



City Council Agenda

Thursday, January 14, 2021

6:00 PM

35 Cabarrus Avenue, W, Concord NC 28025

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone.

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is then held on the Tuesday preceding the regular meeting at 4:00 pm.

In order to maintain the safety of City residents, City Council, and staff, the January 12, 2021 City Council Work Session and the January 14, 2021 City Council meeting will be conducted electronically via Zoom and can be accessed with the following link:

Join Zoom Meeting:

<https://us02web.zoom.us/j/82744897457?pwd=UGh3OXI4UHFIZzhpTkpUWVF2a2tqQT09>

Phone Dialing alternative:
646-876-9923 or 312-626-6799

Meeting ID: 827 4489 7457 Password: 579922

Public Hearings will be conducted during the January 12, 2021 Work Session. If you would like to comment on a public hearing item or to comment during the Persons Requesting to be Heard portion of the January 14, 2021 City Council meeting click the following link:

<https://forms.gle/M37tMtHE3AFFjbBp8>.

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I. Call to Order

II. Pledge of Allegiance and Moment of Silent Prayer:

III. Approval of Minutes:

December 8 and December 10, 2020

IV. Presentations

1. Presentation of a Retirement Plaque to Pamela Roberts Parker recognizing her over 25 years of loyal and dedicated service to the City of Concord Planning and Neighborhood Development. Pam started her career in the Human Resources Department and moved to the Planning and Community Development department as the Executive Assistant. In 2001, she worked as a Code Enforcement Officer in Planning and in 2004 became the Executive Assistant in the newly created Development Services Department. In 2006, she was promoted to Development Services Technician and later in 2007 was promoted to Senior Planner which was the position that she held until retiring as part of the Planning and Neighborhood Development Department. Pam has taken part in many large developments throughout the years and is very instrumental in the quality development that has occurred in Concord. The City of Concord City Council and the Planning and Neighborhood Development Department appreciate having the honor to work with her and wish her the best in her retirement.

V. Unfinished Business

VI. New Business

A. Informational Items

1. Receive a presentation from Allen Scott and Jeff Parker regarding the Cabarrus Amateur Radio Society. (Work Session)

B. Departmental Reports

C. Recognition of persons requesting to be heard

D. Public Hearings

- 1. Conduct a public hearing and consider adopting the 2021 revision of the City of Concord Comprehensive Transportation Plan.** The City of Concord Comprehensive Transportation Plan (CTP) is the City's long-range transportation document for local roadway improvements. The CTP Map shows existing and future alignments of thoroughfares and collector streets along with pedestrian, bicycle, greenway and transit facilities in the City while its associated Street Appendix shows schedules consisting of existing cross sections and rights-of-way, future cross sections, and future rights-of-way. The CTP is a coordinated sub-set of the Cabarrus-Rowan MPO's Comprehensive Transportation Plan (CRMPO-CTP). The Cabarrus-Rowan MPO is the designated planning agency for all transportation projects in Cabarrus and Rowan counties and the CRMPO-CTP is a financially unconstrained view of the future roadway network in Cabarrus and Rowan counties. As planning documents from adjoining jurisdictions, the state, and the MPO change, roadway networks expand, development occurs, and land use changes, the current City of Concord CTP is evaluated annually by staff to reflect changes to street classifications and future roadway, pedestrian, bicycle and greenway alignments. The 2021 revision includes the addition of public transit and rail, in accordance with the Transit Master Plan, as to encompass all modes of transportation impacting the roadway. Public comment is also essential in providing a complete and comprehensive CTP and this public hearing is an opportunity for developers and citizens to formally participate in the process. An up-to-date CTP is a tool that the public and City staff from multiple departments use in planning for infrastructure needs and requirements. The 2021 Revision of the CTP Map, upon adoption by City Council, will be recorded at the Cabarrus County Register of Deeds.

Recommendation: Motion to adopt the 2021 revision of the City of Concord Comprehensive Transportation Plan.

E. Presentations of Petitions and Requests

- 1. Consider adopting a resolution to sell 98 Chestnut Drive SW to homebuyer, Desmond N. Miller, for \$149,500.** In Fiscal Year 2018/2019 Council took the initiative to allocate funds for the creation of affordable housing throughout the City as a first step to address the growing housing need. Through this effort, three houses have been constructed, another nearing completion and grading is complete for more. Standards for all new construction include hardy plank siding, meeting SystemVision standards and a landscaping package. To ensure the viability and attractiveness of the homes as well as the neighborhoods, covenants and an affordability clause have been attached to all City built properties via a deed restriction. In June of 2020, Council approved the construction of 98 Chestnut Drive SW. The listed purchase price was \$149,500 and the City received the full asking price.

Recommendation: Motion to adopt a resolution to sell 98 Chestnut Drive SW to homebuyer, Desmond N. Miller, for \$149,500.

- 2. Consider naming an un-named private street to Hinson Park Ln NW in the Hinson Mobile Home Park off of Concord Pkwy N (US Hwy 29 N).** According to the Code of Ordinances, the City Council may assign official street names to public and private streets. The entrance for the private street that serves the Hinson Mobile Home Park has been realigned due to the US Hwy 29 Superstreet Improvement Project at US Hwy 29 and Poplar Tent Rd. This project represents some long-awaited upgrades for access to the mobile home park and the owner of the mobile home park, the Hinson family, believes this is a good time to name the private road that runs through the

mobile home park. The Planning and Neighborhood Development Department, which is charged with managing the E-911 addressing system for the City, believes that it is necessary to name the street segment that serves the mobile home park since a new "T" intersection has been created, and agrees with the Hinson family's suggestion to rename. With the roadway improvements, there are now two street segments joining at the intersection. Staff is proposing to leave the Terminal Ct name to the street that connects to Concord Pkwy N and name the section that enters into the mobile home park (at the intersection) to Hinson Park Ln NW (see attached map). The Hinson family suggested the name, Hinson Park Ln NW. Following a review of street names in Cabarrus County, the Cabarrus County Planning Department found one name in the county that is similar (Hinson St in Kannapolis), but the County does not believe the proposed name will cause any conflict. The Planning and Neighborhood Development Department would administratively assign new address numbers to the 20 mobile homes and each mobile home would be required to post their new address number. The owner of the mobile home park has agreed to coordinate posting the address numbers and informing the residents of their new address. There are two street blades that would need to be installed to reflect the new name. The City's Sign Shop would carry out this job task. The mobile home park owner would pay the City for the street blades. The cost would be \$75 for each of the two needed street blades, for a total of \$150. The City would cover the remainder of the cost and installation for the street marker assembly.

Recommendation: Motion to approve the naming of an un-named private street to Hinson Park Ln NW which serves the Hinson Mobile Home Park.

- 3. Consider awarding a grant in the amount of \$300,000 from the City's Affordable Housing Revolving Fund to CFEA and to adopt a budget amendment.** The Concord Family Enrichment Association, as formed by City Council, has reached a point where funds are needed to help accomplish the long-term goals of both the City and CFEA related to affordable housing. The CFEA Board of Directors is requesting a \$300,000 grant from the City to enable us to advertise, recruit, and hire an executive director for the organization. This position will be responsible for administering, managing, maintaining, planning and directing CFEA programs and activities as well as seeking out and applying for a variety of funding opportunities (grants, donations, etc.). Grant funds can also be used to acquire properties, build/renovate/maintain properties, provide required matches for non-governmental grants, and pay for other administrative and operational expenses related to the activities of the non-profit.

Recommendation: Motion to award a grant in the amount of \$300,000 from the City's Affordable Housing Revolving Fund to CFEA and to adopt a budget amendment.

- 4. Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright and Ellington (TBE) to provide professional engineering services for the general aviation terminal parking lot rehabilitation at Concord-Padgett Regional Airport.** The current general aviation parking lot has not been repaved since the airport opened in 1994. The pavement is showing significant deterioration. In addition, the airport directional signage is not current since the name change. This project will mil 2 inches of existing pavement and place back 2 inches over the parking lot pavements located in front existing general aviation terminal building. As part of this project wayfinding signage for the airport from Derita Road to the commercial service and general aviation terminals will be included. These improvements will be funded through NCDOT Division of Aviation Commercial Airport Service Grants.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Talbert Bright and Ellington (TBE) for the design and bidding services for the general aviation parking improvements contract, not to exceed \$137,259.

5. Consider the approval of exercising the 5-year renewal option available on the current Rider Transit Service Provider contract. Rider Transit is in the final year of the contract with their current Service Provider contractor, Transdev. There is a 5-year option available on the current contract. Rider Transit staff conducted an Independent Cost Estimate (ICE) to determine if the option on the contract should be exercised, or if the contract should go back out for bid. Staff research showed that Rider Transit's current hourly rates for service for Fixed Route (\$65.07/hr) and Paratransit (\$75.93/hr) fell within the ICE range for similar systems and contract arrangements (Fixed Route = \$52.46/hr - \$91.00/hr, Paratransit = \$40.69/hr - \$79.99/hr). This information, coupled with an aging fleet, led staff to recommend to the Concord Kannapolis Transit Commission exercising the 5-year option available on our current contract at their 12/9/20 meeting, which was approved unanimously.

Recommendation: Motion to exercise the 5-year renewal option on the current Rider Transit Service Provider contract.

6. Consider accepting a Preliminary Application from Henry Mims. In accordance with City Code Chapter 62, Henry Mims has submitted a preliminary application for water service outside the City limits. The property is located at 8618 Arbor Oaks Circle. The property is currently zoned AO and the applicant has plans to develop with a single family home. There is not sanitary sewer service available to this property.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation.

7. Consider authorizing the City Manager to negotiate and execute a contract amendment for professional services with Woolpert, North Carolina, PLLC, to provide surveying and wetland delineation work for the Northwest park property located at 1252 Cox Mill Road. The property at 1252 Cox Mill Road in Concord, which totals approximately 28.6 acres and is adjacent to Cox Mill Elementary School was purchased by the City in 2020 to serve as the site of Concord's first Northwest park. In July 2020, Council approved the contract with Woolpert, North Carolina PLLC to complete the Master Plan and conceptual design for the Northwest Park. The amendment of \$92,660 will include significant survey work, including boundary surveying, topographic surveys, tree surveys, and a wetland delineation and analysis identified as optional services in original contract. This work is critical to continue the design process once the Master Plan has been adopted, and will accelerate the design and development of the park by preparing to move to Construction Documents soon after the Master Plan has been adopted and survey work has been completed. Development of a park in the Northwest region of Concord is a City Council Goal, and top priority goal of the Comprehensive Parks and Recreation Master Plan.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract amendment with Woolpert, North Carolina, PLLC, in the amount not to exceed \$92,660 for boundary, topographic, tree, and wetland surveying for the Northwest park.

8. Consider adopting a Capital Project ordinance amendment for the Generator Relocation Project. City Council approved the generator relocation project which included a new generator, construction and engineering services in the amount of \$800,000 at the October 10, 2019 City Council meeting. This project work is needed due to the Lansing Melbourne redevelopment of 30 Market St., which will require relocating the generator to a new site. Southeastern Consulting Engineers supplied a cost estimate for this project in August of 2019. Negotiations between the City and LMG for the purchase of 30 Market St., and other properties, concluded with a closing in December 2020. The new generator was purchased October 7, 2020 and is due to arrive in late March or early April 2021. Sealed proposals were received from three contractors for the installation of the new generator on December 17, 2020. Material and labor costs have increased since the 2019 quote. An additional \$109,000 is needed to complete this project. In addition to the increase in material and labor costs,

\$25,000 for the rental of two trailer mounted generators critical to the operation of City Hall and the Police Department should the 15-year-old generator fail and a 5% contingency are included.

Recommendation: Motion to adopt a Capital Project ordinance amendment for the Generator Relocation Project.

- 9. Consider appointing a voting delegate to cast the City of Concord's vote on the proposed Municipal Advocacy Goals.** NCLM staff received over 450 ideas from 165 individuals representing 114 municipalities. The Legislative Policy Committee has compiled and refined the submitted goals, the NCLM Board of Directors has reviewed, approved and has submitted 17 proposed advocacy goals for consideration. A voting delegate from each municipality must be appointed to review and vote on the proposed goals by January 14, 2021.

Recommendation: Motion to appoint a voting delegate to cast the City of Concord's vote on the proposed Municipal Advocacy Goals.

- 10. Receive a presentation on the creation of the City of Concord United Committee.** Council Member Langford will present information regarding the creation of the City of Concord United Committee. Detailed information regarding the establishment of the Committee is attached for your reference.

Recommendation: Receive the presentation and consider making a motion in regards to the creation of the City of Concord United Committee.

VII. Consent Agenda

- A. Consider accepting an Offer of Dedication of an access easement and approval of the maintenance agreement.** In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: C4 CStore Holdings II, LLC (PIN 4670-55-3503) 11065 Ellenwood Road.. Access easements and SCM maintenance agreements are being offered by the owners.

Recommendation: Motion to approve the maintenance agreements and accept the offers of dedication on the following properties: C4 CStore Holdings II, LLC.

- B. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.** In accordance with CDO Article 5, the following final plats and easements are now ready for approval: Park View Estates, Phase 3 Maps 3 and 4. Various utility easements and public rights-of-ways are offered by the owners.

Recommendation: Motion to accept the offer of dedication on the following plat and easements: Park View Estates, Phase 3 Maps 3 and 4.

- C. Consider accepting an offer of infrastructure at Ellenwood Park Subdivision, Park View Estates Subdivision, Haven at Rocky River Subdivision, Hunton Forest Subdivision, Woodbridge Subdivision, Allen Mills Subdivision, and The Boys and Girls Club of Cabarrus County.** In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following is being offered for acceptance: 12,596 LF of Roadway, 985 LF of 12-inch water main, 7,222 LF of 8-inch water main, 616 LF of 6-inch water main, 703 LF of 2-inch water main, 18 valves, 15 fire hydrants, 6002 LF of 8-inch sanitary sewer main, and 40 manholes.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites. Ellenwood Park Subdivision, Park View Estates Subdivision PH 3 MP 2, Haven at Rocky River Subdivision PH 1 MP 1 and 2, Hunton Forest Subdivision PH 2-3 MP 7, Woodbridge Subdivision PH 1 MP 1 and MP 2, Allen Mills PH 1 MP 1, 2, 3 and 4, and The Boys and Girls Club of Cabarrus County.

- D. Consider approving Parks and Recreation to apply for a Park and Recreation Trust Fund (PARTF) Grant for up to \$500,000 for the re-development of Marvin Caldwell Park.** The Parks and Recreation Trust Fund provides dollar-for-dollar

matching grants to local governments for parks and recreation projects to serve the public. The Parks and Recreation Trust Fund (PARTF) Grant is the primary source of funding to build and renovate park facilities. If awarded, Parks and Recreation would use the funding to help with the renovation of Marvin Caldwell Park. The Marvin Caldwell Park is one of the City of Concord's oldest parks, and was originally funded with Land and Water Conservation Funds (LWCF) in 1973. Based on the approved Master Plan, the application for the Parks and Recreation Trust Fund (PARTF) grant would identify up to three (3) amenities, which could include the City's first Splash Pad, relocation of the Robert Mathis Amphitheater, and provide connectivity with the Irish Buffalo Creek Greenway (First phase of IBC within the Park). The maximum grant request is \$500,000. The Grant applications are due by April 1, 2021, with the final application due to the State NC Park Authority by May 1, 2021. If approved and awarded, the City will have three (3) years to complete the project.

Recommendation: Motion to approve the Parks and Recreation request to apply for a Park and Recreation Trust Fund (PARTF) Grant for construction of identified amenities at Marvin Caldwell Park.

- E. Consider authorizing the police department to apply for grant funding from the NC Governor's Highway Safety Administration.** The police department is seeking approval to apply for grant funding from the NC Governor's Highway Safety Administration aimed at preventing traffic related deaths and injuries on streets and highways in the City of Concord. The grant money would be used on overtime expenses for traffic safety enforcement. The grant does not require a local match from the city. The application is due January 31, 2021. Grants awarded will be for the 2022 federal fiscal year, which begins Oct.1, 2021.

Recommendation: Motion to authorize the police department to apply for grant funding from the NC Governor's Highway Safety Administration.

- F. Consider adopting a budget amendment to transfer funds reserved for Affordable Housing in the General Fund as of June 30, 2020.** Affordable Housing projects were tracked in the General Fund prior to FY21. At the end of FY20, the amount of funds available to support Affordable Housing projects totaled \$295,141.80. Moving the funds from the General Fund to the Affordable Housing Revolving Project Fund will further support affordable housing efforts throughout the City of Concord.

Recommendation: Motion to adopt a budget amendment to transfer Affordable Housing funds available in the General Fund to the Affordable Housing Revolving Projects Fund.

- G. Consider approving the Family Self Sufficiency Grant (FSS) from the US Department of Housing and Urban Development (HUD) and adopt a budget ordinance in the amount of \$51,491.** HUD has awarded the Housing Department the Family Self Sufficiency Grant for federal year 2020 in the amount of \$51,491 to assist with helping residents move out and up, achieve home ownership and independence and work with participants to establish and meet their goals toward becoming financially self-sufficient.

Recommendation: Motion to accept the Family Self Sufficiency Grant (FSS) from HUD and adopt a budget ordinance in the amount of \$51,491.

- H. Consider approval of the transfer of delinquent utility accounts to collection losses.** Annually, staff must review the accounts receivable utility balances and determine if any of the balances are uncollectible. The accounts that are deemed uncollectible should be transferred to collection losses. Delinquent utility accounts deemed to be uncollectible amount to \$524,001.83. The primary reason for these losses is due to bankruptcies filings and bad debts that result when someone leaves their residence without paying their final bill. Staff continues to work with legal to pursue collection methods available as well as using the Debt Setoff Program offered through the State and an independent collection agency. Account collection continues even after the account is written off. Finale accounts from May 1, 2019 – March 31,

2020 (These revenues are less than 1% of the total operating revenues for each utility – Electric \$350,893.00; Water \$84,673.59; Wastewater \$68,583.38; Stormwater \$15,157.99; and Environmental Services \$4,693.87)

Recommendation: Motion to approve the transfer of delinquent utility accounts to collection losses.

- I. Consider amending Article 8.4, Grievance Policy, in the Personnel Policies and Procedures manual.** Staff recommends an update to Article 8.4, Grievance Policy to clarify the City's grievance procedures as it relates to Step IV of the grievance process.

Recommendation: Motion to amend Article 8.4, Grievance Policy, in the Personnel Policies and Procedures manual.

- J. Consider accepting the semiannual debt status report as of December 31, 2020.** The City's debt report as of December 31, 2020 is presented for the City Council's review.

Recommendation: Motion to accept the City's semiannual debt status report as of December 31, 2020.

- K. Receive monthly report on status of investments as November 30, 2020.** A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

Recommendation: Motion to accept the monthly report on investments.

- L. Consider acceptance of the Tax Office reports for the month of November 2020.** The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

Recommendation: Motion to accept the Tax Office collection reports for the month of November 2020.

- M. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of November 2020.** G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to overpayments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of November 2020.

VIII. Matters not on the agenda

- TAC
- MTC
- Centralina Regional Council
- Concord/Kannapolis Transit Commission
- WSACC
- Public Art Advisory Committee
- Concord Family Enrichment Association
- PTT Committee
- Barber Scotia Community Task Force Committee

IX. General comments by Council of non-business nature

X. Closed Session (if needed)

XI. Adjournment

*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE CITY CLERK AT (704) 920-5205 AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING.