

CONCORD CITY COUNCIL  
WORK SESSION MEETING  
APRIL 9, 2019

The City Council for the City of Concord, North Carolina, held a work session on April 9, 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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The following presentations were made by external agencies relative to funding in the FY 2019-2020 Budget:

**Big Brothers Big Sisters of Greater Charlotte**

Ms. Connie Rheinecker made a presentation to the Council requesting \$5,000. If granted, the funds will be used to assist with staffing costs associated with Concord based programs.

**Boys & Girls Club of Cabarrus County**

Mr. Jeff Green made a presentation to the Council requesting \$9,000. If granted, the funds will be used for the Youth Football Program.

**Cabarrus Arts Council**

Executive Director, Noelle Scott, made a presentation to the Council requesting \$42,800. If granted, the funds will be used to assist in the continuation of the programs and services Cabarrus Arts Council provide to the citizens of Concord.

**Cabarrus Events Association**

Mr. John Howard made a presentation to the Council requesting \$6,000. If granted, the funds will be used to assist in the production of the 91<sup>st</sup> Annual Concord Christmas Parade. Mr. Howard has served as Parade Director for 53 years. He stated he would be retiring this year and introduced Ms. Lori Clay as the new Parade Director.

**Cabarrus Victims Assistance Network (CVAN)**

The Assistant Executive Director, Rebecca Moffett, made a presentation to the Council requesting \$10,000. If granted, the funds will be used to assist the facility in providing shelter and support services for battered women and their children. She thanked the Mayor and Council for being a partner in working towards the organization's goals.

**Teen Court – Conflict Resolution Center**

The Teen Court Program Coordinator, Cynthia Seaforth, made a presentation to the Council requesting \$12,000. If granted, the funds will be used to support the Teen Court program.

## Habitat for Humanity Cabarrus County

Ms. Katie Page made a presentation requesting \$10,000. If granted, the funds will be used as reimbursement of zoning clearance permit fees and water and wastewater connection charges for houses constructed within the City of Concord.

## Historic Cabarrus Association

The Executive Director, Ashley Sedlak-Propst, made a presentation to the Council requesting \$15,000. If granted, the funds will be used for assistance with on-going operational costs.

## Academic Learning Center (CDBG)

Ms. Terri Chaney made a presentation to the Council requesting \$5,000. If granted, the funds will be used to assist with after school tutoring.

## Cabarrus Meals on Wheels (CDBG)

Ms. Karen Allen made a presentation to the council requesting \$10,000. If granted, the funds will be used to continue providing hot meals to home bound seniors and disabled adults.

## Coltrane LIFE Center (CDBG)

Ms. Susan Caudle made a presentation to the Council requesting \$5,000. The Center is the only adult day care program in Cabarrus County. If granted, the funds will be used for scholarship assistance to participants with low to moderate income.

## El Puente Hispano – The Hispanic Bridge (CDBG)

The Vice President and Director of Support & Social Services Committee, Ms. Sandra Torres, made a presentation requesting \$15,000. If approved, funds will be used to hire two staff members and add extra curriculum activities and programs.

## Hope Haven

No one was present to make a presentation. The organization is requesting \$10,000 to assist the agency with continuation of their services.

## Midway's Opportunity House (CDBG)

Pastor Thad Brown made a presentation to the Council requesting \$4,000. If granted, the funds will be used to assist with utility costs at the organization.

## Prosperity Unlimited (CDBG)

Vice President, Ms. Carrie Roseman, made a presentation to the Council requesting \$10,000. If granted, the funds will be used to assist the agency with continuation of their services.

## Salvation Army (CDBG)

The Salvation Army Director of Emergency Services, Mr. Joe LaSalle, made a presentation requesting \$15,000. The Salvation Army provides an Emergency Shelter to the homeless in Cabarrus County. If approved, the funds will be used for the continuation of this service.

Cooperative Christian Ministry (CDBG Fund and Enterprise Fund)

The Financial Assistance Program Manager, Roxanna Claiborne, and CCM Grant Writer, Heather Macaulay, made a presentation to the Council requesting \$10,000 (CDBG) and \$25,000 (enterprise fund). If granted, CDBG funds will be used to partially fund the positions of CCM Case Managers for housing services in Concord. The enterprise funds will be used to assist City of Concord citizens in paying their utility bills.

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Immediately following the External Agencies' presentations, the following agenda was presented for discussion:

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**Presentations:**

1. Recognition of the winners of the 8<sup>th</sup> Annual 2019 Pre-Skills Masonry Competition.
2. Presentation of retirement plaque to Donna Chandler for over 15 years of service with the City of Concord Engineering Department.
3. Presentation of retirement plaque to David Chandler for over 33 years of loyal and dedicated service with the City of Concord Electric Systems.
4. Presentation of a Proclamation recognizing April 14-20, 2019 as National Public Safety Telecommunicator Week.
5. Presentation of the NCIPMA 2019 Recognition Award for Training and Career Development to the HR Director, Rebecca Edwards.
6. Presentation of the 2019 Jo Atwater Continuous Core Values Award.

**Informational Items:****Public Hearings**

1. Conduct a public hearing and consider adopting the Five-Year Agency Plan for the Concord Housing Department that updates the Policies that govern the Public Housing Program.

The Housing Director, Angela Graham, stated Housing Department staff is required to submit a Five-Year Agency Plan to the United States Department of Housing and Urban Development (HUD) every five years. She explained the three (3) changes proposed to the Plan. As required, the plan has been completed and ready for review since Monday, February 11, 2019.

2. Conduct a public hearing and consider approving an agreement with Ford Commercial, LLC regarding acquisition and construction of a sewer line near the intersection of Old Holland Road and Weddington Road, Ext.

The City Attorney stated per the agreement, Ford Commercial LLC will agree to construct the required wastewater infrastructure with conditions.

3. Conduct a public hearing and consider adopting a resolution closing the right-of-way of Means Avenue between Union and Church Streets with an effective date of March 1, 2020 in order to facilitate Cabarrus County's redevelopment of the courthouse complex.

The Planning and Neighborhood Development Department Director, Steve

Osborne, stated closure date of March 1, 2020 will allow the County time to finalize the Courthouse design and to determine the utilities that have to be relocated or protected with easements and it also allows time to design the accompanying plaza and to finalize private/public ownership as well as easements in the plaza area.

4. Conduct a public hearing and consider adopting an ordinance for annexation of a portion of one parcel located on the southeast of the Christenbury Parkway and Cox Mill Road intersection (9101 Edenbury Drive).

The Planning and Neighborhood Development Planning Manager, Starla Rogers, stated the property is owned by Christenbury Farms, LLC and the petitioners for the annexation are Joe Untz and Sam Switzenbaum. The subject property consists of approximately 46.055 acres of a larger parcel and is contiguous to the City of Concord's primary corporate limits. If approved, the applicant intends to pursue a rezoning to PUD (Planned Unit Development) for the purpose of establishing a mixed-use development that would include commercial/office and residential. She further stated a site plan has been submitted showing the proposed layout that includes the commercial/office abutting the Christenbury Parkway and Cox Mill Road intersection, multifamily units toward the interior and along Cox Mill Road, and single-family attached (townhomes) at the intersection of Cox Mill Road/Barrowcliffe Drive NW/Edenbury Drive.

5. Conduct a public hearing and consider adopting an ordinance for annexation of one parcel located at 50 Denise Ct, NW owned by Joshua and Tiffany Yates.

The Planning and Neighborhood Development Planning Manager stated the subject property consists of approximately 1.037 acres on Denise Ct. SW, west of Zion Church Rd and north of Central Heights Drive. The purpose of annexation is for the property owners to construct one (1) single-family detached home on the existing parcel. In order to receive access to City of Concord water and sewer, annexation has been required.

6. Conduct a public hearing and consider adopting an ordinance amending Article 12 of the Concord Development Ordinance (CDO) to prohibit internally illuminated signs in the Center City (CC) zoning district.

The Planning and Neighborhood Development Planning Deputy Director, Kevin Ashley, stated staff recently discovered that in the rewrite of Article 12, that occurred in 2016, this prohibition was not carried forward and decided that it is in the best interest of the City to initiate the corrective amendment. The amendment merely clarifies that internal illumination for both wall and ground mounted signs is prohibited in both the CC district and in districts where single family residences are a use permitted by right

### **Presentations of Petitions and Requests**

1. Consider authorizing the Concord ABC Board to retain extra Distribution of Funds.

ABC Board Chairman, Gary Walker, stated the Board is looking to purchase the ABC store that is currently located at Poplar Tent Rd. and George Liles Blvd. They are currently leasing the building, but the lease will expire in 2020.

Council Member Parsley left the meeting.

2. Consider adopting the City of Concord Strategic Plan 2020-2023.

The City Manager stated if adopted, the Plan will outline the City of Concord City Council's goals and objectives for FY2020-2023.

3. Consider appointing a voting delegate and alternate voting delegate for the NC League of Municipalities Business Meeting to be held during the 2019 CityVision

Annual Conference in Hickory, May 14-16, 2019.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to appoint Mayor Dusch as the voting delegate and Council Member Small as the alternate voting delegate—the vote: all aye.

4. Consider establishing a 50 (c)(3) nonprofit tax exempt entity as a supporting organization of the City of Concord.

The Housing Director stated by establishing a nonprofit tax exempt entity it will enable staff to apply for grants and/or funds that would not otherwise be available to the Housing Department. This entity would be a supporting organization of the City, meaning that the funds received and/or raised can be utilized to directly benefit the City's affordable housing initiatives. The funds could be used for a variety of purposes, including land and property acquisition, the development of new affordable housing and the maintenance and enhancement of currently owned properties.

5. Consider amending City of Concord income limits for the CDBG and HOME programs to align with HUD income brackets and change repayment amount to reflect affordability goal.

The Community Development Manager, Mary Carr, stated for residents seeking homeowner rehabilitation assistance, the current repayment scale for Concord is divided into percentage brackets, which are different from what HUD issues each year. When a client looks at the HUD site for information, the difference of numbers leads to confusion. Moreover, staff must spend extra time recalculating each percentage category and by household number, each year when HUD issues new numbers.

She also stated the repayment requirement for clients has been difficult. To alleviate this barrier, modification of repayment requirements would safeguard affordability; with clients below 30% - 50% income being given a forgivable loan and clients 51% - 80% being required to repay only 50% of the project amount.

6. Consider accepting or rejecting an offer to purchase 208 Kerr St, SW from Troutman Land Investments, Inc in the amount of \$35,000.

The Planning and Neighborhood Development Department Director briefly explained the offer to purchase. He presented a conceptual plan for the property that was provided by Troutman Land Investments, Inc.

Council Member King commented that, in his opinion, the City should retain this property at this time.

The Planning and Neighborhood Development Department Director stated that, should the offer be accepted and the property sold to Troutman Land Investments, the property will need to be rezoned to C-1 or C-2 to support the plan as they have submitted.

Council Member Crawford stated the concern is, will the proposed plan fit into the City's overall vision for that area in the future.

7. Consider awarding a bid to Kearey Builder's, Inc in the amount of \$335,460 to complete Phase IV (Lower Level Up-fit) construction at ClearWater Artist Studios located at 223 Crowell Dr, NW using CDBG funds.

The Community Development Manager stated the proposed up-fit would complete the lower level except for one room approximately 2,000 square foot, which was removed from this phase due to projected construction costs. Kearey Builder's, Inc. was the lowest responsible bidder. Upon request for references, Kearey submitted

several commercial and local government projects they have completed. Ken Griffin, Architect for Phase IV, checked the provided references and received favorable reports.

Council Member McKenzie asked how many phases will be left upon completion of this phase. The Planning and Neighborhood Development Department Director explained the remaining up-fits. He stated the number of phases would depend on construction costs.

8. Consider adopting an ordinance amending City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks and Other Public Places.

The Buildings and Grounds Director, Susan Sessler, explained the proposed amendment would create a new Chapter 50, Article IX to be entitled "Regulation of Trees on Public Property". The proposed ordinance concerning trees on public property would allow the establishment of practices governing the protection, maintenance and planting of trees and vegetation on public property and easements. By adopting the amendment, the City would meet the final requirement for pursuing Tree City USA.

9. Consider awarding the total bid for the Miramar Dr, NE Sidewalk Extension Phase II to Piedmont Asphalt Paving Company, Inc.

The Transportation Director, Phillip Graham, stated Piedmont Asphalt Paving Company, Inc submitted the lowest bid in the amount of \$205,392. Contract final completion date is 90 days from the Notice to Proceed.

10. Consider amending the request for the Union St, S Sidewalk Extension Project to include additional CMAQ funding match.

The Transportation Director stated this project was originally estimated at \$400,000 and approved as a state funded TAP project with a 20% local match of \$80,000 as approved by the City of Concord. Due to project scope items including extensive storm water infrastructure not considered in the original estimate coupled with a market increase for construction work since the original estimate, has increased the estimate to \$866,009.51. This request is to support the submittal of a CMAQ application to fund the difference between the original estimate and the revised estimate which totals \$466,010. The City of Concord's estimated matching funds are \$93,202 (20%)

11. Consider approving a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners on Bruton Smith Blvd and Hwy 29.

12. Consider authorizing the City Manager to negotiate and execute a contract with IPR Southeast, LLC for the linin of sewer lines and rehabilitation of manholes.

The Engineering Director stated the lowest responsible bidder was IPR Southeast, LLC in the amount of \$837,790.80.

13. Consider authorizing the City Manager to negotiate and execute a contract with J.S. Harren Company for the Coddle Creek Water Treatment Plant Settling Basin upgrades.

The Water Resources Director, Christie Putnam, stated this project consists of removing the failing tube settlers installed with the construction of the plant and replacing them with plate settlers, which is a more advanced treatment system and will result in better settling performance at the treatment plant.

14. Consider authorizing the City Manager to negotiate and execute a contract with Black & Veatch to provide construction management services for the Coddle Creek

Settling Basin upgrades.

- 15. Consider authorizing the City Manager to negotiate and execute a contract with Carolina Siteworks, Inc for the BOC Upper Laydown Yard renovations and to approve project amendments for the General Capital Project Fund and the General Capital Reserve Fund.

The Engineering Director stated the project consists of installing a geotextile fabric and adding a layer of ABC stone to the existing yard, clearing and grading approximately 0.78 acres, moving and replacing existing fence, paving and installation of associated erosion control measures. The lowest responsible bidder was Carolina Siteworks, Inc. in the amount of \$608,249.40. The amount of the bid was higher than what was budgeted, so staff valued engineer the project to reduce the cost to \$536,478.60

- 16. Consider authorizing the City Manager to negotiate and execute a contract with Ike's Construction, Inc for a Stormwater Control Measure at the Alfred Brown Operation Center.

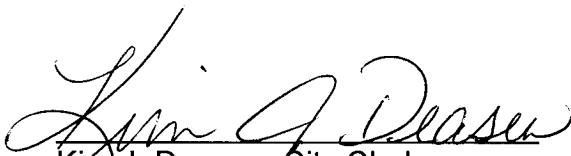
The Engineering Director stated Ike's Construction, Inc. was the low bidder with a total bid of \$151,735.10. Work is to include grading, drainage, and planting of a wet pond.

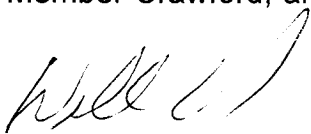
**Consent Agenda**

A motion was made by Council Member McKenzie, seconded by Council Member King, and duly carried, to remove Consent Agenda Item A from consideration—the vote: all aye.

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

  
 Kim J. Deason, City Clerk

  
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 William C. Dusch, Mayor