



# City Council Agenda

Thursday, August 12, 2021

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

July 6, July 8, and July 20, 2021. **APPROVED**

## IV. Presentations

1. **Presentation of retirement plaque to Canine Bendix for seven years of service as a Police Canine for the Concord Police Department.**

2. **Presentation of retirement plaque to Code Enforcement Manager Chuck Brock for over 30 years of service with the City of Concord.** Code Enforcement Manager Chuck Brock began his career with the City of Concord's Water Resource Department in 1990. In 2003, Chuck transferred to the Code Enforcement Division of the Planning and Zoning Department as a Code Enforcement Officer. In 2006, the Code Enforcement Division was transferred to the Concord Police Department. During this time, Chuck was able to obtain and currently holds certifications as a Certified Zoning Official, Housing Code Official, and NC Code Building Level I, Plumbing Level I, and Mechanical Level I Inspector. In 2015, he was promoted to the position of Senior Code Enforcement Officer, and in 2018 he was promoted to Code Enforcement Manager.

3. **Recognition of the City of Concord Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2020.** The City of Concord has participated in the Government Finance Officer's Association of the United States and Canada (GFOA) award program for many years and again has been successful in meeting the requirements for the Certificate of Achievement for Excellence in Financial Reporting for the period ending June 30, 2020. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. The City has received this award for 32 consecutive years.

4. **Presentation of a Certificate of Appreciation to Todd Phillips for his 10 years of service to the Concord ABC Board.**

## V. Unfinished Business

A. **Continue a public hearing to consider amending Section 8.8.4 of the Concord Development Ordinance (CDO) and Section 58-256 (c) of the City Code of Ordinances to clarify the use of recreational vehicles as residences.** Planning staff has worked with Legal and Code Enforcement to draft minimum requirements based on recent enforcement actions. At the July 8, 2021 meeting, Council continued the item to allow staff to present information on potentially allowing limited use for RVs when a home is being constructed. Staff has conducted research with other municipalities and could

not find any instances where RV use is permissible during a construction of a single-family home. A proposal has been drafted to allow use for 365 days in the event Council does want to pursue this option. If Council does not wish to pursue that option, the original proposed amendment quantifies the use of RV, travel trailers and campers on individual developed parcels and for security purposes.

**Recommendation:** Motion to adopt an ordinance amending Section 8.8.4 of the CDO and Section 58-256(c) of the City Code relative to recreational vehicles.

**APPROVED**

**B. Continue a public hearing to consider renaming a section of Roberta Church Rd.**

This case was tabled at the July 8, 2021 City Council meeting in order to allow staff time to research the possibility of renaming the section of Roberta Church Rd. after a property owner who possess multiple properties fronting the street section. The suggestion from Council was "Dwight Morrison Rd". Planning staff reached out to Cabarrus County, who is responsible for approving street names within the County, to ensure there is no conflicting names or potential issues caused by proposed names. After review of the suggested street name, Cabarrus County responded providing guidance to the City related to the potential name. The County explained that their policy is to no longer title streets with the full proper names of individual persons. However, should the City choose to pursue a full proper name, the County will require that the City Council pass a resolution in support of the name, with a detailed explanation of the individual's significance and personal contribution, meriting the honor and recognition. Once the resolution is passed, the County will consider the request and assuming approval, City Council could then adopt the new street name at a subsequent meeting. Alternatively, portions of proper names do not require the resolution. For example: Smith Ave., Leslie Ln., Wilson Farm Rd. At this time, staff has not provided the County with any suggested names to review that would incorporate a part of the suggested "Dwight Morrison Rd" name. A map has been included depicting the current property owners with frontage on the subject portion of Roberta Church Rd. As a reminder, with NCDOT's completed construction of George W. Liles Pkwy, there is a short dead-end section of Roberta Church Rd which NCDOT realigned to connect to Concord Pkwy S. This realigned section of roadway needs to be assigned a new street name for safety and emergency-response reasons. There is already a separate section of Roberta Church Rd located off of Roberta Rd near Stough Rd which can potentially be confused with this particular street section. The name "Elmwood" was randomly selected by Planning Department staff and presented at the July meeting. Cabarrus County Planning Department has indicated that the name would be acceptable as a street name since it is not used anywhere else in the county. However, pending guidance from Council, staff can individually reach out to each property owner to ascertain their interest in other potential street names. There are two single-family residential homes and one business for which staff would need to assign new addresses. Planning Department staff will give guidance to the property owners concerning the address change process. The cost is very minimal. The Sign Shop in the Transportation Department would need to replace one green street blade at Concord Pkwy S.

**Recommendation:** Motion to table the public hearing until the regularly scheduled September 9th Council meeting and provide staff with guidance on any Council suggested names. **APPROVED TO RENAME TO DWIGHT PLACE**

**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 seven year / 85% tax based Economic Development Incentive Grant to Ball Metal Beverage Container Corp. (Project Aquamarine Component 1) to locate at 2321 Concord Pkwy S. in Concord, NC.**

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Ball Metal Beverage Container Corp. proposes to develop an 800,000 SF four-line beverage packing facility at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$383,874,400 in real and personal property. They also plan to create 220 jobs with an average annual salary for all new positions estimated at \$70,555. The total value of the City's seven year grant is estimated to equal \$7,359,514 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$1,298,738 after the incentive payments. See attached grant analysis for additional details.

**Recommendation:** Consider offering a contract for a seven year / 85% Economic Development Incentive Grant to Ball Metal Beverage Container Corp. (Project Aquamarine Component 1) to locate at 2321 Concord Pkwy S. in Concord, NC, pursuant to NC General Statutes Sec. 158-7.1. **APPROVED**

- 2. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a seven year / 85% tax based Economic Development Incentive Grant to RRB Beverage Operations Inc. (Project Aquamarine Component 2) to locate at 2321 Concord Pkwy S. in Concord, NC.** Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. RRB Beverage Operations Inc. proposes to develop a 1,400,000 SF factory, distribution, and office space at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$553,000,000 in real and personal property. They also plan to create 323 jobs with an average wage of \$50,387. The total value of the City's seven year grant is estimated to equal \$11,152,354 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$1,968,062 after the incentive payments. See attached grant analysis for additional details.

**Recommendation:** Consider offering a contract for a seven year / 85% Economic Development Incentive Grant to RRB Beverage Operations Inc. (Project Aquamarine Component 2) to locate at 2321 Concord Pkwy S. in Concord, NC, pursuant to NC General Statutes Sec. 158-7.1. **APPROVED**

- 3. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a seven year / 85% tax based Economic Development Incentive Grant to Red Bull North America, Inc. (Project Aquamarine Component 3) to locate at 2321 Concord Pkwy S. in Concord, NC.** Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Red Bull North America, Inc. proposes to develop an 800,000 SF regional distribution center at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$140,000,000 in real and personal property. They also plan to create 90 jobs with an average wage of \$50,367. The total value of the City's seven year grant is estimated to equal \$2,951,227 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$520,805 after the incentive payments. See attached grant analysis for additional details.

**Recommendation:** Consider offering a contract for a seven year / 85% Economic Development Incentive Grant to Red Bull North America, Inc. (Project Aquamarine Component 3) to locate at 2321 Concord Pkwy S. in Concord, NC, pursuant to NC General Statutes Sec. 158-7.1. **APPROVED**

- 4. Conduct a public hearing to consider adopting an ordinance amending the official zoning map for +/- 3.366 acres located at 2183 Heglar Rd from Cabarrus County LDR (Low Density Residential) to City of Concord RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan from Rural to Suburban Neighborhood.** The Planning and Zoning Commission heard the above referenced petition at their July 20th meeting and unanimously voted to forward the request to

City Council with a recommendation that the zoning map be amended from Cabarrus County LDR (Low Density Residential) to City of Concord RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan from Rural to Suburban Neighborhood.

**Recommendation:** Motion to adopt an ordinance amending the official zoning map from Cabarrus County LDR (Low Density Residential) to City of Concord RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan from Rural to Suburban Neighborhood. **APPROVED**

- 5. Conduct a public hearing to consider adopting an ordinance amending the official zoning map for +/- 0.64 acres located on the southwestern side of the intersection of Freeze Ave. NW and St. James St. NW from Neighborhood Commercial (B-1) and Residential Compact (RC) to Residential Compact Conditional District (RC-CD).** The Planning and Zoning Commission heard the above referenced petition at their July 20th, 2021 public hearing and acted to approve the request, by a unanimous vote, with conditions. In accordance with Concord Development Ordinance section 3.2.4-B "Any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the action to the City Council. The appeal shall be filed by giving notice in writing to the Administrator as designated by the City Manager within fifteen (15) days of the decision of the Planning and Zoning Commission. The City Council shall place the item on the next available City Council agenda." An appeal was submitted on July 28th by Mr. Pete Barnhardt and wife Mrs. Carolyn Barnhardt. Therefore, the request is forwarded to City Council for reconsideration of the rezoning request. Please see attached documents for further detail.

**Recommendation:** Motion to adopt an ordinance amending the official zoning map from Neighborhood Commercial (B-1) and Residential Compact (RC) to Residential Compact Conditional District (RC-CD). **APPROVED**

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

- 1. Consider authorizing the City Manager to negotiate and execute a contract with McGill Associates, P.A. for Construction Phase Services for the Union Streetscape Improvements Project.** McGill Associates, P.A. (McGill) was the selected firm awarded the professional services contract for Engineering Services on the Union Streetscape Improvements Project in March 2020. At the time of this award City Staff was unsure of the involvement that would be required by McGill during construction and choose not to include Construction Phase Services as part of the original contract. City staff now has a better idea of what City Staff can handle in-house and what is needed from McGill now that the Engineering Services phase is wrapping up and the Construction Phase is getting started. The fee for Construction Phase Services from McGill comes to \$211,135 and will be invoiced based on time and materials. The contract is broken down into three parts: 1-Construction Assistance Services, \$115,795; 2-Provide Design Modifications, \$10,000; and 3-Construction Observation Services, \$85,340. Utilizing McGill for the Construction Phase Services is beneficial to the City because if, and when, an unexpected issue arises during construction of the Streetscape the Engineers and Construction Inspectors will be available to assist the City in finding a solution based on their experience with the project and extensive Streetscape Construction Experience. The amount for the construction contract that was budgeted is \$420,000 meaning the contract will be \$208,865 under budget.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with McGill Associates, P.A. for Construction Phase Services for the Union Streetscape Improvements Project in the amount of \$211,135. **APPROVED**

- 2. Consider approving the lighting design and authorizing the City Manager to negotiate and execute a sole source contract with Illuminating Concepts Inc, LLC for Intellistreets Light Poles & Accessories as part of the Union Streetscape**

**Improvements Project.** Staff has been working with Intellistreets over the past two years for the lighting and technical advantages that the company brings to urban streetscapes. The Town of Mooresville has utilized the lights in their new streetscape and has since expanded the use in other areas of Downtown as well as an adjacent park. Staff from Mooresville has been very helpful to Concord in demonstrating the capabilities and answering any questions about the product which has been reassuring that the product does indeed perform as advertised. The poles will have wireless audio, multicolored indicator LED's, adjustable flood light control, wireless switch receptacle control and the thinnest LED banners in the industry and concealed wifi. Intellistreets has over twenty-five patents on their products which means comparable systems are not available and if they were available the quality and complete system would be less than what is desired. As part of the sole source consideration staff proposes to move to single globe light fixtures and black painted poles instead of green. The proposed poles will be approximately 1' 3" shorter than the existing poles and much more streamline with less mass. The lights on City Hall as well as the new signal poles are single globe. If Council concurs the plan will be to transition the existing poles to black and to replace the poles as the streetscape is expanded in future years. The price for the single globe poles with all of the components presented to Council and the public is \$108,170 less than what is budgeted. This also includes incorporating the Intellistreet technology into the poles that the County is using in Means Plaza.

**Recommendation:** Motion to approve the lighting design and authorize the City Manager to negotiate and execute a sole source contract with Illuminating Concepts Inc, LLC for Intellistreets Light Poles & Accessories in the amount of \$865,764 as part of the Union Streetscape Improvements Project. **APPROVED**

- 3. Consider amending the City's sign ordinance to extend the allowable time periods for posting temporary banners.** The Cabarrus Regional Chamber of Commerce, on behalf of their members, has requested the 14 and 30-day limits for temporary banners be suspended and extended until five days after the federal unemployment benefits expire (whether that is September 6 or later). This would give business owners the opportunity to utilize this option and advertise in an affordable manner.

**Recommendation:** Motion to amend the City's sign ordinance to extend the allowable time periods for posting temporary banners. **APPROVED**

- 4. Consider approving the purchase of 26, 30, 34, & 69 Powder Street NW, 224 Cabarrus Avenue E, and 243 Corban Avenue SW from the estate of Barry K. McClamrock for \$150,050 using City Affordable Housing funds.** Staff continues to seek vacant and/or abandoned property for acquisition to address neighborhood concerns and the continuing need of affordable housing within Concord. The goal is to return vacant and/or abandoned property into suitable housing stock through new construction on vacant lots, rehabilitation of existing homes, or demolishing dilapidated structures and constructing new. Investigation of the Powder Street and Corban Avenue properties began several months ago. Staff was informed that these properties were held within the estate of Barry K. McClamrock. Tax value and current condition for each property are: 26 Powder Street NW – \$24,000 (vacant lot), 30 Powder Street NW – \$24,000 (vacant lot), 34 Powder Street NW – \$24,000 (vacant lot), 69 Powder Street NW – \$24,000 (vacant lot), 224 Cabarrus Avenue E – \$25,000 (house to be demolished), 243 Corban Avenue SW – \$29,050 (house to be demolished). An offer, contingent on Council approval, has been made and accepted by the estate attorney for \$150,050 which is the total tax value of all properties. The purchase would use the City's affordable housing allocation.

**Recommendation:** Motion to approve the purchase of 26, 30, 34, & 69 Powder Street NW, 224 Cabarrus Avenue E, and 243 Corban Avenue SW from the estate

of Barry K. McClamrock for \$150,050 using City Affordable Housing funds.

**APPROVED**

- 5. Consider recognizing the Woodbridge Home Owners Association in to the City's Partnership for Stronger Neighborhoods program.** Woodbridge is a residential, certified NC Wildlife Friendly community of 49 Asheville-inspired patio homes located on Davidson Highway. The recently completed neighborhood is on Stonecroft Lane NW and Zemoso Lane NW. Officers for the Association are: President Cindy Rankin; Treasurer Martha Rusher; Secretary Bradley Dilks; and At-Large member Amy Browne. The Association hosts monthly meetings in their homes on the last Thursday of the month and hold officer elections each October. They have submitted all the required documentation for recognition.

**Recommendation:** Motion to recognize the Woodbridge Home Owners Association into the Partnership for Stronger Neighborhoods Program.

**APPROVED**

- 6. Consider adopting a resolution giving preliminary approval for the issuance of multifamily housing revenue bonds to finance the acquisition, rehabilitation and equipping of The Greens of Concord.** Under the North Carolina General Statutes, the City is authorized to exercise all of the powers granted to housing authorities under the North Carolina Housing Authorities Law (the "Act"). The Act authorizes the City, acting as a housing authority, to issue its notes or bonds in accordance with the provisions of the Act for the purpose of making loans to private developers to assist in the construction or rehabilitation of housing facilities for persons of low and/or moderate income. Greens of Concord Apartments, LP (the "Company") has requested that the City issue multifamily housing revenue bonds in an amount not to exceed \$24 million to provide financing for the acquisition, rehabilitation and equipping of the Greens of Concord. The Greens of Concord is an existing 152-unit affordable housing development located at 1400 Daley Circle NE in the City and was originally built in 1996. The City will have no legal responsibility or liability whatsoever for the payment of principal or interest on the proposed bonds, and the bonds will not affect the City's debt ratios or legal debt limits. All costs and expenses in connection with the financing and the acquisition, rehabilitation and equipping of the Development, including the reasonable fees and expenses of the City's counsel and bond counsel will be paid from the proceeds of the Bonds or by the Company.

**Recommendation:** Motion to adopt a resolution giving preliminary approval for the issuance by the City of multifamily housing revenue bonds to provide financing for the acquisition, rehabilitation and equipping by Greens of Concord Apartments, LP of an existing 152-unit affordable housing development known as The Greens of Concord and located in the City. **APPROVED**

- 7. Consider adopting an ordinance to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S for the Concord International Festival to be held October 2, 2021.** The City of Concord is Co-Sponsoring the Concord International Festival. As such, to protect the safety of pedestrians in the event, staff is requesting from NCDOT to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S to vehicular traffic on October 2, 2021 between the hours of 8:00 A.M. and 8:00 P.M. See attached Ordinance.

**Recommendation:** Motion to adopt an ordinance to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S from 8:00 A.M. to 8:00 P.M. for the Concord International Festival on October 2, 2021. **APPROVED**

- 8. Consider approving and adopting the Conceptual Master Plan to develop the 28.6-acre J.E. "Jim" Ramseur Park located at 1252 Cox Mill Road.** The Parks and Recreation Department is pleased to present the conceptual master plan for Council's consideration for the 28.6-acre property on Cox Mill Road. The property is adjacent to Clarke Creek (a planned greenway corridor), Cox Mill Elementary School, Odell Recreation Sports fields (City lease beginning August 2021), Cox Mill High School,

and Cabarrus Soil and Water Conservation Property. Based on recommendations from the 2016 Comprehensive Master Plan, and City Council Strategic Goals, a new community park in the Northwest region of the City is a high priority for the City. The Comprehensive Plan references the need to expand indoor programs and outdoor amenity offerings in this area, including greenways and trails, splash pads, environmental facilities, areas for both active and passive sports, and a community or recreation center. The City contracted with the firm Woolpert to complete the design of the park, including the preliminary master plan. Woolpert has vast experience with professional design services, including master planning, schematic design, engineering and architectural services. Over the past year, City staff, working in conjunction with Woolpert, went through an intensive community engagement process, which featured three (3) separate opportunities for public feedback. The first a public survey in October of 2020, which was completed by over 1,000 residents with a total of over 500 write-in comments. Walking, Biking, Trails and more Greenways was the top vote, followed by basketball/open gym, indoor walking track, indoor fitness, playgrounds, arts, crafts and cultural arts space, swimming, outdoor courts, splash pad, and indoor playground in the top 10. A second survey, which included a public workshop, was completed in November where citizens were asked specifically to rank their top 5 indoor and outdoor facility/amenity recommendations. Greenways, trails and boardwalks was at the top of the outdoor list with about 86% support, followed by adventure/obstacle style playgrounds, open lawn/event space, splash pad, and traditional playground. For indoor space, indoor gymnasium topped the list with 70% support, followed by walking/jogging track, community and multi-purpose rooms, classroom space, and activity studios. From the first two surveys, Woolpert created two (2) concepts for Council and public review and comments. The first concept included a community center concept featuring an open green space in the center, a smaller community/multi-purpose room building, and a larger sport court complex in the front, and a dog park. The second concept was the recreation center concept, featuring an adventure-style playground, larger recreation center with indoor gymnasium and court space, and several outdoor education/open space areas. A third public online survey was then presented, with a total of close to 200 responses. The vast majority of residents preferred the Recreation Center concept, with some added elements to consider from both plans. Within the Recreation Center, a large nature-center/multi-purpose space, multi-activity courts, running track, group fitness studios, and gymnasiums were the top choices. Other considerations based on the responses, were to consider both types of playgrounds (adventure-style and traditional), a mix of sport court types depending on what the site can fit, and a larger open space for events. Greenways and Trails will also be a major component to this plan, including a bridge connection to the Highland Creek side of Clarke Creek, as well as utility considerations for a sewer connection. The final conceptual master plan features the results from a very robust community engagement process over the past year. This plan features the following elements: 1-Trails and Connectivity, including a greenway loop trail, boardwalk overlook, and sidewalk connections to adjoining developments, the elementary school, and the recreation fields; 2-40,000 square foot recreation center, with two gymnasiums, a multi-activity court, a nature center/meeting room, classrooms, administration and lobby area, and a running track/exercise area; 3- Large Open Lawn/Event Space; 4-Splash Pad; 5-Adventure/Obstacle-style playground; 6-Traditional Playground; 7-Outdoor Environmental education area with terraced garden and seating; 8-Pickleball courts; 9-Several ancillary park buildings, including pavilions, restrooms and shelters; 10-Support Services; 11-250+ parking spaces; and 12-Vehicular driveway connections to northern property and to the Cox Mill School driveway to the south. The conceptual master plan will serve as a guiding document for the continued design and development of the park, and may be updated as the project moves through schematic design, design development and construction

document phases over the next 2-3 years, and as funding becomes available. Development of the park may also be phased over time with many Council briefings over the course of the design process.

**Recommendation:** Motion to approve and adopt the master plan and conceptual design for the J.E. "Jim" Ramseur Park located at 1252 Cox Mill Road.

**APPROVED**

- 9. Consider authorizing the City Manager to negotiate and execute a contract amendment for professional services with Woolpert, North Carolina PLLC to complete the schematic design phase for the J.E. "Jim" Ramseur Park property located at 1252 Cox Mill Road.** The property at 1252 Cox Mill Road in Concord, which totals approximately 28.6 acres and is adjacent to Cox Mill Elementary School was purchased by the City in 2020 to serve as the site of Concord's first Park in the Northwest. In July 2020, Council approved the contract with Woolpert, North Carolina PLLC to complete the master plan and design for the park. The amendment of \$413,500 will include schematic design drawings, building rendering, due diligence for pedestrian bridge, utility/pump station feasibility and assessment and geotechnical sub-surface investigation. This work is critical to continue the design and development process of the park. This addendum for \$413,500, the second contract addendum for the project design, will include the following items: 1-Waters of the U.S. & Wetland Boundary Determination – Once the environmental surveying has been completed, Woolpert and their sub-consultant, STV will work directly with the U.S. Army Corps of Engineers, and N.C. Division of Water Resources to verify and certify wetland boundaries & jurisdictional determination; 2-Building Programming & Rendering – The Woolpert Architectural Team will begin the design, programming and rendering process for the proposed recreation center on the property; 3-Pedestrian Bridge Due Diligence – The Woolpert team will begin to review the proposed pedestrian bridge and greenway crossing of Clarke's Creek; 4-Utility coordination, feasibility and assessment – The Woolpert Team along with their subconsultant, Hinde Engineering will review existing as-builts and begin to explore feasible options and costs for water, sanitary sewer, and other utility access to the site; 5-Geotechnical sub-surface investigations – Woolpert's subconsultant, Terracon, will provide Geotech services including soil borings and lab testing on select samples to determine ground conditions on the site; and 6-Schematic Design – The Woolpert Team will begin the schematic design phase for the Park and Recreation Center Development. This phase of the project will include detailed plans, drawings, building renderings and floor plans, proposed grading plans, and cost estimations. Development of a park in the Northwest region of Concord is a City Council Goal, and top priority goal of the Comprehensive Parks and Recreation Master Plan. Amenities in this park will likely include a recreation center, open space, pickle ball courts, splash pad, playgrounds, shelters and ancillary buildings, and greenways, trails and connectivity.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract amendment with Woolpert, North Carolina, PLLC in the amount not to exceed \$413,500 for due diligence and schematic design services for the J.E. "Jim" Ramseur Park. **APPROVED**

- 10. Consider awarding a sole source purchase order in the amount of \$320,877.36 to Reinhausen Manufacturing Inc. for purchase of two (2) On-Load Tap Changers.** On-Load Tap Changers (OLTC) are a built-in mechanical part of substation main power transformer. The OLTC re-taps the windings in the transformer under loaded conditions, which serves to adjust the voltage produced by the substation as it self-adjusts throughout the day, depending on system loading conditions. This helps maintain nominal voltage within acceptable ranges for our end use customer. OLTC units have a manufacturer defined lifespan and must be upgraded in the 20-25-year time-frame. The City currently has four (4) substation power transformers that have need of a replacement OLTC due to normal end of life cycle. Staff has been



carefully evaluating the four (4) units in question to determine the best options for repair/replace and concluded that an exact replacement from the manufacturer is the only option. The original manufacturer was Westinghouse Inc., which has since been purchased by Reinhausen Manufacturing Inc. Council approved purchase of the first two (2) units in June 2021. This second order of units will complete the materials acquisition. Installation plan is underway and will be complete in April 2022.

**Recommendation:** Motion to award a sole source purchase order in the amount of \$320,877.36 to Reinhausen Manufacturing Inc. for purchase of two (2) On-Load Tap Changers. **APPROVED**

- 11. Consider awarding a bid for one 44KV Substation Power Transformer for the Country Club Dr. Substation F and one spare 100 KV Power Transformer.** Electric Systems staff received bids on July 21, 2021 for electric equipment and materials required for the replacement of one (1) 27 MVA power transformer for our substation F and one (1) 37 MVA 101.25/ 13.2kv spare power transformer. The bids were arranged into the following two schedules of equipment: Schedule I – 27 MVA 43.8v/13.2kv power transformer; lowest responsible bidder was Virginia Transformer Corp., in the amount of \$723,634; and Schedule II – 37 MVA 101.25/ 13.2kv power transformer; lowest responsible bidder was Virginia Transformer Corp., in the amount of \$823,975. Staff recommendations reflect the low bidder for each Schedule.

**Recommendation:** Motion to award a bid in the amount of \$1,547,609 to Virginia Transformer Corporation for the purchase of two (2) Substation Power Transformers. **APPROVED**

- 12. Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright and Ellington (TBE) to provide engineering, design, and bidding services for the South and North Gravel Parking Lot Paving and Budget Amendment.** In 2014, the City of Concord received a grant from the Federal Aviation Administration for the purposes of expanding public parking at the airport. These improvements included design, clearing, grubbing, site grade and gravel to accommodate parking for the commercial airline operations. The two gravels lots are currently being used by a third party. With the recent expansion of airline service, the use of the lots has changed from alternative parking to an overflow lot for the parking deck. In 2019, the south lot, which holds approximately 364 parking spaces, was utilized during peak summer months 60% of the time. In accordance with the FAA grant assurances, any real property that is converted from aeronautical or public use to non- aeronautical or revenue generated use, the federal portion of the grant improvements must be reimbursed. The FAA has agreed to reduce our amount of entitlement funding for a 3-year period to pay down \$1.2 million in grant funding to meet the reimbursement obligation. With the expansion of Allegiant Air at the airport, these lots will be converted from public to revenue parking facilities. (Long term parking). In anticipation of new and expanded service and to ensure adequate parking for Allegiant's customers along with connectivity from the parking lot to the commercial terminal bldg., these improvements are necessary. The intent of this project is to pave the existing lots and install grassed islands and landscaping to meet City of Concord development standards. The project will include asphalt pavement overlay of the existing aggregate, drain modifications for grassed islands, erosion control devices, perimeter security fencing relocation and access control system/revenue control system. The funding for the professional services will be from retained earnings at a cost of \$161,492. The airport anticipates \$2,240,445.00 in FY 22 to fund the construction phase of the project.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute a contract with TBE for the design and bidding services for the long-term parking lots and approve budget amendment. **APPROVED**

- 13. Consider authorizing the City Manager to negotiate and execute a contract with Carolina Siteworks, Inc. for the installation of the General Services Dr. 12-inch**

**Water Line Replacement.** The General Services Line Replacement project consists of the installation of approximately 941 linear feet of 12-in water main along General Services Dr from inside the Brown operation Center to Highway 49. This new water line replaces an existing 8-inch water line that was identified for replacement in our master plan to increase flow distribution throughout our system. The project was bid under the formal bidding process, bids were taken on July 13, 2021 and 3 bids were received. The lowest responsible bidder was Carolina Siteworks, Inc. in the amount of \$341,317.90 which is within budget.

**Recommendation:** Motion authorizing the City Manager to negotiate and execute a contract with Carolina Siteworks, Inc. in the amount of \$341,317.90 for the installation of the General Services Dr. 12-inch Water Line Replacement.

**APPROVED**

- 14. Consider a Preliminary Application from Cedric O. Harris.** In accordance with City Code Chapter 62, Cedric Harris has submitted a preliminary application to receive water service outside the City limits. The property is located at 9722 Dewitt Road. The parcel is currently vacant and zoned LDR. The owner proposed to construct one single family home. Sewer is not available to the parcel.

**Recommendation:** Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation. **APPROVED**

- 15. Consider a Preliminary Application from Sandra S. Diffie.** In accordance with City Code Chapter 62, Sandra Diffie has submitted a preliminary application for water service outside the City limits. The property is located at 1041 Cox Mill Road. The property is currently zoned LDR and developed with a single family home. There is not sanitary sewer service available to this property. The owner has expressed that she is having problems with her well.

**Recommendation:** Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation. **APPROVED**

**VII. Consent Agenda** **APPROVED ALL IN ONE MOTION**

- A. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.** In accordance with CDO Article 5, the following final plats and easements are now ready for approval: Heritage Ridge at Moss Creek Phase 2 and 62 Woodsdale Place. Various utility easements and public rights-of-ways are offered by the owners.

**Recommendation:** Motion to accept the offer of dedication on the following plat and easements: Heritage Ridge at Moss Creek Phase 2 and 62 Woodsdale Place.

- B. Consider adopting an ordinance amending the Fees and Charges schedule for water, wastewater, and transit fees.** Some outside water/wastewater rates were inadvertently left off of the fee schedule or entered for the wrong amount. The attached ordinance corrects these rates. Previously, the fee schedule only showed an inside rate for water fire lines and was missing the outside rate of \$5.33 per 1,000 gallons. The outside rate for wastewater volume charges was incorrectly listed as \$27.56, so this corrects the rate to \$32.78. Also included in this update is the removal of the credit card fee for Transit.

**Recommendation:** Motion to adopt an ordinance amending the Fees and Charges schedule for water, wastewater, and transit fees.

- C. Consider increasing the payment standards for the Housing Department in order to encourage landlord participation in the Housing Choice Voucher program.** Concord Housing is requesting to increase our payment standards in order to encourage landlord participation in the Housing Choice Voucher program. Payment standards are used in the calculation of the housing assistance payment that the Public Housing Agency pays to the owner on behalf of the family leasing a unit. The Payment Standard is the maximum amount of assistance a family can receive. The Payment Standard can be between 90 to 110% Fair Market Rate. We are choosing 110% of the Fair Market Rate because we want to have greater landlord participation

in the program. At our current Payment Standard, our landlords are not opting to participate in the program.

**Recommendation:** Motion to Increase the Payment Standards to encourage landlord participation in the Housing Choice Voucher program.

- D. Consider adopting an ordinance to amend the FY 2021/2022 Budget Ordinance for the General Fund to appropriate unspent FY 2021 funds for the Public Art Committee.** Funds were appropriated in the FY 2020/2021 budget for the Public Art Committee. All of these funds were not spent prior to year-end. The attached budget ordinance appropriates these left over funds from fund balance so they can be spent in the FY 2021/2022 budget.

**Recommendation:** Motion to adopt an ordinance to amend the FY 2021/2022 Budget Ordinance for the General Fund to appropriate unspent FY 2021 funds for the Public Art Committee.

- E. Consider adopting a capital project ordinance to amend the Transportation Projects Fund.** The amount previously approved for the US 601/Flowes Store improvements project needs to be adjusted to match the actual expected amount of CMAQ funds. There is also a small cleanup that needs to be done to the 29 Bridge project to match the final cost of the project.

**Recommendation:** Motion to adopt a capital project ordinance to amend the Transportation Projects Fund.

- F. Consider adopting a Golf Fund operating budget amendment and a Golf Projects Fund project budget amendment.** The range netting project needs additional funds to cover total costs of the project. The attached budget ordinance and project ordinance amendments transfer golf operating funds to the golf project fund to cover these additional costs to finish the project.

**Recommendation:** Motion to adopt a Golf Fund operating budget amendment and a Golf Projects Fund project budget amendment.

- G. Consider adopting an ordinance to amend the FY 2021/2022 General Fund budget and approve the use of contingency funds.** Council approved \$3000 at the July 20, 2021 work session for the memorial honoring LTC Parker, WWI most decorated Soldier and Medal of Honor recipient. He is buried at Oaklawn Cemetery. The attached budget ordinance amends the budget for this donation and approves the use of contingency funds.

**Recommendation:** Motion to adopt an ordinance to amend the FY 2021/2022 General Fund budget and approve the use of contingency funds.

- H. Consider amending the Title VI Policy.** The proposed amendment is the addition of Appendix F. Appendix F is the Assurance of Compliance which the Title VI policy requires the City to have. This assurance must be included in all of our contracts, grants, bids, community or public applications, etc.

**Recommendation:** Motion to amend the Title VI Policy to include Appendix F.

- I. Consider amending Article 8.1, Hiring Procedure Policy in the City's Personnel Policies and Procedures manual.** Staff recommends an update to Article 8.1, Hiring Procedure Policy, to minimize the risk of discriminatory practices in the hiring process.

**Recommendation:** Motion to amend Article 8.1, Hiring Procedure Policy in the Personnel Policies and Procedures manual.

- J. Consider amending Article 8.13, City of Concord Computer Network, Email, and Internet Access Policy.** Staff recommends an update to Article 8.13, City of Concord Computer Network, Email and Internet Access Policy of the City's Personnel Policies and Procedures to reflect the City's procedures regarding fraudulent messages, which is also referred to as phishing.

**Recommendation:** Motion to Amend Article 8.13, City of Concord Computer Network, Email and Internet Access Policy, in the Personnel Policies and Procedures manual.

**K. Receive quarterly report on water and wastewater extension permits issued by the Engineering Department in the second 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 April 1, 2021 and June 30, 2021.

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

**L. Consider acceptance of the Tax Office reports for the month of June 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 June 2021.

**M. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of June 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 June 2021.

**N. Receive monthly report on status of investments as of June 30, 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.

**VIII. Matters not on the agenda**

- TAC
- MTC
- Centralina Regional Council
- Concord/Kannapolis Transit Commission
- WSACC
- Public Art Advisory Committee
- Concord Family Enrichment Association
- PTT Committee
- 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.