

CONCORD CITY COUNCIL
WORK SESSION MEETING
JANUARY 8, 2019

The City Council for the City of Concord, North Carolina, held a work session on January 8, 2019, at 4:00 p.m., in the Council Room of City Hall, with Mayor William C. Dusch presiding. Council members were present as follows:

Members Present:

Mayor Pro-Tem Samuel M. Leder
Council Member W. Brian King
Council Member Ella Mae P. Small
Council Member JC McKenzie
Council Member Terry L. Crawford
Council Member Jennifer H. Parsley
Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Department Directors

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A motion was made by Council Member Crawford, seconded by Council Member Sweat, and duly carried, to amend the agenda to add an additional presentation to recognize the retiring Director of McGill Child Development Center—the vote: all aye.

The following agenda was presented for discussion:

Presentations:

1. Recognition of McGill Child Development Center Director, Ms. Tappy McMillian, on her retirement.
2. Presentation of a Proclamation recognizing January 21, 2019 as Martin Luther King, Jr. Day.
3. Presentation of a retirement plaque to Mike Mundale for 25 years of loyal and dedicated service with the City of Concord Fire Department.
4. Presentation of a retirement plaque to Kerry Ritchie for 29 years of loyal and dedicated service with the City of Concord Fire Department.
5. Presentation of a retirement plaque to Deputy Police Chief Betty Stocks for over 28 years of service with the City of Concord Police Department.

Public Hearings

1. Conduct a public hearing to consider adopting a zoning map amendment for recently annexed property located on the north corner of the Poplar Tent Road and Harris Road intersection from Cabarrus County LDR (Low Density Residential) to City of Concord PUD (Planned Unit Development) – Case Z(CD)-20-18 (Oaklawn).

The Planning and Neighborhood Services Manager, Starla Rogers, explained the subject property is located within two land use categories; "Village Center" and "Suburban Neighborhood." The Planning and Zoning Commission heard the above referenced petition at their November 20th, 2018 public hearing and acted to deny

the request. At the hearing, multiple residents spoke in opposition or were present to display opposition. The Planning and Zoning Commission agreed that the request was consistent with the Land Use Plan but modified staff's proposed Statement of Consistency and denied the request based on their opinion that the proposal was not reasonable or in the public interest.

She stated the total proposed development on the site is 296 multifamily units, 142 attached residential units and a minimum of 8,120 sf of commercial/office.

She explained that because the property was annexed into the City limits, a zoning classification must be applied. She explained the following five (5) zoning districts are consistent with both Land Use Categories on the subject properties: PRD (Planned Residential Development), C-1 (Light Commercial), PUD (Planned Unit Development), RV (Residential Village), and TND (Traditional Neighborhood Development). Furthermore, the only districts that are consistent with both categories and do not require site plans or developer applications are RV and C-1.

2. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a five-year / 85% tax based Economic Development Incentive Grant to Project Safety to locate at 225 Wilshire Ave, SW in Concord.

Economic Development Corporation Existing Industry Director, Page Castrodale, explained the request. She stated Project Safety, aka SafeWaze, is currently located at three locations in Concord: 730 Commerce Drive, 322 Industrial Court, & 2660 Zion Church Road. The company is proposing a \$1,500,000 investment in personal property for a new consolidated location at 225 Wilshire Ave SW.

3. Conduct a public hearing to consider adopting an ordinance amending Section 9.8.3. of the Concord Development Ordinance (CDO) regarding local landmark designations (TA-13-18).

Senior Planner, Scott Sherrill, stated the Historic Preservation Commission recommended modifications to the Local Landmark section of the CDO (9.8.3). The proposed modifications are designed (1) to reflect that the City's existing inventories and surveys are adequate to consider local landmark requests, (2) to acknowledge that property owners may submit applications, and (3) to clarify that the Historic Commission will hear the case prior to forwarding to City Council for review.

4. Conduct a public hearing to consider adopting an ordinance amending the Concord Development Ordinance (CDO) to clarify submission requirements for complete site plan and supporting materials for conditional district zoning amendments (TA-14-18).

The Planning and Neighborhood Services Director, Steve Osborne, stated staff has proposed an amendment to require that rezoning site plans must be in final approval form fifteen (15) days prior to hearing. The purpose of the amendment is to allow the staff time to prepare a staff report and to have it posted to the website prior to the hearing.

Presentations of Petitions and Requests

1. Consider authorizing staff to apply for \$100,000 in funding from the North Carolina Housing Finance Agency under the Urgent Repair Program.

Community Development Manager, Mary Carr, stated the 2019 Urgent Repair Program funding enables recipient organizations to provide deferred, forgiven loans of up to \$10,000 for emergency home repairs and necessary modifications to very low-income owner-occupied homes.

2. Consider adopting a resolution endorsing new projects at Concord-Padgett Regional Airport for the Cabarrus-Rowan Metropolitan Planning Organization (CRMPO)

Regional Priority List for FY2022-2031.

The Aviation Director, Dirk Vanderleest, explained the following three projects being requested to be added to the MPO Regional Priority List for FY2022-2031: 1) Fire Station/Security Center; 2) South Apron Expansion; and 3) Commercial Terminal Expansion.

3. Consider adopting an ordinance to amend the City Code of Ordinances, Chapter 18, Section 257, governing taxicab rates schedule.

Police Chief, Gary Gacek, stated Code Enforcement received a request from Yellow Cab of Concord to raise the maximum taxicab rates. Staff reviewed the maximum rates in the region and in similarly sized cities in the State and it was determined that the proposed rates are reasonable and in line with other cities. Other taxicab companies in Concord support the rate increase. He stated the following are the proposed rates, which shall be maximum rates and are not to be exceeded: 1) Initial meter charge: \$2.50. (2) Each additional 1/8 miles thereafter: \$0.30. Established rates may be reviewed and adjustments approved by City Council. If approved, the rate increase will be effective March 1, 2019.

4. Consider approving a modification to the existing solid waste routes in order to allow increased efficiency and effectiveness.

The Interim Solid Waste Director, Lonnie Bulger, stated the City entered into a contract in July 2011 with Waste Pro to collect the City's residential and designated non-residential solid waste items. At the time of contract implementation, the City's collection points totaled approximately 27,676. At present time the City's collection points total 32,251. Due to the continued growth throughout the contract and the most recent rapid growth, the current routes are unbalanced. He explained the total for each collection route. The imbalance is causing the City's solid waste collection to be inefficient and creating premature wear and tear on the equipment.

He stated the Solid Waste Department, Planning, GIS, and Waste Pro worked together to assemble a proposed reroute map that will account for future growth based upon a 5-year projection and a best efficiency for collection. The recommended changes include the rapidly growing areas of the Wednesday, Thursday, and Friday routes.

He explained the methods of Public Education and Outreach would include printed media, internet and social media, face to face, and digital / phone to the affected addresses. The City will start the education piece with a "soft" launch approximately 45-60 days before the start date of the reroute, which is anticipated to be March 1, 2019. The last two weeks before the launch date will necessitate a heavy education campaign to promote the upcoming route/day change with the affected addresses

5. Consider authorizing the City Manager to enter into a construction contract with James E. Harris Construction Co, Inc to rehabilitate the Corban Avenue Pump Station and to adopt a budget amendment for the project.

The Water Resources Director stated bids were received and the low bidder and engineer's recommendation was James E. Harris Construction Company, Inc. in the amount of \$259,921.20. She further stated the project will be fully funded from the Water Utility Fund.

Consent Agenda

There were no comments regarding the Consent Agenda.

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With there being no further discussion, a motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to conduct a

closed session in accordance N.C. General Statute 143-318.11(a)(4) to discuss matters relating to the location or expansion of business in the area served by this body; and N.C. General Statute 143-318.11(a)(5) to establish or instruct staff the negotiating position for acquisition of real property currently owned by Cabarrus County, multiple parcels located near the intersection of Hwy 601 and Cabarrus Avenue, for the purpose of Parks and Recreation use, and Billy Corzine, 14.40 acres located on Old Airport Road, for the purpose of electric department infrastructure —the vote: all aye.

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Upon reconvening in open session, a motion was made by Mayor Pro-Tem Leder, seconded by Council Member Small, and duly carried, to adopt the following resolution

RESOLUTION AUTHORIZING NEGOTIATED PURCHASE OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire a property identified as PIN: 5640-41-6090, Tax ID No: 11-024-0051.00, owned by Billy J. Corzine for the purpose of building an electrical substation off of Airport Road to provide additional electrical services to the eastern portion of Concord and Cabarrus County, said property being described as follows:

BEING all of TRACT ONE (1) of the TRACY N. BROWN PROPERTY, said plat being recorded in Map Book 47, at Page 99 and being a 14.40 acres tract, more or less, Cabarrus County Registry.

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONCORD, THAT:

The City of Concord will acquire by condemnation or negotiated conveyance for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 10th day of January 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

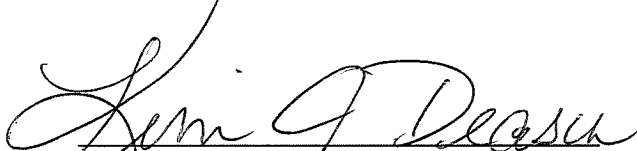
/s/


William C. Dusch, Mayor

ATTEST: /s/ Kim J. Deason, City Clerk

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There being no further business to be discussed, a motion was made by Mayor Pro-Tem Leder, seconded by Council Member Crawford, and duly carried, to adjourn—the vote: all aye.


Kim J. Deason, City Clerk


William C. Dusch, Mayor