

MINUTE BOOK 31, PAGE 357

**STATESVILLE CITY PRE-AGENDA COUNCIL MEETING MINUTES – November 3, 2025
CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 5:00 P.M.**

Council Present: Mayor Kutteh presiding, Jones, Lawton, J. Johnson, Wasson, Hudson, Allison, Pearson (Virtual until 6:20), S. Johnson

Council Absent: None

Staff Present: Ron Smith, Messick, E. Kurfees, G. Kurfees, Bridges, Hubert, Griggs, Onley, Leis, Vaughan, Kirkendall, Pierce, Nesbit, Ferguson, Marion, Sigmon, Hills, Martin, Caulder, Lawrence

I. Call to Order

Mayor Kutteh called the meeting to order.

II. Invocation (Only at the Regular Meeting)

III. Pledge of Allegiance (Only at the Regular Meeting)

IV. Adoption of the Agenda (Only at the Regular Meeting)

V. Code of Ethics and Front and Center Strategic Plan (Only at the Regular Meeting)

VI. Presentations & Recognitions

1. Veterans Day Recognition

Mayor Kutteh stated that he would recognize all veterans during the meeting.

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 requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

A. Consider approving the October 16, 2025 Pre-Agenda Meeting Minutes and the October 20, 2025 Regular Meeting Minutes. (E. Kurfees)

B. Consider approving the SMS Privacy Policy and Terms and Conditions for SMS text notifications in support of Statesville Public Power's outage management system. (Leis)

Mayor Kutteh said that this is for the outage management system.

C. Consider approving a ten-year lease with the United States Civil Air Patrol for \$2,200 per year. (Ferguson)

Mayor Kutteh stated that we are offering the Civil Air Patrol a discounted rate because of their community service.

D. Consider passing the second reading of an ordinance to annex AX25-05 407 and 417 Central Avenue. (Kirkendall)

E. Consider passing the second reading of an ordinance to annex AX25-09 Statesville Fire Department Station 5 for the parcel located at 533 Gaither Road. (Kirkendall)

F. Consider passing the second reading of an ordinance to annex AX25-08 Compass Data Centers for parcels along Stamey Farm Road and Hickory Hwy. (Kirkendall)

G. Consider approving a request to demolish the structures located at 118 and 120 W. Front Street. (Marion)

Mayor Kutteh stated that the properties behind the Vance are a safety hazard so the Council can approve the demolition. They can begin the demolition almost immediately.

Council Member Jones asked about the timing of the demolition around the MDA.

Smith stated that the structural engineer provided the guidance for the safety factor. He stated that the owner has taken longer to do the work we were expected to see at the Vance. There is not a claw back in the contract. The Master Development Agreement was superseded by the contract.

Council Member Jones stated that safety is number 1. Is council able to identify the timing is an issue? Smith stated that the City will get parking out of the deal.

Mayor Kutteh stated that we should approve the demolition and bring back the Paragraph A on page 2 of the first amendment in the MDA.

REGULAR AGENDA

- VIII. Consider passing the second reading of an ordinance to rezone ZC25-04 Hill Haven for properties located at the intersection of Shelton Avenue and Hill Haven Road, to rezone from Iredell County R-20 District, HB CUD District and NB District to City of Statesville R-8 CZ District, to provide a proposed 385 lot single family development known as Hill Haven. (Caulder)**
Mayor Kutteh stated that this item was a split vote on this item. Caulder provided the language of the condition.

Council Member J. Johnson does not agree with the sewer numbers and will still vote against it. Council Member S. Johnson would like information on how the city compiles the sewer numbers.

3rd Creek is 820,000 gallons per day. We show 870,000 per day at the plant.

14% is coming in on a daily basis in 3rd Creek.

There was discussion regarding sewer capacity at 3rd Creek WWTP.

- IX. Conduct a public hearing and consider passing the first reading of an ordinance to annex AX25-10 Hill Haven Subdivision, filed by Mr. Bob Williamsen for the parcels located at the intersection of Hill Haven Road and Shelton Avenue. (Kirkendall)**

- X. Conduct an evidentiary hearing to review Special Use Permit, SP25-02 and consider approving the construction of a ready-mix concrete batch plant at 552 Buffalo Shoals Road. (Kirkendall)**

Kirkendall stated that this is an evidentiary hearing. All the speakers will need to be sworn in. There is a concrete batch plant on the same road.

Council Member Jones asked questions regarding the project. Messick asked for the questions to be asked during the hearing.

- XI. Review the preliminary results for the Cost of Service Study for Statesville Public Power. (Leis)**

Leis stated that there are some changes, but he will be providing the report from the consultant.

- XII. Consider approving a connection to city water service and waive city code annexation requirement for PIN 4735653667 (305 Museum Rd). (Vaughan)**

Vaughan stated that he cannot approve a waiver because there is no engineering hardship. The code requires that Council wade in on this issue.

- XIII. Consider approving to proceed with the Temporary Station 5 project, including upfitting the house and site, constructing an apparatus bay, purchasing a used fire apparatus, and hiring the necessary 15 personnel to staff the station. (G. Kurfees)**
Mayor Kutteh stated that the concern is the cost of the staffing moving forward.

- XIV. City Manager's Report**

- XV. Advisory Boards Meeting Minutes**

1. October 9, 2025 Historic Preservation Commission Meeting Minutes

- XVI. Other Business**

Council member Allison has some comments to make during other business.

XVII. Closed Session (Following Pre-Agenda)

1. G.S. 143-318.11(a)(3), Attorney-Client Privilege

Mayor Kutteh stated that the Council needed to go to closed session for an attorney-client privilege matter and a property disposition.

Council Member Allison made a motion to go into closed session. Council Member Hudson seconded the motion. The motion passed unanimously.

Coming out of closed session, Mayor Kutteh stated that the Council discussed a property disposition and an attorney-client privilege matter. No decisions were made.

XVIII. Adjournment

Council Member Allison made a motion to adjourn the meeting. Council Member Jones seconded the motion. The motion passed unanimously.

MINUTE BOOK 31, PAGE 360

STATESVILLE CITY REGULAR AGENDA COUNCIL MEETING MINUTES – November 3, 2025

CITY HALL – 227 S. CENTER STREET, STATESVILLE, NC – 6:00 P.M.

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

Council Absent:

Staff Present: Ron Smith, Messick, Hills, E. Kurfees, G. Kurfees, Bridges, Hubert, Griggs, Onley, Leis, Vaughan, Kirkendall, Pierce, Nesbit, Ferguson, Marion, Caulder, Sigmon, Hills, Martin

I. Call to Order

Mayor Kutteh called the meeting to order.

II. Invocation

The City Clerk led the invocation.

III. Pledge of Allegiance

Mayor Kutteh led the Pledge of Allegiance.

IV. Adoption of the Agenda

Mayor Kutteh asked for a motion to approve the Agenda.

Council Member Allison made a motion to approve Council Member Wasson unanimously.

V. Code of Ethics and Front and Center Strategic Plan

Mayor Kutteh stated that the council members follow the code of ethics.

VI. Presentations & Recognitions

1. Veterans Day Recognition

Mayor Kutteh asked for all Veterans in the room to stand and be recognized.

Mayor Kutteh introduced Sherisha Hills as Ron's new assistant city manager.

Mayor Kutteh stated that the election day is tomorrow.

VII. 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 requests, in which event, the item will be removed from the Consent Agenda and considered with the other items listed in the Regular Agenda.

A. Consider approving the October 16, 2025 Pre-Agenda Meeting Minutes and the October 20, 2025 Regular Meeting Minutes. (E. Kurfees)

B. Consider approving the SMS Privacy Policy and Terms and Conditions for SMS text notifications in support of Statesville Public Power's outage management system. (Leis)

C. Consider approving a ten-year lease with the United States Civil Air Patrol for \$2,200 per year. (Ferguson)

D. Consider passing the second reading of an ordinance to annex AX25-05 407 and 417 Central Avenue. (Kirkendall)

E. Consider passing the second reading of an ordinance to annex AX25-09 Statesville Fire Department Station 5 for the parcel located at 533 Gaither Road. (Kirkendall)

F. Consider passing the second reading of an ordinance to annex AX25-08 Compass Data Centers for parcels along Stamey Farm Road and Hickory Hwy. (Kirkendall)

G. Consider approving a request to demolish the structures located at 118 and

120 W. Front Street. (Marion)

Mayor Kutteh stated that we are going to review the Master Development Agreement for the Vance Hotel.

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

REGULAR AGENDA

- VIII. Consider passing the second reading of an ordinance to rezone ZC25-04 Hill Haven for properties located at the intersection of Shelton Avenue and Hill Haven Road, to rezone from Iredell County R-20 District, HB CUD District and NB District to City of Statesville R-8 CZ District, to provide a proposed 385 lot single family development known as Hill Haven.** (Caulder)

Mayor Kutteh stated that Smith will review the sewer capacity.

Smith stated that the 3rd Creek WWTP is currently at 14.5% capacity. FTSEs are forms that the state receive detailing how much capacity developments will use. The State shows 11.7%. Future flows includes approved developments that have not submitted FTSEs, and will eventually go into that category. With all the items including future development, the plant will be at 59%.

Vaughan stated that the FTSE and the Future are regulated by the state and we have to play for 120 gallons of sewer capacity a day per bedroom. However, that is a very conservative number.

Council Member J. Johnson and Council Member S. Johnson are concerned that there have been some missed developments.

Council Member Hudson stated that he expanded the plant twice during his tenor at the city. He stated that you over project when you are allocating out and then you get the real flow that is less. Council Member Hudson stated that the plant will not have a capacity problem any time soon.

Council Member Allison made a motion to approve second reading. Council Member Hudson seconded the motion.

Council Member S. Johnson is concerned about the traffic. Caulder stated that there is no access from the development on Wallace Springs Road.

Mayor Kutteh called for a vote on the motion.

Aye: S. Johnson, Hudson, Allison, Jones, Wasson

Nays: J. Johnson, Lawton, Pearson

The motion passed 5 to 3.

- IX. Conduct a public hearing and consider passing the first reading of an ordinance to annex AX25-10 Hill Haven Subdivision, filed by Mr. Bob Williamsen for the parcels located at the intersection of Hill Haven Road and Shelton Avenue.** (Kirkendall)

Kirkendall stated that this annexation is for the Hill Haven subdivision. The first reading of the rezoning was approved at the last meeting. Staff recommends to pass the first reading of the annexation.

Council Member S. Johnson asked if they could go to the County. Kirkendall stated that they could develop the parcel by right under their rules.

Mayor Kutteh called the public hearing open.

Brian Martin, 148 Hill Haven Road, is against the development. He is concerned about the traffic and public safety.

Cathy Eudy 422 Wallace Springs Road. She is against the development. She is concerned about the runoff and drinking area for the cows. She is concerned about the pollutants in her well. She is also concerned about the traffic. Anita Eudy yielded her time to Cathy Eudy.

Mayor Kutteh stated that the comments should be restricted to why the property should

not be annexed into the city limits.

Mike Edelbrock 217 Southview Drive is against the development. He stated that the sewer presentation was good and asked if the Wakefield development was included in the presentation. He would like the R-15 county zoning for the property.

Bekie Edelbrock, 217 Southview Drive, is against the development. She is concerned about the traffic on Wallace Springs Road. She stated that there is a lack of middle housing. They are asking it to be sent to the County for their zoning.

Angela Matthews, 210 Southview Drive, is against the development. She is concerned about the increased traffic. She is also concerned about public safety and crime. She provided some crime statistics. Chandler Treat of 210 Southview Drive yielded his time to Ms. Matthews.

Camden Matthews, 210 Southview Drive, is against the development. He is concerned about the increased traffic and increased drug crime.

Karen Gunther, 185 Southview Road, agrees with the rest of the statements and yielded the remainder of her time.

Mayor Kutteh closed the public hearing and called for a motion.

Council Member Allison made a motion to approve the annexation. Council Member Jones seconded the motion.

Council Member Allison stated that the traffic will be reviewed following approval. She asked for Ron to answer their questions. Smith stated that we can answer the questions at any time.

Mayor Kutteh called for a vote.

Aye: S. Johnson, Hudson, Allison, Jones, Wasson

Nays: J. Johnson, Lawton, Pearson

The motion passed 5 to 3.

X. Conduct an evidentiary hearing to review Special Use Permit, SP25-02 and consider approving the construction of a ready-mix concrete batch plant at 552 Buffalo Shoals Road. (Kirkendall)

Mayor Kutteh called the individuals up to be sworn in. Kirkendall, the applicant, and his attorney was sworn in.

Mayor Kutteh opened the evidentiary hearing and asked council if there was any ex-parte discussion.

Kirkendall stated that this property is at 552 Buffalo Shoals Road and he would like to build a ready-mix concrete batch plant. TRC approved this project based on compliance with the code. City utilities including water, sewer, and power are available on the site. The developer will be tied to a concept plan similar to a conditional rezoning.

Staff state that there are 4 findings of fact that must be made:

No special use permit shall be approved unless each of the following findings is made concerning the proposed special use project:

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.

APPLICANT RESPONSE:

- Obtain and comply with an **NC DEQ Air Quality permit** for concrete batch plants (central baghouse or cartridge collectors; enclosure of transfer points; water suppression on stockpiles; paved or treated haul roads; track-out controls). A **Zoning Consistency Determination** will be provided as part of the DEQ air permit package.
- **Stormwater & washout controls:** NCG01 construction stormwater coverage; lined, covered concrete washout; containment for admixtures/fuels; post-construction SCMs sized per local code.

- **Traffic safety:** Driveway permit and sight-distance review; on-site truck queuing; no on-street staging; turning templates for mixer/aggregate trucks. NCDOT AADT resources will be used to validate capacity and turning volumes.
- **Lighting & fire access:** Full cut-off LED fixtures; Fire Code access loops and hydrant spacing coordinated at TRC.

STAFF RESPONSE

The proposed location is zoned HI (Heavy Industrial) and there are similar uses in the area. The 30ft rear landscaping buffer that is required should be sufficient screening for the head start facility behind it.

2. The use meets all required conditions and specifications.
APPLICANT RESPONSE

- The application will demonstrate compliance with the **City of Statesville Unified Development Code (UDC)** process for Special Use Permits (SUP), including a complete site plan, buffers/landscaping, parking, lighting, and environmental controls reviewed by staff/TRC and City Council through a quasi-judicial hearing
- State permits and submittals (e.g., **DEQ Air Quality – Concrete Batch Plant forms**; erosion & sediment control; stormwater) will be secured prior to operations, with all equipment and practices matching permit specifications.

STAFF RESPONSE

The use has been verified by the Technical Review Committee (TRC) and the City of Statesville Planning staff to be in compliance with the Unified Development Code (UDC) of the City of Statesville.

3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
APPLICANT

- The site sits within an established **industrial/commercial corridor** (Industrial Blvd industrial subdivision), separating plant activity from residential streets and supporting compatibility.
- **Buffers & screening:** Provide evergreen Type B/C buffers (or better) with an opaque fence/berm along any residential interface; orient batch equipment away from sensitive edges; down-shielded lighting. (Final widths/species per UDC landscape tables.)
- **Traffic & operations:** On-site queuing; capped truck trips during peak times; no on-street idling; paved aprons to prevent track-out; posted haul routes to arterial connections.

STAFF RESPONSE

There are other uses similar to this on adjacent properties.

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.

APPLICANT

- The property is identified in commercial/industrial records and lies within a corridor of employment/industrial activity in the Statesville urban area (Industrial Blvd industrial subdivision; nearby industrial listings and airport/arterial access in the broader submarket).
- The **UDC’s SUP framework** requires consistency with the City’s development plans; the City’s Land Development Plan provides the policy basis to direct employment/industrial uses to appropriate areas with infrastructure and buffering—criteria the site plan is designed to meet.

STAFF RESPONSE

The 2045 Land Use and Development Plan calls this area as suitable for Employment Center / Industrial Flex, in addition, there is a concrete batch plant across the street further down Johnson Drive.

Andrew Brown, on behalf of the Applicant, provided a letter on behalf of the engineer.

Council Member S. Johnson asked about a fence in their response to the findings of fact. He asked if the fence would be required. The Applicant stated that the trees will be left as a buffer between the parcels.

Council Member Jones asked if Johnson Drive is a city maintained road. Kirkendall stated that it is a NCDOT road. There are additional road requirements because of the Davis Meadows TIA. However, this development would not be required to do any additional road improvements.

Mayor Kutteh called for a motion on the Special Use Permit subject to annexation and the findings of fact

Council Member Allison made a motion to approve the Special Use Permit subject to annexation including the findings of fact Council Member Lawton seconded the motion. The motion passed unanimously.

XI. Review the preliminary results for the Cost of Service Study for Statesville Public Power. (Leis)

Leis provided an update on the Cost of Service Study. Our power supply purchase power may decrease. He stated that we are behind on the customer basic facility charge. There are some changes to the basic facility charge. A more in depth review of the study will be given at the Winter Retreat. He wanted the City Council to have reviewed the cost of service study and provide decision in the Winter Retreat.

Council Member S. Johnson asked about an influx to the grid. He asked how many data centers can be on the grid.

XII. Consider approving a connection to city water service and waive city code annexation requirement for PIN 4735653667 (305 Museum Rd). (Vaughan)

Vaughan stated that the City Code allows the director to waive annexation due to hardship. The property is surrounded by the City limits. The code will not allow the director to provide a recommendation due to no engineering hardships.

There have been properties where the waivers have been granted by the Public Utilities director because of the economic hardship.

Council Member Wasson asked if this would grant a precedent. Messick stated that we must treat similar people in a similar way.

Council Member Jones asked if the tax value of the property. Vaughan stated it is \$200,000 approximately. New wells can be approximately \$20,000.

**Council Member J. Johnson made a motion to grant the request for water and deny the waiver of annexation. Council Member Lawton seconded the motion.
Aye: Pearson, Hudson, Lawton, Allison, J. Johnson, Jones, Wasson
Nay: S. Johnson
The motion passed 7 to 1.**

XIII. Consider approving to proceed with the Temporary Station 5 project, including upfitting the house and site, constructing an apparatus bay, purchasing a used fire apparatus, and hiring the necessary 15 personnel to staff the station. (G. Kurfees)

Chief Kurfees provided a history of the station location and the timeline. The new Station 5 response time will be to Jane Sowers Road. We are asking to open the temporary station in July 2026. Remodeling the home and adding an apparatus bay will be approximately \$650,000. Purchasing a used apparatus will be approximately \$600,000. Personnel and training will be approximately \$750,000. There have been approximately 1600 calls in the Station 5 area.

Smith stated that the home is well suited for a Fire Station and appreciate the Chief thinking outside the box to fill the service gap. He is concerned about the financing of .

the personnel after July 1.

Council Member S. Johnson thanked staff for growing the fund balance consistency.

Mayor Kutteh asked for a motion on this matter.

Council Member Allison made a motion to move forward with Option 1 to remodel the home for a fire station. Council Member Hudson seconded the motion.

Mayor Kutteh asked for the home to be incorporated into the new station. Kurfees stated that someone else could use the home following moving into the permanent station.

Mayor Kutteh called for a vote on the motion. The motion carried unanimously.

XIV. City Manager's Report

Smith provided an update on the construction projects. The Airport Terminal project will be completed in January. NCDOT Aviation had a meeting at the airport last week. The Police Department and Parking Deck has been moving along. Tradd Street should be reopened by mid-December. Apartments should begin in the summer. Smith provided a layout plan of the next phases of the MOC.

He thanked staff for all their work at events this weekend. Concrete has been poured at MLK Park for the new pickleball courts. Alexander and Stockton Street sidewalks project should begin soon. Smith detailed the waterline project. The lines are aged and they need replacing.

Smith provided an Infill Development update. There have been 425 new single family homes on vacant properties. The total value of the permits is \$68.5 million with an average amount is \$161,000 per permit.

XV. Advisory Boards Meeting Minutes

1. October 9, 2025 Historic Preservation Commission Meeting Minutes

XVI. Other Business

Council Member Allison stated that Council Member Wasson and herself do not have a conflict. Council Member Foster and herself did not do anything wrong and there is no ill will towards Council Member Wasson.

XVII. Closed Session (Following Pre-Agenda)

1. G.S. 143-318.11(a)(3), Attorney-Client Privilege

XVIII. Adjournment

Council Member Allison made a motion to adjourn. The motion was seconded by Council Member Jones. The motion passed unanimously.