name or TBD	Hourly or Monthly Rate (\$)	Number of Months or Hours	% of Time on Project	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe the role and responsibilities of each position as it relates to the project.
DV Investigator 1	Daniella Beck	3860.25	12	100%	34,742.25	11,580.75		DV Investigator will conduct investigations individually & in conjunction with other officers & agencies in reference to incidents of domestic violence, including homicide, assaults, threats, sexual assaults, stalking, human trafficking, & other acts of violence within the City of Statesville.

Position	Name or TBD	Hourly or Monthly Rate (\$)	Number of Months or Hours	% of Time on Project	Federal Share	Match Share	Match Description Cash or In- kind	Justification Describe the role and responsibilities of each position as it relates to the project.
DV Investigator 2	TBD	3860.25	11	100%	31,847.06	10,615.69	Cash	DV Investigator will conduct investigations individually & in conjunction with other officers & agencies in reference to incidents of domestic violence, including homicide, assaults, threats, sexual assaults, stalking, human trafficking, & other acts of violence within the City of Statesville.
				TOTAL	\$66,589.31	\$22,196.44		

B. Fringe Benefits: List each fringe benefit.

Fringe Benefit	Fringe Benefit Rate (%)	Hourly or Monthly Rate (\$)	Number of Months or Hours	Federal Share	Match Share	Match Description Cash or In- kind
FICA 1	.0765		12	2,657.79	885.93	Cash
Hospitalization 1		1,100	12	9,900.00	3,300.00	Cash
Retirement 1		657.79	12	5,920.11	1,973.37	Cash
FICA 2	.0765		11	2,436.30	812.11	Cash
Hospitalization 2		1,100	11	9,075.00	3,025.00	Cash
Retirement 2		434.94	11	3,588.25	1,196.09	Cash
			TOTAL	33,577.44	11,192.50	

C. Travel: Explain the purpose and allocation for all in and out of state travel. Costs should reflect agency travel policy and fall within the federal and state regulations. (NOTE: If an organization does not have a travel policy that indicates reimbursement rates, the organization will be required to use the State's reimbursement rates.)

Travel Type	Location	Quantity	Unit Cost	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe the purpose of travel and how it relates to the project.
			Total	\$			

D. Equipment: An article of tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit – federal definition. List each piece of equipment

Description	Unit Cost	Quantity	Project Utilization (%)	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the equipment relates to the project.
TOTAL				\$	\$		

E. Supplies: materials costing less than \$5,000 per unit and often having one-time use. Client transportation, emergency housing, food, etc. should be allocated to the program supplies subcategory. If an organization has multiple projects, you will need to disclose how much the printer, computer, projector, etc., will be used for the project in the project utilization category. (If indirect costs are requested, ensure costs are not covered through indirect cost rate agreement.)

NOTE: Rent cannot be charged if the organization owns the building. Additionally, the lease and floor plan (including common areas) is required for all projects allocating rent costs to the project.

Description	Quantity	Unit Cost	Project Utilization (%)	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the supplies relate to the project.
Total				\$	\$		

F. Contractual: An arrangement to carry out a portion of the programmatic effort or for the acquisition of routine goods or services under the grant. Contracts for office services such as copier and computer lease or maintenance should be included in this section.

Contracts or lease agreements are required for each individual or vendor listed below and must be approved by the assigned Grant Manager prior to requesting reimbursement for services. Contracts need to include any reimbursable expense for the project; this includes mileage, incidentals, lodging, training, etc. that the contractor may incur on behalf of the project. Travel, supplies and equipment costs required for contracted staff should be reported in their respective sections of the budget, not in contracts unless they are included in the negotiated cost of the overall contract.

Costs for contracts must be broken down in detail with narrative justification. If applicable, numbers of clients should be included in the costs.

Name/Vendor	Service	Hourly Rate	Number of Hours	% of Time on Project	Federal Share	Match Share	Match Description Cash or In-kind	Justification Describe how the services provided by the contractual agreement relate to the project.
TOTAL						\$	\$	

G. Indirect cost rate: Indirect costs can only be claimed if your organization has a Federally Negotiated Indirect Cost Rate Agreement (NICRA) or has opted to use the de minimis rate of 10% per organization Overhead Costs. Calculations must be provided and align with your indirect cost rate agreement.

Indicate your organization's allocation method (direct costs, a federally negotiated indirect cost rate, or the de minimis rate) and the rate, if applicable.

Allocation Method	Rate (if applicable)	Federal Share (if applicable)	Match Share (if applicable)

H. Total Project Cost

Total Project Cost	\$133,555.69
Total Federal Share	\$100,166.75
Total Match Share	\$33,388.94

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Brian Roberts, Finance Director
DATE: September 15, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider appropriating fund balance to approve Budget Amendment #2023-07 to pay an economic incentive in the amount of \$103,334.68 to Cheney Bros, Inc.

- 1. Summary of Information:** In November 2017, the City entered into an Economic Development Agreement with Cheney Bros, Inc. for a multi-year incentive based upon established criteria.

The agreement calls for an incentive equivalent to 80% of the ad valorem taxes paid by the company to City attributable to the improvements made and maintained in accordance with the terms and conditions.

The request is to appropriate funds necessary to pay the incentive for the 2021 taxes.

- 2. Previous Council or Relevant Actions:** In November 2020, the City paid the economic incentive in the amount of \$104,607.77.
- 3. Budget/Funding Implications:** The budget amendment appropriates funds from the General Fund to pay the agreement.
- 4. Consequences for Not Acting:** The City would be in violation of the November 2017 Economic Development Agreement.
- 5. Department Recommendation:** Approve as presented.
- 6. Manager Comments:** Concur with Department Recommendation.
- 7. Next Steps:** Staff will enter budget amendment into financial software and issue payment to the company.
- 8. Attachments:**
 1. BA #2023-07

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-07
October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.0000.399.00.00	Revenue	Appropriated Fund Balance	6,702,898	103,335	6,806,233
Total Revenues			<u>55,069,421</u>	<u>103,335</u>	<u>55,172,756</u>
010.6600	Expenditure	General Expense	1,047,760	103,335	1,151,095
Total Expenditures			<u>55,069,421</u>	<u>103,335</u>	<u>55,172,756</u>

DESCRIPTION: To appropriate fund balance and corresponding economic expenditures to Cheney Bros, Inc.



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Richard Griggs, Recreation and Parks Director
DATE: Tuesday, September 20, 2022

ACTION NEEDED ON: October 03, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider recognizing the revenue and appropriating the funds received from the extension of the Lane Construction Corporation lease of the cinema property located on Free Nancy Ave. for costs associated with greenway repair and development (\$2,500/month) and approve Budget Amendment #2023-09.

1. **Summary of Information:** When the original lease of this property was approved by City Council on May 06, 2019, it was determined that the funds received from the lease be used for greenway repair, development, etc. The terms of the original lease allow for the extension of the lease at a rate of \$2,500 per month. Lane Construction Corporation plans to continue to use the site through July 2024. The funds received from the continuation of the lease will continue to be used for greenway related expenses potentially including renovation of the leased property as a greenway hub parking lot.
2. **Previous Council or Relevant Actions:** The original lease of this property by Lane Construction Corporation was approved by City Council on May, 06 2019 for a 41-month term.
3. **Budget/Funding Implications:** This Council Action is recognizing the revenue received monthly from Lane Construction Corporation and the appropriation of funds to the Recreation Department for use for greenway related expenses. NC Law requires that the increases to the operation budget be approved by the City Council. This action has no net impact on the rest of the city budget.
4. **Consequences of Inaction:** The funds received from the lease extension would be deposited as revenue into the general fund.
5. **Staff Recommendation:** Staff recommends appropriating the funds for greenway repair and development.
6. **Manager Comments:** Recommend for approval.
7. **Next Steps:** Approve appropriating the funds for greenway repair and development and approve BA #2023-09.
8. **Attachments:**
 1. BA #2023-09

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-09

October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.0000.380.28.02	Revenue	Leases-Rents	-	22,500	22,500
Total Revenues			<u>55,069,421</u>	<u>22,500</u>	<u>55,091,921</u>
010.6210	Expenditure	Recreation Administration Expenses	3,428,833	22,500	3,451,333
Total Expenditures			<u>55,069,421</u>	<u>22,500</u>	<u>55,091,921</u>

DESCRIPTION: To receive land rent revenues and appropriate towards greenway development.



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: David Onley, Police Chief

DATE: September 21, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider accepting \$10,000 from the Iredell-Statesville School system for the purchase of a Narcotics Detection Dog, and approving Budget Amendment #2023-11.

-
- 1. Summary of Information:** The Iredell-Statesville School System has requested the Statesville Police Department purchase and utilize a narcotics detection dog in the schools located in the city limits. The Statesville Police Department obtained a quote of \$10,000 for a Single Purpose Sporting Breed Narcotics Detection Dog. The school system has provided the funds, in the amount of \$10,000, for the purchase of the canine.
 - 2. Previous Council or Relevant Actions:** None
 - 3. Budget/Funding Implications:** Funding for the purchase of the canine has been provided by the Iredell-Statesville School System. The costs associated with the maintenance of the canine will be paid with existing operating funds.
 - 4. Consequences for Not Acting:** The utilization of the canine will result in detection of illegal narcotics in the school system. Failure to purchase the canine will diminish the ability to prevent narcotics possession within the city school system.
 - 5. Department Recommendation:** Staff recommends approving the purchase of a narcotics detection canine, approving BA #2023-11, and accepting the \$10,000 from the school system for the purchase.
 - 6. Manager Comments:** Recommend for approval.
 - 7. Next Steps:**
 - 8. Attachments:**
 1. Budget Amendment #2023-11

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-11
October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.5100.340.46.00	Revenue	Police Miscellaneous Grants	-	10,000	10,000
Total Revenues			<u>55,069,421</u>	<u>10,000</u>	<u>55,079,421</u>
010.5100	Expenditure	Police	14,298,264	10,000	14,308,264
Total Expenditures			<u>55,069,421</u>	<u>10,000</u>	<u>55,079,421</u>
<i>DESCRIPTION: To receive funds from Iredell-Statesville School system and appropriate related expenditures.</i>					



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: W^m Vaughan, PE, Public Utilities Director
DATE: September 16, 2022

ACTION NEEDED ON: October 03, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving Budget Amendment 2023-08 to appropriate FEMA funds for the first stage of the South Yadkin River Pump Station repair.

1. Summary of Information:

- The South Yadkin River Pump Station was flooded during Tropical Storm Eta and made inoperable.
- Damage was submitted to FEMA for disaster relief funds to off-set cost for repairs.
- FEMA has validated \$50,742.23 out of a current estimate of \$2,583,000 (enclosure (1)). Staff, in conjunction with our engineering services consultant, is preparing a reclama to FEMA's eligibility determination in order to validate the balance of the project estimate.
- Plan of Action for repairs is iterative. Front end electrical components require replacement to allow for pumps and motors evaluation. Evaluation of pumps and motors is a critical part of the City reclama to FEMA concerning reimbursement eligible costs.

2. Previous Council or Relevant Actions: Consulting engineering services with McGill Associates was awarded on July 15, 2021 in the amount of \$30,000 as part of damage assessment process.

3. Budget/Funding Implications: Budget Amendment 2023-08 appropriates funds received from FEMA to the Water Treatment Plant Budget to cover the initial repair activities. This initial repair work is necessary to assess the pump station's eligibility for additional FEMA funding.

4. Consequences for Not Acting:

- Continued delay in bringing pump station back online.
- Loss of FEMA approved reimbursement.

5. Department Recommendation: Staff recommends approving BA #2023-08 as part of the iterative pump station repair process.

6. Manager Comments: Recommend for approval.

7. Next Steps: If approved, staff will apply the funds toward the continuing evaluation of the South Yadkin pump station.

Enclosures:

- Enclosure (1) – FEMA determination (partial) dtd 22 Jun 22
- Budget Amendment 2023-08



ELIGIBILITY DETERMINATION MEMORANDUM

Statesville, City of

Project No.	187773	Applicant Type	<input type="checkbox"/> State Agency
Version No.	0		<input checked="" type="checkbox"/> Local Government
Damage Inventory Nos.	464652		<input type="checkbox"/> Tribe <input type="checkbox"/> Private Nonprofit
Project Title:	South Yadkin River Pump Station		
Category of Work:	F - Utilities		

Amount Requested:	\$2,583,000.00	Eligibility Issue Type(s)	<input type="checkbox"/> Applicant Eligibility
Amount Denied:	\$2,532,257.77		<input type="checkbox"/> Facility Eligibility <input checked="" type="checkbox"/> Work Eligibility <input type="checkbox"/> Cost Eligibility
Issue Keyword(s):	Lack of Supporting Documentation; Result of Declared Disaster		

Project Description:

A tropical storm caused widespread damage in the State of North Carolina resulting in a Presidential major disaster declaration (DR-4588-NC) on March 3, 2021, with an incident period from November 12, 2020, through November 15, 2020. This declaration authorized FEMA Public Assistance (PA) in various North Carolina counties. The City of Statesville (Applicant), a local government entity in a declared county, is requesting PA funding to replace equipment and repair damages of a water pumping facility (Facility) located near a river.

The Applicant asserts that surface water flooding from the incident submerged and damaged electrical equipment (e.g., power utility transformer, main switchboard with automatic transfer, power panels with breakers, surge valve, receptacles, and ceiling light fixtures). *Damage description and dimensions (DDD)*. Additionally, the Applicant claims that mechanical equipment (e.g., supervisory control and data acquisition remote terminal unit (SCADA RTU) panel; operators for the electric gate; pumps, including motor and control valve; and a diesel generator with fuel storage tank) was also damaged by surface water flooding. *Id.* The Applicant seeks PA funding to replace this equipment. In addition, the Applicant claims that the Facility’s overhead metal door, security chain link fence, and gravel access road suffered damage caused by the flood waters and associated debris and needed repairs/replacement. *Id.*

On July 13, 2021, FEMA conducted a site inspection during which the site inspector annotated the damage claimed Applicant and its intended method of repair. *City of Statesville WO 70564*



DI 464652 - SIR.pdf. During the inspection, the site inspector photographed the floodwaters' line was 41 inches above ground, as marked on the transformer panel, and some of the equipment had signs of partial or complete water submersion (i.e., accumulated silt, debris markings or water marks). *City of Statesville WO 70564 DI 464652 Photos.pdf*. However, the mechanical equipment, such as the pumps and associated equipment, appeared to be above the water line. *Id.* In addition, the bottom of the claimed door displayed some debris and silt accumulation, the fence was leaning between heavy vegetation, and the gravel access road had vegetation growing within the road and displayed some erosion on the tracks. *Id.*

In support of its claim, the Applicant provided the power supply generator's maintenance logs of monthly runs between January 7, 2019 and November 6, 2020. *S. Yadkin PS Gen Maint Logs.pdf*; *S. Yadkin PS Gen Maint Recap.xlsx*. Additionally, the Applicant submitted a damage inventory and an estimate of the equipment and components identified during the site inspection and the replacement costs. *187773 - DR4588NC - COS - South Yadkin River PS Damage Inventory v3.pdf*; *187773 - DR4588NC - COS - Applicant Repair Cost Estimate (10 Sep 21).pdf*. The inventory had a note indicating that the disaster "most likely have damaged all electronics associated with the equipment" claimed for replacement. *Id.*

Between September 17, 2021 and January 12, 2022, FEMA issued various Requests for Information (RFI) asking the Applicant to provide supporting documentation to determine that all the equipment claimed was in operation at the time of the disaster (e.g., maintenance logs or repair invoices). *RFI-PRJ-57802*; *4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 092221.docx*. Furthermore, FEMA noted that part of the equipment claimed was above the flood line and not submerged, thus requested documentation of a technical inspection or evaluation (e.g., diagnostics/troubleshooting analysis) to validate damage to the equipment, the extent of the damage, and possible repair versus replacement of the equipment. *4588DR-NC 187773 RFI-PRJ-61421 email response Pump Station 011222.docx*; *RFI-PRJ-61421*; *4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 112321.xlsx*; *4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 112321.docx*.

The Applicant supplied year 2020's logs to establish that it performed monthly inspections of oil levels and leaks of the pump and valves and clarified that the rest of the most recent records were unavailable. *Pump Maint Logs fwdg ltr (23Sep21).pdf*. No other documentation was provided to support that the rest of the claimed equipment was functioning prior to the disaster. Additionally, the Applicant did not provide an inspection/evaluation performed by a technician, but asserted, in summary, that as the starts, switches and electrical equipment were submerged "that equates to no motors and therefore no pumps". *4588DR-NC 187773 RFI-PRJ-61421 email response Pump Station 011222.docx*.

FEMA continued the project development process and FEMA found that the Applicant considered the equipment as inoperable based on visual inspection but did not attempt to energize and operate the equipment to determine the extent of possible damage. *4588DR-NC 187773 DM Statesville South Yadkin River Pump Station 021622.xlsx*. Furthermore, FEMA found that internet available imagery from 2019 showed pre-existing damage on the claimed overhead door, and that the Applicant did not establish disaster related damage sustained by the fence and the gravel access road. *Id.* The partial amount of \$2,532,257.77 is in dispute.

Issue:

Is the work to replace the equipment and to replace or repair the overhead door, the security fence, and the gravel access road eligible for reimbursement under FEMA's PA program if the Applicant failed to establish that the items claimed were damaged as a direct result of the incident?

Applicable Statutes, Regulations, and Policies in Effect as of the Declaration of the Emergency or Disaster:

- The Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Stafford Act), 42 U.S.C. § 5121 et seq. (2019):

Stafford Act § 406(a)(1)(A)

- Title 44 of the Code of Federal Regulations (C.F.R.) (2019):

44 C.F.R. § 206.223(a)(1)

44 C.F.R. § 206.223(e)

44 C.F.R. § 206.226(h)

- FEMA Policy:

Public Assistance Program and Policy Guide FP 104-009-2 (PAPPG) (June 2020) (v. 4)

PAPPG, at 51-52, 63-64, 139, 172, and 273

Analysis:

Section 406(a)(1)(A) of the Stafford Act grants FEMA discretionary authority to make contributions to a State or local government for the repair, restoration, reconstruction, or replacement of a public facility damaged or destroyed by a major disaster and for associated expenses incurred by the government. To be eligible for PA funding, an item of work must be required as a direct result of the emergency or major disaster event. *44 CFR § 206.223(a)(1); PAPPG*, at 51-52.

Repairing damaged equipment or replacing equipment that is damaged beyond repair, with the same number of equivalent items is eligible. *44 C.F.R. § 206.226(h); PAPPG*, at 172. However, for equipment damage, FEMA requires maintenance records to demonstrate that the equipment was regularly maintained and in good operational order prior to the incident, and details regarding when, where, and how the damage occurred. *PAPPG*, at 139. It is the sole responsibility of the Applicant to establish and substantiate that its claim is eligible. *PAPPG*, at 63-64. Various documents may provide the information required; therefore, FEMA usually accepts a variety of documentation to substantiate eligibility. *PAPPG*, at 63. Nonetheless, if the Applicant does not provide sufficient documentation to support its claim as eligible, FEMA cannot provide PA funding for the work. *PAPPG*, at 64.



The Applicant must demonstrate that damage was caused directly by the declared incident, and where pre-existing damage exists, the Applicant must distinguish between incident-related damage and pre-existing damage. *PAPPG*, at 52 and 273. FEMA does not provide PA funding for repair of damage caused by deterioration, deferred maintenance, the Applicant's failure to protect its Facility from further damage, or negligence. *44 C.F.R. § 206.223(e)*; *PAPPG*, at 52.

In this instance, the Applicant requests FEMA funding to replace electrical and mechanical equipment of the Facility, claiming that the incident damaged these items. The Applicant based its request for replacement on visual observations, asserting that the incident most likely damaged the equipment. As a result, FEAM requested the Applicant provide documentation to show that the damage to the equipment was disaster related. Despite FEMA's RFIs, the Applicant failed to provide adequate documentation to establish that all the equipment claimed was regularly maintained and in good operational order prior to the incident. Furthermore, the Applicant did not submit the requested documentation to substantiate eligibility, such as a technical evaluation to corroborate that the equipment sustained disaster related damages and the extent of damage. If the Applicant does not provide sufficient documentation to support its claim as eligible, FEMA cannot provide PA funding for the work. *PAPPG*, at 64. In this case, the Applicant failed to provide adequate documentation to substantiate that the equipment sustained damage directly resulting from a major disaster, the kind of damage sustained and the type of work (i.e., repair versus replacement) that would have been necessary to address the damages. Consequently, the request for PA funding for replacement of the equipment claimed is ineligible under the PA program.

Additionally, the Applicant seeks PA funding to repair or replace other components of the Facility such as an overhead door, security fence and a gravel access road that the Applicant claims were damaged by incident related causes. However, historical imagery showed that the overhead door had damages existing prior to the disaster. Additionally, the fence was covered by heavy foliage or overgrown vegetation from the surrounding areas. Furthermore, the access road displayed some erosion on the tracks, but the rest of the road appeared to have a similar condition of vegetation growing among the gravel. For work to be eligible, the Applicant must demonstrate that damage was caused directly by the declared incident, and where pre-existing damage exists, it must distinguish that damage from the disaster-related damage. In this case, the Applicant did not distinguish the pre-existing damage of the overhead door from the damage caused by the disaster. Moreover, with the available information and documentation, FEMA could not determine if deterioration, deferred maintenance, or the Applicant's failure to protect the security fence and gravel access road from further damage were not a significant factor in the damages claimed. As a result, the Applicant's request for PA funding to repair or replace the overhead door, security fence and a gravel access road is ineligible for PA funding.

The Applicant failed to provide adequate supporting documentation to establish that the equipment sustained disaster related damage that justified the replacement of these items. Additionally, the Applicant did not demonstrate that the overhead door, security fence and a gravel access road were damaged because of the disaster instead of caused by prior causes such as previous damages, deterioration, deferred maintenance, or the Applicant's failure to protect these components from further damage. Therefore, the Applicant's request for funding in the amount of \$2,532,257.77 is denied.



Eligibility Determination: Partially Approved Denied

FEMA determines that the replacement of the equipment is not eligible for PA funding because the Applicant did not provide sufficient documentation to support that the equipment sustained disaster related damage. Additionally, the repair or replacement of the overhead door, security fence and a gravel access road are ineligible for PA funding because the Applicant did not demonstrate that damage resulted from the disaster instead of caused by the pre-disaster condition of these components. As a result, the expense of \$2,532,257.77, is ineligible for funding under FEMA’s PA program.

Notice of Right to Appeal:

The City of Statesville (Applicant) / North Carolina Emergency Management (Recipient) may appeal this determination to the Regional Administrator, pursuant to Title 44 of the Code of Federal Regulations § 206.206, Appeals. The appeal may be submitted electronically via the FEMA Grants Portal (GP)/Grants Manager System (GM). If the Applicant elects to file an appeal, the appeal must:

- 1) Contain documented justification supporting the applicant’s position;**
- 2) Specify the monetary figure in dispute; and**
- 3) Cite the provisions in federal law, regulation, and/or policy with which the Applicant believes the initial action was inconsistent.**

The appeal must be submitted to the Recipient, North Carolina Emergency Management (NCEM), by the Applicant within 60 days of its receipt of this determination. The Recipient’s transmittal of that appeal, with recommendation, is required to be submitted to our office within 60 days of the receipt of the Applicant’s letter. If you have any questions, please contact Dorothy Henderson of the NCEM. Please submit appeals via email to dorothy.henderson@ncdps.gov and pahotline@ncdps.gov or via GP/GM.

Approval:

PA Management:

Signature: _____

Date: _____

Document Index:

Document Description	File Name
Maintenance Record	Maintenance Email.pdf
Maintenance Record	S. Yadkin PS Gen Maint Recap.xlsx
Maintenance Record	S. Yadkin PS Gen Maint Logs.pdf



Photo	City of Statesville WO 70564 DI 464652 Photos.pdf
Site Inspection Report	City of Statesville WO 70564 DI 464652 - SIR.pdf
Correspondence, Email, Letter, etc.	187773 - DR4588NC - COS - Project Cost Estimate emails.pdf
General Documents	187773 - DR4588NC - COS - South Yadkin River PS Damage Inventory v3.pdf
General Documents	187773 - DR4588NC - COS - Applicant Repair Cost Estimate (10 Sep 21).pdf
Request for Information	4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 092221.docx
Bid/Proposal/Quote	S. Yadkin R PS repair cost backup fwdg ltr (23Sep21).pdf
Bid/Proposal/Quote	POPC and Vendor Quotes - Statesville SYR PS - Replacement.pdf
Force Account Equipment Record	Equip Data Plates fwdg ltr (23Sep21).pdf
Request for Information	4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 112321.docx
Request for Information	4588DR-NC 187773 Appendix A Statesville S Yadkin River Pump Station 112221.pdf
Request for Information	4588DR-NC 187773 RFI Statesville South Yadkin River Pump Station 112321.xlsx
Maintenance Record	Pump Maint Logs fwdg ltr (23Sep21).pdf
Correspondence, Email, Letter, etc.; Request for Information	4588DR-NC 187773 RFI-PRJ-61421 email response Pump Station 011222.docx
Applicant Provided SOW/Cost Estimate; FEMA Provided Validation Summary Sheet	4588DR-NC 187773 DM Statesville South Yadkin River Pump Station 021622.xlsx

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-08
October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
550.0000.340.10.03	Revenue	Misc Grants	-	50,743	50,743
Total Revenues			<u>25,322,821</u>	<u>50,743</u>	<u>25,373,564</u>
550.8220	Expenditure	Water Purification Expenditures	6,409,382	50,743	6,460,125
Total Expenditures			<u>25,322,821</u>	<u>50,743</u>	<u>25,373,564</u>

DESCRIPTION: To accept grant revenues and appropriate related expenditures.



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Scott Harrell, Assistant City Manager
DATE: September 23, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving Budget Amendment #2023-12 to increase the overall budget of the Water Sewer Fund and authorizing payments for the System Development Fee (SDF) lawsuit settlement.

- 1. Summary of Information:** The City is responsible for the settlement resulting from the lawsuit concerning System Development Fees in the Water Sewer Fund. In addition to the class action payments authorized and funded in August, there are three individual payments included in the settlement.
- 2. Previous Council or Relevant Actions:** Council approved the settlement agreement on February 7, 2022 and authorized funding of the settlement payments on August 1, 2022.
- 3. Budget/Funding Implications:** Appropriated Fund Balance is available to fund this request.
- 4. Consequences for Not Acting:** The City will be unable to pay Plaintiff's and associated fees agreed upon in the settlement and will be in breach of the settlement agreement and the court order approving the settlement agreement.
- 5. Department Recommendation:** Approve as presented.
- 6. Manager Comments:** Concur with Department Recommendation.
- 7. Next Steps:** The Budget Amendment will be entered into the accounting system and settlement payments will be processed.
- 8. Attachments:**
 1. Budget Amendment #2023-12

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-12

October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
Water and Sewer Fund					
550.0000.399.00.00	Revenue	Appropriated Fund Balance	10,072,821	286,210	10,359,031
Total Revenues			<u>25,322,821</u>	<u>286,210</u>	<u>25,609,031</u>
550.5582	Expenditure	Water Maintenance Expenditures	5,881,023	286,210	6,167,233
Total Expenditures			<u>25,322,821</u>	<u>286,210</u>	<u>25,609,031</u>

DESCRIPTION: To appropriate fund balance for SDF settlement.



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk

CITY COUNCIL ACTION REQUEST

TO: Mayor and City Council
FROM: Tip Nicholson, General Manager
DATE: September 21, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider re-appointing Michelle Rokes to the ABC board.

1. **Summary of Information:** The term of ABC board member Michelle Rokes has expired. She would like to be re-appointed for another term.
2. **Previous Council or Relevant Actions:**
3. **Budget/Funding Implications:**
4. **Consequences for Not Acting:**
5. **Department Recommendation:**
6. **Manager Comments:**
7. **Next Steps:**
8. **Attachments:**
 1. Volunteer Application

**APPLICATION FOR APPOINTMENT
TO A BOARD, COMMITTEE OR COMMISSION
FOR THE CITY OF STATESVILLE, NC**

The City of Statesville appreciates your interest in serving on a Board, Committee or Commission and requests that you complete the following application. The application will provide general information based on your interest in serving for the Mayor and City Council to consider in making appointments. All members of the City of Statesville Boards, Committees and Commissions are appointed by either the City Council or the Mayor. **Please print legibly.**

Name: _____ Date of Application: ____/____/____

Home Address: _____ WARD: _____

Email Address: _____ Contact Phone No: _____

Do you reside in the City of Statesville? **Yes** ____ **No** ____ Length of Residence: _____
Years Months

Occupation: _____ Employer: _____

Available for Daytime Meetings: **Yes** ____ **No** ____ Currently Serving on Another Board: **Yes** ____ **No** ____

Education: _____

City Government policy prohibits discrimination based on race, sex, creed, national origin, age or handicap. The following questions regarding date of birth, gender and race are voluntary:

Date of Birth: ____/____/____ Male: _____ Female: _____ Race: _____

Please provide a brief statement outlining why you wish to serve:

Please list current and previous service to the community, civic clubs, activities, and talents:

Please list any areas of expertise, interests, and skills:

The City of Statesville sincerely appreciates the interest of all citizens in serving their City. If you need more information about a board or the responsibilities, please contact the City Manager's Office at 704-878-3583. The application must be returned to the City Manager's Office to be considered for appointment via one of the methods listed below. The volunteer application will remain on file for three (3) years from the date received.

1. Upload via the City website (fillable PDF available online)
2. Email to anesbit@statesvillenc.net
3. Mail to April Nesbit, City Manager's Office, PO Box 1111, Statesville, NC 28687

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Sherry Ashley, Planning Director
DATE: September 21, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

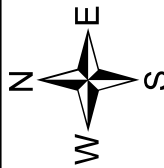
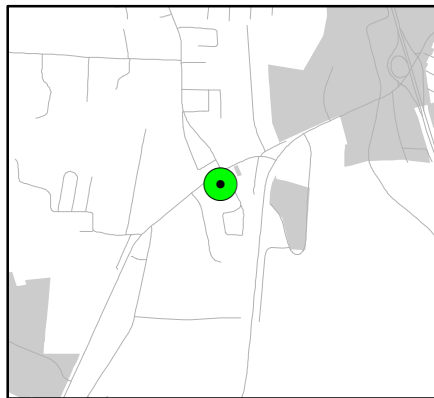
Conduct a public hearing and consider approving first reading of AX22-16, an ordinance to annex the property located at 112 Butterfield near Taylorsville Highway, the Shumaker property, PIN #4725-33-4521.

- 1. Summary of Information:** The property being considered for annexation has been submitted by Pope McMillan, PA on behalf of Carroll Shumaker, Donna Lanier, and Alana Geiger (applicant and owners). The .44-acre parcel is requested for annexation and is located at 112 Butterfield Circle near Taylorsville Highway (see attached *Location Map*). The parcel is currently zoned R-15 (Urban Fringe Low Density) District (see attached Current Zoning/Utility Map). There is a single-family home, metal carport, and a small storage building located on the property (see attached GIS Aerial Photo Map, Boundary Survey and Site Photos). The parcel is outside the primary corporate limits of the City of Statesville but is located within the Extra-Territorial Jurisdiction (ETJ). The applicant requests voluntary annexation to utilize City water service.
- 2. Previous Council or Relevant Actions:** N/A
- 3. Budget/Funding Implications:** The current tax value of the parcel is listed as \$71,810. City of Statesville has a waterline along Butterfield Circle and can provide water. Energy United provides electric service and the property has an existing septic system. City sewer is not available (see attached Utilities Location Map). The city will need to provide sanitation, fire and police services as requested.
- 4. Consequences for Not Acting:** Without annexation the city would not collect property taxes. Without annexation, the property owner could still access water at 2½ times the inside rate.
- 5. Department Recommendation:** The department recommends passing the first reading of the ordinance to annex the subject property. The property is located in the ETJ and in Tier 1 per the 2045 Land Development Plan.
- 6. Manager Comments:** Concur with the department's recommendation.
- 7. Next Steps:** If approved, the second reading will be on October 17, 2022.
- 8. Attachments:**
 1. Location Map
 2. GIS Aerial Photo Map
 3. Boundary Survey
 4. Site Photos
 5. Zoning/Utility Map
 6. Ordinance

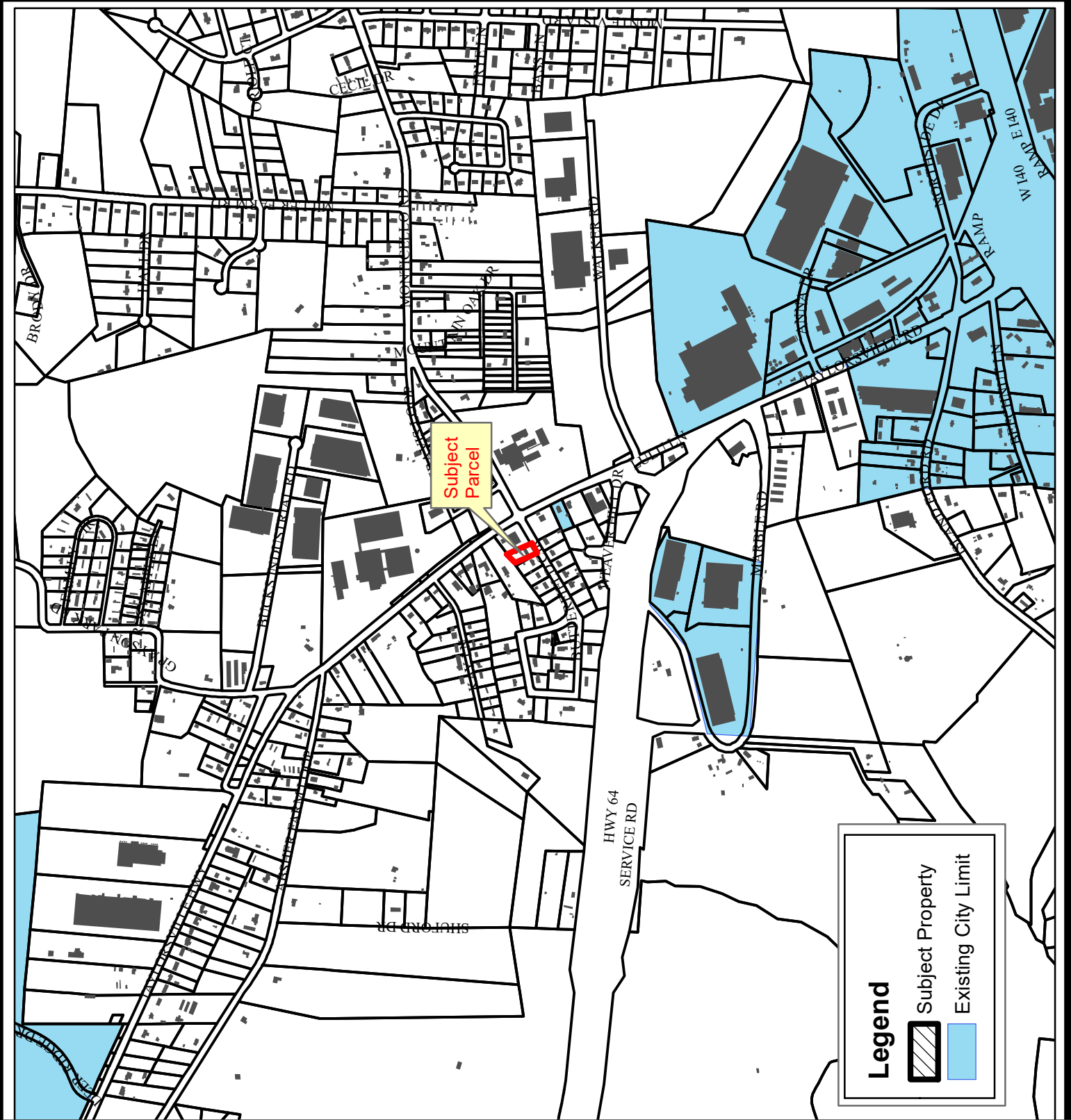
City of Statesville
Planning Department

Expanded Location Map

Shumaker Property
AX22-16
PIN # 4725-33-4521

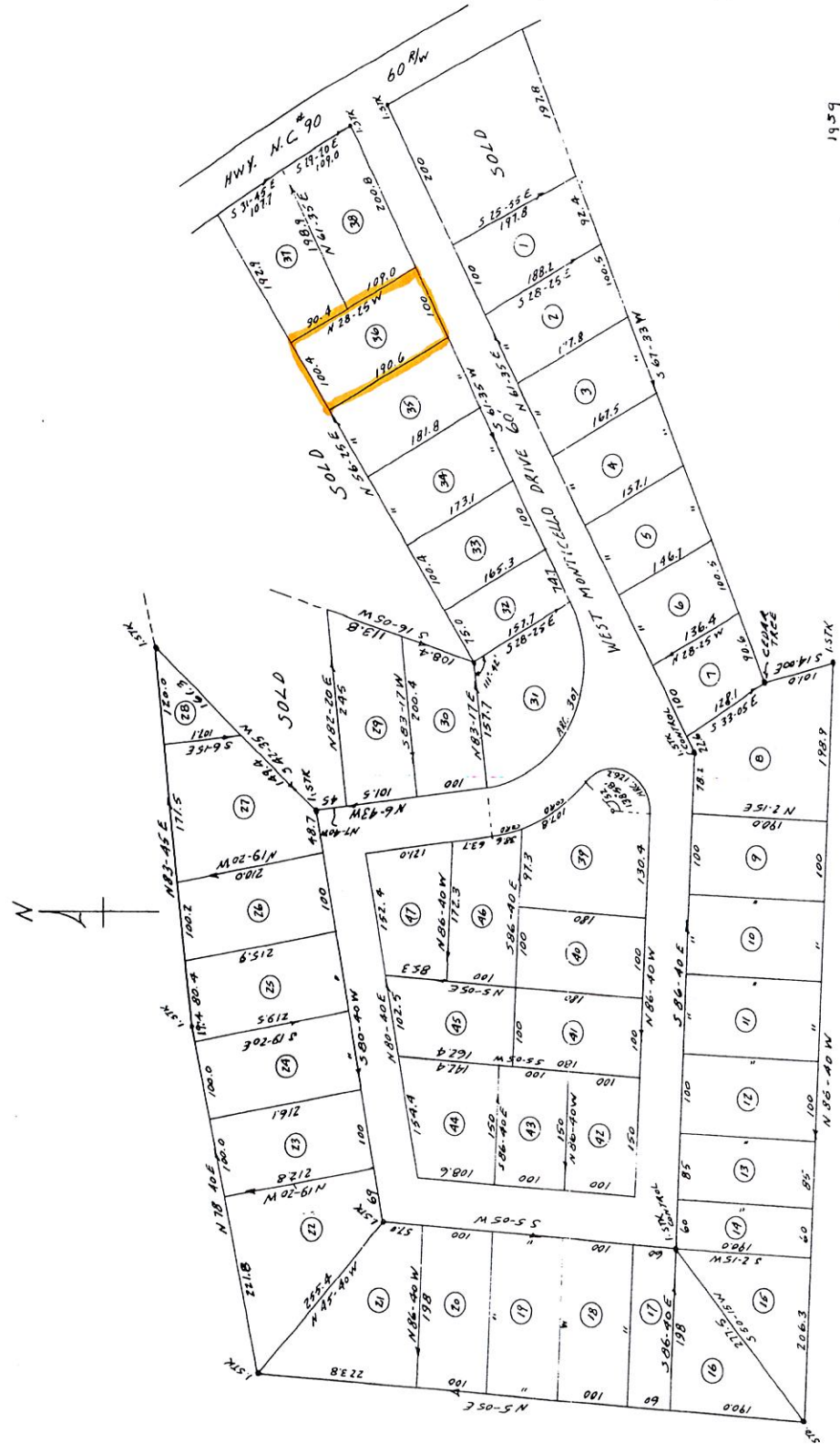


1 inch = 1,041.666667 feet





Case No. AX22-16 Shumaker Property (112 Butterfield Circle)
Aerial Photo Map – PIN # 4725-33-4521



1959
 cut 4:15 a.m. Feb 21 N
 Minimum Warranty

WEST MONTICELLO
 MACDELL CO, N.C.
 JULY 26, 1957 SCALE 1" = 100'

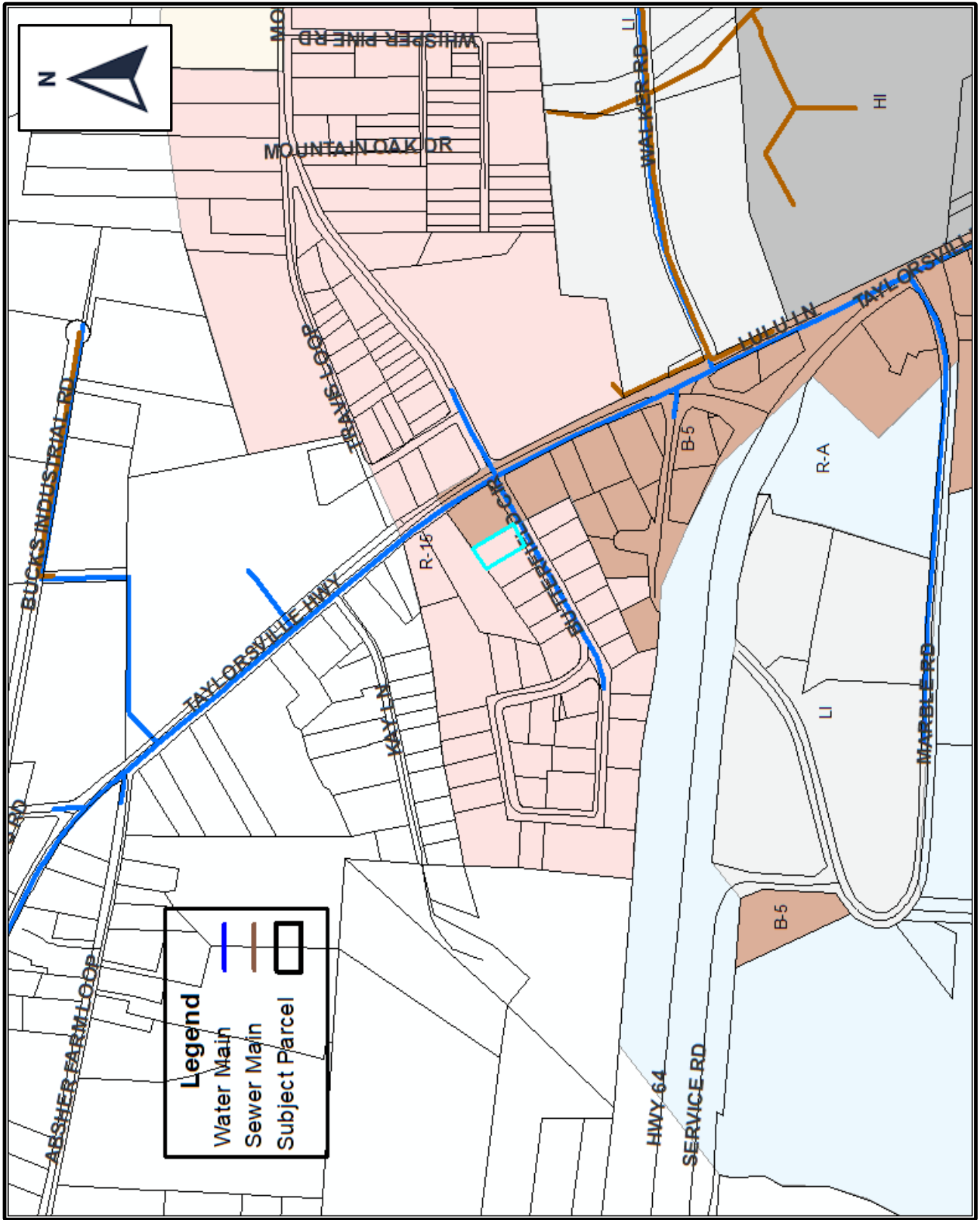
John Wilson
 9th April 1957
 and P. A. M. M. M. M.

9th April 1957
 and P. A. M. M. M.

Site Photos – AX22-16 Shumaker Property
(PIN #4725-33-451) Located on Butterfield Circle



View of the subject parcel (112 Butterfield Circle)



Current Zoning & Utilities Map - Case No. AX22-16 Shumaker Property
 Tax Parcel # 4725-33-4521

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF STATESVILLE, NC

**CASE NO. AX22-16
SHUMAKER PROPERTY, 112 BUTTERFIELD CIRCLE
PIN #4725-33-4521**

WHEREAS, the Statesville City Council has petitioned under G.S. 160A-58.1, to annex the 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 7:00 o'clock p.m. on the 3rd day of October 2022 after due notice by publication on 23rd day of September 2022; 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 31st, 2022, at 11:59 p.m.

Description

ALL THAT CERTAIN tract or parcel of land situate in Iredell County in the state of North Carolina, being more particularly described as follows:

BEING all of Lot 36, West Monticello, as shown on plat recorded in Plat Book 6, Page 33, Iredell County Registry, situated in the City of Statesville, Iredell County, North Carolina, and more particularly described by metes and bounds as follows:

BEGINNING at the Northwestern corner of Lot 36, West Monticello (see Plat Book 6, page 33, Iredell County Registry); thence running North 56° 25' East 100.4 feet to the Northeastern corner of Lot 36 (Plat Book 6, page 33); thence South 28° 25' East 199.4 feet to the Southeastern corner of Lot 36 (Plat Book 6, page 33); thence with a new line, South 61° 35' West 100 feet to the Southwestern corner of Lot 36 (Plat Book 6, page 33); thence running North 28° 25' West 190.6 feet to the point and place of BEGINNING.

Property Address: 112 Butterfield Circle, Statesville NC

Section 2. Upon and after October 31, 2022, 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 Council member _____, seconded by Council member _____, and carried on the 3rd day of October 2022.

AYES:
NAYS:

The second and final reading of this ordinance was heard on the 17th day of October 2022 and upon motion of Council member _____, seconded by Council member _____, and unanimously carried, was adopted.

AYES:
NAYS:

The Ordinance to be in full force and effect from and after the 31st day of October 2022 at 11:59 p.m.

City of Statesville

Constantine H. Kutteh, Mayor

ATTEST:

Brenda Fugett, City Clerk

APPROVED AS TO FORM:

Leah Gaines Messick, City Attorney

REVISED
CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Sherry Ashley, Planning Director
DATE: Revised - September 26, 2022

ACTION NEEDED ON: October 03, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving 2nd reading of rezoning request ZC22-03 for property located on East Greenbriar Road; Iredell County Tax Parcel Identification #4754-23-6335 from R-A (Residential-Agricultural) District and R-8 MFM (Medium Density Multi-Family/Manufactured Housing Residential) District to R-8 CZ Cluster Subdivision (Medium Density Single-Family Residential Conditional Zoning) District.

1. Summary of Information: See previous packet

2. Previous Council/Relevant Actions: At their regular meeting on March 22, 2022, the Planning Board unanimously recommended approval of the request with the conditions proposed by the applicant and staff with two additional recommendations:

- 1) that the greenway be constructed as part of Phase 1 of the development project (also now included as noted in Applicant Condition #7 above); and
- 2) that the City Council request an additional condition of the applicant that fiber cement-type siding material be required instead of vinyl siding material, and contingent upon annexation into the City.

On May 2, 2022 the public hearing was held, and Council voted unanimously to approve first reading of the rezoning as presented with the addition of two car garages for each home, the addition of a community swimming pool, and changing the language from “brick and stone” to “brick or stone”. Council agreed by consensus that better ingress/egress must be found before 2nd reading.

The applicant has submitted additional information regarding a connection to Abernathy Avenue and a “DRAFT” TIA.

On July 18, 2022, Council postponed the 2nd reading to the August 1, 2022 meeting for TIA results, possible stub to E. Cloaninger Avenue and possible traffic calming on Ora Drive. However, because congestion management with NCDOT has not completed their review of the TIA, the rezoning was postponed to August 15, 2022.

As of August 3, 2022, the applicant has submitted an additional condition addressing traffic calming on Ora Drive after discussions with NCDOT and a revised concept plan with a possible stub to E. Cloaninger Avenue (see attached condition and revised concept plan). However, as of August 15, 2022, staff has not received any comments from congestion management.

Comments came in from congestion management on September 9, 2022 (see attached). Staff along with NCDOT has reviewed these comments and are recommending approval as follows:

2025 Phase 1:

1. Eastside Dr & E. Greenbriar Rd

- Install a traffic signal, both locations can operate as one signal

2. Greenbriar Rd & Access "A" (subdivision entrance)

- Install an eastbound left turn lane with 100 ft. of storage on E. Greenbriar Rd. Internal protected stem 100 ft.

2026 Full Buildout:

3. Salisbury Rd & I-77 Southbound Ramps

- Install a traffic signal

4. Salisbury Rd & Eastside Dr

- Construct a WB right turn lane with 250 of storage on Salisbury Rd

In addition, existing Ora Drive will need to be upgraded to NDCOT's current standards. The extension/new section of Ora Drive will be required to meet the city's collector detail with curb, gutter and sidewalk.

- 3. Budget/Funding Implications:** The current total taxable value of the subject parcel is approximately \$460,610. The applicant estimates that the current tax value plus estimated costs of land development construction is \$17.5 million. City water, sewer and electrical service is available. The city will need to provide sanitation, fire, and police services as requested.
- 4. Consequences for Not Acting:** The subject parcel could remain undeveloped under the current R-A and R-8MFM zoning designation or be developed under either zoning designation. The City would not receive property taxes without annexation.
- 5. Department Recommendation:** Staff recommends **approval** contingent upon the following with Council's additions from May 2, 2022, and July 18, 2022, highlighted:
 1. Annexation of the subject parcel.
 2. Lighting plan will be submitted for review and approval at time of site plan submittal.
 3. The applicant shall provide evidence of a Homeowners Association (HOA) and any Covenants, Conditions, and Restrictions (CCRs) to the City prior to recordation of the final plat to ensure consistency with commitments and approvals.
 4. Conditions offered by the applicant stated above and revised on the Concept Plan
 5. Add to conditions, Any item(s) not specifically addressed must meet the requirements of the Unified Development Code.
 6. Add the residential density shall be a maximum of 2.79 units per acre and a maximum of 244 total residential units to conditions.
 7. Amend conditions to remove vinyl and replace with fiber cement-type siding material; and
 8. Add to conditions, Greenway to be Constructed as part of Phase One.
 9. Add to conditions, each house will have a two-car garage, and a community swimming pool will be provided
 10. Applicant may change "brick and stone" to "brick or stone".
 11. Developer will install and maintain speed calming devices along Ora Drive with 70% of approval from the homeowners along Ora Drive. Speed calming devices will be approved by NCDOT.

In addition, staff and NCDOT are recommending transportation improvements from the TIA as presented above.

6. Manager Comments:

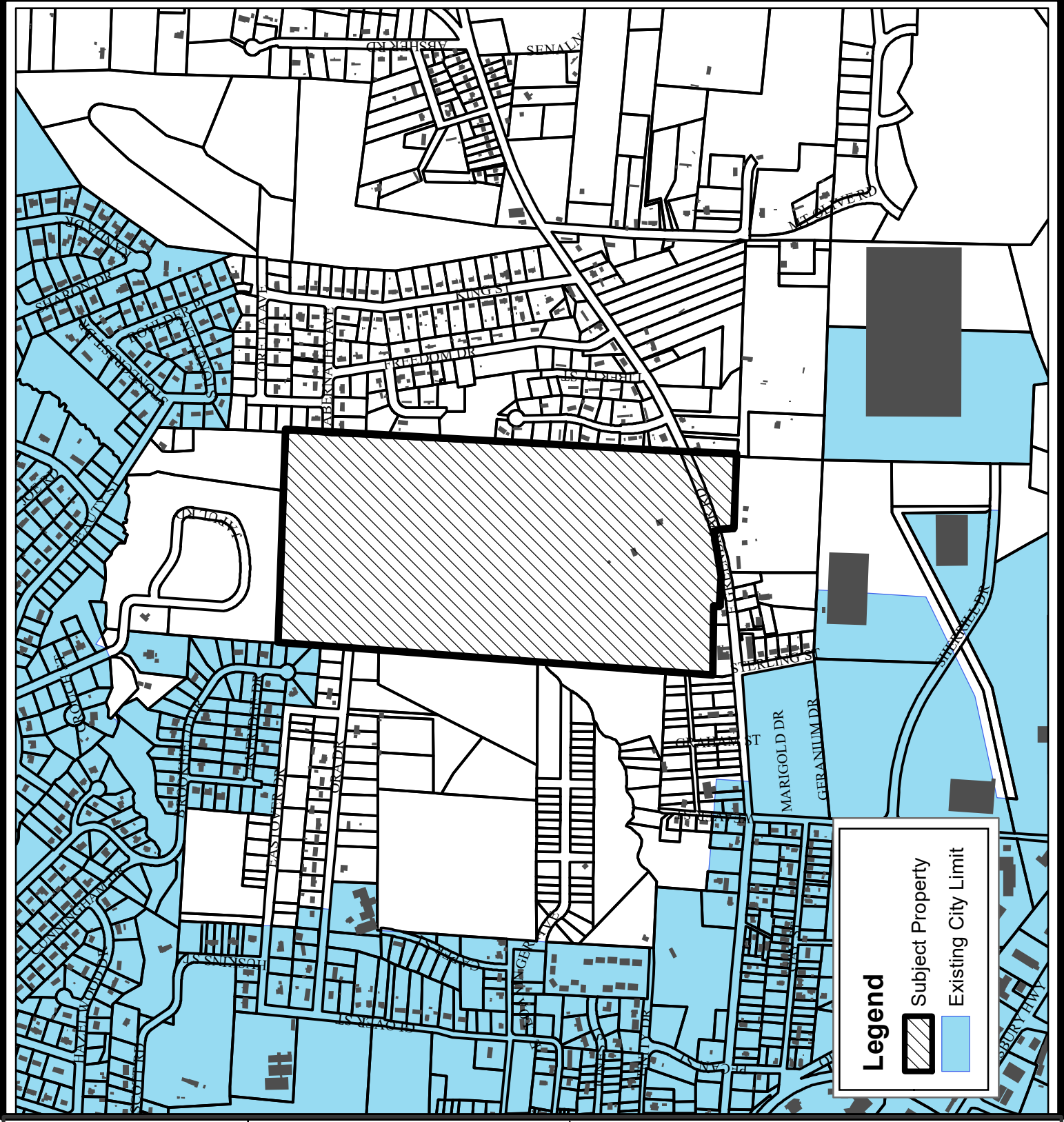
7. Next Steps: If approved, plans may be submitted to TRC.

8. Attachments:



1. Location Map
2. Current Zoning Map
3. Council Consistency Statement
4. Rezoning Ordinance
5. Potential Connection plan and profile
6. Aerial map spite strip
7. 2019 Mobility + Development Plan, Figure 3.12b.
8. Summary of DRAFT TIA
9. Congestion Management Comments
10. Additional Condition Letter
11. Revised Concept Plan (3 sheets)

Revised Rezoning Conditions

1. Residential Density shall be a maximum of 2.79 units per acre and a maximum of 244 total residential units.
2. Exterior architectural materials will include vinyl siding fiber cement-type siding material and shutters, brick, **and or** stone.
3. Minimum 5' sidewalks will be provided on both sides of all internal streets.
4. Additional Opaque Landscape Buffer of Evergreen Trees and Shrubs will be Provided along East Greenbriar Road to Screen the Backs of lots from Traffic
5. 10' minimum greenway trail and 20' easement dedicated to the city for use by the public and will be open to the public following construction. The trail will meet the greenway standards of the City of Statesville.
6. A multi-use trail per the requirements of the City of Statesville Mobility & Development Plan.
7. Driveway and road improvements agreed to by the City and NCDOT per the Traffic Impact Analysis will be required by the developer at time of site plan approval.
8. Zoning buffer North of Ora Drive, adjacent to lots 176-183, to be increased from 8' to 15'
9. Greenway to be constructed as part of Phase One
10. Any item(s) not specifically addressed must meet the requirements of the Unified Development Code.
11. Each home will be provided a two-car garage
12. A community swimming pool will be provided.
13. Developer will install and maintain speed calming devices along Ora Drive with 70% of approval from the homeowners along Ora Drive. Speed calming devices will be approved by NCDOT.

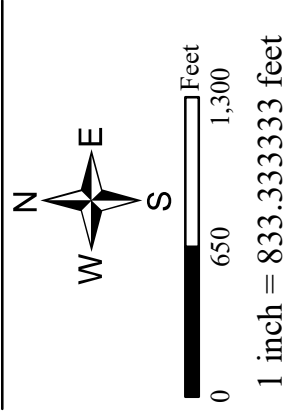
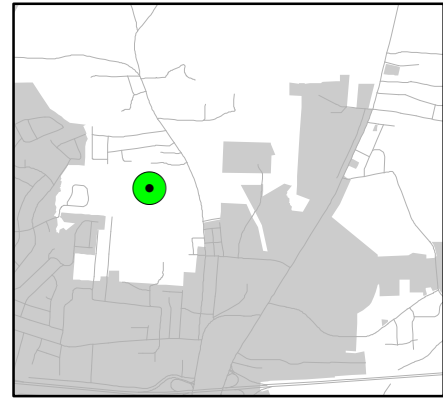


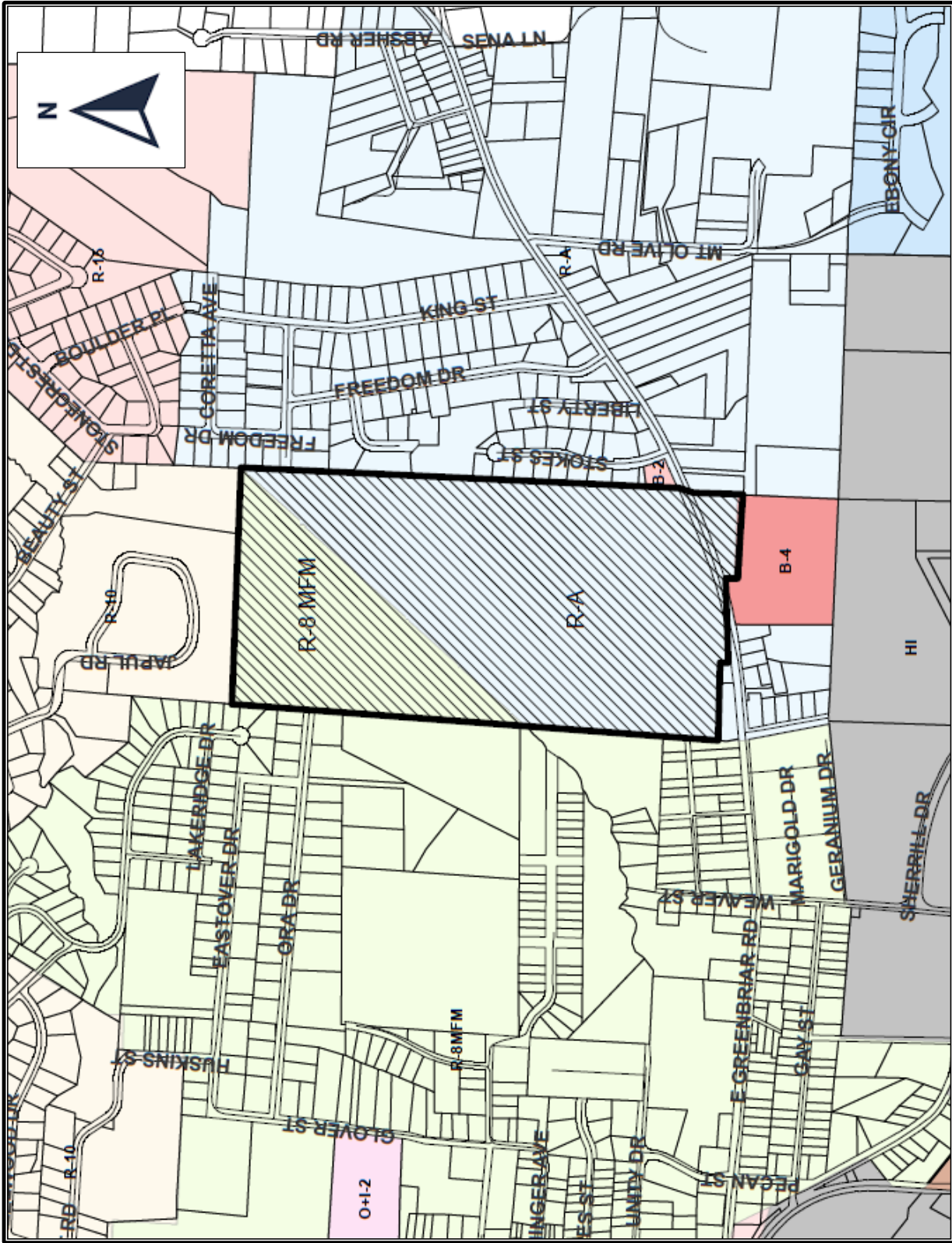
Legend

-  Subject Property
-  Existing City Limit

**City of Statesville
Planning Department**

Greenbriar Ridge
ZC22-03
PIN # 4754-23-6335





Case No. ZC22-03 Greenbriar Ridge
 Current Zoning Map – PIN # 4754-23-6335



To: Statesville City Council
From: Sherry Ashley, Planning Director
Date: October 3, 2022
Subject: Rezoning
Case: ZC22-03 – Greenbriar Ridge
Address: E. Greenbriar Road, Iredell County Tax Parcel # 4754-23-6335

The zoning amendment **is approved and is consistent with the City’s comprehensive land use plan**, is reasonable and in the public interest because: The 2045 Land Development Plan projects the parcel as suitable for Complete Neighborhood 2, which is intended primarily for residential development and recommends many of the features—gridded street network, connectivity between neighborhoods, pedestrian/bicycle facilities and planned open space—proposed in the requested Concept Plan (see 2045 Land Use & Character Map and Complete Neighborhood 2 Character Intent sheet). All utilities are in place; and at the proposed gross density of 2.79 dwelling units per acre, the proposed development is significantly less dense than the maximum density defined for Medium Density development by the 2005 LDP,

Additionally, this project fills in a substantial gap between existing neighborhoods and provides beneficial improvements to both sides of E. Greenbriar Road that includes a portion of a multi-use path and a connection to the west, both recommended in the 2019 Mobility & Development Plan. Finally, the concept plan exceeds the required active additional open space and will provide a substantial amount of constructed greenway that will become part of a designated corridor between Kimbrough Park to the Fourth Creek Greenway and beyond.

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the City’s comprehensive land use plan**. The change in conditions the City Council has taken into account in amending the zoning ordinance to meet the development needs of the community are as follows: _____

The zoning amendment **is rejected because it is inconsistent with the City’s comprehensive land plan** and is not reasonable and in the public interest because _____

Date: Constantine H. Kutteh, Mayor

Date: Sherry Ashley, Planning Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF THE AFTER DESCRIBED PROPERTY FROM R-A (RESIDENTIAL-AGRICULTURAL) AND R-8 MFM (MEDIUM DENSITY MULTI-FAMILY/MANUFACTURED HOUSING RESIDENTIAL) DISTRICT TO R-8 CZ CLUSTER SUBDIVISION (MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL CONDITIONAL) DISTRICT

ZC22-03

**Chelsea L. Sharpe Heirs & Bettye Tull Property / East Greenbriar Road
PIN # 4754-23-6335**

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 May 2, 2022 at 7:00 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 properties from R-A and R-8 MFM to R-8 CZ Cluster Subdivision; said notice having been published in the Statesville Record and Landmark, a newspaper having general circulation in this area on April 22, 2022 and April 29, 2022, all in accordance with the procedure set forth in N.C.G.S. 160A-360; 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 a portion of the after described property as noted be changed as particularly set out below, said properties being more particularly described as follows:

LEGAL DESCRIPTION

The land referred to herein below is situated in the County of Iredell, State of North Carolina, and is described as follows:

A parcel of land lying and being in the City of Statesville, Chambersburg Township, Iredell County, North Carolina and being more particularly described as follows:

For a Point of Reference, COMMENCE at an existing N.G.S. monument designated “RAMADA”, having NC Grid Coordinates of N: 742,379.98 E: 1,447,173.67. Thence South 85° 06’ 53” East 4,717.62’ to an existing iron pipe, having NC Grid Coordinates of N: 741,978.22 E: 1,451,874.15, at the PLACE AND POINT OF BEGINNING. Thence North 04° 23’ 59” East 2,771.59’ to an existing iron pipe, thence South 86° 16’ 27” East 952.15’ to an existing iron pipe, thence continue South 86° 16’ 27” East 376.07’ to a set iron rod, thence South 02° 58’ 42” West 2,470.34’ to an existing ¾” iron pipe, thence South 02° 48’ 11” West 66.58’ to an existing iron rod with cap, thence South 02° 59’ 08” West 269.52’ to an existing ¾” iron pipe, thence North 86° 50’ 00” West 499.24’ to an existing iron rod, thence North 15° 53’ 19” West 62.68’ to an existing iron pipe, thence South 80° 42’ 23” West 277.56’ to a calculated point in the centerline of East Greenbriar Road, thence run North 86° 53’ 00” West 170.93’ to an existing iron rod, thence North 00° 33’ 02” West 50.04’ to a pinch top existing iron pipe, thence North 86° 46’ 22” West 110.56’ to an existing iron rod,

thence North 86° 58' 54" West 321.73' to the PLACE AND POINT OF BEGINNING. Containing 3,804,830 square feet or 87.35 acres, more or less. Subject to the portion of land lying within County Maintained right-of-way of East Greenbriar Road (S.R. 2320).

Property Address: E. Greenbriar Road, Statesville NC

This ordinance was introduced for first reading by Council member _____, seconded by Council member _____, and unanimously carried on the _____ day of _____, 2022.

Ayes:
Nays:

The second and final reading of this ordinance was heard on the _____ day of _____, 2022 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 _____, 2022.

CITY OF STATESVILLE

Constantine H. Kutteh, Mayor

APPROVED AS TO FORM:

By: _____
Leah Gaines Messick, City Attorney

ATTEST:

Brenda Fugett, City Clerk

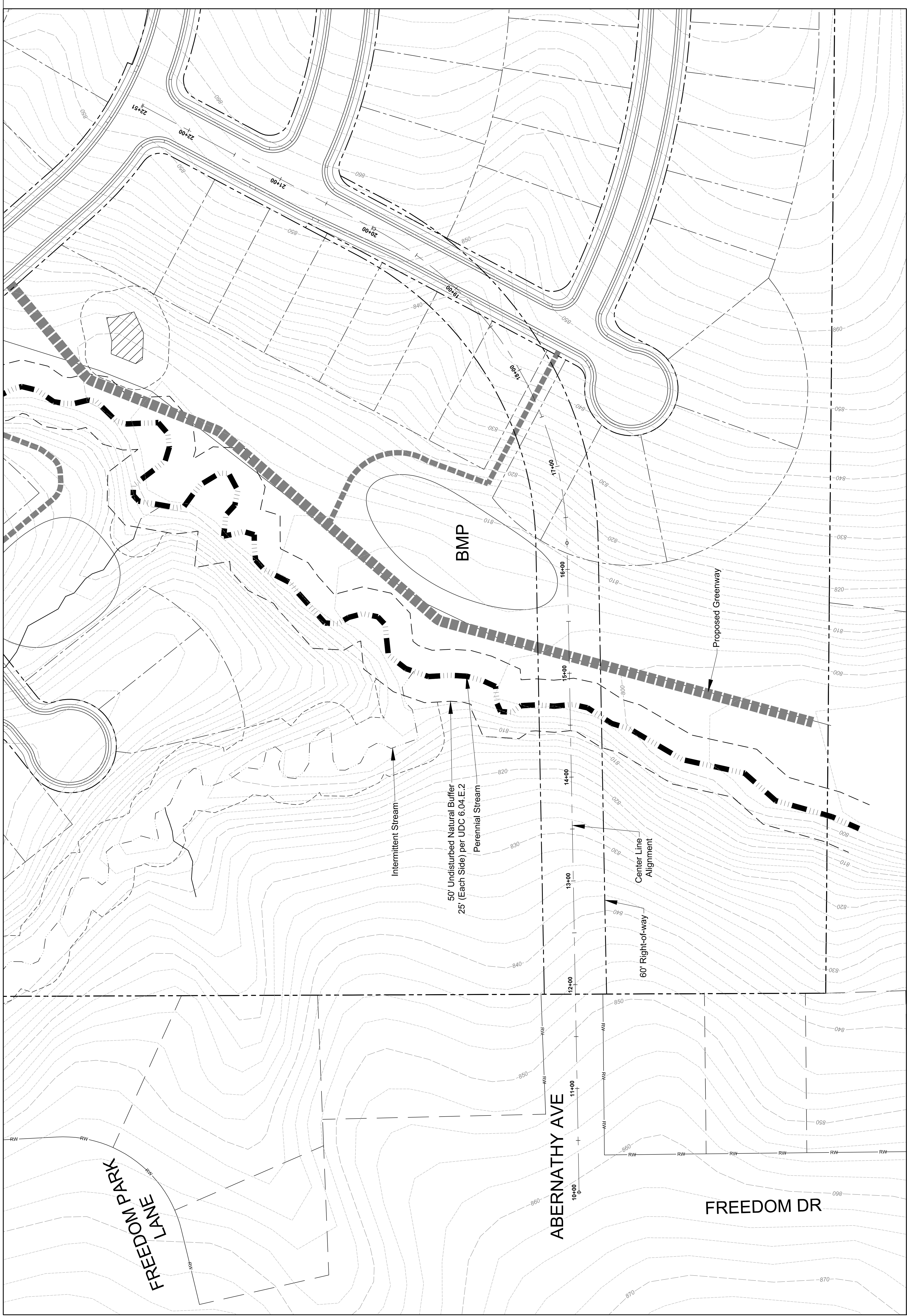
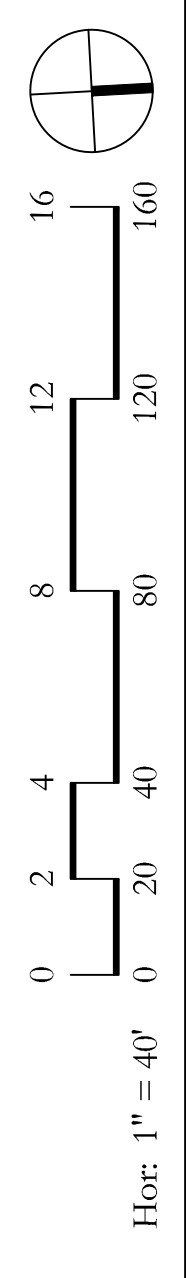
E. Greenbriar Rd
 Statesville, NC
 Potential Connection to
 Abernathy Ave (Plan)

DESIGN BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	

REV	REVISION DESCRIPTION	DATE	CHANGED BY	CHECKED APPROVED

8001 Arrowridge Boulevard
 Charlotte, NC 28273
D-R-HORTON
America's Builders

MERRICK
 301 S. McDowell Street, Suite 300
 Charlotte, NC 28204
 Phone: 704.529.6500
 Fax: 704.529.6501
 www.merrick.com



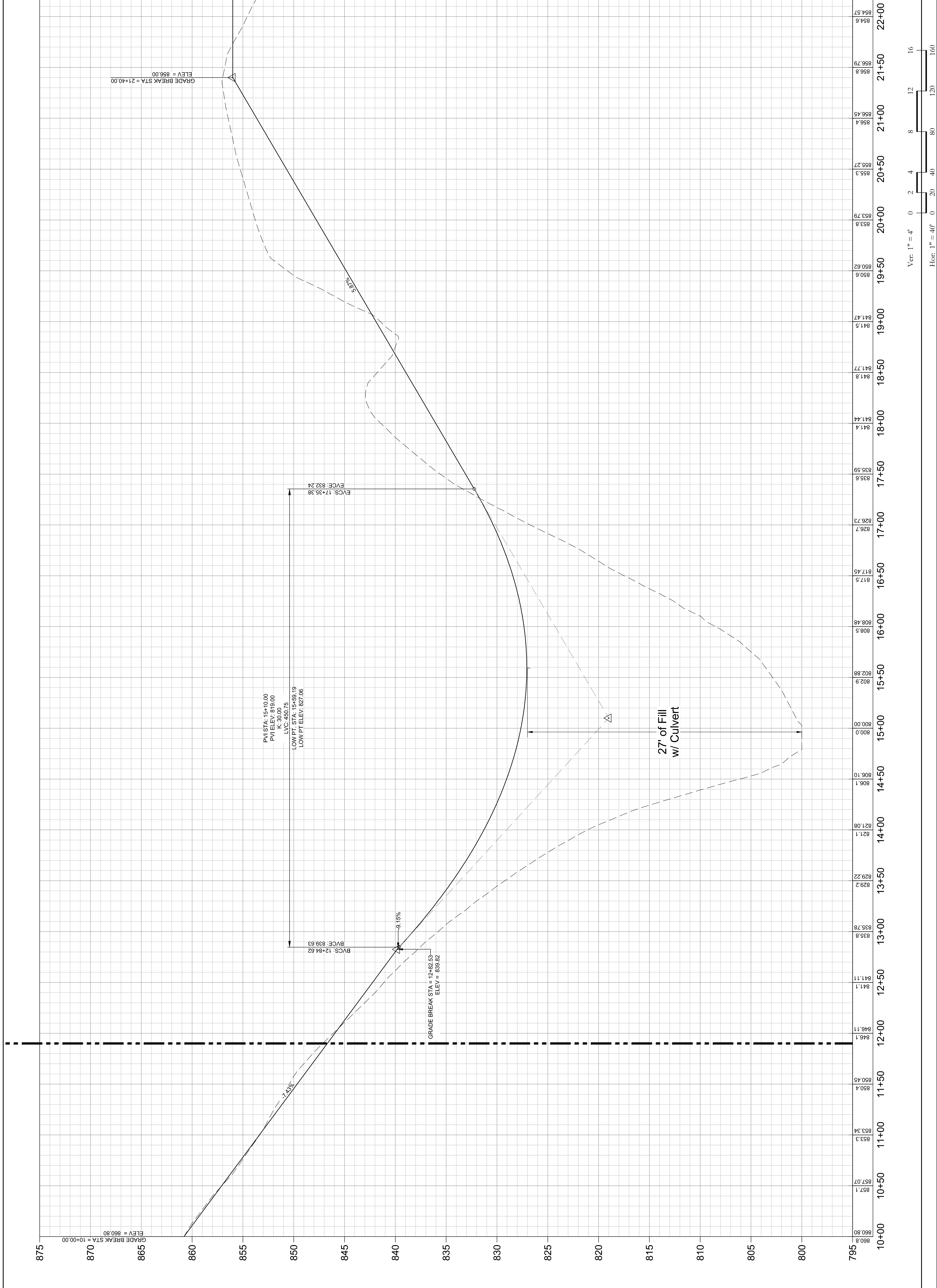
E. Greenbriar Rd
 Statesville, NC
 Potential Connection to
 Abernathy Ave (Profile)

DESIGN BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	

REV	REVISION DESCRIPTION	DATE	CHANGED BY	CHECKED BY	APPROVED BY

8001 Arrowridge Boulevard
 Charlotte, NC 28273
D-R-HORTON
 CIVIL ENGINEERS
America's Builders

301 S. McDowell Street, Suite 300
 Charlotte, NC 28204
 PHONE: 704.529.6500
MERRICK



CONNECTGIS Web Hosting Iredell County

Welcome Guest Users Online: 1038
Mobile View SRT: 0.134 sec

Help

Map Theme: Tax Map

Expand | Collapse

All Layers On | Off

Base Data On | Off

- Addresses
- Streets
- Dimensions
- Lot Numbers
- Misc Text
- Parcels Hooks
- Delinquent Taxes
- Parcels
- Parcel Mailing Address
- Parcel Labels
- Townships
- City Limits
- Municipal Annexation
- Locations
- Recorded Plat Locations
- Mooreville Graded School District
- Zip Codes
- Lake Norman
- Iredell Countyline
- NC Counties

Planimetrics On | Off

- 2021 Aerials
- 2018 Orthos
- 2017 Aerials
- 2014 Orthos
- 2010 Orthos
- 2009 Orthos
- 2005 Orthos
- 2002 Orthos

Information Legend

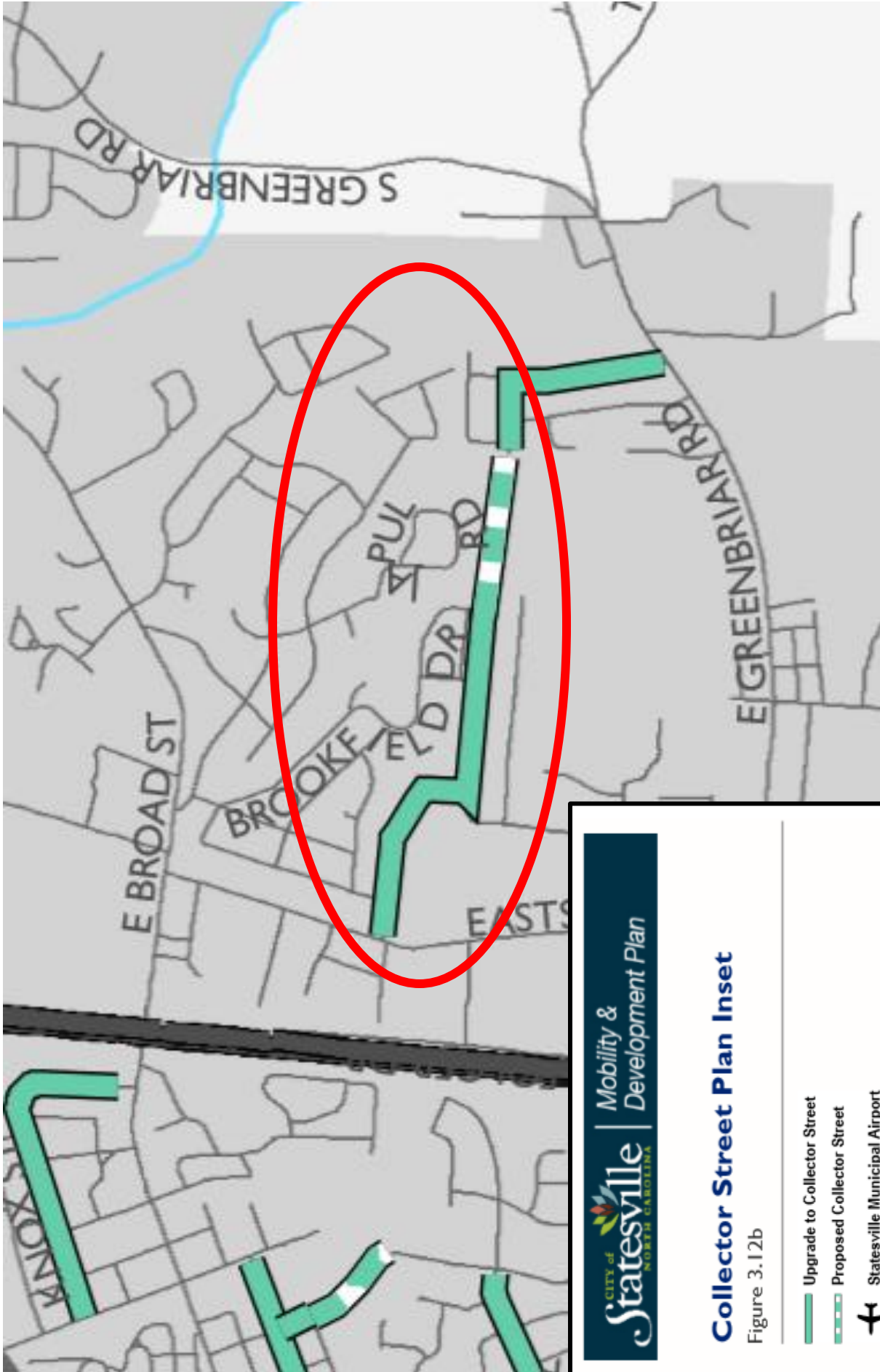
Display Labels - Display 50 Results

Map showing parcel boundaries and lot numbers. A red circle highlights a specific parcel labeled "10' STRIP RESERVED" and "161".

Aerial Map 10' Spite Strip



Inset Map



Collector Street Plan Inset

Figure 3.12b

- Upgrade to Collector Street
- Proposed Collector Street
- Statesville Municipal Airport
- City of Statesville
- Study Area
- County Boundary

Greenbriar Ridge DRAFT TIA

2025 Phase 1:

Salisbury Rd & I-77 Southbound Ramps – No improvements

Salisbury Rd & I-77 Northbound Ramps – No improvements

Salisbury Rd & Eastside Dr – No improvements

Eastside Dr & E. Greenbriar Rd – 1. Construct a WB right turn lane with 200 ft of storage on E. Greenbriar Rd or

2. Install a traffic signal, both locations can operate as one signal

E. Greenbriar Rd & Industrial Dr – No improvements

Industrial Dr & Salisbury Rd – No improvements

Eastside Dr & E. Cloaninger Ave – No improvements

Eastside Dr & Scott Rd – No improvements

E. Broad St & E. Greenbriar Rd – No improvements

E. Greenbriar Rd & Access “A” (subdivision entrance) –Southbound left turn lane on Access A and an eastbound left turn lane with 100 ft. of storage on E. Greenbriar Rd

Internal protected stem 100 ft.

2026 Full Buildout:

Salisbury Rd & I-77 Southbound Ramps – Install a traffic signal

Salisbury Rd & I-77 Northbound Ramps – No improvements

Salisbury Rd & Eastside Dr – Construct a WB right turn lane with 250 of storage on Salisbury Rd

Eastside Dr & E. Greenbriar Rd – Construct a NB terminating right turn lane on Eastside Dr

E. Greenbriar Rd & Industrial Dr – No improvements

Industrial Dr & Salisbury Rd – No improvements

Eastside Dr & E. Cloaninger Ave – No improvements

Eastside Dr & Scott Rd – No improvements

E. Broad St & E. Greenbriar Rd – No improvements

E. Greenbriar Rd & Access “A” (subdivision entrance) –No improvements

In addition, staff foresees NCDOT requiring upgrades to Ora Drive, however, congestion Management has not completed their review of the TIA. Additional improvements may be required.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

September 9, 2022

**E Greenbriar Road Residential
Statesville, NC
Traffic Impact Analysis (TIA) Review Report
Congestion Management Section**

TIA Project: SC-2022-088
Division: 12
County: Iredell
Description: Located on SR-2320 (E Greenbriar Road) east of I-77.



Michael P. Reese, PE, CPM
Congestion Management Regional Engineer

David W. Olson, PE
Congestion Management Project Design Engineer

Jonathan W. Haire
Transportation Engineering Associate

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION MOBILITY & SAFETY DIVISION
TRAFFIC MANAGEMENT UNIT
1561 MAIL SERVICE CENTER
RALEIGH, NC 27699-1561

TELEPHONE: 919-814-5000
FAX: 919-771-2745

WEBSITE: WWW.NCDOT.ORG

LOCATION:
750 NORTH GREENFIELD PARKWAY
GARNER NC 27529



E Greenbriar Road Residential TIA

SC-2022-088

Iredell County

Per your request, the Congestion Management Section (CMS) of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the sealed Traffic Impact Analysis (TIA) and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Key Dates	
Initially Received by CMS	7/1/2022
Date of Latest Information Received by CMS	8/19/2022
Date of Preliminary Review Accepting TIA for Review	9/9/2022
Sealed TIA Prepared by Design Resource Group	7/1/2022
Site Plan Prepared by Merrick	3/4/2022

Proposed Development

According to the TIA, the proposed E Greenbriar Rd Residential is to be located on SR 2320 (E Greenbriar Road) east of I 77 in Statesville, Iredell County. The TIA states the development is to be constructed by 2026 and is to consist of the following:

Land Use	Land Use Code	Size
Single-Family Detached Housing (Phase 1)	210	99 DUs
Single-Family Detached Housing (Phase 2)	210	145 DUs

Trip Generation - Unadjusted Volumes During a Typical Weekday			
Based on appropriate methodology outlined in the <i>ITE Trip Generation Manual, 11th Ed.</i>			
	IN	OUT	TOTAL
AM Peak Hour	46	132	178
PM Peak Hour	151	88	239
Daily Trips			2420

Requested Access Points		
Driveway	Public Roadway	Access Type
A	SR 2320 (E Greenbriar Rd), 2015 ft E of SR-2404 (Industrial Dr)	All-Movement
B	Extension of SR 2414 (Ora Dr)	All-Movement



Study Area

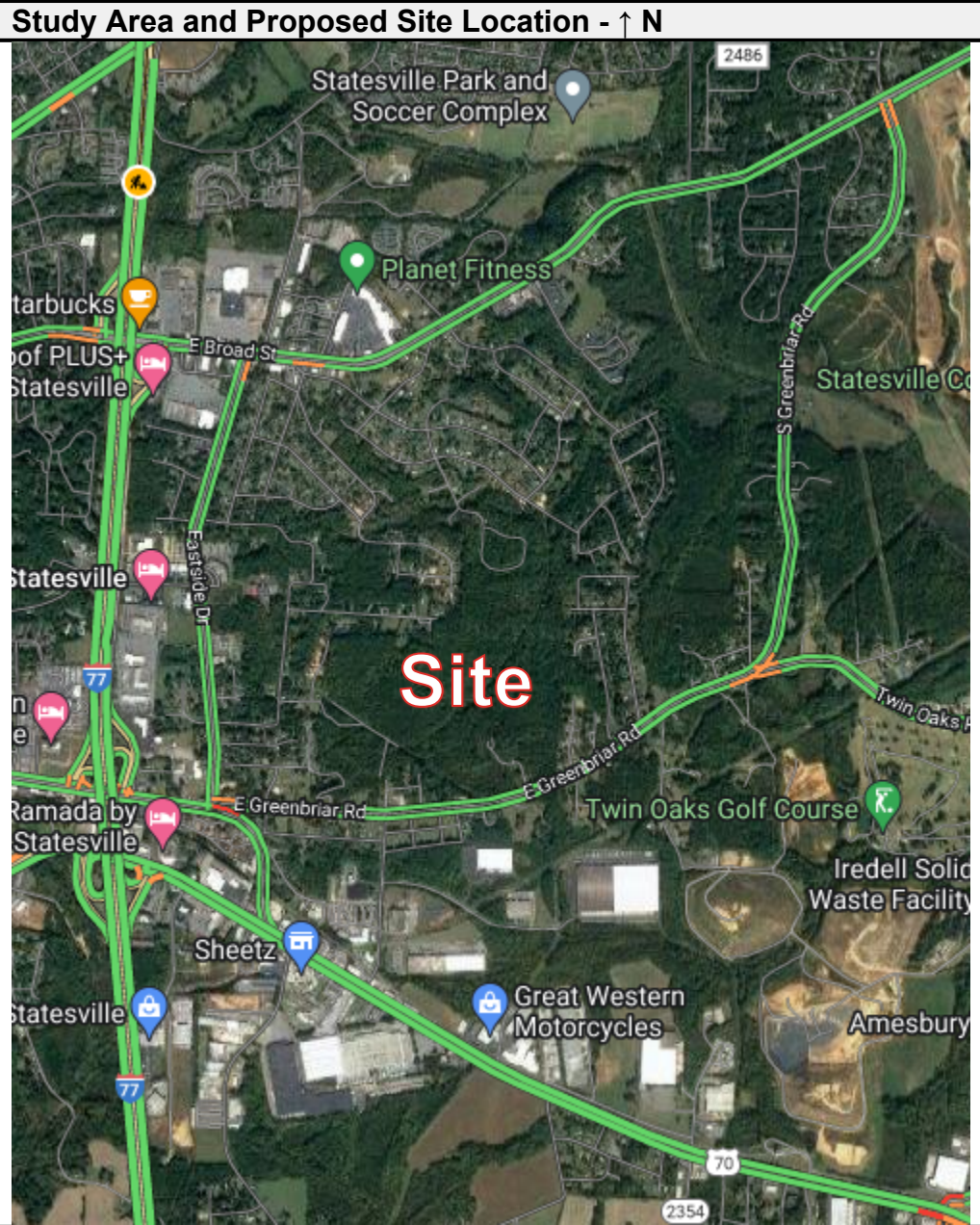


Photo Credit: Google Maps

TIP Projects in Study Area

Project	Description	Let Date
None in area.		



CRTPO Comprehensive Transportation Plan

Route	Facility Vision
I 77	Freeway – Needs Improvement
SR 2333 (Eastside Dr)	Major Thoroughfare – Needs Improvement
SR 2321 (Broad St)	Boulevard – Needs Improvement
SR 2320 (Greenbriar Rd)	Minor Thoroughfare – Existing
SR 2735 (Salisbury Rd)	Boulevard – Needs Improvement
US 70 (Salisbury Hwy)	Boulevard – Needs Improvement

TIA Comments

The following items vary from our recommended practices (cumulative of all TIA submittals):

- Annual growth rate of 1% was stated in the scope, while the TIA report narrative stated 2%. Volume calculations appear to have utilized 1%.

General Reference

For reference to various documents applicable to this review please reference the following links: <https://connect.ncdot.gov/resources/safety/Pages/Congestion-Management.aspx> and https://connect.ncdot.gov/resources/safety/Teppi/Pages/Teppi-Topic.aspx?Topic_List=C37.

It should be noted that poor LOS and excessive queuing may persist throughout network after recommended developer and outside mitigation.

Analysis of all lanes with finite storage should include an appropriate default taper of 100 feet or more in the analysis. Our storage distances in our reports are minimums that do not include deceleration or taper distances.

Any signing and pavement marking revisions/modifications or improvements necessitated by the development should be the responsibility of the developer unless otherwise noted.

It should be noted that the comments and recommendations contained in this review are subject to the approval of the local District Engineer's Office.

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact the Congestion Management Section at (919) 814-5000.



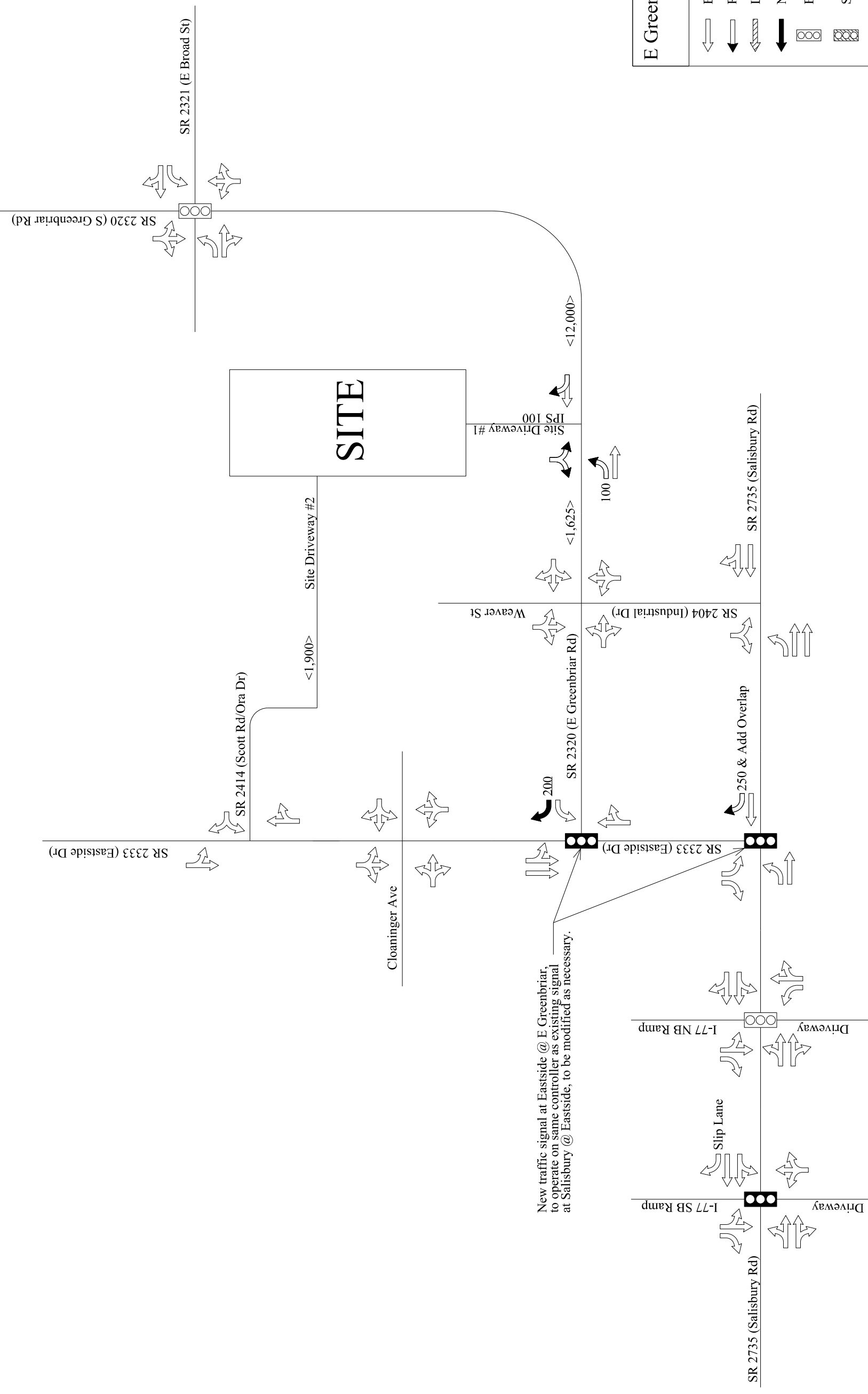
Recommendations

Refer to attached diagram.

Network Analysis

Based upon opening year 2026.

□



**E Greenbriar Rd Residential
SC-2022-088**

	Existing Laneage
	Recommended Laneage
	Laneage Built By Others
	NCDOT Recommendation
	Existing Signal
	Signal Proposed By Others
	Developer Proposed Signal
	Storage
	NCDOT Recommended Storage
	Distance Between Intersections
	IPS
	Internal Protected Stem
All Distances in Feet	
Drawing Not to Scale	



DWO/JWH 9/9/2022



August 2, 2022

City of Statesville Planning Department
Attn: Sherry Ashley
301 S. Center Street
Statesville, NC 28677

RE: GREENBRIAR RIDGE ADDITIONAL CONDITION FOR CONSIDERATION

Dear Mrs. Ashley,

DR Horton would like to offer staff and council an additional condition for our Greenbriar Ridge project.

Greenbriar Ridge – Additional Conditions

Road improvements to be constructed as required by the approved traffic impact analysis study. Developer to install speed calming devices along Ora Drive with the following conditions:

- **NCDOT requires 70% of the homeowners along Ora Drive approve of the speed calming devices. If less than 70% of the homeowners approve of speed calming devices, the measures will not be installed by the developer.**
- **Speed calming devices will be maintained by the Greenbriar Ridge Home Owners Association.**
- **Quantity, type and location of speed calming devices to be reviewed and approved by NCDOT.**

Please find NCGA House Bill 182 outlining the standards and provisions that dictated the language of our condition. Please let us know if this is acceptable to your department. We are appreciative of your help and guidance through this process.

Thank you,

A handwritten signature in black ink, appearing to read "Logan J. Creech", is written over the typed name.

Logan Creech
Land Entitlement Project Manager
D.R. HORTON
8025 Arrowridge Boulevard
Charlotte, NC 28273
lfcreech@drhorton.com
Cell: 704-470-7073

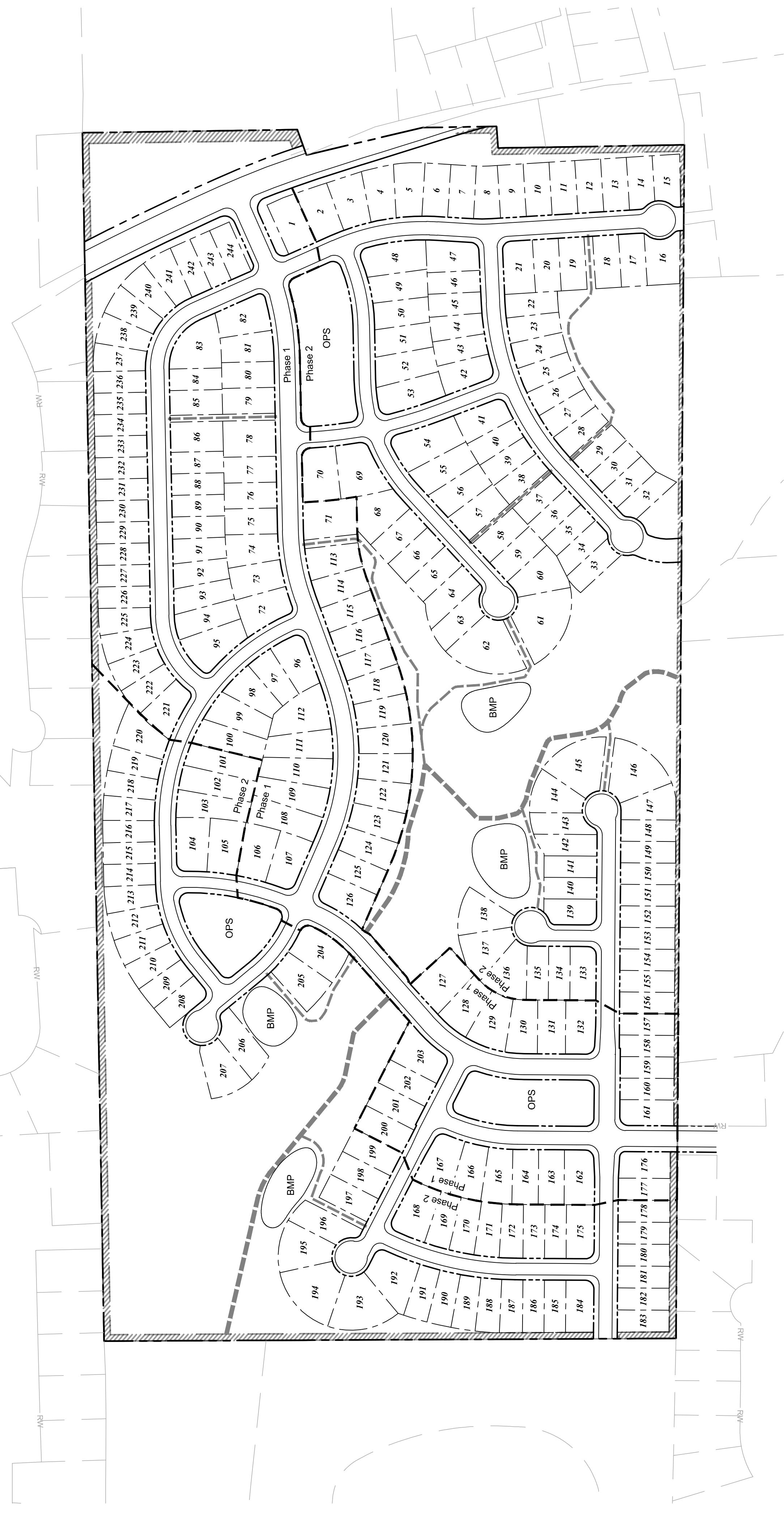
F. Greenbriar Rd
 Statesville, NC
 Lot Table

DESIGN BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	

REV	REVISION DESCRIPTION	DATE	DRAWN	CHECKED	APPROVED
BT			BT	BT	BT

D-R-HORTON
 America's Builders
 8001 Arrowidge Boulevard
 Charlotte, NC 28273

MERRICK
 301 S. MCCOY STREET, SUITE 300
 CHARLOTTE, NC 28204
 NO. 704.529.6500
 PHONE: 704.529.6500
 FAX: 704.529.6500
 THE ANY OTHER ELECTRONIC MEDIA CONVEYANCE IS AN AGREEMENT TO ACCEPT THE PROJECT AS SHOWN ON THESE PLANS. IT IS NOT INTENDED TO BE A SUBSTITUTE FOR A PROFESSIONAL ENGINEER'S REVIEW OF THE PROJECT OR ANY PART THEREOF. THE USER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. MERRICK ASSUMES NO LIABILITY FOR THE INFORMATION PROVIDED HEREON. MERRICK ASSUMES NO LIABILITY FOR THE INFORMATION PROVIDED HEREON. MERRICK ASSUMES NO LIABILITY FOR THE INFORMATION PROVIDED HEREON.



Not to Scale

Parcel #	Area (sq. ft.)
1	8,718
2	8,789
3	8,864
4	8,221
5	6,306
6	7,365
7	7,315
8	6,847
9	7,350
10	7,350
11	7,349
12	7,350
13	7,350
14	7,037
15	6,961
16	8,834
17	7,347
18	7,350
19	7,350
20	7,350
21	8,632
22	6,345
23	6,595
24	6,595
25	6,595
26	6,595
27	6,595
28	6,595
29	6,163
30	6,201
31	6,234
32	6,482
33	6,334
34	6,462
35	6,126
36	6,125
37	6,215
38	6,467
39	6,467
40	6,467
41	7,857
42	7,637
43	6,490
44	6,490
45	6,303
46	6,125
47	8,570
48	10,468
49	8,384
50	7,749
51	8,043
52	9,161
53	9,928
54	12,339
55	9,327
56	8,485
57	8,541
58	7,405
59	7,500
60	9,776
61	16,235
62	15,615
63	8,215
64	8,392
65	7,500
66	7,500
67	7,500
68	9,857
69	11,580
70	10,327
71	10,744
72	9,108
73	8,513
74	8,433
75	7,320
76	7,320
77	7,320
78	10,263
79	7,320
80	7,344
81	7,917
82	9,177
83	11,453
84	6,100
85	7,028
86	8,540
87	6,100
88	6,100
89	6,100
90	6,191
91	6,526
92	6,899
93	7,414
94	8,053
95	10,443
96	8,472
97	6,973
98	7,917
99	9,055
100	9,124
101	8,981
102	9,418
103	9,160
104	9,310
105	9,505
106	9,505
107	9,002
108	10,110
109	9,715
110	9,561
111	9,078
112	11,172
113	8,242
114	7,851
115	7,500
116	7,500
117	7,600
118	8,007
119	8,007
120	8,007
121	8,007
122	8,007
123	8,007
124	7,900
125	7,500
126	9,126
127	11,242
128	8,699
129	9,448
130	8,290
131	8,125
132	8,571
133	7,477
134	6,250
135	6,317
136	9,606
137	9,459
138	9,103
139	6,952
140	6,125
141	6,125
142	6,778
143	6,773
144	8,742
145	13,125
146	13,754
147	8,135
148	6,375
149	6,375
150	6,375
151	6,375
152	6,375
153	6,375
154	6,375
155	6,375
156	6,375
157	6,375
158	6,328
159	6,251
160	6,251
161	7,414
162	8,799
163	7,650
164	7,708
165	8,259
166	8,256
167	10,066
168	10,094
169	6,726
170	6,726
171	6,724
172	6,523
173	6,250
174	6,250
175	8,039
176	7,272
177	6,120
178	6,120
179	6,120
180	6,120
181	6,120
182	6,120
183	6,149
184	7,793
185	6,092
186	6,124
187	6,337
188	6,550
189	6,546
190	6,538
191	6,531
192	10,997
193	13,754
194	13,754
195	10,417
196	8,537
197	7,500
198	7,500
199	7,500
200	7,500
201	7,500
202	7,350
203	9,680
204	10,263
205	9,476
206	9,312
207	9,745
208	6,874
209	6,308
210	6,600
211	6,600
212	6,600
213	6,600
214	6,090
215	6,000
216	6,093
217	6,382
218	6,382
219	6,382
220	8,962
221	8,188
222	6,781
223	6,818
224	6,852
225	6,628
226	6,050
227	6,050
228	6,050
229	6,050
230	6,050
231	6,050
232	6,050
233	6,050
234	6,050
235	6,050
236	6,050
237	6,866
238	7,217
239	7,289
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241	7,166
242	6,250
243	6,250
244	6,250

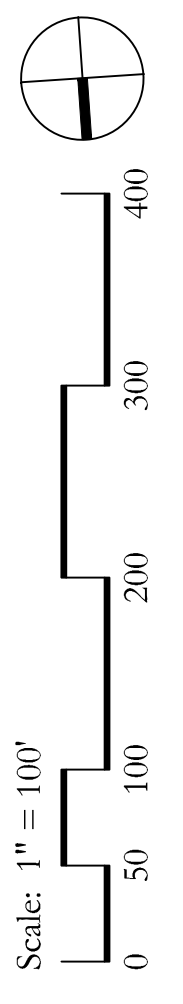
E. Greenbriar Rd
Statesville, NC
Conditional Rezoning
Illustrative Rendering

DESIGN BY:	
CHECKED BY:	
APPROVED BY:	
DATE:	

REV.	REVISION DESCRIPTION	DATE	DRAWN	CHECKED	APPROVED

D-R-HORTON
America's Builders
8001 Arrowidge Boulevard
Charlotte, NC 28273

MERRICK
301 S. McDowell Street, Suite 300
Charlotte, NC 28204
Phone: 704.529.6500



CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: Scott Harrell, Assistant City Manager
Brian Roberts, Finance Director

DATE: September 22, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Receive a presentation from Enterprise Fleet Management and consider directing staff to obtain a detailed proposal for fleet management services.

- 1. Summary of Information:** City staff from the Finance, Police and Public Works departments have been discussing fleet maintenance options with Enterprise Fleet Management. It appears that for some vehicles there may be more cost-effective options than the City's traditional pay-go approach to vehicle procurement. A representative from Enterprise Fleet Maintenance will be present to provide an overview of fleet maintenance options and to discuss potential benefits to the City.
- 2. Previous Council or Relevant Actions:** The City has traditionally utilized a pay-go approach for vehicle and equipment procurement. In recent years, debt and lease arrangements have been approved, with several vehicles in the current year budget identified as debt purchases.
- 3. Budget/Funding Implications:** Incorporating a combination of pay-go, lease, and debt options for City's fleet will result in lower fleet maintenance costs and will help level out the year-to-year capital expenditures on vehicles and equipment. Enterprise Fleet Management has an active contract with Sourcewell, a public procurement services provider. The City of Statesville is a member of Sourcewell, which means the City can obtain services and make purchases from Sourcewell contract holders (such as Enterprise FM) and satisfy public bidding and purchasing requirements.
- 4. Consequences for Not Acting:** The current model of predominantly pay-go vehicle procurement with occasional debt purchases will continue.
- 5. Department Recommendation:** Staff recommends that a detailed proposal be developed by Enterprise Fleet Management for consideration by Council for the FY2022-23 capital plan.
- 6. Manager Comments:**
- 7. Next Steps:**
 - a. If approved, staff will work with Enterprise FM to develop a detailed proposal for FY2022-23 vehicle procurement.
 - b. Staff will present the Enterprise FM proposal to Council for consideration and action.

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager
FROM: Richard Griggs, Recreation and Parks Director
DATE: September 20, 2022

ACTION NEEDED ON: October 03, 2022
(Date of Council Meeting)

Consider adopting the 2022 Route 2 Recreation Master Plan.

- 1. Summary of Information:** The development of the 2022 Route 2 Recreation Master Plan (R2) began in 2020, with the establishment of a R2 team consisting of various stakeholders from the community as an advisory committee, over 20 interviews with various other stakeholders, 1 public workshop held at the civic center, 12 community meetings held at various Recreation & Parks facilities, online surveying via available on social media and the City website, and statistically valid surveys distributed via postal service.
- 2. Previous Council or Relevant Actions:** The last Master Plan was developed for the Recreation and Parks Department in 2003. The plan vision was for 10 years. An in-house inventory update was performed in 2016.
- 3. Budget/Funding Implications:** Adopting the 2022 Route 2 Recreation Master Plan will provide guidance and prioritization for the Recreation & Parks Department budget for the next several years. The plan establishes operating budget goals and objectives and capital project priorities such as property acquisition and facility expansion.
- 4. Consequences for Not Acting:** The Department would continue to reference the Recreation and Parks Facilities Master Plan developed in 2003.
- 5. Department Recommendation:** The department recommends approving 2022 Route 2 Recreation Master Plan.
- 6. Manager Comments:**
- 7. Next Steps:** If the plan is approved, it will replace the 2003 Recreation and Parks Facilities Master Plan and establish priorities for recreation and parks projects and programs.
- 8. Attachments:** Route 2 Recreation Master Plan

RECOMMENDATIONS & IMPLEMENTATION

Opinion of Probable Construction Costs

Based on cost estimates derived from the City of Statesville Recreation and Parks Facilities assessments, projects identified in the CIP, and recommendations associated with the Route 2 Recreation Master Plan Vision, the estimated probable capital improvement cost is approximately \$39,520,065 in 2022 dollars for complete implementation of all aspects of the Vision. The Vision includes system improvements anticipated to occur to establish and maintain parks delivery within the next ten (10) years consistent with the growth in the City. The following provides a more detailed description of the probable costs.

Continue to grow programs in the following areas:

- ◇ **Youth sports** - including newer and non-traditional team sports, individual, and adventure sports
- ◇ **Special events** - especially culturally-based activities
- ◇ **Fitness/wellness** - with a strong emphasis on wellness
- ◇ **Seniors** - with a focus on the younger more active seniors
- ◇ **Cultural arts** - especially the performing arts
- ◇ **Youth camps/after school** – expand the variety of specialty camps and provide additional after school programs
- ◇ **Self-directed programs** – the ability for the community to recreate on their own will always be important and the demand will only continue to grow.

For additional information regarding the Route 2 Recreation Statesville Recreation and Parks Master Plan, contact the City's Recreation and Department.

227 S. Center Street, Statesville, NC 28687

https://www.statesvillenc.net/departments/recreation___parks
(704) 878-3550



Route 2 Recreation RECREATION & PARKS MASTER PLAN

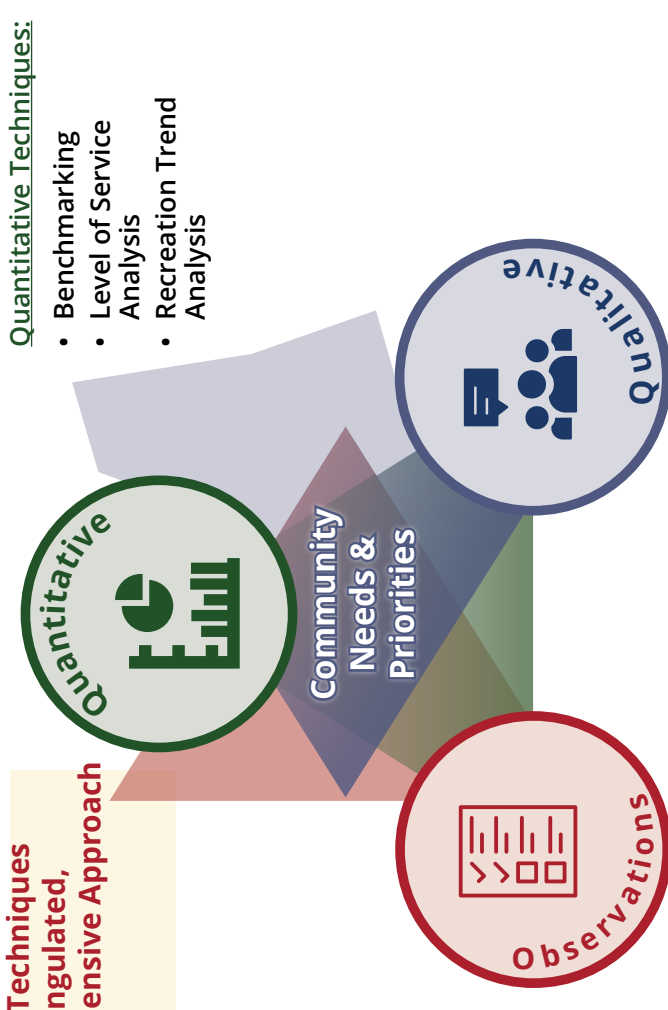
Purpose of the Plan

The Route 2 Recreation Statesville Recreation and Parks Master Plan is a long-range planning document that is meant to help shape the direction, development, and delivery of the City's recreation and parks facilities over the course of the next 10–15 years. Based on a comprehensive planning approach, this plan considers previous planning documents, department goals, existing conditions, and an assessment of needs to provide a framework for the department vision, recommendations, and prioritization strategies.

DATA ANALYSIS PROCESS

To gain an accurate understanding of the City of Statesville's Parks and Recreation system, the project team utilized a Triangulated Comprehensive Approach to data analysis. The following diagram identifies these techniques:

Multiple Techniques for a Triangulated, Comprehensive Approach



Quantitative Techniques:

- Benchmarking
- Level of Service Analysis
- Recreation Trend Analysis

Observational Techniques:

- Individual Park Evaluations
- Programming Analysis
- Operations and Maintenance Analysis
- Population and Demographic Overview

Qualitative Techniques:

- Stakeholder Interviews + Focus Groups
- Community Workshops
- Special Events
- Social Media
- Websites
- Online Survey
- Community Interest Survey

SYSTEM INVENTORY & ANALYSIS

SUCCESSES IN THE EXISTING SYSTEM:

- ◇ Compared to other communities of similar size, the **acreage level of service is high.**
- ◇ Within the core of the Town, **access to existing parks and recreation facilities is good.**
- ◇ The Town's **parks and facilities are in good shape.**
- ◇ The Town offers a **large number of programs that have high participation rates** compared to similar-sized communities.
- ◇ The Town's commitment to a higher quality of life through parks and recreation is demonstrated through their **continuing strategic planning** through completed and on-going plans.

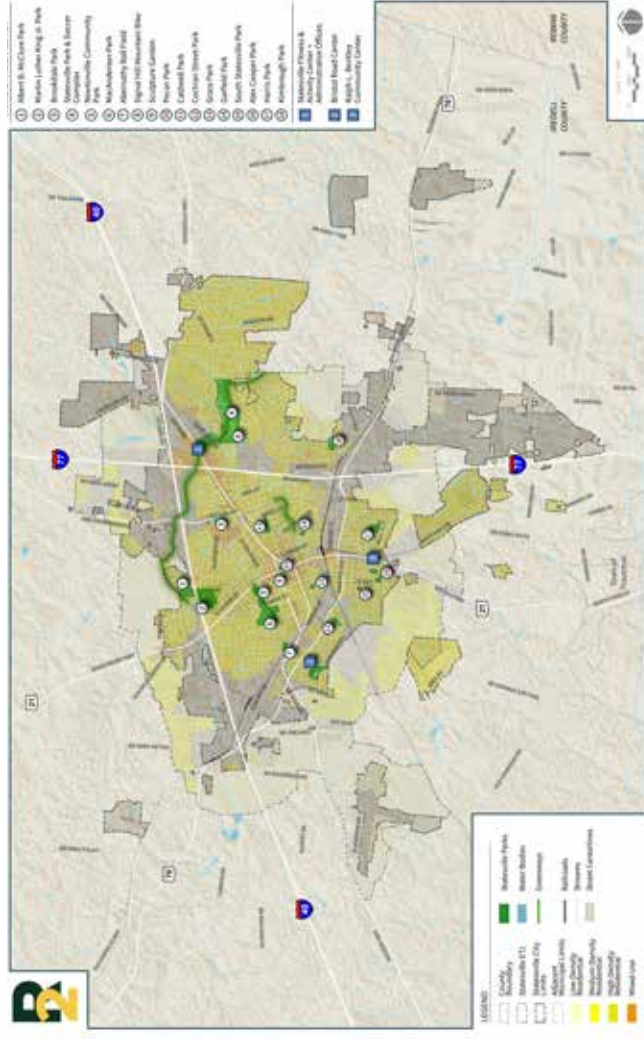
OPPORTUNITIES FOR IMPROVEMENT:

- ◇ With regard to **Design and Construction**, the results indicate that improvements could be made in employing design standards for branding.

- ◇ With regard to **Effectiveness**, the results indicate that improvements could be made to provide opportunities at each park for all ages and promote good health and fitness.
- ◇ With regard to **Comfort and Image**, the results indicate that there could be more places to sit at park facilities.
- ◇ With regard to **Access and Linkages**, the results indicate that improvements to signage / wayfinding and opportunities for people with special needs are warranted.
- ◇ With regard to **Social Sustainability**, the results indicate that parks and facilities are in good shape.
- ◇ With regard to **Environmental Sustainability**, the results indicate that improvements could be made to enhance water quality, biodiversity and educate visitors by providing educational opportunities for environmental awareness.
- ◇ With regard to **Economic Sustainability**, the results indicate that opportunities to generate revenue could be enhanced.

POPULATION GROWTH

Between 1990 and 2020, the City of Statesville witnessed an approximate 30% increase in population. The City has continued to grow and has begun showing potential to experience an increase in population growth that outpaces the County between now and 2030. This growth not only has direct implications for recreation and parks services within the City, but much broader regional impacts that will affect all aspects of life.



VISION GOALS BY SUBSYSTEM

Neighborhood Parks & Open Space

- ◇ Continue to provide a high level of service for neighborhood-based parks and open spaces while responding to growth.
- ◇ Pursue the development of parks and open spaces in under-served sections of the city including areas north of Interstate 40 and South Statesville.
- ◇ Ensure existing and future neighborhood parks provide appropriate and high-quality amenities for their users.

Community Parks & Athletic Facilities

- ◇ Provide outdoor fields and athletic facilities that meet the needs of existing and future populations.
- ◇ Develop a new indoor, multi-use facility and renovate smaller existing facilities to support the expanding needs and participation of a growing population.
- ◇ Provide water-based recreation opportunities.

Natural Areas & Sustainability

- ◇ Provide access to natural areas and environmental education through Statesville Recreation and Parks.
- ◇ Utilize sustainable design principles in new and existing parks.

Programs, Community Health & Special Events

- ◇ Continue to provide a high quality of life for residents by promoting a healthy lifestyle through parks and recreation services.

Connectivity & Access

- ◇ Continue to develop greenways and trails, in and around Statesville.
- ◇ Identify walkability gaps and access barriers, and opportunities to improve connections between parks, residents, and other areas of interest.
- ◇ Develop Signage, Wayfinding and Trailheads.



VISION DEVELOPMENT

Purpose

The vision for the Route 2 Recreation Parks and Recreation Master Plan and programs is linked to the vision of the city. The City's system of parks, open spaces, recreation facilities, arts, and natural areas, all elements of the public realm, are woven into the fabric of what makes Statesville a great place to live, work and play. This vision integrates components of previous and ongoing City-wide efforts to achieve the overall vision for the City defined in previous planning efforts.

Mission Statement

The Mission of the Statesville Recreation & Parks Department is to connect all people and the community through quality parks, facilities, and programs.

Vision Statement

The Statesville Recreation and Parks Department strives to enhance the quality of life for citizens of Statesville through recreation programs, facilities, and experiences designed to meet the leisure needs of the community and to provide people of every age, race, and creed an opportunity to come together, participate, create, and share the positive experiences of life.

Vision Workshop & Framework Development

Approach

Route 2 Recreation is based on input of participants from these workshops, the public comments, and from the needs and priorities assessment. The visioning efforts balanced community input with strategic direction provided by guiding documents and stakeholder engagement to develop a new vision. This Vision strives to integrate the parks and recreation system into the City's infrastructure, while also addressing evolving trends and changing needs of the community.

COMMUNITY NEEDS ASSESSMENT

Assessing the recreational needs of the community from their perspective is critical to understanding both needs and aspirations. Public involvement is the cornerstone of any successful planning process. Researching, understanding and accurately reflecting community needs is how successful master plans are built.



Community Needs Assessment Summary

Examination of the results from the online survey, mail-in surveys and community meetings revealed numerous similarities and consensus regarding recreational needs and priorities from the community's perspective. Results also shed light on why residents do not participate in programs and their level of support for various methods of financing improvements.

Following are the top 10 preferences for new or additional programs identified from these three sources of community input taken together:

- ◇ Additional Teen Programs
- ◇ Adventure Programs
- ◇ Nature Programs
- ◇ Additional Special Events
- ◇ Aquatic Programs
- ◇ Additional Adult Sports Leagues
- ◇ Senior / Active Adult Programs
- ◇ Special Needs Programs
- ◇ Summer Camps
- ◇ Preschool / Early Childhood Programs



PROPOSED 2032 MASTER PLAN

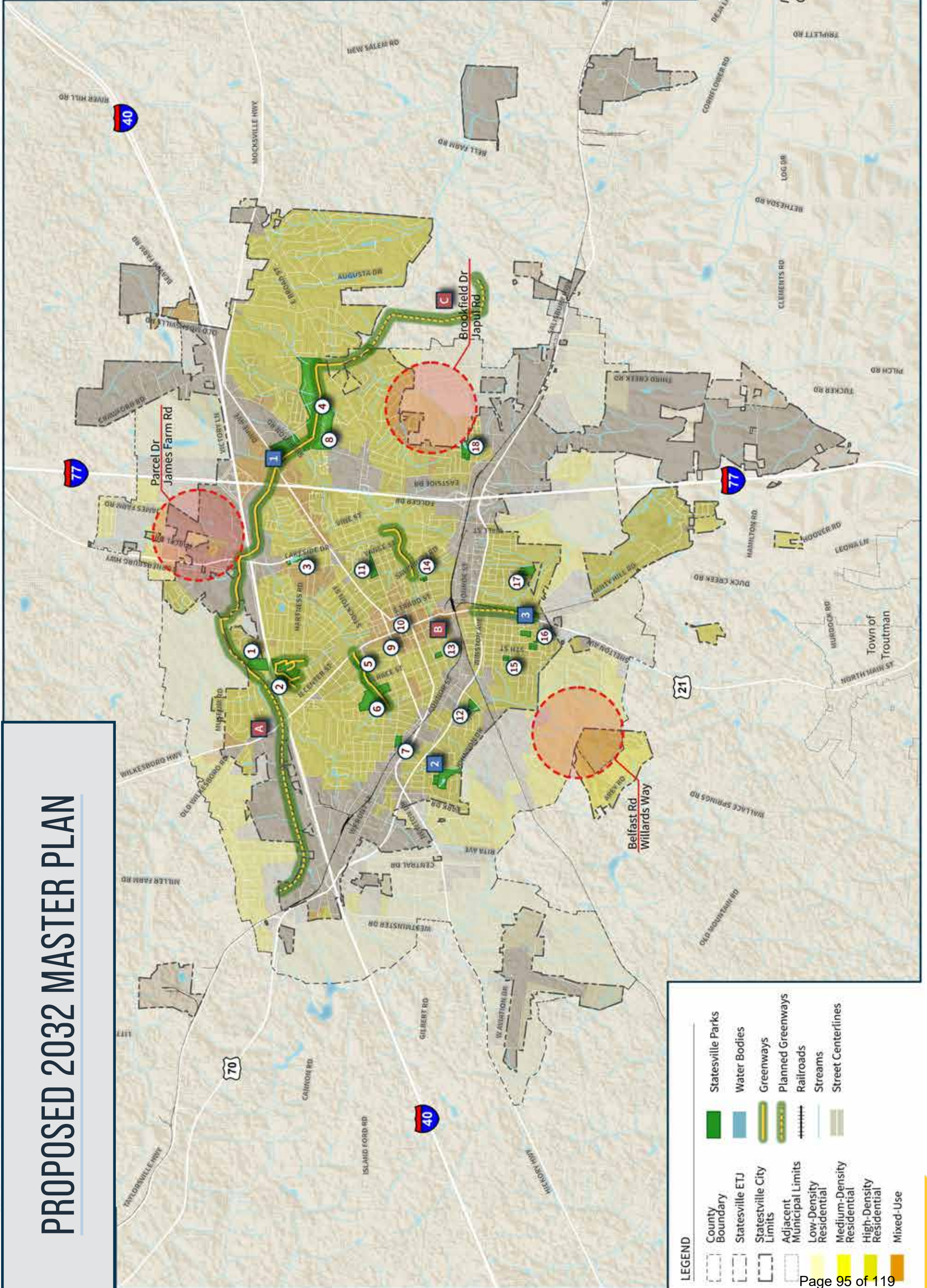
PARKS & FACILITIES KEY

- 1 Albert B. McClure Park
- 2 Martin Luther King Jr. Park
- 3 Brookdale Park
- 4 Statesville Park & Soccer Complex
- 5 Newtonville Community Park
- 6 MacAnderson Park
- 7 Abernathy Ball Field
- 8 Signal Hill Mountain Bike Sculpture Garden
- 9 Pecan Park
- 10 Caldwell Park
- 11 Cochran Street Park
- 12 Grace Park
- 13 Garfield Park
- 14 South Statesville Park
- 15 Alex Cooper Park
- 16 Harris Park
- 17 Kimbrough Park

- 1 Statesville Fitness & Activity Center + Administrative Offices
- 2 Bristol Road Center
- 3 Ralph L. Bentley Community Center

Proposed Park

- Proposed Greenways
- A Gregory Creek Greenway
 - B Shelton Ave - Central St
 - C Fourth Creek - Big Leaf



LEGEND

	County Boundary		Statesville Parks
	Statesville ETJ Limits		Water Bodies
	Statesville City Limits		Greenways
	Adjacent Municipal Limits		Planned Greenways
	Low-Density Residential		Railroads
	Medium-Density Residential		Streams
	High-Density Residential		Street Centerlines
	Mixed-Use		

PROPOSED IMPROVEMENTS TO EXISTING FACILITIES

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Existing Parks, Facilities and Greenways

		Unit	Quantity	Unit Cost	Subtotal
1. FACILITIES					
A. Existing City Parks					
ALL	As Needed All Facilities				
ALL	Wayfinding Signage				
ALL	<i>Directional and park signs</i>	Allowance	1	\$50,000	\$50,000
ALL	Magnetic Locking Systems				
ALL	<i>All existing restrooms (to be included with new restrooms)</i>	Allowance	1	\$50,000	\$50,000
ALL					\$100,000
ALL	As Needed All Facilities Total				\$100,000
ABF Abernathy Ball Field					
ABF	Improvements to Existing Facilities & Amenities				
ABF	<i>Renovate restrooms</i>	Allowance	1	\$65,000	\$65,000
ABF	<i>Site Improvements (walkways, parking, landscape, signage)</i>	Allowance	1	\$50,000	\$50,000
ABF					\$115,000
ABF					
ABF	New Facilities & Amenities				\$0
ABF					\$0
ABF					\$0
ABF	Abernathy Ball Field Total				\$115,000
ABM Albert B McClure Park					
ABM	Improvements to Existing Facilities & Amenities				
ABM	<i>Add fill, regrade and resprig grass outfields</i>	Allowance	1	\$125,000	\$125,000
ABM	<i>Replace field fencing</i>	Allowance	1	\$50,000	\$50,000
ABM	<i>Replace existing shelters</i>	Allowance	1	\$130,000	\$130,000
ABM	<i>Renovate restrooms</i>	Allowance	1	\$50,000	\$50,000
ABM					\$355,000
ABM					
ABM	New Facilities & Amenities				
ABM	<i>Reconfigure all field layout to cloverleaf design</i>	Allowance	1	\$750,000	\$750,000
ABM	<i>New playground installation</i>	Allowance	1	\$75,000	\$75,000
ABM					\$825,000
ABM	Albert B McClure Park Total				\$1,180,000
ACP Alex Cooper Park					
ACP	Improvements to Existing Facilities & Amenities				
ACP	<i>Replace playground</i>	Allowance	1	\$100,000	\$100,000
ACP	<i>Install new picnic shelter</i>	Allowance	1	\$65,000	\$65,000
ACP					\$165,000
ACP					
ACP	New Facilities & Amenities				
ACP	<i>Add new restroom facility</i>	Allowance	1	\$200,000	\$200,000
ACP					\$200,000
ACP	Alex Cooper Park Total				\$365,000
BRP Bristol Road Park					
BRP	Improvements to Existing Facilities & Amenities				
BRP	<i>Pave existing drive to shelter and pond</i>	Allowance	1	\$82,000	\$82,000
BRP	<i>Replace shelter</i>	Allowance	1	\$65,000	\$65,000
BRP	<i>Install lighting in shelter</i>	Allowance	1	\$25,000	\$25,000
BRP					\$172,000
BRP					
BRP	New Facilities & Amenities				
BRP	<i>Walking trails</i>	Allowance	1	\$150,000	\$150,000
BRP	<i>Add new shelter</i>	Allowance	1	\$65,000	\$65,000
BRP					\$215,000
BRP	Bristol Road Park Total				\$387,000

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Existing Parks, Facilities and Greenways

		Unit	Quantity	Unit Cost	Subtotal
BLP	Brookdale Lake Park				
BLP	Improvements to Existing Facilities & Amenities				\$0
BLP	Subtotal:				\$0
BLP	New Facilities & Amenities				\$0
BLP	Subtotal:				\$0
BLP	Brookdale Lake Park Total				\$0
CP	Caldwell Park				
CP	Improvements to Existing Facilities & Amenities				
	<i>Replace all courts w/pickleball, tennis, basketball & walled soccer</i>	Allowance	1	\$400,000	\$400,000
CP	<i>Renovate existing bathrooms / shelter</i>	Allowance	1	\$185,000	\$185,000
CP	Subtotal:				\$585,000
CP	New Facilities & Amenities				
CP	<i>Install irrigation system</i>	Allowance	1	\$35,000	\$35,000
CP	<i>Install retaining walls</i>	Allowance	1	\$75,000	\$75,000
CP	Subtotal:				\$110,000
CP	Caldwell Park Total				\$695,000
CSB	Cochran Street Ballfields				
CSB	Improvements to Existing Facilities & Amenities				
CSB	<i>Renovate existing bathrooms</i>	Allowance	1	\$65,000	\$65,000
CSB	<i>Renovate existing ballfield</i>	Allowance	1	\$30,000	\$30,000
CSB	Subtotal:				\$95,000
CSB	New Facilities & Amenities				
CSB	Subtotal:				\$0
CSB	Cochran Street Ballfields Total				\$95,000
GFP	Garfield Park				
GFP	Improvements to Existing Facilities & Amenities				
GFP	Subtotal:				\$0
GFP	New Facilities & Amenities				
GFP	Subtotal:				\$0
GFP	Garfield Park Total				\$0
GP	Grace Park				
GP	Improvements to Existing Facilities & Amenities				
GP	<i>Replace existing storage building w/picnic shelter</i>	Allowance	1	\$75,000	\$75,000
GP	Subtotal:				\$75,000
GP	New Facilities & Amenities				
GP	Subtotal:				\$0
GP	Grace Park Total				\$75,000

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Existing Parks, Facilities and Greenways

		Unit	Quantity	Unit Cost	Subtotal
HP	Harris Park				
HP	Improvements to Existing Facilities & Amenities				
HP	<i>Replace existing swings</i>	Allowance	1	\$20,000	\$20,000
	<i>Replace playground</i>	Allowance	1	\$150,000	\$150,000
HP	<i>Replace existing shelter</i>	Allowance	1	\$65,000	\$65,000
	<i>Renovate multi-purpose field</i>	Allowance	1	\$100,000	\$100,000
HP	Subtotal:				\$335,000
HP	New Facilities & Amenities				
	<i>Install new picnic shelter</i>	Allowance	1	\$65,000	\$65,000
	<i>Develop walking trail</i>	Allowance	1	\$150,000	\$150,000
HP	<i>Fencing along parking at multi-purpose field</i>	Allowance	1	\$10,000	\$10,000
HP	Subtotal:				\$225,000
HP	Harris Park Total				\$560,000
KP	Kimbrough Park				
KP	Improvements to Existing Facilities & Amenities				
KP	<i>Replace existing swings</i>	Allowance	1	\$20,000	\$20,000
	<i>Replace and relocate playground</i>	Allowance	1	\$100,000	\$100,000
KP	<i>Replace and relocate existing shelter</i>	Allowance	1	\$65,000	\$65,000
KP	<i>Renovate existing pond</i>	Allowance	1	\$75,000	\$75,000
KP	Subtotal:				\$260,000
KP	New Facilities & Amenities				
KP	Subtotal:				\$0
KP	Kimbrough Park Total				\$260,000
MAP	Mac Anderson Park				
MAP	Improvements to Existing Facilities & Amenities				
MAP	<i>Repave existing entry drive, park roads and parking areas</i>	Allowance	1	\$160,000	\$160,000
MAP	<i>Improve drainage swales and stormwater piping</i>	Allowance	1	\$75,000	\$75,000
MAP	<i>Renovate and regrade existing trails</i>	Allowance	1	\$85,000	\$85,000
MAP	Subtotal:				\$320,000
MAP	New Facilities & Amenities				
MAP	<i>Install pickleball (4) and bocce courts (2)</i>	Allowance	1	\$250,000	\$250,000
MAP	Subtotal:				\$250,000
MAP	Mac Anderson Park Total				\$570,000
MLK	Martin Luther King, Jr. Park				
MLK	Improvements to Existing Facilities & Amenities				
MLK	<i>Replace existing pond gabions (600 lf)</i>	Allowance	1	\$60,000	\$60,000
MLK	<i>Replace existing swings (2)</i>	Allowance	1	\$40,000	\$40,000
MLK	<i>Renovate existing trails</i>	Allowance	1	\$115,000	\$115,000
MLK	<i>Replace existing playgrounds (2)</i>	Each	2	\$200,000	\$400,000
MLK	Subtotal:				\$615,000
MLK	New Facilities & Amenities				
MLK	<i>Install retaining walls</i>	Allowance	1	\$50,000	\$50,000
MLK	<i>Concrete walkways to shelters and restrooms</i>	Allowance	1	\$75,000	\$75,000
MLK	Subtotal:				\$75,000
MLK	Martin Luther King, Jr. Park Total				\$690,000
NP	Newtonville Park				
NP	Improvements to Existing Facilities & Amenities				
NP	<i>Replace existing playground</i>	Allowance	1	\$100,000	\$100,000
NP	Subtotal:				\$100,000
NP	New Facilities & Amenities				
NP	<i>Asphalt parking area</i>	Allowance	1	\$10,000	\$10,000
NP	Subtotal:				\$10,000
NP	Newtonville Park Total				\$110,000

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Existing Parks, Facilities and Greenways

		Unit	Quantity	Unit Cost	Subtotal
PP	Pecan Park				
PP	Improvements to Existing Facilities & Amenities				
PP					\$0
PP	Subtotal:				\$0
PP	New Facilities & Amenities				
PP	<i>Install rhythm park or similar</i>	Allowance	1	\$25,000	\$25,000
PP	Subtotal:				\$25,000
PP	Pecan Park Total				\$25,000
SG	Sculpture Garden				
SG	Improvements to Existing Facilities & Amenities				
SG					\$0
SG	Subtotal:				\$0
SG	New Facilities & Amenities				
SG					\$0
SG	Subtotal:				\$0
SG	Sculpture Garden Total				\$0
SSP	South Statesville Park & Playground				
SSP	Improvements to Existing Facilities & Amenities				
SSP	<i>Total park renovation</i>	Allowance	1	\$500,000	\$500,000
SSP	Subtotal:				\$500,000
SSP	New Facilities & Amenities				
SSP					\$0
SSP	Subtotal:				\$0
SSP	South Statesville Park & Playground Total				\$500,000
SSC	Statesville Park & Soccer Complex				
SSC	Improvements to Existing Facilities & Amenities				
SSC	<i>Replace existing playgrounds (2)</i>	Each	2	\$100,000	\$200,000
SSC	Subtotal:				\$200,000
SSC	New Facilities & Amenities				
SSC	<i>Soccer field lighting (3)</i>	Lump Sum	1	\$350,000	\$350,000
SSC	<i>Volleyball courts (sand)</i>	Each	2	\$30,000	\$60,000
SSC	<i>New maintenance building</i>	Allowance	1	\$26,000	\$26,000
SSC	Subtotal:				\$436,000
SSC	Statesville Park & Soccer Complex Total				\$636,000
B. Existing Community Centers and Facilities					
BCC	Bentley Community Center				
BCC	Improvements to Existing Facilities & Amenities				
BCC	<i>Expansion and renovation</i>	Allowance	1	\$500,000	\$500,000
BCC	Subtotal:				\$500,000
BCC	New Facilities & Amenities				
BCC					\$0
BCC	Subtotal:				\$0
BCC	Bentley Community Center Total				\$500,000
BRC	Bristol Road Center				
BRC	Improvements to Existing Facilities & Amenities				
BRC	<i>Expansion and renovation</i>	Allowance	1	\$500,000	\$500,000
BRC	Subtotal:				\$500,000
BRC	New Facilities & Amenities				
BRC					\$0
BRC	Subtotal:				\$0
BRC	Bristol Road Total				\$500,000

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Existing Parks, Facilities and Greenways

		Unit	Quantity	Unit Cost	Subtotal
SAC	Statesville Fitness & Activity Center				
SAC	Improvements to Existing Facilities & Amenities				
SAC	<i>Expansion and renovation</i>	Allowance	1	\$750,000	\$750,000
SAC	Subtotal:				\$750,000
SAC	New Facilities & Amenities				\$0
SAC	Subtotal:				\$0
SAC	Statesville Fitness & Activity Center Total				\$750,000
Existing Parks, Open Spaces and Facilities Subtotal:					\$8,113,000

C. Existing Trails and Greenways

TG	Fourth Creek Greenway				
	<i>Streambank stabilization/restoration, ecosystem revitalization</i>	Allowance	1	\$250,000	\$250,000
	Subtotal:				\$250,000
TG	Gregory Creek Greenway				
	<i>Streambank stabilization/restoration, ecosystem revitalization</i>	Allowance	1	\$250,000	\$250,000
	Subtotal:				\$250,000
Existing Trails and Greenways Subtotal:					\$500,000
Planning, Design & Permitting					\$3,100,680
Contingency					\$1,722,600
Existing Facility Improvements					\$13,436,280

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

NEW Proposed Parks, Open Spaces, Greenways & Facilities

		Unit	Quantity	Unit Cost	Subtotal
1. Facilities					
A. City Identified Park and Facility Development Projects					
Special Facilities					
FCS	Outdoor Event Space				
FCS	<i>Land Acquisition</i>	Allowance	1	\$200,000	\$200,000
FCS	<i>Amphitheater (Covered stage, approx 300 person capacity)</i>	Allowance	1	\$850,000	\$850,000
FCS	<i>Passive Open Space, Parking, Public Art, Signage</i>	Lump Sum	1	\$450,000	\$450,000
FCS	Subtotal:				\$1,500,000
FCS	Downtown Teen Center				
FCS	<i>Multi-purpose facility, classroom and event spaces</i>	Allowance	1	\$250,000	\$250,000
FCS	Subtotal:				\$250,000
FCS	Aquatic Facility (Pool, lap lanes, office/support facilities)				
FCS	<i>Approximately 12,000 SF</i>	SF	12,000	\$300	\$3,600,000
FCS	Subtotal:				\$3,600,000
FCS	Miniature Golf Course				
FCS	<i>18-holes, minimal excavation, 25 ft avg hole length</i>				
FCS	<i>Lighting, landscaping, sidewalks</i>	Lump Sum	1	\$350,000	\$350,000
FCS	Subtotal:				\$350,000
FCS	Splash Pad				
FCS	<i>Recirculating system</i>	Lump Sum	1	\$250,000	\$250,000
FCS	Subtotal:				\$250,000
FCS	Skate Park / Pump Track				
FCS	<i>Vert/Street Skate</i>	Lump Sum	1	\$400,000	\$400,000
FCS	Subtotal:				\$400,000
FCS	Special Facilities Improvement Total:				\$6,350,000
FCS	<i>Planning, Design & Permitting</i>	ls	30%		\$2,286,000
FCS	Subtotal:				\$2,286,000
FCS	<i>Contingency</i>	ls	20%		\$1,270,000
FCS	Subtotal:				\$1,270,000
FCS	Proposed Special Facilities Total:				\$9,906,000
B. Proposed Parks to Improve LOS					
Multiple Locations (General Locations Identified - 3)					
PP	Proposed Parks				
PP	Land Acquisition				
PP	<i>Two (2) 5-acre average size park sites</i>	Acre	10	\$30,000	\$300,000
PP	<i>One (1) 15-acre park site</i>	Acre	15	\$30,000	\$450,000
PP	Subtotal:				\$750,000
PP	Neighborhood Park Level Additions/Improvements				
PP	<i>Sitework and preparation</i>	Acre	5	\$35,000	\$175,000
PP	<i>Sidewalk/Pathway Renovations and Additions (varies by condition and location)</i>	LF	1000	\$100	\$100,000
PP	<i>New Crosswalks (ADA accessible, high-visibility markings)</i>	Each	1	\$15,000	\$15,000
PP	<i>Play Equipment</i>	Each	1	\$150,000	\$150,000
PP	<i>Park Amenities</i>	Allowance	1	\$175,000	\$175,000
PP	<i>Enhanced Park Entry (one on each side of park)</i>	Allowance	1	\$15,000	\$15,000
PP	<i>Additional Signage (Park signage, regulatory & wayfinding)</i>	Allowance	1	\$10,000	\$10,000
PP	<i>Landscape Improvements (Green space improvements, native plantings, shade trees)</i>	Allowance	1	\$25,000	\$25,000
PP	<i>Stormwater Mitigation Improvements</i>	Allowance	1	\$50,000	\$50,000
PP	<i>Public Art Installation</i>	Allowance	1	\$20,000	\$20,000
PP	Subtotal:				\$735,000
PP	Neighborhood Park Improvement Total (no land costs):				\$1,470,000

Route 2 Recreation: Statesville Parks and Recreation Master Plan

Vision - Order of Magnitude Estimate of Probable Capital Improvement Costs (2021)

Proposed Parks, Open Spaces, Greenways & Facilities

		Unit	Quantity	Unit Cost	Subtotal
PP	Community Park Level Additions/Improvements				
PP	<i>Sitework and preparation</i>	Acre	15	\$35,000	\$525,000
PP	<i>Sidewalk/Pathway Renovations and Additions</i>	LF	3000	\$100	\$300,000
PP	<i>New Crosswalks (ADA accessible, high-visibility markings)</i>	Each	4	\$15,000	\$60,000
PP	<i>Play Equipment</i>	Each	1	\$250,000	\$250,000
PP	<i>Park Amenities</i>	Allowance	1	\$350,000	\$350,000
PP	<i>Enhanced Park Entry (multiple entries)</i>	Allowance	1	\$45,000	\$45,000
PP	<i>Additional Signage (Park signage, regulatory & wayfinding)</i>	Allowance	1	\$30,000	\$30,000
PP	<i>Landscape Improvements (Green space improvements, native plantings, shade trees)</i>	Allowance	1	\$100,000	\$100,000
PP	<i>Stormwater Mitigation Improvements</i>	Allowance	1	\$175,000	\$175,000
PP	<i>Public Art Installation</i>	Allowance	1	\$20,000	\$20,000
PP	Subtotal:				\$1,855,000
PP	Community Park Improvement Total (no land costs):				
PP	<i>Planning, Design & Permitting</i>	Is	30%		\$1,197,000
PP	Subtotal:				\$1,197,000
PP	<i>Contingency</i>	Is	20%		\$665,000
PP	Subtotal:				\$665,000
PP	Proposed Parks Total (including land costs):				
PP					\$5,937,000

C. Trails and Greenways					
Approximate Length of Priority Trails and Greenways - 5 miles					
TG	Shelton Ave Linear Park (Amity Hill Rd to Garner-Bagnal Blvd)				
TG	<i>Concrete Multiuse Trail, building demolition, site prep, clearing, grading, specialty paving)</i>	Mile	0.75	\$2,600,000	\$1,950,000
TG	<i>Utility relocations and removals</i>	Allowance	1	\$900,000	\$900,000
TG	<i>Boardwalk with cable rail</i>	Allowance	1	\$550,000	\$550,000
TG	<i>Park elements and landscaping</i>	Allowance	1	\$900,000	\$900,000
TG	<i>Public Art Allowance</i>	Allowance	1	\$20,000	\$20,000
TG	Subtotal:				\$4,320,000
TG	Fourth Creek South Extension (Fourth Creek Trailhead to Bigleaf Slopes Park)				
TG	<i>Asphalt Multiuse Trail (Base cost for asphalt trail, clearing and grading, swales)</i>	Mile	2.5	\$300,000	\$750,000
TG	<i>Neighborhood Trailheads and Entrances</i>	Each	2	\$75,000	\$150,000
TG	<i>New Crosswalks (ADA accessible, high-visibility markings)</i>	Each	4	\$15,000	\$60,000
TG	<i>Additional Signage (Trail signage, wayfinding)</i>	Per Mile	2.5	\$15,000	\$37,500
TG	<i>Addition of Trash cans/ Dog Stations (One per 1/2 mile)</i>	Each	5	\$800	\$4,000
TG	<i>Benches (One per 1/2 mile)</i>	Each	5	\$5,000	\$25,000
TG	<i>Public Art Allowance</i>	Allowance	1	\$10,000	\$10,000
TG	Subtotal:				\$1,036,500
TG	Gregory Creek Greenway (Albert McClure Park to Walker Rd)				
TG	<i>Asphalt Multiuse Trail (Base cost for asphalt trail, clearing and grading,</i>	Mile	1.5	\$300,000	\$450,000
TG	<i>Stream Crossing (Pre-fab Bridge)</i>	Each	2	\$250,000	\$500,000
TG	<i>Neighborhood Trailheads and Entrances</i>	Each	2	\$75,000	\$150,000
TG	<i>New Crosswalks (ADA accessible, high-visibility markings)</i>	Each	1	\$15,000	\$15,000
TG	<i>Additional Signage (Trail signage, wayfinding)</i>	Per Mile	2.5	\$15,000	\$37,500
TG	<i>Addition of Trash cans/ Dog Stations (One per 1/2 mile)</i>	Each	7	\$800	\$5,600
TG	<i>Benches (One per 1/2 mile)</i>	Each	7	\$5,000	\$35,000
TG	<i>Public Art Allowance</i>	Allowance	1	\$15,000	\$15,000
TG	Subtotal:				\$1,208,100
TG	Proposed Trails and Greenways Subtotal:				
TG					\$6,564,600
TG	<i>Planning, Design & Permitting</i>	Is	30%		\$2,363,256
TG	Subtotal:				\$2,363,256
TG	<i>Contingency</i>	Is	20%		\$1,312,920
TG	Subtotal:				\$1,312,920
TG	Proposed Trails & Greenways Total:				
TG					\$10,240,776

Proposed Parks, Open Spaces, Greenways & Facilities Total **\$26,083,776**

GENERAL COST SUMMARY

Route 2 Recreation Statesville Recreation and Parks Master Plan

Opinion of Probable Costs

Existing Parks, Open Space and Facilities	
City Parks and Facilities	
As Needed – Magnetic Locking Systems	\$50,000
As Needed – Wayfinding Signage	\$50,000
Abernathy Ball Field	\$115,000
Albert B McClure Park	\$1,180,000
Alex Cooper Park	\$365,000
Bristol Road Park	\$387,000
Caldwell Park	\$695,000
Cochran Street Ballfields	\$95,000
Grace Park	\$75,000
Harris Park	\$560,000
Kimbrough Park	\$260,000
Mac Anderson Park	\$570,000
Martin Luther King, Jr. Park	\$690,000
Newtonville Park	\$110,000
Pecan Park	\$25,000
South Statesville Park & Playground	\$500,000
Statesville Park & Soccer Complex	\$636,000
Community Centers & Facilities	
Bentley Community Center	\$500,000
Bristol Road Center	\$500,000
Statesville Fitness & Activity Center	\$750,000
Trails & Greenways	
Fourth Creek Greenway Stream Restoration	\$250,000
Gregory Creek Greenway Stream Restoration	\$250,000
<i>Planning, Design & Permitting + Contingency for Existing Improvements</i>	<i>\$4,823,280</i>
Existing Parks, Open Space and Facilities Total	\$13,436,280

**Route 2 Recreation
Statesville Recreation and Parks Master Plan**

Opinion of Probable Costs

Proposed Parks, Open Space, Greenway and Facilities	
City Identified Park Development Projects	
Outdoor Event Space	\$1,500,000
Downtown Teen Center	\$250,000
Aquatic Facility / Pool	\$3,600,000
Miniature Golf Course	\$350,000
Splash Pad	\$250,000
Skate Park / Pump Track	\$400,000
Proposed Parks to Improve LOS	
Land Acquisition for New Parks (3 locations)	\$750,000
Neighborhood Parks (2) Additions	\$1,470,000
Community Park Addition	\$1,855,000
Proposed Trails & Greenways	
Shelton Ave/Center Street Downtown Greenway	\$4,320,000
Fourth Creek South Extension	\$1,036,500
Gregory Creek Greenway	\$1,208,100
<i>Planning, Design & Permitting + Contingency for Proposed Facilities, Parks & Greenways</i>	\$9,094,176
Proposed Parks, Open Space and Facilities Total	\$26,083,776

Phasing Recommendations

Phase 1: Short-term Capital Projects (1-3 Years)

\$9,137,700 including design permitting and contingency

Phase 1 focuses on immediate needs and the highest priorities of the community and reinvestment and additions to existing parks. These immediate actions will help increase the capacity of the park system by adding more facilities, amenities, and open space at existing parks.

Capital Improvement Projects: Years 1-3 Total	
Fourth Creek South Greenway Extension & Stream Restoration	\$1,286,500
Albert B McClure Park	\$1,180,000
Alex Cooper Park	\$365,000
Bristol Road Park	\$387,000
Caldwell Park	\$695,000
Cochran Street Ballfields	\$95,000
Harris Park	\$560,000
M. L. King, Jr. Park	\$690,000
Statesville Park & Soccer Complex	\$636,000
Bentley Community Center	\$500,000
Downtown Teen Center	\$250,000
Wayfinding and Signage	\$50,000
Magnetic Locking Systems	\$50,000

Costs above do not include planning, design, permitting or contingency

Phase 2: Medium-term Capital Projects (4-7 Years)

\$23,819,500 including design permitting and contingency

Phase 2 further advances improvements to existing parks and continues addressing aged amenity / equipment replacement. This phase also includes the continuation of projects that add more parks, open spaces, and special-use facilities, while also positioning the department for further land acquisition and new park development.

Capital Improvement Projects: Years 4-7 Total	
Land Acquisition – 25 acres for 3 parks	\$750,000
New Neighborhood Parks (2)	\$1,470,000
New Community Park	\$1,855,000
Aquatic Facility	\$3,600,000
Shelton Avenue Linear Park	\$4,320,000
Gregory Creek Greenway Extension and Stream Restoration	\$1,458,100
Grace Park	\$75,000
Kimbrough Park	\$260,000
South Statesville Park & Playground	\$500,000
Bristol Road Community Center	\$500,000
Statesville Fitness & Activity Center	\$750,000

Costs above do not include planning, design, permitting or contingency

Phase 3: Long-term capital Projects (8-10 Years)

\$4,999,800 including design permitting and contingency

Phase 3 is focused on continuing to improve and replace aging facilities in existing parks, as well as develop a large community park that increase the level of service of the park system and provide high quality recreation opportunities for the City of Statesville residents.

Capital Improvement Projects: Years 8-10 Total	
Mac Anderson Park	\$570,000
Newtonville Park	\$110,000
Pecan Park	\$25,000
Outdoor Event Space	\$1,500,000
Miniature Golf Course	\$350,000
Splash Pad	\$250,000
Skate Park / Pump Track	\$400,000

Costs above do not include planning, design, permitting or contingency

CITY COUNCIL ACTION REQUEST

TO: Ron Smith, City Manager

FROM: David Onley, Police Chief

DATE: September 26, 2022

ACTION NEEDED ON: October 3, 2022
(Date of Council Meeting)

COUNCIL ACTION REQUESTED:

Consider approving a Police Department Pay Incentive Plan, expansion of the Take-Home Vehicle Policy and Budget Amendment #2023-13.

1. Summary of Information: The Statesville Police Department has seen larger than normal staffing shortages reaching levels of 25%. These shortages have resulted in reduced staffing levels throughout the agency affecting the services provided to the city as well as the safety of its officers. Several officers have identified surrounding agencies pay and incentives as a reason for leaving the agency. The police department conducted a survey of surrounding agencies and have identified an incentive-based pay plan that would make the agency more competitive with other law enforcement departments.

The incentives included in this plan are based on holiday and shift differential, education, training and standards certifications, specialized units, and specialized training. There is a percentage available based on each of these aspects. Each also has an associated pay cap.

During the process of the plan development, it became apparent that there would be a need to adjust the base pay for captains. The captains are exempt employees and sergeants below them are close in pay proximity. The incentive plan would not allow for captains to receive shift bonuses and they do not receive overtime thus several sergeants would surpass them in pay. To address this issue an increase in base pay for these six employees would be approximately \$39,000 for the remainder of the budget year and \$51,000 for a complete fiscal year.

The final portion of the plan addresses the take-home vehicle policy. The current policy permits officers to take home their assigned vehicles if they live within 22 miles of Statesville City Hall. The police department is requesting this plan be expanded to 30 miles from the Statesville City limits. This would permit all current employees to have a take-home vehicle while expanding our recruitment area.

2. Previous Council or Relevant Actions: Council has taken no actions involving the pay incentive plan.

3. Budget/Funding Implications: The estimated cost to implement the incentive plan for the remainder of the year based on current staffing would be approximately \$607,000. Staff also developed a plan with all vacant positions filled for a full fiscal year and that estimated cost is in the vicinity of \$1,000,000. This estimated cost is based on new employees with a variety of educational incentives.

A portion of this cost (roughly \$110,000) can be mitigated with the use of lapsed salary. If the plan

is approved, staff can budget accordingly to identify projected incentives for future budgets. The education portion of this plan is roughly \$126,250. This is discussed below in the Manager's Comments.

4. **Consequences for Not Acting:** The long-standing issue with staffing at the police department has been retention of trained officers. Failure to progressively address the disparity in pay associated with tenured officers will result in diminished police services for the city.
5. **Department Recommendation:** Staff recommends approval of the proposed pay incentive plan, expanded take-home vehicle policy and budget amendment # 2023-13.
6. **Manager Comments:** Making a change of this magnitude during the fiscal year shows this as a dire need. The vacancy rates in the Police Department have been significant and could have impacts on citizen and officer safety. The cost of the change is high, roughly \$607,000 for this year. Although lapsed salaries will cover some of the cost, it will not address it entirely. Two key retirement payouts have impacted our lapsed salary total and diminished the amount we can apply to these increases. That leaves general fund balance as the funding source this year, and we would program the increases into the operating budget next year. This will challenge our budgeting process next year, but I do not feel we have another option.

The only concern I have with the proposal is the education incentive. My concern is not with the concept, but with the implementation. By committing to the education reimbursement (associate's, bachelor's, and master's degrees) for the PD, it will create an obvious inequity with the remainder of the city staff that may qualify and/or benefit from the same incentive. I am not against the incentive, but without knowing the true impact on the other 400 employees, it is difficult to give a favorable recommendation on that aspect of this proposal. This analysis will take time to determine the true need, and the financial impact. It seems this type of review would be better served as a FY2024 budget decision package when the true impacts to the city can be weighed in the broader context of next year's expected revenues.

Based on the previous comments, I would recommend for approval of the incentive plan, except for the educational incentives. If agreeable to Council, we would begin analysis of this aspect of the proposal to examine the impacts on the remainder of the workforce for your review during the budget process.

7. **Next Steps:** The plan will be implemented as soon as possible.
8. **Attachments:**
 1. Budget Amendment #2023-13

CITY OF STATESVILLE
BUDGET AMENDMENT #2023-13
October 3, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
010.0000.399.00.00	Revenue	Appropriated Fund Balance	6,702,898	607,000	7,309,898
		Total Revenues	<u>55,069,421</u>	<u>607,000</u>	<u>55,676,421</u>
010.5100	Expenditure	Police	14,298,264	607,000	14,905,264
		Total Expenditures	<u>55,069,421</u>	<u>607,000</u>	<u>55,676,421</u>
<i>DESCRIPTION: To appropriate fund balance and increase expenditures for police department salaries.</i>					



 Budget Officer

 Finance Director

APPROVED BY CITY COUNCIL:

 City Clerk



**Historic Preservation Commission Called Meeting Minutes
September 8, 2022 - City Hall Council Chambers - 7:00 p.m.**

Present: Anna Campbell, Jessica Arnold, Dea Mozingo-Gorman, Agnes Wanman, John MacPhail, David Richardson, Barry Edwards

Absent: Don Underhill, Glenn Setzer

Staff: Marci Sigmon, Lori Deal

Council: None

Others: Maria Escobar

Roll Call & Swearing In

Chairman Richardson called the meeting to order, called the roll, and asked the board members if any of them had held ex-parte communication regarding the cases on the agenda. Hearing none he swore in those which planned to speak.

Approval of minutes

Wanman made a motion to approve the July 15, 2021 Historic Preservation Commission meeting minutes as presented, seconded by Edwards. The motion carried unanimously.

Wanman made a motion to approve the March 15, 2022 Historic Preservation Commission meeting minutes as presented, seconded by Gorman. The motion carried unanimously.

Wanman made a motion to approve the March 24, 2022 Historic Preservation Commission meeting minutes as presented, seconded by Arnold. The motion carried unanimously.

Wanman made a motion to approve the July 28, 2022 Historic Preservation Commission meeting minutes as presented, seconded by Arnold. The motion carried unanimously.

Consideration for a Certificate of Appropriateness (COA22-15) from Maria Escobar to paint the exterior of the house and install shutters on the structure located at 318 West Front Street; Tax Map 4734-94-1836.

Richardson stated the shutters were recently denied and it must be determined if there is enough new evidence to rehear the request.

Marci Sigmon gave the following Staff Report:

Request

Reconsider installing wood shutters on the house. The updated request is to add wood louvered shutters to the house. The shutters would be black or dark blue in color. The applicant requested

to install wood raised panel shutters on June 23, 2022, and the commission denied this request. The applicant has submitted additional documentation regarding the request to install shutters on the house for the commission's review. The applicant's supplemental application documents are attached to this case for following the deliberation part of the Rules of Procedure for previously denied requests.

Per the Historic Preservation Commission Rules of Procedure, the commission has a process defined to decide to reconsider a previously denied request.

The HPC Rules of Procedure state in Item 8.0:

RECONSIDERATION OF APPLICATIONS WHICH HAVE BEEN DENIED

The order of business for reconsideration of applications for Certificates of Appropriateness which previously have been denied shall be as follows:

The Commission:

A. The Chairman shall entertain a motion from a member of the Commission that the applicant is allowed to present evidence in support of the request for reconsideration. The applicant shall be given the opportunity to present any other additional supporting evidence, if the Commission decides to reconsider the application. Such evidence shall be limited to evidence such as change in the facts, evidence, or conditions relating to the application that will be beneficial to determining the case.

B. After receiving the evidence, the Commission shall proceed to deliberate whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application which would warrant reconsideration. If the Commission finds that there has been such a change, it shall thereupon treat the request as a new application received at that time.

The Applicant:

No application denied by the Commission can be resubmitted unless one of the following circumstances applies:

- A. The project proposal has been substantially redesigned, or
- B. There has been a substantial change of circumstances affecting the property.

Commission Review

The commission must consider the following pages in the Design Standards when rendering their decision. Chapter 3 Changes to Building Exteriors, Page 45: L. Non-Contributing Structures, Chapter 3 Changes to Building Exteriors, Pages 41-42: J. Utilities & Energy Retrofit

Wanman asked if there was evidence of original shutters that were removed and Sigmon stated no. Wanman stated the guidelines state properties without shutters will remain as they were originally. Edwards stated there are no markings or drillings that shutters were anchored to the house and two of the photos submitted the shutters are not historically correct. Gorman added the historical purpose of the shutters is functional not decorative. Gorman stated this portion of the application does not meet the qualifications for resubmittal because there is no redesign and no changes of circumstances regarding the property and should not be heard for resubmittal.

Richardardson asked for a motion to hear installing wood shutters on the structure located at 318 West Front Street. There being none, Gorman made a motion to deny and Richardson stated this portion of the request will not be heard.

Sigmon gave the following staff report:

Background

The house located at 318 West Front Street was built ca. 1950 and originally identified with the J. Craig House at 323 Walnut Street. The structure was the Anglican Orthodox Church Office for many years before being purchased by Broad Street United Methodist Church. The brick, two-story, hipped roof building features horizontal brick banding and brick quoins. The house was identified as a non-contributing structure in the 2002 Mitchell College Local Historic District Survey.

The 2002 Historic Survey states the building is set back on the lot and appears to have originally fronted West Front Street. The address was 315 Walnut Street before being purchased by a new owner during April 2022. The address is now 318 West Front Street.

During June 2022, the current owner, Maria Escobar, received a Certificate of Appropriateness to install an addition on the second floor at the rear elevation, replace the front porch door with a new wood and glass door, modify the size of two windows on the east elevation, remove the brick cross symbol on the west elevation, install new wood double hung windows throughout the structure, install a six-foot wooden privacy fence on the east, west and north sides of the property, and install a new gravel driveway on the east side of the property from West Front Street.

Request

The owner, Ms. Maria Escobar, is requesting to Paint the exterior brick on the house due to the existing brick not matching and some bricks having damage. Per the applicant, the brick is not cohesive and does not match where the addition was installed at the sunroom location. The house would be painted to unify the disparate parts of the structure. The paint color would be Shoji White by Sherwin Williams which is a light-toned, off-white neutral with warm beige undertones.

Commission Review

The commission must consider the following pages in the Design Standards when rendering their decision. Chapter 3 Changes to Building Exteriors, Page 45: L. Non-Contributing Structures, Chapter 3 Changes to Building Exteriors, Pages 31: E. Paint & Exterior Color

Chairman Richardson declared the public hearing open.

Maria Escobar stated they do not qualify for historic tax credits because it was built after 1950 and is a non-contributing structure in the survey. The property is zoned commercial and residential and should be held to different standards and quoted chapter two "new materials can be introduced as long as they are compatible with the original design dimension, material pattern, detail texture and finish". They have invested over \$200K in the house and would like to paint the house to reflect the change in the property.

Gorman asked if the house is in the historic district and Sigmon stated yes. Gorman stated North Carolina standards do not distinguish between contributing and non-contributing structures so this will be treated as a contributing structure in the guidelines.

Ghasson Escobar stated they want to improve the appearance of the house for the surrounding community. The addition to the rear of the house is poorly matched and they want to make it nice and uniform. The paint they want to use is mineral paint to allow the brick to breathe, is mildew resistant, chip resistant and long lasting.

Gorman requested more information about the paint requested and is not familiar with paint that breathes on brick. Edwards stated the board must vote according to Chapter three guideline

standards that state “it is not appropriate to paint stone, brick, or concrete unless it was painted prior to when historic districts were put in place and painting of brick or other masonry will not be permitted except in the case where a brick building has poorly matched additions or repair work and where painting is designed to unify the disparate parts of the building”. The west side is not disparate, the east side has a large shrub, and the rear façade not seen due to a 6’ fence. Gorman stated brick is not meant to be monochromatic and there will be discoloration with repairs. This board is required to follow the guidelines and painting brick is a national standard, not just for North Carolina or Statesville and Secretary of the Interior standards for rehabilitation, section 36CFR37 state “unpainted masonry houses and buildings should not be painted”.

Gorman stated painting brick causes structural damage because brick is porous and absorbs the paint and overtime turns to dust held together by paint and painting brick is a complete change in the character of the structure. Arnold asked how it changes the character and Gorman stated in this area of the piedmont you do not see painted masonry and one of the examples cited is not in the historic district and the other three buildings cited as examples are not brick, but are wood or rusticated concrete block.

There was much discussion regarding painting brick, researching mineral paint and how it affects brick, changing the character of the structure, staining brick, and identifying disparate parts of the house.

Scott Sharpe stated the house is close to Mitchell Community College and if painted will blend in with the college and historic area. He has never noticed this house because it sits back from the road, but painted white it would be beautiful and blend in with the college area.

Richardson declared the public hearing closed.

Wanman stated she supports staining the back portion of the house to match the original brick or stain it an off-white to match the rear addition, but is not open to painting the entire house.

Gorman stated how important setting a precedent is because the national and state standards state unpainted masonry shall remain unpainted.

Edwards stated the word disparate used in the guideline standards means different in every way and are these differences slight in the brick or mortar color from the original structure or are they so dramatic that the structure needs to be unified and allow the house to be painted.

Edwards asked if the board would like to form a subcommittee to view the house, with permission from the owner, to determine whether it is disparate and needs painting.

Wanman made a motion to table (COA22-15) from Maria Escobar to paint the exterior of the house located at 318 West Front Street until the next meeting, to allow the subcommittee to view the property on site and investigate the paint requested to determine if it is safe to use on brick. Edwards seconded the motion. The motion carried unanimously.

Consideration for a Certificate of Appropriateness (COA22-16) from Maria Escobar to replace the existing windows with new wood/aluminum clad windows on the structure located at 318 West Front Street; Tax Map 4734-94-1836.

Sigmon stated the applicant would like to withdraw this request and submit another application with a different design.

Consideration for a Certificate of Appropriateness (COA22-17) from Scott Sharpe to replace three exterior doors on the structure located at 318 West Front Street; Tax Map 4734-94-1836.

Sigmon gave the following staff report:

Background

The structure located at 638 West Front Street was constructed circa 1940. The historic survey states the structure is a one-story stucco-covered house with a classical entrance porch and windows in groups of twos and threes and is non-contributing in the historic survey.

Request

The owner, Mr. Scott Sharpe of Phoenix Holdings Burnsville LLC, is requesting to replace three exterior doors on the structure. The existing doors were wood and the applicant requests to place new wood doors with similar designs in the three entryways. The entryways consist of the front door, back door, and side door. The new doors are craftsman style wood doors. The new front and side doors will be the same size as the existing doors, measuring thirty-six inches by eighty-four inches. The new back door will be the same size as the existing back door, measuring thirty-six inches by eighty inches. The original trim for all entryways will remain on the structure.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision. Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows & Doors

Edwards asked for the composite of the three doors and Sigmon stated according to the application they are craftsman style wood doors, but there were concerns from commissioners so she and a Code Enforcement staff member went to the property to look at the doors and were not able to determine the material, so the applicant can answer this question.

Chairman Richardson declared the public hearing open.

Edwards asked for the composition of the doors and Scott Sharpe stated the front and side door are wood and the rear door is fiberglass. Arnold asked if the old doors can be salvaged and Sharpe stated no, they have been kicked in and damaged beyond use.

Chairman Richardson declared the public hearing closed.

Findings of Fact

Richardson stated that the Commission must either answer all five Findings of Fact in the affirmative or determine that such finding does not apply to the specific project under consideration. The Findings of Fact results are as follows for each item:

1. The historic character of the property will be retained and preserved.
Yes – Unanimous

2. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features has been substantiated by documentary, physical, or pictorial evidence.
Yes – Unanimous
3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.
N/A – Unanimous
4. Archeological resources will be protected and preserved in place. If such resources must be disturbed, the applicant has shown that mitigation measures will be undertaken.
N/A – Unanimous
5. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work will be differentiated of the old and will be compatible with the massing, size, scale, and architectural features to protect the integrity of the property and its environment.
Yes – Unanimous

Edwards made a motion to approve (COA22-17) from Scott Sharpe to replace three exterior doors on the structure located at 638 West Front Street as submitted based on guideline 1. MacPhail seconded the motion. The motion carried unanimously.

Other Business

Nominations for plaques
420 W. Front St.

Required board training will be September 22, 2022 at 5:00 pm prior to the regular meeting.

There will be a called meeting October 20, 2022 due to the Preservation North Carolina conference.

There will be a called meeting November 17, 2022 due to the Thanksgiving holiday.

The December meeting will also need to be rescheduled to a date prior to December 15, 2022.

There being no other business, Chairman Richardson asked for a motion to adjourn.

Wanman made a motion to adjourn, seconded by Campbell. The motion carried unanimously.

**Planning Board Called Meeting Minutes
City Hall Council Chambers – 227 S. Center Street
September 1, 2022 – 7:00 p.m.**

Members Present: Todd Lange, Bernard Robertson, Mark Tart, Alisha Lane, Roger Bejcek,

Members Absent: Roseta Williams, Tammy Wyatt, Chuck Campbell

Staff: George Berger, Lori Deal

Chairman Lange called the meeting to order.

Consider approving the July 26, 2022 Planning Board meeting minutes.

Robertson made a motion to approve as presented, seconded by Bejcek. The motion carried unanimously.

Tart stated as disclosure he has worked with Valspar, but he is not involved in this project and therefore no conflict of interest.

SP22-01: Courtesy Hearing for a Special Use Permit application filed by Engineered Polymer Solutions (dba Valspar) and Sherwin-Williams Company; Tax Map Parcels # 4753-38-4644 & 4753-49-3585; proposal for a SUP for expansion of a Chemical Manufacturing Use on two parcels totaling approx. 67.14 acres located on US 70 (Salisbury Hwy.) and Side Track Drive

Berger introduced the case stating Engineered Polymer Solutions (dba Valspar) and the Sherwin-Williams Company request a Special Use Permit for chemical manufacturing to expand the existing paint manufacturing facility by approximately 55,760 s.f. and add new rail spur and truck parking needed to support the expansion. There are two parcels associated with the expansion, totaling 67.14 acres. The first parcel contains the existing facility on a 22.66-acre parcel located at 188 Side Track Drive; and the second parcel is a 44.48-acre parcel adjacent to the east.

The existing paint manufacturing facility has been operating on Side Track Drive since 1995. The eastern parcel is currently in woodland and agricultural use.

Both subject parcels are currently zoned Heavy Industrial (HI) District, which is the appropriate zoning district for 'chemical manufacturing' which includes paint manufacturing. However, the Unified Development Code (UDC) now requires paint manufacturing to obtain a Special Use Permit before being allowed to operate (see attached excerpt of UDC Table 3-1: Use Matrix). The City's zoning ordinance in 1995 had no such requirement, permitting the original manufacturing facility to begin operation; and it is considered a legal nonconforming use. The expansion, however, does require a SUP.

Per UDC Section 2.10.B, the Technical Review Committee (TRC) is reviewing the site plan concurrently with the Planning Board; their recommendation is required to be provided to the City Council along with the recommendation of the Planning Board. This review is scheduled for the TRC meeting on September 7, 2022, and the committee's recommendation will be provided to the City Council.

As noted, Engineered Polymer Solutions (Valspar) and Sherwin-Williams request a Special Use Permit to expand their existing paint manufacturing facility by approximately 55,760 sq. ft. and add new rail spur and truck parking needed to support the expansion. New chemical manufacturing facilities are permitted in the Heavy Industrial district with a Special Use Permit provided the requirements and Review Criteria found in the UDC are met (see attached UDC Section 2.10: Special Use Permit, Review Criteria). The Planning Board is required to hold a courtesy hearing to review the request and make a recommendation on the request to approve, deny, or conditionally approve the Special Use Permit. Following the Planning Board courtesy hearing and a TRC site plan review, the City Council will hold an evidentiary hearing and render a final quasi-judicial decision based on the review criteria (findings of fact) in Section 2.10 (D) as follows:

1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
2. The use meets all required conditions and specifications.
3. The use will not substantially injure the value of the adjoining or abutting property, or that the use is a public necessity.
4. The locations and character of the use, if developed according to the plan submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City of Statesville and its environs.

The site plan proposes the following:

- a warehouse and office expansion of the existing structure by approximately 55,760 sq. ft. on the north and west sides of the facility;
- outdoor storage tanks on the east side of the existing building;
- a new storage building on the south side of the existing facility
- a new parking lot on the north side of the expansion accommodating 176 employee vehicles (meeting the parking requirements for the entire facility);
- a truck parking and storage lot with 88 bays;
- a new Norfolk-Southern Railroad (NSRR) spur with four sidings, serving a covered shed for off-loading liquid materials, and an overhead piping system to move materials from the rail sidings to the main facility;
- new service driveways for both the truck and employee parking areas, and from the truck parking lot to the manufacturing facility which will cross an existing intermittent stream and ravine via retaining wall structures;
- 50 'of right-of-way (ROW) dedication to NCDOT along US 70 (Salisbury Hwy.) per the adopted Mobility + Development Plan; and
- curb, gutter, and sidewalk along US 70 per the Mobility + Development Plan, or payment of fee-in-lieu in agreement with the City, NCDOT and NSRR.

The site plan indicates the required 30 'front, 8 'side and 20 'rear setbacks; and shows the required 8 'street yards along Side Track Drive. A combination of existing vegetation and new landscape materials will be used as the required 20ft. Type 'D 'buffer yard to screen adjacent properties along the property boundaries—particularly along the east side of the eastern parcel where an existing home is in residential use.

In addition to the detailed SUP Exhibit that is provided for review, there are two additional conditions proposed by the applicant:

1. These two parcels will be combined prior to (final) TRC approval.
2. Truck parking and storage areas will be screened from public roadways with vegetative buffer.

The requested expansion improvements indicated on the proposed site plan, along with the two additional proposed conditions, would meet current and future needs of the applicants. The site plan appears to meet the Unified Development Code requirements; and the Technical Review Committee is reviewing the site plan to confirm and provide a recommendation to the City Council. Therefore, staff's recommendation is favorable to approve the Special Use Permit as presented following TRC approval of the proposed site plan and subject to the conditions proposed by the applicant. Staff's recommendation is favorable because the proposed expansion will not endanger the public health and safety due to being adjacent to existing industrial uses and screening being provided adjacent to the existing residence. The applicant has also submitted their recommended findings.

Lange asked if there have been any comments from the Deal family, owner of the adjoining residence and Berger stated they have been notified, but he has not been contacted by them.

Lange stated the parcels have city and county zoning and Berger stated annexation is required for the rear portion of both parcels.

Lange opened the public hearing.

Toby Coleman, Attorney representing Sherwin Williams introduced Daniel Hines - Project Engineer, Glenn Furr – Plant Manager, and Tony Chafin - Plant Engineer. Coleman stated in 2017 Sherwin Williams merged with Valspar and at that time Engineered Polymer Solutions was a subsidiary of Valspar, and clarified it is now Sherwin Williams. The reason for the expansion is to increase the ability to manufacture paint, a new storage facility, and office expansion to increase efficiency and the rail spurs and truck parking are needed for shipping. It is anticipated that approximately 100 new jobs will be added, with a \$324 million total local investment at this and the Larkin Commerce Park properties, and the overall project has state, city, and county economic incentives. The plan is to leave the Deal property access in place and a written easement is not shown in the survey, but he will check into it. There will be someone to testify at the City Council meeting regarding potential financial impact on surrounding property values and he is anticipating that because the house is adjacent to an existing industrial facility it will not substantially harm the Deal's property value. Sherwin Williams will add vegetative buffering to mitigate noise and light impacts.

Lange asked how this facility and the proposed facility at Larkin Commerce Park would relate to each other. Glenn Furr, Site Manager stated that this project is a \$100 million part of the overall project, and the rest of the funds will be in the Larkin Park for approximately \$324 million and 180 to 200 new jobs.

There being no other speakers, Lange closed the public hearing.

Tart made a motion to recommend approval of SP22-01 filed by Engineered Polymer Solutions (dba Valspar) and Sherwin-Williams Company for a SUP for expansion of a Chemical Manufacturing use on two parcels totaling approx. 67.14 acres located on US 70 (Salisbury Hwy.) and Sidetrack Drive. Robertson seconded the motion. The motion carried unanimously.

Reports

Berger stated the newly adopted Land Development Plan is now available on the website; however, if members wish a paper copy to let him know.

Other Business

Robertson asked that the Planning Board take a moment recognize the family of former Planning Board member Bob Stamey, to recognize his past service to Statesville, and to acknowledge the Board's condolences on his untimely passing.

Betjcek made a motion to adjourn, seconded by Tart. The motion carried unanimously.