



# City Council Agenda

Thursday, February 10, 2022

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.

**I. Call to Order**

**II. Pledge of Allegiance and Moment of Silent Prayer**

**III. Approval of Minutes**

December 21, January 11 and January 13, 2022.

**IV. Presentations**

**1. Presentation to former City Council Member and Water Sewer Authority of Cabarrus County (WSACC) Board Member, Dave Phillips.**

**2. Presentation of a Proclamation recognizing the month of February as Black History Month.**

**V. Unfinished Business**

**VI. New Business**

**A. Informational Items**

**B. Departmental Reports**

**C. Recognition of persons requesting to be heard**

**D. Public Hearings**

**1. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a ten year / 85% tax based Economic Development Incentive Grant to Eli Lilly and Company to locate at 1420 Concord Pkwy S, Concord, NC.** Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Eli Lilly and Company is a pharmaceutical drug manufacturing company, which discovers, develops, manufactures, and markets products in the human pharmaceutical product segment. The proposed facility will consist of approximately 800,000 SF (over two floors) on a five-building campus. The new facility will manufacture injectable products and devices and increase the company's manufacturing capacity. Eli Lilly and Company's proposed investment represents a total \$920,000,000.00 investment in real and personal property. Eli Lilly and Company plans to create 589 full time jobs with an average wage of \$70,555.00. The total value of the City's ten year grant is estimated to equal \$24,464,894.00 dependent on the actual investment. The City of Concord would still collect a 10-year net revenue of \$4,317,334.00 after the incentive payments. See attached grant analysis for additional details.

**Recommendation:** Conduct a public hearing; and Consider offering a contract for a ten year / 85% tax based Economic Development Incentive Grant to Eli Lilly and Company to locate at 1420 Concord Pkwy S, Concord, NC.

**2. Conduct a public hearing and consider adopting an ordinance amending the official zoning map for +/- 1.27 acres of property located at 848 Old Charlotte Rd. from C-2 (General Commercial) to RC-CD (Residential Compact Conditional District) and amending the 2030 Land Use Plan from Suburban Neighborhood to Urban Neighborhood.** The subject property consists of one (1) parcel totaling +/- 1.27 acres located at 848 Old Charlotte Rd. with street frontage on both Old Charlotte Rd and Dulan Dr. The petitioner has proposed the rezoning in order to construct a 13

unit townhome development with two buildings, a centralized parking lot, and passive common open space on the site. As part of the conditional district rezoning request, a draft site plan and elevations have been submitted and reviewed by applicable City departments. Approval of the rezoning request would necessitate a Land Use Plan amendment.

**Recommendation:** Consider adopting an ordinance amending the official zoning map for +/- 1.27 acres of property located at 848 Old Charlotte Rd. from C-2 (General Commercial) to RC-CD (Residential Compact Conditional District) and amending the 2030 Land Use Plan from Suburban Neighborhood to Urban Neighborhood.

3. **Conduct a public hearing and consider adopting an ordinance annexing +/- 2.387 acres of property located at 10515 and portion of 10435 Poplar Tent Rd, owned by Skybrook, LLC.** The request is for voluntary annexation of +/- 2.387 acres of property located at 10515 and portion of 10435 Poplar Tent Rd, owned by Skybrook, LLC. If annexed, the petitioner intends to apply for the RV-CD (Residential Village Conditional District) zoning classification in order to expand the planned Skybrook Corners townhome neighborhood to the north.

**Recommendation:** Conduct a public hearing and consider a motion adopting the annexation ordinance and set the effective date for February 10, 2022.

4. **Conduct a public hearing and consider adopting a resolution amending the City Council Districts to better balance population distribution between districts.** Periodically, the City Council Districts are amended due to annexations and areas of population growth. The last amendment to the Council Districts occurred in December 2018. Staff has worked with the City Manager to modify the boundary lines based on current population from the last Census, as well as expected population growth due to known or pending development. The proposed boundary lines follow easily identifiable boundary lines as much as possible. The attached maps show the current districts and the new proposed district boundaries.

**Recommendation:** Consider adopting a resolution amending the City Council Districts to better balance population distribution between districts.

#### **E. Presentations of Petitions and Requests**

1. **Consider approving the new benefit plan rates for the City of Concord for FY23 and authorize the City Manager to negotiate, conclude, and execute contracts with plan providers.** The City introduced a third medical plan option for coworkers on 7/1/2021 with lower contributions for Coworkers and their covered dependents. 15% of coworkers on the medical plan enrolled in the Blue HPN Plan, with 67% covering at least one dependent. Although this plan is performing at 27.6% below FY22 budget, the FY22 medical plan is running 3.6% higher than FY21, and FY21 ended 3% higher than FY20. For FY23, staff is projecting a 5.8% increase to the medical budget with no changes at all. The recommendation for FY23 is to leave coworker contributions the same, resulting in a 6.6% net increase to the City before savings initiatives.

**Recommendation:** Motion to approve the new plan design for the City of Concord benefit plans for FY23 and authorize the City manager to negotiate, conclude, and execute contracts with plan providers.

2. **Consider authorizing the City Manager to negotiate and execute a contract with Tindale Oliver and HDR, Inc for On Call Transit Planning Services.** Rider Transit and Cabarrus County Transportation Service have worked on a joint effort to secure On Call Transit Planning Services for the next 5 years. An RFQ was issued on 10/15/21. Four proposals were submitted and reviewed by a panel of Rider Transit, CCTS, CATS and CRMPO staff. Three firms were selected for interviews on 1/6/22. Two bidders were selected for recommendation of award based on their qualifications, experience, and project teams – Tindale Oliver and HDR, Inc. Each firm has particular strengths that staff felt would be best for both currently funded and potential upcoming

transit planning projects. No planning projects will start until grant funding is secured, a task order is issued to one of the firms, a scope of work developed and agreed upon, and cost for the task is determined. At that point, staff will then request approval to move forward with that particular project/task. This recommendation was approved unanimously by the Concord Kannapolis Transit Commission at their 2/1/22 meeting.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract for On Call Transit Planning Services with Tindale Oliver and HDR, Inc.

- 3. Consider authorizing the City Manager to sign a contract with AngelTrax, IVS, Inc. for the purchase of mobile security system to replace & upgrade the existing mobile security camera systems on all 18 Rider Transit revenue service vehicles.** Each of Rider Transit's 18 revenue service vehicles have an onboard mobile security camera system, which is 9 years old. Currently, Rider's mobile security camera system is provided by AngelTrax. They are listed on the federal GSA contract, and under the declared COVID-19 national emergency declaration, Rider Transit is allowed to purchased directly off the GSA schedule. Given the excellent working relationship with AngelTrax, particularly in the area of post installation customer service, staff is recommending AngelTrax to upgrade our mobile security camera system. Total initial cost for this project will be \$137,293.75, which includes hardware, installation, and the first five years of software fees. There will be \$242 Mototrax software fee per vehicle annually after the first five years. Funding for this project will utilize existing federal 5339 funds, which will be covered with 80% federal funding, 20% local contribution.

**Recommendation:** Motion to authorize the City Manager to sign a contract with AngelTrax, IVS, Inc. for the purchase and installation of new mobile security camera systems on each Rider Transit revenue service vehicle.

- 4. Consider authorizing the City Manager to negotiate and execute a contract with Ratzlaff Construction for the construction of the combination shelter-restroom building, and paved parking lot at 106 Wilson Street SE.** Ratzlaff Construction, was the lowest bidder with a base bid of \$830,016. The project budget is \$662,000 (420-8300-5811018). The amount of \$72,503 has been identified as value engineering for a sub-total of \$757,513 The project is \$133,389 over the original budget. Parks & Recreation has cost savings in the following account 420-8300-5811068, and would like to use \$133,389 of the cost savings to fund the project. The project will provide a combination shelter and restroom building as identified in the adopted master plan for Wilson Street Park. This will be the only building planned for the park site, and immediately activates the property for programming capabilities. It would also provide a much needed restroom for the extension of McEachern Greenway, whereas the closest restroom is currently over 1 mile away at McGee Park. This facility is also about half way between McGee Park and Beverly Hills Park, where an extension of McEachern Greenway is planned to Miramar connecting to the park via sidewalk. The proposed shelter was added to the building in lieu of providing a separate shelter shown in an earlier concept of the master plan, and can be used as an outdoor classroom for greenway programs, or as a reservable facility. Currently, the existing parking lot is unpaved and has with no handicap parking. The revised parking lot will be paved, will include a realigned driveway entrance, and a better turning radius. In addition, it provides an additional 15 parking spaces with marked, handicap parking, and a bus lane to support educational program opportunities for the City, future park and other entities. The new building also features a unique design in keeping with the original vision for Wilson Street Park, designed with curved siding features, stone base and inlay veneer, and wood beams for a more natural look.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with Ratzlaff Construction for the construction of the shelter-restroom building and parking lot and to adopt a budget amendment to appropriate the funds.

5. **Consider authorizing the City Manager to negotiate and execute a contract with Herrin Industrial, Inc. for the construction of the Hwy 73 Water Interconnection to Charlotte Water.** The proposed Hwy 73 Water Interconnection to the Charlotte Water system will be located at the Mecklenburg- Cabarrus County line on HWY 73 and will provide the ability to receive water from Charlotte if needed. The project was bid under the formal bidding process, bids were taken on January 25, 2022, four (4) bids were received and the lowest responsible bidder was Herrin Industrial, Inc., in the amount of \$518,800.67. The bid amount is within the budgeted amount.

**Recommendation:** Motion authorizing the City Manager to negotiate and execute a contract with Herrin Industrial, Inc. in the amount of \$518,800.67 for the construction of the proposed Hwy 73 Water Interconnection to Charlotte Water.

6. **Consider removing Kevin Killough from the Planning and Zoning Commission.** The removal of Mr. Killough from the Planning and Zoning Commission is due to non-attendance at the meetings. Staff is requesting Mr. Killough be removed and Commission Member Phil Jones be reassigned to regular member status.

**Recommendation:** Motion to remove Kevin Killough from the Planning and Zoning Commission and reassign Commission Member Phil Jones to regular member status.

**7. GO Bond referendum discussion (Work Session)**

**8. Sewer Allocation Process Discussion (Work Session)**

**9. 2020-2023 Strategic Plan discussion (Work Session)**

**VII. Consent Agenda**

- A. **Consider adopting a resolution updating the current approved depositories for the City of Concord.** The attached resolution and the attached list of pooling banks for N.C., is submitted for City Council approval. Although the City has a contract with Wells Fargo, the central depository for the City, the City also has relationships with many other financial institutions in regards to investment activities and debt relationships. A list of pooling banks is attached for your review. This list represents banks that the Treasurer's office currently works with to receive deposits for State agencies. These banks agree to comply with State guidelines to operate as a depository of State funds. Staff is requesting that these financial institutions be approved.

**Recommendation:** Motion to adopt a resolution to designate allowed depositories for the City.

- B. **Consider accepting the 2022 Family Self Sufficiency (FSS) Grant Award from the US Department of Housing and Urban Development (HUD) and adopt a budget ordinance in the amount of \$56,640.** HUD has awarded the Housing Department the Family Self Sufficiency (FSS) Grant for federal year 2022 in the amount of \$56,640 to pay the salary and benefits of the program coordinator, whose primary responsibility is to guide and connect participants to needed training and resources. Participants in the program gain access to the support they need in order to achieve their self-sufficiency goals and move up the economic ladder.

**Recommendation:** Motion to accept the 2022 Family Self Sufficiency (FSS) Grant Award from the US Department of Housing and Urban Development (HUD) and adopt a budget ordinance in the amount of \$56,640.

- C. **Consider accepting a Parks and Recreation Trust Fund (PARTF) grant award for Marvin Caldwell Park Renovations, and authorization for the City Manager to execute and for the Mayor to sign a grant agreement with the North Carolina Department of Natural and Cultural Resources in the amount of \$400,000.** Acceptance of the Parks and Recreation Trust Fund (PARTF) award in the amount of \$400,000 will help fund improvements to Marvin Caldwell Park that have been identified by the master plan, including: 1) A new splash pad, 2) A new shelter, and 3) A segment of the first phase of Irish Buffalo Creek Greenway. The grant also covers portions of site preparation, grading and demolition. These improvements to the park

will transform Caldwell Park into a more accessible, inclusive, visible, and well-connected neighborhood park. The City has allocated the budget for the required match, and is committed to finishing these improvements within the next three (3) years with execution of the grant agreement. Approximately six (6) acres of the existing park would be disturbed for these improvements, and would also include items associated with the Land and Water Conservation Grant (LWCF), which includes a new playground, covered basketball courts, a new youth baseball diamond, and a multi-use field, as well as other items such as lights, dugouts, bleachers, one additional small shelter, a new restroom building, new fencing, hardscapes and sidewalks, and expansion/reconfiguration of parking and driveways. The attached project amendment appropriates these grant funds.

**Recommendation:** Motion to accept the PARTF award, and authorize the City Manager to execute and the Mayor to sign a grant agreement with National Park Service through the North Carolina Department of Natural and Cultural Resources, and to approve the attached project amendment to appropriate the funds.

- D. Consider authorizing the Concord Police Department to apply for an Internet Crimes Against Children Investigations grant, administered by the North Carolina Sheriff's Association, pursuant to Senate Bill 105.** The Concord Police Department is requesting to apply for an Internet Crimes Against Children Investigations grant, administered by the North Carolina Sheriff's Association, pursuant to Senate Bill 105. The grant money will be used to increase investigative capacity by the department's Child Sex Crimes and Human Trafficking Task Force. The grant award may not exceed \$75,000, and there is no local match required. The grant will require a partnership with the North Carolina State Bureau of Investigation. The grant is anticipated to be announced in late February.

**Recommendation:** Motion to authorize the Concord Police Department to apply for an Internet Crimes Against Children Investigations grant, administered by the North Carolina Sheriff's Association, pursuant to Senate Bill 105.

- E. Consider accepting an offer of infrastructure at Heritage at Moss Creek Subdivision.** In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptance: 409 LF of 8-inch water line, 785 LF of 6-inch water line, 335 LF of 2-inch water line, 4 valves and 4 Fire Hydrants. 1,218 LF of sanitary sewer line and 9 manholes.

**Recommendation:** Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites, Heritage at Moss Creek Subdivision.

- F. 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: Megawash Concord, LLC, Jack's Heavy Concord, LLC, and Concord Housing, LLC (PINs 5509-21-7392) 4165 Concord Parkway South, Park View Owners Association (PIN 5528-46-9020) 5025 and 5175 Rocky River Road, and HSREI, LLC (PIN 4599-10-9019) 7609 Hendrick Auto Plaza NW. 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: Megawash Concord, LLC, Jack's Heavy Concord, LLC, and Concord Housing, LLC, Park View Owners Association, and HSREI, LLC.

- G. Consider adopting an ordinance to amend the FY 2021/2022 Budget Ordinance for the General Fund to appropriate insurance reimbursements received.** The City of Concord received insurance reimbursements to cover repairs and replacement of damaged vehicles. The attached budget ordinance will appropriate these funds to the respective impacted departments.

**Recommendation:** Motion to adopt an ordinance to amend the FY 2021/2022 Budget Ordinance for the General Fund to appropriate insurance reimbursements received.

- H. Consider adopting a Stormwater Projects fund project ordinance to move funding to the Country Club project.** Staff is recommending reallocating funding previously approved for the Dylan Place Culvert to the Country Club project as it is a more immediate need.

**Recommendation:** Motion to adopt a Stormwater Projects fund project ordinance to move funding to the Country Club project.

- I. Consider adopting a Wastewater Projects fund project ordinance to combine amounts for the GL Pump Station eliminations project.** Staff is requesting to combine four project accounts into one as they are all related to the GL Pump Station eliminations project and will be done at one time as one project.

**Recommendation:** Motion to adopt a Wastewater Projects fund project ordinance to combine amounts for the GL Pump Station eliminations project.

- J. Receive quarterly report on water and wastewater extension permits issued by the Engineering Department in the fourth quarter of 2021.** In accordance with City Code Chapter 62, attached is a report outlining the water and wastewater extension permits that were issued between October 1, 2021 and December 31, 2021.

**Recommendation:** Motion to receive the fourth quarter water and wastewater extension report for 2021.

- K. Consider approving a change to the classification/compensation system to include the following classification: Fleet Services Training Coordinator.** The addition of this new classification will increase the ability to attract and retain employees and provide enhanced expertise for the City of Concord.

**Recommendation:** Motion to approve the addition of the Fleet Services Training Coordinator (Grade 211) with a salary range of \$54,473.53 (minimum) - \$72,177.41 (midpoint) - \$89,881.29 (maximum).

- L. Consider approving a change to the classification/compensation system to include the following classification: Customer Service Specialist II.** The addition of this new classification will increase the ability to attract and retain employees and provide enhanced expertise for the City of Concord.

**Recommendation:** Motion to approve the addition of the Customer Service Specialist II (Grade 207) with a salary range of \$38,590.40 (minimum) - \$51,132.31 (midpoint) - \$63,674.19 (maximum).

- M. Receive monthly report on status of investments as of December 31, 2021.** 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.

- N. Consider acceptance of the Tax Office reports for the month of December 2021.** 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 December 2021.

- O. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of December 2021.** 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 December 2021.

**VIII. Matters not on the agenda**

- **Transportation Advisory Committee (TAC)**
- **Metropolitan Transit Commission (MTC)**

- **Centralina Regional Council**
- **Concord/Kannapolis Transit Commission**
- **Water Sewer Authority of Cabarrus County (WSACC)**
- **Public Art Advisory Committee**
- **Concord Family Enrichment Association**
- **Barber Scotia Community Task Force Committee**
- **Concord United 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.**