

CONCORD CITY COUNCIL
WORK SESSION
JANUARY 7, 2020

The City Council for the City of Concord, North Carolina, held a work session on January 7, 2020, 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 John A. Sweat, Jr.
Council Member Andy Langford
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

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 agenda was presented for discussion:

Presentations:

Presentation of a Proclamation recognizing January 20, 2020 as Dr. Martin Luther King, Jr. Day

Informational Items:

Receive a presentation regarding the Affordable Housing Market Study conducted by The Institute of Building Technology and Safety on the state of housing within Concord.

The City Manager stated the presentation would be given at the Thursday, January 9, 2020 City Council meeting.

Receive a presentation of the Transportation Department's Pavement Evaluation by Data Transfer Solutions, LLC.

The Transportation Director, Phillip Graham, introduced Mr. Scott Gordon with Data Transfer Solutions, LLC. Mr. Gordon provided the Mayor and Council the 2019 pavement and right-of-way evaluation results.

Public Hearings:

Conduct a public hearing to consider adopting an ordinance amending Articles 8 and 9 of the Concord Development Ordinance (CDO) relative to conservation subdivision district standards and permissible uses.

The Planning and Neighborhood Development Services Deputy Director, Kevin Ashley, explained the proposed amendment to the 2030 Land Use Plan is to allow development standards in the Conservation Residential District, which is one of the Community Character Areas as shown on the 2030 Growth Concept Map. He stated this area is generally geographically defined as the area between NC 49, Flowes Store Road, Rocky River Road and Pine Grove Church Road. This area has been the focus of increasing development pressure in the last several years. The main objective of this district is to provide a mechanism for single family subdivisions which are not traditional suburban

"cookie-cutter" developments. This amendment creates a special purpose site-plan controlled district (CS) which is intended to allow for the appropriate development given the rural nature of the area. The district requires greater open space than conventional zoning and sets forth mechanisms to preserve open space in perpetuity.

He also explained the proposed amendment to Article 8 is due to formatting issues which created some errors in Table 8.1.8 (permitted uses) that was approved by Council in December.

Conduct a public hearing and consider adopting an ordinance amending the official zoning map for +/- 40.84 acres located south of Eva Drive and north of Poplar Tent Road from Residential Medium Density (RM-2) and General Commercial (C-2) to Residential Compact Conditional District (RC-CD).

Senior Planner, Kristin Fausel, explained the request. She stated the applicant is Niblock Homes and is requesting to rezone the property to RC-CD (Residential Compact Conditional District) in order to develop a 120 lot single-family detached residential neighborhood. The project is considered infill as it would be developed between already established single-family lots and commercial property. The design of the subdivision includes a stub street to an undeveloped parcel to the east.

She stated if the zoning map amendment is approved, an amendment to the 2030 Land Use Plan will be required. The Planning and Zoning Commission heard the above referenced case at their December 17, 2019 public hearing and acted to forward the petition to City Council with a recommendation of approval with conditions by simple majority (4-2). Additionally, the Planning and Zoning Commission voted to recommend that City Council modify the 2030 Land Use Plan to correspond with the proposed zoning classification in accordance with staff's recommended land use category of Urban Neighborhood.

Council Member Parsley asked if a traffic impact study would be required. The Deputy Transportation Director, Devin Houston, stated that the development is being proposed as an age restrictive development, therefore, a traffic impact study would not be required.

Mayor Pro-Tem Sweat entered the meeting.

Conduct a public hearing and consider adopting the 2020 Revision of the City of Concord Comprehensive Transportation Plan.

The Transportation Director explained the revisions to the annual Plan. He also stated upon adoption by City Council, the Plan will be recorded at the Cabarrus County Register of Deeds.

Presentations of Petitions and Requests:

Consider approving the priority scoring criteria for sidewalk construction projects under the City of Concord's Pedestrian Improvement Program (PIP).

The Transportation Director explained the scoring criteria. He stated the criteria includes factors for street characteristics, safety, equity, pedestrian generators, connectivity, and other considerations such as existing worn paths and citizens requests

Consider authorizing the City Manager to negotiate and execute a construction contract with Performance Managed Construction Inc for the construction of the South Union Street Sidewalk project contingent upon NCDOT's concurrence of award and to adopt a capital project amendment ordinance.

The Engineering Director, Sue Hyde, stated Concord has a municipal agreement with NCDOT for the South Union Street Sidewalk Extension - EB-5903. This agreement consists of constructing sidewalk along South Union Street between Tulip Ave. SW and Cumberland Ct. SW. She stated three bids were received on December 12th and the lowest responsive and responsible bidder was Performance Managed Construction, Inc. in the amount of \$879,280.

Consider authorizing the City Manager to negotiate and execute a contract with Passio Technologies, Inc for a CAD/AVL System, automated passenger counters, and on-board WiFi for Rider Transit.

The Transit Manager, LJ Weslowski, stated the addition of automated passenger counters will provide precise ridership data on a stop-level basis at 98 percent accuracy and dedicated on-board WiFi will provide a higher-capacity, more reliable network for customers. He also stated an app will be available for customers with smart phones to utilize.

Consider authorizing the City Manager to negotiate and execute a contract with Delerrok, Inc for a digital fare payment system and authorizing Rider Transit staff to amend the Fees, Rates, and Charges Schedule to include fare capping and new TouchPass smart card cost of \$2.

The Transit Manager the digital fare payment system will allow additional, more flexible options for customers to purchase transit passes and fares. It will include mobile ticketing (phone) and smart card technology platforms for payment. The digital fare payment system will also allow for the introduction of the concept of fare capping.

Consider adopting a resolution of intent to schedule a public hearing on the matter of closing the right-of-way of an unopened portion of Belt Road between Ruben Linker Road, NW and Weddington Road.

The Planning and Neighborhood Services Director stated the portion of roadway requesting to be abandoned is unopened and not needed.

Consider re-allocating \$30,000 of HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive, SW to 353 Cozart Avenue, SW.

The Community Development Manager, Mary Carr, stated the site at 330 Broad Drive was deemed unbuildable due to soil issues. Habitat is requesting to transfer the funds to a buildable lot located at 353 Cozart Avenue, SW.

Consider a motion to approve the purchase of five (5) properties located at 515 Gibson Drive NW, 175 Eudy Drive NW, 480 Harris Street NW, 80 Saint Mary Avenue NW and 56 Saint Mary Avenue NW, from Alex Hamilton in the amount of \$140,000 using Community Development Block Grant (CDBG) and City Affordable Housing funds.

Consider authorizing the City Manager to negotiate and execute a contract with Hazen and Sawyer to conduct an update to the City's water master plan.

Interim Water Resources Director, Jeff Corley, stated the plan update includes updates to the hydraulic model, field tests to confirm model data, and a re-calibration of the model based upon recent developments and current development trends.

Consider approving the Water Economic Development rider and adopting an ordinance to amend the FY19-20 Fees, Rates, and Charges Schedule to include the addition of an Economic Development Rider for large water users.

The Interim Water Resources Director stated this Rider would only be available at the option and approval by the City Manager to new industrial water customers with an average daily use of over 500,000 gallons per day. The Rider would provide a 20% rate savings in the first year of operation. The reduction would then be reduced by 5% each year with a 0% reduction after 4 years. If approved, these changes would be effective February 1, 2020.

Consider authorizing the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal.

The Engineering Director stated this contract is for the removal of the waste from the lagoons and delivering the waste to the landfill.

Consider adopting a resolution for the abandonment of an easement across property at 337 Broad Street (PIN 5620-93-9784).

The Engineering Director stated the sewer line located in said easement is no longer in use. The current owner of the parcel has plans to build a single family residence and request the easement be abandoned. Water Resources agrees with the abandonment

Consider approving criteria to determine the use of the design-build method for project delivery.

The Engineering Director stated the current method used is the design-bid-build method. The NC General Statutes allow for the design-build method. The Statutes require criteria for the design-build method to be approved before utilizing this method.

Consider accepting a preliminary application from Tayshaun Devon Hall Medical Care Trust.

The Engineering Director stated the request is to receive water service at 417 Piney Church Road. Sewer service is not available to this parcel.

Consider appointing one (1) City Council Member to the Public Art Advisory Committee.

Council Member Langford was nominated to serve on the Public Art Advisory Committee.

Additional item:

Consider approving a donation of \$5,000 from the Mayor’s Golf Tournament Fund to the Sam Leder Scholarship Program.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Sweat, and duly carried, to add the additional item as listed to the January 9, 2020 agenda—the vote: all aye.

Consent Agenda:

There was no discussion regarding the Consent Agenda.

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A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to conduct a closed session in accordance with 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—the vote: all aye.

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Upon reconvening in open session, a motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to conduct a public hearing to be held February 13, 2020 to consider granting an Economic Development Incentive Grant to Project Grand—the vote: all aye.

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk