



# City Council Agenda

Thursday, February 13, 2025

6:00 PM

City Hall

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

December 17, 2024, January 7, and January 9, 2025.

## IV. Presentations

### 1. Presentation of a Proclamation recognizing Black History Month.

### 2. Presentation of a Proclamation recognizing Wednesday, March 12, 2025 as Lambda Upsilon Omega Day.

### 3. Presentation of a retirement plaque recognizing Jason Porter for 29 years of service with the City of Concord.

Jason Porter is retiring after 29 years of service to the City of Concord. He began his career as an operator at the Hillgrove and Coddle Creek Water Treatment plants. After 12 years, Jason was then given the opportunity to join the Traffic Services Division of the Transportation Department where he has spent much of his profession. Jason has been vital in the sign shop by installing thousands of traffic control signs, pavement markings, detours for utilities, events, and construction. Jason's dedication and work ethic will be missed.

### 4. Presentation of retirement plaque recognizing Bobby Teal for over 29 years of service with the City of Concord.

Throughout his time with the City, Bobby has worked for the Electric Department and the Water Department. He has most recently served as a supervisor over the maintenance of City water treatment plants, water tanks, water pump stations and more. Bobby has helped lead the Water Department through tremendous growth and changes during his career. His contribution to the City will be felt long after his retirement. We wish Bobby well in retirement.

### 5. Presentation of the C-Surface Operator of the year award to James Coble.

This award is given to one C certified operator in the State each year by the North Carolina Water Operator's Association. This is one of the highest awards a treatment plant operator can receive. James just recently completed his first full year as a certified operator. He has learned a lot in a short amount of time and has quickly demonstrated his high level of skill and ability as an operator. We congratulate James on this honor.

### 6. Presentation of the American Public Power Association (APPA) National Commendation to Concord Electric Systems for Power Restoration in Forest City, NC after Hurricane Helene.

The American Public Power Association (APPA) awarded Concord Electric Systems a National Commendation for their support in electric power restoration efforts in Forest City, NC.

Hurricane Helene caused widespread damage and knocked out power to the Town of Forest City. Through a mutual aid agreement, on September 29, 2024, Concord Electric Systems sent 9 lineworkers to Forest City to help rebuild the town's damaged system and restore power to their residents and businesses. They spent 7 days cutting trees, replacing broken power poles, repairing primary and secondary feeders, replacing damaged transformers, and helping with cleanup and service work.

The team from Concord included: Jack Rushing, Chris Aldridge, Chandler Rice, Larry Barbee, Syrus Dellinger, Clint Meece, Triston Langston, Tim Furr, and Jason Sartain. These men did not hesitate to answer the call to help a neighbor in need. They voluntarily left their families and the comfort of their homes to work long days in challenging conditions and inclement weather to restore power to families and businesses in Forest City. Their selfless service to others demonstrates the value of public power and what it means to be community-owned. Whether it is in their backyard, a neighboring town, or another state, Concord Electric Systems crews are first to answer the call to get the power back on.

## **V. Unfinished Business**

## **VI. New Business**

### **A. Informational Items**

### **B. Departmental Reports**

- 1. Parks and Recreation Bond update**
- 2. Downtown Streetscape update**

### **C. Recognition of Persons Requesting to be Heard**

### **D. Public Hearings**

#### **1. Conduct a public hearing pursuant to North Carolina General Statutes Sec. 158-7.1 to consider granting a three-year/85% tax-based economic industrial spec grant to HSREI, LLC to locate at 4295 Defender Way, Concord, NC 28027.**

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. HSREI, LLC proposes to develop another building at the Advanced Manufacturing Center (AMC) on 10 acres adjacent to Hendrick Motorsports campus. Comprising of \$65-70 million dollars of high-quality construction, the building design will attract a premier manufacturing tenant. The building design will be constructed with tilt-up concrete walls, including glass and metal accents. The 204,045 SF facility features two stories and is completely air-conditioned for precision work. There will be gated access and ample staff and visitor parking leading to the storefront entry, which opens to a class-A office and meeting space inside. The production floor is equipped with high illumination levels, pneumatic supply ports, and robust electrical service. Fiber optic will feed the data center, covered by redundant cooling and power, for a clear path to digitally empowered manufacturing.

HSREI, LLC proposes to invest approximately \$65-\$70 million in real property. The total value of the City's three-year/85% grant is estimated to equal \$749,700 depending on the actual investment. The City of Concord would still collect a three-year net revenue of \$132,300 after the incentive payments.

**Recommendation:** Consider offering a contract for a three-year/85% tax-based Economic Development Grant to HSREI, LLC to locate at 4295 Defender Way, Concord, North Carolina 28027.

#### **2. Conduct a public hearing pursuant to North Carolina General Statutes Sec. 158-7.1 to consider granting a three-year/85% tax-based economic industrial spec grant to Motorsport IP**

**Acquisition Co. I, LLC to locate at 4295 Defender Way, Concord, NC 28027 and 4540 Fortune Ave NW, Concord, NC 28027.**

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Motorsport IP Acquisition Co, I, LLC proposes to develop a site to support the development of the power unit (engine) for the Cadillac F1 vehicle. This project aims to design and test a state-of-the-art engine capable of meeting Formula 1's rigorous performance and efficiency standards. With an ambitious timeline, the goal is to have the engine ready for integration into a vehicle by 2028, ensuring Cadillac's competitive debut in Formula 1. It is anticipated that construction would commence in the First Quarter of 2025, with occupancy in the First Quarter of 2027.

The project would involve significant investment in new manufacturing, R&D and information technology equipment, and the hiring of 300 to 350 highly skilled employees in manufacturing, engineering, and research and development with an average wage of \$100,000 to \$125,000 per year. In order to facilitate an accelerated project timeline and the need to construct a new facility in North Carolina to accommodate the project, it is anticipated that initial operations will occur at an existing General Motors facility in Concord, NC located at 4540 Fortune Way NW, until the new facility at 4295 Defender Way is constructed.

Motorsport IP Acquisition Co. I, LLC proposes to invest approximately \$75-\$85 million in personal property. The total value of the City's three-year/85% grant is estimated to equal \$743,453 depending on the actual investment. The City of Concord would still collect a three-year net revenue of \$131,198 after the incentive payments.

**Recommendation:** Consider offering a contract for a three-year/85% tax-based Economic Development Grant to Motorsport IP Acquisition Co. I, LLC, to locate at 4295 Defender Way, Concord, North Carolina 28027 and 4540 Fortune Ave NW, Concord, NC 28027.

**3. Conduct a public hearing pursuant to North Carolina General Statutes Sec. 158-7.1 to consider granting a three-year/85% tax-based municipal service district economic development incentive grant to Macklar, LLC for tenant investment at 14 Church St. S, Concord, NC 28025 having an investment of \$475,000 in real and personal property.**

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Macklar LLC, proposes to develop approximately 2,565 sq ft of commercial space into a bar with an arcade, pool, dart games, and TV's that will serve as the Dive Bar. The Dive Bar will offer food, drinks, and a fun atmosphere.

**Recommendation:** Consider offering a contract for a three-year/85% tax-based municipal service district economic development incentive grant to Macklar, LLC located at 14 Church St, Concord, North Carolina 28025.

**4. Conduct a public hearing and consider adopting an ordinance annexing +/- 5.01 acres at 520 Crestmont Dr (PIN 5630-98-4419)(Case - ANX-01-25) owned by Jordan and Margaret Hall.**

The request is for voluntary annexation of +/- 5.01 acres of property at 520 Crestmont Dr. The property is currently zoned RM-1 (in ETJ). The City of Concord Council reviewed the preliminary application for sewer at the July 11, 2024, regular council meeting and voted to have the applicant proceed to the final application phase including the voluntary annexation process as outlined in Section 62-81 of the City Code prior to a residential sewer service application.

**Recommendation:** Consider a motion adopting the annexation ordinance and set the effective date for February 13, 2025.

**E. Presentation of Petitions and Requests**

**1. Consider approving benefit plan rates for the City of Concord for FY26 and authorize the City Manager to negotiate, conclude, and execute contracts with plan providers.**

The City continues to offer three market competitive medical plans administered by BCBSNC. Coworkers have the flexibility to choose the plan that is best for their families' needs.

Due to inflation, advancements in medical technology and pharmaceuticals, and increased prevalence of chronic diseases, Gallagher is projecting an increase to the budget on a per coworker per year basis; however, the additional headcount, plan enrollment shifts, and prescription drug cost result in an increase to the gross medical budget. The recommendation is to increase coworker contributions by 5%, which will be the first increase in six years. The net budget after the proposed coworker contributions is estimated at \$13,884,000 compared to \$12,900,000 in FY25.

**Recommendation:** Motion to approve the plan design for the City of Concord benefit plans for FY26 and authorize the City manager to negotiate, conclude, and execute contracts with plan providers.

**2. Consider approving an update to Article 6, Leaves of Absence, of the City's *Personnel Policies and Procedures*.**

The City aims to maintain its status as a preferred employer by providing competitive benefits and paid leave for full-time coworkers.

To enhance recruitment of experienced staff, an update to Article 6, Leaves of Absence, of the City's *Personnel Policies and Procedures* is recommended to allow all verified sick leave from previous service with LGERS or TSERS be credited to the coworkers' sick leave accrual bank. Additionally, in an effort to attract and retain top talent, staff recommends updating sick leave accruals and vacation accruals for full-time City coworkers.

**Recommendation:** Motion to approve an update to Article 6, Leaves of Absence, of the City's *Personnel Policies and Procedures*.

**3. Consider adopting a resolution authorizing an eminent domain action for a parcel located at 620 Main St, SW.**

This property is currently owned by all heirs, known and unknown of Michael Edward Helms. Acquisition of this property is necessary for the repair and reconstruction of a storm water culvert. The temporary construction easement and the permanent utility easement are estimated to have a total value of \$1,641.60.

**Recommendation:** Consider making a motion to adopt a resolution authorizing an eminent domain action for a temporary construction easement and a permanent utility easement located at 620 Main St, SW.

**4. Consider authorizing the City Manager to execute the lease extension with DK Aviation Properties LLC for additional 16 years.**

Staff worked with outside consultant Aviation Management Consulting Group (AMCG) to perform a General Aviation Lease Analysis for DK Aviation Properties LLC. DK Aviation requested an extension of 6 years along with a new 10-year option (for a remaining term of 40 years). The current lease expires on 10/29/48. With the proposed extension, it will terminate on 10/29/64. The reversion deferral fee (RDF) for a 16 year extension is \$275,000. The new reversion deferral fee plan will be as follows: \$68,750 upon lease execution (February 2025); \$68,750 12 months from lease execution (February 2026), \$68,750 24 months from lease execution (February 2027); and \$68,750 36 months from lease execution (February 2028).

The RDF calculation is consistent from the previous City Council action in 2018. The General Aviation Lease Analysis for DK Aviation Properties LLC conveying the recommendations for the RDF is included in the agenda packet.

**Recommendation:** Motion to authorize the City Manager to negotiate and execute the lease extension with DK Aviation Properties LLC.

#### **5. Consider accepting a preliminary application from Cheryl and Jerry Baxter.**

In accordance with City Code Chapter 62, Jerry Baxter Jr. & Cheryl Baxter have submitted a preliminary application to receive water service outside the City limits. The property is located at 2436 Miami Church Rd., Concord NC. This 4.56 acre parcel is zoned county LDR-MH2 (low density residential with a double wide mobile home overlay) and is located within Area B. The owners wish to build one new home. Sewer is not available to the parcel. Prior to the final application a private easement will be required for the water service from the adjacent parcel, which Mr. and Mrs. Baxter own.

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

#### **6. Consider adopting changes to the City of Concord's Sewer Allocation Policy.**

The proposed changes to the Sewer Allocation Policy addresses the following: Council's approval of project specific scope changes; recommends a regular recurring Sewer Allocation item to the Council Agenda each month as needed; and adds "Requires Rezoning" to the project attributes list for both residential and non-residential as a negative attribute.

**Recommendation:** Motion to adopt changes to the City of Concord's Sewer Allocation Policy

### **VII. Consent Agenda**

#### **A. Consider authorizing the Parks & Recreation Department to apply for Carolina Thread Trail/Catawba Lands Conservancy funds for property acquisition funding along the Irish Buffalo Creek corridor and its tributaries, to be used for location of future greenway.**

The Carolina Thread Trail (CTT) program, part of the Catawba Lands Conservancy provides grant funds for trail, greenway and blueway-related projects across its 15-county network per its multi-county master plan. Irish Buffalo Creek is a significant corridor in the CTT's 2009 Cabarrus County Master Plan; and the CTT has secured funding for a number of years for projects along the creek and its tributaries. Concord and Kannapolis have each received funding through this targeted program with the goal of completing a greenway along the creek linking the two cities; and a quick turnaround call for projects was made on January 30, 2025 for projects up to a maximum of \$125,000.

The Parks & Recreation Department requests authorization to submit a request for funding to the Carolina Thread Trail for review and approval, up to but not exceeding the stated \$125,000 maximum limit.

**Recommendation:** Motion to authorize the Parks & Recreation Department to apply for Carolina Thread Trail funding for property acquisition up to \$125,000 for a future greenway project along Irish Buffalo Creek.

#### **B. Consider approving and accepting the Family Self-Sufficiency (FSS) FY24 grant award and adopt the accompanying Grant Project Ordinance to ensure the funds are administered in compliance with program requirements.**

The Family Self-Sufficiency (FSS) program is a federally funded initiative designed to assist participants in public housing and Housing Choice Voucher programs in achieving economic independence and self-sufficiency. For Fiscal Year 2024, the City of Concord has been awarded \$69,888 in FSS grant funding

by the U.S. Department of Housing and Urban Development (HUD). These funds will support case management services, program administration, and other activities to help program participants achieve educational, employment, and financial goals.

**Recommendation:** Motion to approve and accept the Family Self-Sufficiency (FSS) FY24 grant award and adopt the Grant Project Ordinance to authorize the allocation and administration of the funds.

**C. Consider approving the 2025 Payment Standards for the Housing Choice Voucher Program to be effective on March 1, 2025.**

The Quality Housing and Work Responsibility Act (QHWRA) of 1998 requires housing authorities to set Housing Choice Voucher (HCV) payment standards between 90% and 110% of the Fair Market Rents (FMRs) published by the U.S. Department of Housing and Urban Development (HUD). These standards determine the monthly subsidy paid to landlords and include tenant-paid utilities. Additionally, QHWRA mandates that tenants receiving HCV assistance cannot be required to pay more than 40% of their adjusted monthly income toward rent and utilities. On August 14, 2024, HUD released updated FMRs effective October 1, 2024. The 2025 Payment Standards align with the City's Comprehensive Housing Policy, specifically its goals related to affordability, availability, and neighborhood stability. They also support the department's objective to increase and preserve affordable housing for residents earning 50% or less of the area median income, which currently stands at \$106,000 for a family of four. All unit sizes saw an increase in the 2025 FMRs. In response and based on an analysis of voucher holders' success in securing housing, the 2025 Payment Standards will increase accordingly. To determine appropriate standards, staff reviewed MLS data on average rents by bedroom size, available units at proposed payment levels, and active property listings that accept HCVs. The attached table outlines the proposed 2025 Payment Standards for Council consideration.

**Recommendation:** Motion to approve the 2025 Payment Standards for the Housing Choice Voucher Program to be effective on March 1, 2025.

**D. Consider Accepting an Offer of Dedication of an access easement and approval of the maintenance agreement.**

In accordance with CDO Article 4, the following access easements and maintenance agreements are now ready for approval: Parcel owned by WeBuild Concord located at 336-355 Lincoln Street SW, Concord, N.C. (PIN 5620-92-1802) Access easements and SCM maintenance agreements are being offered by the owners.

**Recommendation:** Motion to approve the maintenance agreements and accept the offers of dedication to the following properties: Parcel owned by WeBuild Concord located at 336-355 Lincoln Street SW.

**E. Consider accepting an offer of infrastructure at Christenbury Commons Town-homes-Phase 3 (lot 1-63), Zion Church Rd. 12" Waterline, AMC 250-The Rock, HMM-AMC 150.**

In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptance: Water Infrastructure - 2 16" valves; 13 12" valves; 3 8" valves; 5 6" valves; 3 2" valves; 10 hydrants and 27 manholes.

**Recommendation:** Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites, Christenbury Commons Town-homes-Phase 3 (lot 1-63), Zion Church Rd. 12" Waterline, AMC 250-The Rock, HMM-AMC 150.

**F. 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 plat and easements are now ready for approval: In accordance with CDO Article 5, the following final plat and easements are now ready for approval: Hannah's Meadow Phase 1, 338 Lincoln Street Townhomes Final Major Plat, Cabarrus County EMS

Headquarters, Crossroads Sewer Project Sewer Easements, and Electrical Substation from Eli Lilly . Various utility easements and public rights-of-ways are offered by the owners. 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: Hannah's Meadow Phase 1, 338 Lincoln Street Townhomes Final Major Plat, Cabarrus County EMS Headquarters, Crossroads Sewer Project Sewer Easements, and Electrical Substation from Eli Lilly.

**G. Consider adopting a budget ordinance to amend the FY2024/2025 Budget Ordinance to appropriate insurance reimbursements received.**

The City of Concord received insurance reimbursements to cover repairs of damaged vehicles and equipment. The attached budget amendments will appropriate these funds to the respective impacted departments.

**Recommendation:** Motion to adopt ordinances to amend the FY2024/2025 Budget Ordinance to appropriate insurance reimbursements received.

**H. Consider adopting an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to appropriate contingency funds to cover the cost of environmental remediation needed at Academy and Kerr.**

A tank was discovered at the building on the corner of Academy and Kerr when sidewalk work was being done. Environmental remediation is required and the attached budget amendment appropriates contingency funds for this unexpected expense.

**Recommendation:** Motion to adopt an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to appropriate contingency funds to cover the cost of environmental remediation needed at Academy and Kerr.

**I. Consider adopting an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to appropriate excess ABC profits received to a reserve fund balance account for future economic development opportunities.**

At the January second work session, council discussed using the ABC excess FY24 profits that were received in October in the amount of \$2,062,500 towards future economic development opportunities in the Logan community. The attached budget amendment appropriates these funds to a reserve fund balance for development. The exact use will be determined at a later time and a budget amendment must be approved by council to allocate the reserve for whatever items are approved.

**Recommendation:** Motion to adopt an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to appropriate excess ABC profits received to a reserve fund balance account for future economic development opportunities.

**J. Consider adopting an ordinance to amend the Wastewater Project Fund budget to remove the Crossbow Pump Station Elimination project.**

The Crossbow Pump Station Elimination project is being cancelled due to alignment difficulties. The attached budget amendment moves the funding previously allocated to this project to the future projects account. The funding will be available for other projects as needed.

**Recommendation:** Motion to adopt an ordinance to amend the Wastewater Project Fund budget to remove the Crossbow Pump Station Elimination project.

**K. Consider receiving quarterly report on water and wastewater extension permits issued by the Engineering Department in the third quarter of 2024.**

In accordance with City Code Chapter 62, the attached reports outline the water and wastewater extension permits that were issued between July 1, 2024 and September 30, 2024.

**Recommendation:** Motion to receive the third quarter water and wastewater extension report for 2024.

**L. Consider acceptance of the Tax Office reports for the month of December 2024.**

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 December 2024.

**M. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of December 2024.**

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 December 2024.

**N. Receive monthly report on status of investments as of December 31, 2024.**

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**

- Transportation Advisory Committee (TAC)
- Metropolitan Transit Committee (MTC)
- Concord/Kannapolis Transit Commission
- Centralina Regional Council
- Water Sewer Authority of Cabarrus County (WSACC)
- WeBuild Concord
- Public Art Commission
- Concord United Committee

**X. General Comments by Council of Non-Business Nature**

**XI. Closed Session (If Needed)**

**XII. 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.



