



City Council Agenda

Thursday, March 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

January 21, January 31, February 11, and February 13, 2025.

IV. Presentations

1. **Presentation of a Resolution in Remembrance of Engineer Christopher Shane Hartsell.**

V. Unfinished Business

VI. New Business

A. Informational Items

B. Departmental Reports

1. **Parks and Recreation Bond 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 one-year/50% tax-based economic development industrial spec grant to McCraney Property Company, to be located at 4518 Davidson Highway, Concord, North Carolina 28027, further identified as PIN#'s 5601-88-8181, 5601-77-8447, 5601-87-7425, & 5601-87-9077, having an investment of approximately \$45,000,000 in real property.**

This notice of public hearing is pursuant to NC General Statutes Sec. 158-7.1. Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. The proposed location for the Concord Gateway industrial spec development is 4518 Davidson Hwy, Concord 28027. The 55-acre site, containing multiple parcels, is across from International Drive on Hwy 73 at Exit 55.

McCraney Property Company plans to develop approximately 400,000 SF across multiple buildings. Building sizes will range from 10,000 to 64,000 SF and suite sizes ranging from 4,000 to 30,000 SF. The first 4 buildings in phase 1 will deliver in 2026. Phase two, consisting of 4 buildings as well, will be delivered in 2028. The buildings would be available for both lease and purchase. The project team has a long track record of executing developments of this nature, attracting businesses in diverse industries such as light manufacturing, advanced manufacturing, R&D, showroom, engineering, light assembly, mechanical service providers, and creative agencies. The projected investment is estimated to be approximately \$45,000,000 in real property. The City of Concord grant analysis is based on the

estimated \$45M projected investment. The company is asking for consideration of a 1 year, 50% economic development industrial spec grant. The estimated grant for the 1-year term is \$94,500.

Recommendation: Consider offering a contract for a one-year/50% tax-based economic development industrial spec grant to McCraney Property Company.

2. Conduct a public hearing and consider adopting an ordinance annexing +/- 2.24 acres at 2625 Old Airport Rd (PIN 5640-30-0972) owned by RDMS Homes, LLC for the construction of six (6) single-family detached homes.

This request is for voluntary annexation petition of +/- 2.24 acres of property at 2625 Old Airport Rd. The property is currently zoned Cabarrus County LDR (Low Density Residential). The developer has proposed the construction of six (6) single-family detached homes on the site, where RM-1 design standards will be utilized.

Recommendation: Consider adopting the annexation ordinance and set the effective date for March 13, 2025.

3. Conduct a public hearing to consider adopting an ordinance amending a portion of Chapter 22, Cemeteries, of the Concord Code of Ordinances.

The purpose of this ordinance amendment is to adopt roles and regulations pursuant to 160A-348 related to the use and operation of the City cemeteries. City staff has, for many years, encountered situations where a family wishes to inter a loved one in an ancestral family plot, purchased years or decades ago. It has been very difficult for City staff to ascertain who owns the plot or has a legal right to use or allow the use of the plot by another. The City's staff often spend long amounts of time researching the descendants of the owner of record and attempting to gain the consent of what can sometimes be dozens of heirs. This burdensome process causes delay and stress both for the City's staff and more importantly for the grieving families who simply wish to honor their loved one. This ordinance amendment seeks to establish clearer rules and procedures for a family who wish to use an ancestral plot that is still recorded in the name of a deceased ancestor.

Recommendation: Consider making a motion to adopt an ordinance amending Chapter 22 of the Concord Code of Ordinances to adopt changes related to the use and operation of the City Cemeteries.

E. Presentation of Petitions and Requests

1. Consider adopting a resolution authorizing an eminent domain action for an easement on a parcel located at 3538 Rock Hill Church Road.

This property is currently owned by Marlene L. Markey. Acquisition of this property is necessary for the construction of an electric 100kV transmission line. The value of the 0.127 acre easement is estimated to be \$2,377.01; however, an appraisal has been ordered.

Recommendation: Consider making a motion to adopt a resolution authorizing an eminent domain action for an easement on a parcel located at 3538 Rock Hill Church Road.

2. Consider adopting a Resolution Giving Preliminary Approval to Issuance of Multifamily Housing Revenue Bonds for Concord Chase Apartments.

Concord Chase, LP, or another affiliated or related entity of Poplar Development Group, LLC (the "Company") intends to provide affordable housing in the City and has requested that the City assist it in financing the rehabilitation and equipping of an existing qualified residential rental project known as Concord Chase Apartments, consisting of 124 units and located at 100 Concord Chase Circle in the City (the "Development"). The housing bonds, when and if issued by the City, will be issued pursuant to Article 1 of Chapter 157 and Section 160D-1311(b) of the General Statutes of North Carolina and shall not be a debt of the State of North Carolina (the "State"), the City, or any political subdivision

thereof and none of the State, the City, or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds be payable out of any funds or properties other than those of the City derived solely from payments made by the Borrower. The amount needing to be financed is estimated not to exceed \$27,000,000 to provide all or part of the cost of the Development.

Recommendation: Motion to adopt a Resolution Giving Preliminary Approval to Issuance of Multifamily Housing Revenue Bonds for Concord Chase Apartments.

3. Consider awarding bid to Mountaineer Contractors, Inc. for \$1,983,695.50 for the construction of the North Apron Access Road at Concord-Padgett Regional Airport.

The Aviation Department solicited bids for the construction of the North Apron Access Road which will extend Aviation Blvd. North to allow for the development of hangars adjacent to the recently completed North Apron Expansion project at Concord-Padgett Regional Airport. This is a State of North Carolina Transportation Reserved Directed Fund grant. Bids were opened on January 23, 2025, and five bids were received. The low bid totaled \$1,983,695.50 by Mountaineer Contractors, Inc., which is below the engineer's estimate. The engineering firm for the project, Talbert, Bright & Ellington, Inc., has reviewed the bids and confirmed with the NCDOT-Aviation that the low bid is responsive and conforms to the project bid specifications.

The construction timeline for the North Apron Roadway project is expected to take 150 calendar days to complete.

Recommendation: Motion to accept the lowest bid of \$1,983,695.50 and to authorize the City Manager to negotiate and execute a contract with Mountaineer Contractors, Inc., for construction of the North Apron Access Road and to adopt a budget amendment.

4. Consider adopting Gate Allocation Management Program Policy and Procedures for City of Concord-Aviation Department.

Concord-Padgett Regional Airport is dedicated to the efficient and equitable allocation of gates to all commercial airlines and their respectively programmed flight activity, ensuring both operational and business continuity while accommodating growing demand. With increasing levels of flight activity, effective gate management is critical to prevent capacity constraints and maintain seamless operations within the airport terminal's limited physical footprint.

Adopting several principles from the Worldwide Airport Slot Guidelines (WASG), this gate management policy and procedures document establishes guidelines and procedures for managing gate allocation, including coordination priorities, submission guidelines, and the resolution of potential gate conflicts. The purpose of this document is to ensure operational integrity at Concord-Padgett Regional Airport by outlining a policy that ultimately accommodates both scheduled and unscheduled commercial flight activity while addressing capacity limitations. In addition, the policy is designed to assist with the implementation and management of flight schedule changes, accommodating charter or one-off commercial flight activities, providing a structure framework for both long-term planning, and operational needs and requests.

Recommendation: Move to approve the Gate Allocation Management Program and Procedures for Concord-Padgett Regional Airport.

5. Consider approval of the final design for renovations as part of the Academy-Gibson Athletic Fields as part of the 2022 General Obligation parks bond program; and authorize the City Manager and staff to continue final project permitting and enter the bid phase.

The Master Plan for the Academy-Gibson Area was adopted in August of 2022. The Academy-Gibson Area has a total of 4 projects: McInnis Aquatic Center, Academy Athletic Fields, Skatepark/Pump Track/Sculpture Garden, and the Academy Recreation Center. The original bond project estimate for all 4 projects was \$10,283,400. The Dodd Studios LLC, dba FitFields, provided design services for the

Academy-Gibson Athletic Fields project, including renovations to historic Webb Field located at 165 Academy Ave. NW, McAllister Field located at 160 Crowell Dr. NW, and Gibson Field located at 323 Misenheimer Dr. NW.

Project specifics at Webb Field include replacement of the combined football/baseball field with a new synthetic turf multi-purpose field and supporting facilities/equipment, a new entrance area and concourse, replacement of the existing restroom/storage facility, and renovation of the existing press box/concession structures. This will be the first synthetic turf field in the City's facility inventory, allowing for a significant increase in the usage of this 100-year-old athletic field.

The bond project also includes renovations to the restrooms and concession/press box at McAllister Field. At Gibson Field, upgrades/renovations will be made to the restrooms, concession and press box, and adding a new walking path creating a neighborhood park (including an existing playground structure moved from Caldwell Park that has already been installed).

The current cost estimate for the park is \$4,181,519 which is \$40,343 over the available budget amount of \$4,141,176. The cost estimate includes an 8% cost contingency on the proposed general contractor-installed improvements.

Recommendation: Motion to approve the final design for the Academy-Gibson Academy Fields complex, including renovations to the Webb Field, McAllister Field and Gibson Field areas; and authorize the City Manager and staff to continue final project permitting and enter the bidding process for the bond-funded construction per final design documents.

6. Consider authorizing the City Manager to negotiate and execute a contract with HGS, LLC T/A RES Environmental Operating Company, LLC for the Coddle Creek Bank Stabilization and to approve the attached budget amendment.

The existing walking trail at Dorton Park is threatened by the bank instability of Coddle Creek along a length of approximately 140 feet. Proposed improvements to the streambank include stabilizing existing erosion by adding an imbricated rock wall and vegetated soil lifts. Additionally, the streambank shall be planted with native vegetation.

The project was bid according to the informal bidding process (N.C.G.S. 143-131). Four potential bidders were invited to provide bids for the project. Bids were received on February 17, 2025. One bid was received from HGS, LLC T/A RES Environmental Operating Company, LLC in the amount of \$410,592.57.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with HGS, LLC T/A RES Environmental Operating Company, LLC for the Coddle Creek Bank Stabilization in the amount of \$410,592.57 as part of the bond projects and to approve the attached budget amendment.

7. Consider accepting a preliminary application from Douglas M. & Aariah B. Horton.

In accordance with City Code Chapter 62, Douglas M. & Aariah B. Horton have submitted a preliminary application to receive water service outside the City limits. The property is located at 10647 Stonewall Rd, Huntersville, NC 28078. This 1.0 acre parcel is within Cabarrus County jurisdiction and is zoned county LDR. Sewer is not available to the parcel. The existing well on the property has failed.

Recommendation: Motion to accept the preliminary application and have the applicant move to final application without annexation.

8. Consider accepting a preliminary application from Gaddis Bros Property Holdings, LLC.

In accordance with City Code Chapter 62, Gaddis Bros Property Holdings, LLC. has submitted a preliminary application to receive water service outside the City limits. The property is located at 411

Patience Dr., Concord, NC. This .44-acre parcel is within Area A and is zoned county AO. Sewer is not available to the parcel. The applicants wish to build one single family home.

Recommendation: Motion to accept the preliminary application and have the applicant move to final application without annexation.

9. Consider establishing the 2025 filing fees for the seats of Mayor and Council Members.

The NC General Statutes gives City Council the authority to establish filing fees. Per the Statutes, "the fee shall not be less than \$5 nor more than one percent (1%) of the annual salary". Based upon this formula, the 2025 filing fees will be \$188 for the Mayor seat and \$110 for each Council Member's seat.

Recommendation: Motion to establish the 2025 filing fees as \$188 for the Mayor seat and \$110 for the Council Member seats.

VII. Consent Agenda

A. Consider approving the City of Concord Co-Sponsorship applications for annual recurring events.

In February 2024, City Council approved recurring co-sponsorship applications for three annual events: the MLK Jr. March and Wreath Laying Ceremony held in January, two Art Walk on Union events held in April and September, and the fall Concord International Festival. These annual events are widely attended by both residents and visitors. The events were approved by City Council on a recurring basis through January 2025. It is time to renew the recurring co-sponsorship. Applicants will still be required to submit the required application and supporting documents for review each year, however, these applications will only be brought back before City Council if there is a substantial change in the intended purpose and design of event or a substantial increase in costs to the City for the in-kind services requested.

Recommendation: Motion to approve the recurring City of Concord Co-Sponsorship applications for the MLK Jr. March and Wreath Laying Ceremony, the Art Walk on Union, and the Concord International Festival.

B. Consider authorizing the City Manager to execute an agreement with the Historic Cabarrus Association and Niblock Homes to move the Connex container containing Meadow View School to a parking lot at Red Hill Neighborhood. The location is Lot #3 highlighted on the attached map.

In July 2021, City Council approved funding to save the Meadow View School. The structure was dismantled and placed in a Connex container. Before dismantling the structure, an environmental assessment was completed. The Meadow View School was the oldest known standing "Black" school in Cabarrus County at the time. The City of Concord and Historic Cabarrus Association partnered in identifying the factual history and preservation of the school. Historic Cabarrus members continue to research and discover more about the school, community, and era (estimated 1890) of the original construction. The building is claimed to have been, perhaps, one of the ten schools built in Cabarrus County and was the very last standing African American one room schoolhouse left in Cabarrus County.

Recommendation: Motion to authorize the City Manager to negotiate an agreement with Historic Cabarrus Association and Niblock Homes to move and inventory Connex container of the Meadow View School.

C. Consider authorizing the City Manager to enter into a contract with the Cabarrus Health Alliance (CHA) as a recipient of \$33,495 as part of the 2023-2028 CDC Racial & Ethnic Approaches to Community Health (REACH) Grant program.

The Racial and Ethnic Approaches to Community Health (REACH) is a national program administered by the Centers for Disease Control and Prevention (CDC) to reduce racial and ethnic health disparities. Through REACH, recipients plan and carry out local, culturally appropriate programs to address a wide range of health issues. Focus areas include nutrition, physical activity, tobacco control, and immunization uptake.

CHA is a recipient of a five-year REACH grant and as in the 2023-2024 fiscal year, the agency has again designated the City of Concord as a sub-recipient for the current 2024-2025 fiscal year for the amount of \$33,495.

Last year, the department developed a *Safe Routes To Parks* oriented signage framework for the parks proximate to the downtown core area. For 2024-2025, the department intends to work with a national design firm, *Discover Traffic Gardens LLC*, to design a plan and implementation strategy for an educational and recreational 'traffic garden' (also known as a 'bicycle playground') for the small parking lot adjacent to Gibson Park on Ballpark Ct. NW. This park is undergoing renovations as part of the ongoing general obligation park bond program; the design will be ready to implement as funding becomes available.

A traffic garden is "a scaled-down street network with simplified traffic features where children and new riders can practice, learn, and play in a [motor] vehicle-free environment. Also known as such terms as safety town, traffic playground, or learn-to-cycle track, these spaces offer a fun, hands-on way to learn biking, road safety, and traffic operation. They build confidence, teach lifelong skills, and foster community... In the U.S., many children lack access to safe streets, limiting their ability to learn by navigating real-world traffic. In addition, the number of children learning to [ride a] bike has dropped over 50% in two decades, widening gaps in skills and independence. Traffic gardens help bridge this gap by providing safe spaces for biking, programs, and fun."

As with the past year, this work focuses on site-specific assessments and feasibility for parks and public recreation areas with significant African American and Latino populations. Plans prioritize strategies promoting healthy lifestyles and reference how to make these public physical activity opportunities more accessible for all residents. Funds will cover the cost of staff time, expert consultants to assist in planning, design, and preliminary engineering, supplies, and initial steps toward implementation.

Recommendation: Motion to authorize the City Manager to approve a contract with Cabarrus Health Alliance in the amount of \$33,495 as part of the CHA REACH grant.

D. Consider authorizing the City Manager to negotiate and execute a contract for the FY2025 audit to Martin Starnes & Associates, CPAs, P.A.

Staff sent out an RFP for audit services. The results of that request for proposals is attached for your review. The bid proposal is for a period of 5 years. Staff is requesting that the City Council award the contract to Martin Starnes & Associates, CPAs, P.A., which is the lowest bidder with relevant experience. The low bidders were not selected as they did not have experience with municipalities of similar size or complexity as indicated in the attachment. Martin Starnes & Associates, CPAs, P.A. have performed the City's audit for the previous five years, and staff is satisfied with their knowledge and work quality during each of those years.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract for the FY2025 audit to Martin Starnes & Associates, CPAs, P.A.

E. Consider amending the Rates and Charges Schedule for the Aviation Department to add an Airline Terminal Overnight fee.

This addition to the Rates and Charges Schedule will be to add an Airline Terminal Overnight fee of \$150/night. There is currently no set fee for overnight aircraft on the airline ramp – all listed overnight and monthly fees for ramp or hangar are for the FBO. This will set a rate specifically for those aircraft remaining overnight on the airline ramp. This fee will go into effect immediately.

Recommendation: Motion to adopt the Rates and Charges Schedule Airline Terminal Overnight fee update for the Aviation Department.

F. Consider abandoning an existing 31.5' easement across property at Lot 2 Lands N/F Christenbury Investors, LLC (Tax Parcel ID 4589-27-3947).

There is an existing water and easement recorded in Map Book 101 Page 49. The on-site, privately owned and maintained retaining wall influence zone encroached into the current waterline utility easement. To avoid conflict with the wall geogrid or influence zone, it was determined that the easement could be reduced and still allow for proper maintenance activities to occur on the publicly owned waterline.

Recommendation: Motion to approve the attached resolution authorizing the Abandonment of an easement.

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

In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: Parcel owned by Hannah's Meadows, LLC located at 201 Pitts School Road Concord, N.C. (PIN 5509-51-6333) 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: Hannah's Meadows, LLC.

H. Consider accepting an offer of infrastructure at Piper Landing Subdivision (PH 1 MPs 1-3 Roadway) and Haven at Rocky River (Ph1 MP4 Roadway).

In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions: Piper Landing Subdivision (PH 1 MPs 1-3 Roadway) and Haven at Rocky River (Ph1 MP4 Roadway).

I. 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 Mini Storage Depot on Hwy 29A, LLC., located at 2115 Kannapolis Hwy., Concord, N.C. (PIN 5621-08-8143) Access easements and SCM maintenance agreements are being offered by the owners.

Recommendation: Motion to approve the maintenance agreements and accept the offer of dedication to the following properties: Parcel owned by Mini Storage Depot on Hwy 29A, LLC. located at 2115 Kannapolis Hwy.

J. Consider approving a \$1,500 donation from the Mayor's Golf Tournament Fund to The Big Brothers Big Sisters Central Carolinas, Cabarrus County for the Founder of My Future II program and to adopt a budget amendment appropriating the donation.

The Big Brothers Big Sisters Central Carolinas requests \$1,500 that will be used for the Founder of My Future II Youth Health, Wellness, and Leadership Match Activity. Participants will work on setting goals, incorporating positive affirmations into their day-to-day language, creating a STEM activity, and incorporating movement with dance for the girls and strength-based exercises for the boys.

Recommendation: Motion to approve a \$1,500 donation from the Mayor's Golf Tournament Fund to The Big Brothers Big Sisters Central Carolinas, Cabarrus County for the Founder of My Future II program and to adopt a budget amendment appropriating the donation.

K. Consider approving a \$2,500 donation from the Mayor's Golf Tournament Fund to The Academic Learning Center for the Books for All program and to adopt a budget amendment appropriating the donation.

The Academic Learning Center requests \$2,500 that will be used to purchase student books in Spanish and to purchase books that are culturally responsive. 100% of funds will be used to purchase these titles, and 60% of children receiving these books attend schools within the City of Concord.

Recommendation: Motion to approve a \$2,500 donation from the Mayor's Golf Tournament Fund to The Academic Learning Center for the Books For All program and to adopt a budget amendment appropriating the donation.

L. Consider approval of the 2024 Capital Fund Grant from HUD and Adoption of Budget Ordinance.

The City of Concord Housing Department has been awarded a 2024 Capital Fund Grant from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$491,368. The grant will assist the Housing Department in carrying out development, capital improvements, and management activities to ensure the continued service of safe and sustainable housing for low-income families.

Recommendation: Motion to accept the 2024 Capital Fund Grant from HUD and adopt the corresponding budget ordinance in the amount of \$491,368.

M. Consider adopting an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to move the funds adopted for the Public Art Committee to a new account.

When the budget for the Public Art Committee was originally adopted, it was included in with other items. This makes tracking the budget and expenses challenging. Staff is recommending that this budget be moved to a new account to facilitate easier tracking. The attached budget ordinance amendment moves the budget from the previously funded account to the newly established account for the Public Art Committee.

Recommendation: Motion to adopt an ordinance to amend the FY2024/2025 Budget Ordinance for the General Fund to move the funds adopted for the Public Art Committee to a new account.

N. Consider acceptance of the Tax Office reports for the month of January 2025.

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 January 2025.

O. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of January 2025.

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 January 2025.

P. Receive monthly report on status of investments as of January 31, 2025.

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.