

CONCORD CITY COUNCIL
WORK SESSION MEETING
OCTOBER 8, 2024

The City Council for the City of Concord, North Carolina, held the scheduled City Council Work Session in the 3rd floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on October 8, 2024, at 4:00 p.m. with Mayor William C. Dusch presiding.

Council Members were present as follows:

Members Present:

Mayor Pro-Tem Jennifer Parsley-Hubbard
Council Member Andy Langford
Council Member Lori A. Clay
Council Member JC McKenzie
Council Member Terry L. Crawford

Members Absent:

Council Member Betty M. Stocks
Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Department Directors

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A motion was made by Council Member Crawford and seconded by Council Member McKenzie to move Consent Agenda items H and I to the regular agenda for clarification—the vote: all aye.

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The following agenda was presented for discussion:

Presentations:

Mayor Dusch presented a retirement plaque to Canine Csubi for six years of service as a Police Canine.

Presentation of a retirement plaque recognizing William "Bill" Leake for 27 years of service with the City of Concord.

Mayor Dusch recognized Electric Systems employee, Jackie Rushing, for being awarded the Public Power Distinguished Service Award at the Electricities Annual Conference.

Mayor Dusch presented a Proclamation recognizing the week of October 6-12, 2024 as Public Power Week in the City of Concord.

Departmental Reports:

Streetscape Update

Staff will provide an update at the October 10, 2024 City Council meeting.

Parks and Recreation Bonds update

Staff will provide an update at the October 10, 2024 City Council meeting.

Informational Items:

Presentation on the recommendations from the Water and Wastewater Rate Study.

The Water Resources Director, Jeff Corley, introduced Raftelis Executive Vice President, Elaine Conti.

Ms. Conti reviewed the current City of Concord Water and Wastewater rate structures. Following the presentation, she stated Raftelis recommends Tier 1 be changed from 6,000 gallons to 3,000 gallons. She stated this change will promote affordability for low users.

Public Hearings:

Conduct a public hearing to consider adopting an ordinance amending Article 12 "Sign Standards", Sections 12.1.12 "Nonconforming Signs", and 12.1.6 "Computation of Height", and Article 14 "Definitions" of the Concord Development Ordinance (CDO) to address statutory changes to sign regulations and to clarify procedures for measurement of sign height.

The Planning and Neighborhood Development Services Deputy Director, Kevin Ashley, explained the General Assembly recently passed Senate Bill 607 which contained changes General Statutes 160D-912.1, which allows any existing on-premise signage that was legally permitted to be reconstructed or replaced on the site provided that the size is not increased. The provisions apply to wall signs, ground signs, and any other permitted on-premise sign but not billboards. The ordinance currently requires that any nonconforming sign with a panel change (such as in the case of a business name change) be brought into conformance with the current requirements. This new Statute eliminates that requirement and its provisions for sign replacement are retroactive to October 1, 2021. He stated the proposed amendment rewrites the nonconforming sign provisions and inserts language from the bill, including the definition of "on-premise" sign.

He stated staff also proposes to add clarifying language to Section 12.1.6 relative to the measurement of signs for establishments which are located below street level.

At their September 17, 2024 meeting, the Planning and Zoning Commission unanimously recommended the amendment to Council.

Conduct a public hearing and consider adopting a resolution on the matter of closing the right-of-way of an unopened portion of an alley running parallel to Corban Ave SE.

Planner, Fred Womble, stated the proposal includes the abandonment of the right-of-way for a portion of alley that runs behind 135 Corban Ave SE. This alley was originally part of the M.L. Widenhouse Subdivision platted in 1914, was never opened, and is unimproved.

Presentations of Petitions and Requests:

Consider a resolution authorizing the City Attorney to take all necessary steps to convey property totaling about 4 acres (+/-) on Wilson Street NE to WeBuild for the purpose of constructing affordable housing.

Assistant City Manager, Josh Smith, stated the City acquired three parcels totaling about 5 acres (+/-) on Wilson Street in 1995 at a cost of \$12,000 for the purpose of meeting future recreational needs. The City no longer needs all of these parcels, and WeBuild has requested that the City convey some property to them for the construction of affordable housing units.

WeBuild is requesting that Tracts II and III, totaling about 4 acres, be conveyed, with the City retaining ownership of Tract I. WeBuild plans to build approximately 14 homes on this property, with 75% of the units built being sold or rented to those at the 80% AMI or below level.

Consider authorizing the City Manager to negotiate and execute a contract with Ike's Construction, Inc for the Caldwell Park and Irish Buffalo Creek Renovations a part of Group 1 bond projects and to approve the attached budget amendment.

The Parks and Recreation Director, Sheila Lowry, stated the project was bid under the formal bidding process and three bids were received on September 24, 2024, and publicly read aloud. The lowest responsible bidder was Ike's Construction, Inc. in the amount of \$11,377,800. A budget amendment is needed to reallocate funding among projects to better align with the updated timeline and fully fund the Caldwell Park project. Funding moved from other bond funded projects will be included in the next bond sale as needed.

Consider approval of the final design for the new David Phillips Park on Burrage Road 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.

Parks and Recreation Planner, George Berger, stated a public input meeting was held on September 29, 2024 and was very well attended. He then introduced Nick Low with McAdams to present the park design.

Mr. Low presented the park design and the features to be added. He stated the current cost estimate for the park is \$3,255,580.56 which is \$512,340 over the available budget amount of \$2,743,240. The cost estimate includes a 15% cost contingency of \$424,641.

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CONSENT AGENDA ITEMS H & I MOVED TO REGULAR AGENDA FOR MORE DISCUSSION:

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

The City Attorney stated this property is currently owned by all heirs known and unknown of Michael Edward Helms. The acquisition of this property is necessary for the repair and reconstruction of a stormwater culvert.

Consider adopting a project ordinance amendment for the increase of HOME program income budget for FY24.

The Community Development Manager, Mary Carr, stated the current budget amount is \$1,184,640 and needs to be increased to \$1,327,160 with a difference of \$142,520 to account for additional program income received by the City of Concord. These funds will be earmarked for the Coleman Mill project.

Consent Agenda:

There were no comments regarding the consent agenda.

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A motion was made by Council Member Crawford and seconded by Council Member Langford to conduct a closed session in accordance with NCGS 143-318.11(a) (3) to consult with the attorney to protect the attorney-client privilege and N.C. General Statute 143-318.11(a)(4) to discuss the location or expansion of industries or other businesses in the area served by this public body—the vote: all aye.

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There being no further business to be discussed, a motion was made by Council Member Stocks and seconded by Council Member Crawford—the vote: all aye.

William C. Dusch, Mayor

Kim J. Deason, City Clerk