

CONCORD CITY COUNCIL
WORK SESSION
MAY 11, 2021

The City Council for the City of Concord, North Carolina, held the scheduled City Council Work Session on May 11, 2021, beginning at 4:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

Mayor Pro-Tem W. Brian King
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
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 agenda was presented for discussion:

Presentations:

Presentation of the Medal of Valor award and Purple Heart award to Ms. Haylee Shuping on behalf of her husband, fallen Police Officer Jason Shuping. Presentation of other awards to citizens, city staff, and police department staff for their contributions following Officer Shuping's tragic death.

Presentation of a Proclamation recognizing May 16 - 22, 2021 as National Public Works Week.

Presentation of a Certificate of Appreciation to Bob Pate for over 37 years of loyal and dedicated service to the City of Concord Electric Systems Department.

Mayor Dusch presented a Retirement Plaque to Marvin Kraus recognizing his 23 years of loyal and dedicated service to the City of Concord Water Resources Department.

Presentation of a Retirement Plaque to Danny Williamson recognizing his 38 years of loyal and dedicated service to the City of Concord Water Resources Department.

Presentation of the 2021 Jo Atwater Continuous Core Values Award.
Departmental Reports:

Receive a progress update presentation on the George W. Liles Pkwy Small Area Plan.

The Planning and Neighborhood Development Services Director, Steve Osborne, stated, once adopted, the George W. Liles Pkwy Small Area Plan will be a guiding document for growth and development. He introduced the newest member of the Planning staff; Urban Design Planner, Gerald Warren.

Senior Planner, Kaylee Canton, provided the update presentation. She stated the Plan is split into two distinct areas; Area A and Area B. Area A is largely undeveloped and Area B is mostly residential and industrial with some undeveloped areas near Hwy 49.

She stated staff conducted a community input webinar and also a public input survey online. She provided the results of those to the Mayor and Council.

Area A is comprised of approximately 1,214 acres located between the Coddle Creek floodplain, George Liles Pkwy, Cannon School and Roberta Farms neighborhood. The existing development includes the Propst Farm, Willow Oaks Crossing, Christy's Nursery, the north side of Concord Pkwy, and the south side of Concord Pkwy. The existing zoning classifications include I-1, Light Industrial, RM-2, and Residential Medium Density. She explained the future focus land uses, transportation improvements, public transit, and parks and recreation for Area A.

Area B is comprised of approximately 1,214 acres located between the Coddle Creek floodplain, the Bootsmead Rail Spur, Area A, and parcels just south of Hwy 49. The existing development includes Roberta Farms, Roberta Woods, Concord Pointe, Cedar Springs, Tower Place Apartments, Wolf Meadow Acres, Pebblebrook Acres, Motorsports Industrial Park, and miscellaneous industrial. The existing zoning classification include RM-2, Residential Medium Density, County LI, Limited Industrial, I-1, Light Industrial, C-2-CU, General Commercial Conditional Use, and County GI, General Industrial. She explained the future focus land uses, transportation improvements, public transit, and parks and recreation for Area B.

She stated staff is close to having the final draft of the Plan completed. Once completed, staff will receive public and community input on the Plan and update the Plan based on any comments received. Once the Plan is updated staff will then present it to the Planning and Zoning Commission for their consideration and then to City Council for approval.

Public Hearings:

Conduct a public hearing and consider granting a franchise to US Tire Recycling Partners, L.P. for a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility.

The City Attorney stated the current franchise will expire on August 11, 2021. Due to a change in the state laws and regulations, US Tire Recycling Partners, LP, is now eligible for a franchise for a "life-of-site" permit, which is defined as 60 years from initial receipt of waste at the site in 1998. The granting of the franchise requires two readings of the proposed ordinance at two separate public hearings. If approved after the second reading, the franchise will expire on August 12, 2058.

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a Level 2 Infrastructure Grant to Project Spring to develop four small-bay industrial speculative buildings totaling approximately 119,400 SF located at 560 Pitts School Road NW, Concord, NC.

The Cabarrus EDC Recruitment Project Manager, Samantha Grass, stated Phase 1 of Project Spring will include Building A, Building B, and Building C, and represents approximately \$9.5 million investment in real property. Phase 2 will include a fourth building and represent approximately \$3.5 million investment in real property. She also stated required infrastructure improvements include road improvements at Pitts School Road and Weddington Road and an entry road to serve the proposed business park.

Conduct a public hearing and consider adopting an ordinance annexing +/- 4.757 acres, located at 2183 and 2315 Heglar Rd., owned by Randy and Sherry Walter and Niblock Homes LLC.

The Planning and Neighborhood Development Services Director stated the applicant has requested this item be tabled until the June 10, 2021 Council meeting.

Presentations of Petitions and Requests:**Consider adopting a resolution authorizing the sale of 101 Georgia Street.**

The City Attorney stated an offer to purchase was received by Young Circle Cottages, LLC for \$5,000. They intend to use the property to construct a driveway access for the neighboring lot. All City departments have confirmed that the property is not needed for any purpose. She also stated an easement for the sewer line will be reserved.

Consider adopting a resolution to sell .81 acres of vacant land located at 39 Woodsdale Place SE (PIN # 5630-08-3942) to Concord Greenway Townhomes, LLC for \$33,000 and the construction of the road connecting Patterson Avenue to Woodsdale Place valued at \$90,000.

The Planning and Neighborhood Development Services Director stated in October 2020, the City Council approved a temporary construction easement to Concord Greenway Townhomes, LLC to construct a temporary access to Woodsdale Place to facilitate the site work for 22 townhomes. Concord Greenway Townhomes, LLC is now desiring to acquire the parcel for further townhome development and, as part of the acquisition, will construct the road connecting Patterson to Woodsdale. He further stated the developer has coordinated with the City's Transportation department on the road alignment, right-of-way, and the installation of a sidewalk on one side of the road.

Consider adopting a resolution of intent to schedule a public hearing on the matter of abandoning a portion of a public right of way easement for 2' of an 8' public alley between Spring St. and Market Street.

The Planning and Neighborhood Development Director stated the developer's design team for 30 Market Street Lansing Melbourne Group (LMG) project, aka Novi Rise, has uncovered the need to move the building two feet from where it was reflected on the initial site plan because of a structural design issue regarding the building and the retaining wall adjacent to the City's alley between 30 Market Street and City Hall. If approved, the public hearing will be conducted at the June 10, 2021 Council meeting.

Consider approving a mural to be installed on the ClearWater campus.

The Planning and Neighborhood Development Director stated over the past few years, staff has received community comments noting the exterior of the buildings does not accurately reflect the creative activities housed inside. The expressed desire would be a mural which could reflect both the arts and the neighborhood's historical significance.

He stated Sarah Gay, Coordinator of ClearWater, reached out to area muralist for possible designs to capture the idea. The designs were presented to the resident artist at ClearWater for their thoughts and recommendations. The ClearWater Coordinator worked with the Gibson Village Neighborhood President to solicit input of the proposed selection. The design by muralist/artist, Owl, captures the weaving of cultural backgrounds, neighborhood change and the mill heritage with colorful undulating fabric-like geometric shapes. The Public Art Committee also reviewed the design and voted to recommend City Council approve the mural and commission Owl to complete the work. The mural cost will be \$5,000 paid with revenue generated from ClearWater rentals.

Consider authorizing the City Manager to negotiate and execute a contract with J.D. Goodrum Company, Inc. for the Obstruction Removal Project at Concord-Padgett Regional Airport.

The Aviation Director, Dirk Vanderleest, stated J.D. Goodrum Company, Inc submitted the low responsive base bid in the amount of \$387,855. Talbert, Bright and Ellington reviewed the bid and concurred all bid requirements of the specifications were met. The project will be 90% funding using FAA AIP Grant funds and the 10% match will come from the NCDOT-Division of Aviation.

Consider authorizing the City Manager to negotiate and execute a contract with

Talbert, Bright and Ellington, Inc (TBE) to perform engineering services for the North Apron Expansion - Work Authorization 1905.

The Aviation Director stated the project will include a bituminous asphalt pavement, erosion control devices, perimeter security fence relocation and airfield taxiway lighting adjustments. Total cost for engineering services will be \$197,591.40 and will be funded by NCDOT-Division of Aviation.

Consider authorizing the City Manager to negotiate and execute a contract with Wolen, LLC for the Air Traffic Control Tower Equipment Replacement Project at Concord-Padgett Regional Airport.

The Aviation Director stated Wolen, LLC submitted the low responsive base bid in the amount of \$267,826. Talbert, Bright and Ellington reviewed the bid and concurred all bid requirements of the specifications were met. This project will be 90% funded using funds from the Federal Aviation Administration (FAA) AIP Grant and the 10% match will come from the NCDOT-Division of Aviation.

Consider awarding bids for electric equipment and materials for the Union Cemetery Rd. Delivery Station #4 to: Dis-Tran Packaged Substation Engineering, PLLC, Siemens Energy Inc., SPX Transformer Solutions Inc., Virginia Transformer Corporation, S&C Electric Company, ABB Inc., Birmingham Control Systems and VFP Inc.

Electric Systems Director, Alex Burris, stated bids were received on April 14, 2021 for electric equipment and materials required for the construction of a new delivery point and substation located South of Union Cemetery Road. The bids were arranged into nine schedules of equipment. All schedules combined total \$4,383,065. Funding will be from the existing Delivery 4 project account.

Consider authorizing the City Manager to negotiate and execute a contract with Litman Excavating, Inc. for the replacement of the culvert on Duval St. NW.

The Deputy Engineering Director, Rick Blat, stated bids were taken on April 29, 2021 and five (5) bids were received. The lowest responsible bidder was Litman Excavating, Inc. in the amount of \$600,616.50, which is under the budgeted amount.

Consider eliminating the temporary suspension of fare collection and resume collection of fares on Rider Transit.

The Transit Director, LJ Weslowski, stated staff is proposing to eliminate the temporary suspension of fare collection currently in place due to the pandemic and resuming regular fare collection and operations on July 1, 2021. The Concord Kannapolis Transit Commission unanimously approved the proposal at their April 21, 2021 meeting.

Consider awarding the total bid for the City of Concord's annual street preservation program to Ferebee Corporation and approve the attached budget ordinance to appropriate funds from reserve funds.

The Transportation Director, Phillip Graham, stated formal bids were received and opened on April 22, 2021. Ferebee Corporation submitting the lowest total bid in the amount of \$3,824,006.90. Powell Bill receipts and General Fund revenues will be used to fund this work.

Consider authorizing the City Manager to negotiate and execute a contract with Hall Contracting for construction of the Coddle Creek Raw Water Supply Improvements.

The Water Resources Director, Jeff Corley, stated five bids were received on April 1, 2021. Hall Contracting was the lowest responsible bidder in the amount of \$3,640,747 and this amount is within the project budget. He stated Hall Contracting has a long history of successful projects with the City of Concord.

Consider authorizing the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the settling basin repair and plate settler installation project at the Hillgrove Water Treatment Plant in the amount of \$299,900.

The Water Resources Director stated this project will result in decreased turbidity leaving the plant, which will allow lower levels of disinfectant ultimately reducing disinfection byproducts in the water system. The consultant will also provide bidding and construction services. HDR was selected after a formal RFQ process and the negotiated fee is within the project budget.

Consider authorizing the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the granular activated carbon (GAC) contactor project at the Hillgrove Water Treatment Plant in the amount of \$774,900.

The Water Resources Director stated this project will design GAC contactors at the Hillgrove Water Treatment Plant. GAC will provide increase defense against taste and odor compounds and offer increase removal of organic materials. HDR was selected after a formal RFQ process and the negotiated fee is within the project budget.

Consider adopting an ordinance amending the Concord City Code of Ordinances, Chapter 30, Environment, Article IV.

Assistant City Manager LeDerick Blackburn stated staff has been working to develop a comprehensive approach to combating litter within the City. The objectives that have been identified include four main components: physical deployment of staff for litter abatement, enhanced public outreach and communication efforts, measuring outcomes and a review of current litter ordinances/enforcement coordination.

He stated staff is proposing the following amendments: (1) Placing the litter ordinances in one specific section (Chapter 30 Environment), (2) Include separate language for general littering (Sec. 30-165) and littering from vehicles (Sec. 30-166), (3) Increasing the civil penalty from \$10 - \$150, 3.) Adding a late fee civil penalty of \$100, (4) Include appeal procedures.

Consider adoption of a Title VI Plan and Policy Resolution to prohibit discrimination in programs and services receiving federal financial assistance.

Assistant City Manager LeDerick Blackburn stated currently, the City has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects. He stated this plan establishes a policy and procedures for reporting violations and provides guidelines for the City, City Departments, private persons and companies doing business with the City and receiving federal financial assistance to follow. Adoption of this plan will ensure that Concord is in compliance with the Civil Rights provisions.

Consider making appointments to the Concord United Committee.

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Mayor Dusch requested the consideration of preserving Meadowview School be placed on the agenda as an additional item.

A motion was made by Council Member Crawford and seconded by Council Member McKenzie to add the preservation of Meadowview School as an additional item on the agenda—the vote: all aye.

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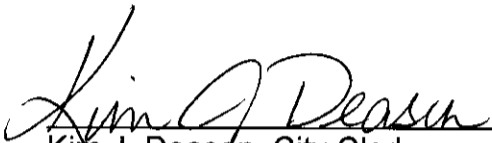
Consent Agenda:

There were no comments regarding the Consent Agenda.

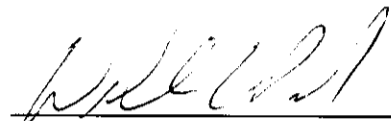
A motion was made by Council Member McKenzie and seconded by Council Member Crawford to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(2) to prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award; N.C. General Statute 143-318.11(a)(3) to consult with the attorney and to give instructions concerning a judicial action titled Long v. City of Concord; N.C. General Statute 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by this body; N.C. General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, and conditions of appointment of an individual public employee—the vote: all aye.

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



Kim J. Deason, City Clerk



William C. Dusch, Mayor