

CONCORD CITY COUNCIL
WORK SESSION MEETING
NOVEMBER 12, 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 November 12, 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 Betty M. Stocks
Council Member JC McKenzie
Council Member Terry L. Crawford
Council Member John A. Sweat, Jr.

Others Present:

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

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The following agenda was presented for discussion:

Presentations:

Presentation of a Proclamation recognizing Saturday, November 30th, as Small Business Saturday in Concord.

Presentation of a Proclamation in remembrance of Marvin H. Caldwell and recognition of the 50th anniversary of Echo Park being renamed to Marvin Caldwell Park.

Presentation of a Resolution in Remembrance of Bradley Eugene Cohen.

Informational Items:

Concord United Committee Annual Presentation.

Concord United Committee Co-Chairs will present the annual presentation at the November 14, 2024 City Council meeting.

Departmental Reports:

Streetscape Update

Staff will provide an update at the November 14, 2024 City Council meeting.

Parks and Recreation Bonds update

Staff will provide an update at the November 14, 2024 City Council meeting.

Public Hearings:

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Center City Economic Development Incentive Grant to Hood Ventures, LLC to locate at 112, 116, 130, and 142 Cabarrus Ave. E, Concord, NC.

Planner, Kassie Watts, stated the proposed project includes approximately 210 residential units (62 one bedroom and 148 two bedroom) in addition to approximately 10,379 SF of commercial space. Hood Ventures, LLC is proposing an investment of approximately \$48,300,000 in real and personal property within Concord's Center City which is an area that encompasses several older established residential neighborhoods and five major transportation corridors.

The total value of the city's one year grant is estimated to equal \$172,431 based on an estimated investment of \$48,300,000. The actual payment will be based on the actual investment made by the company. The City of Concord would still collect a 1-year net revenue of \$30,429 after the incentive payment.

Conduct a public hearing and consider adopting an ordinance annexing +/- 1.905 acres at 618 Springbrook Ave. NE (PIN 5631-16-8364) owned by Amelia Black.

The Planning Manager, Autumn James, stated the proposed a voluntary annexation petition of +/- 1.905 acres of property at 618 Springbrook Ave. NE. The property is currently zoned RM-1 (in ETJ). The City Council reviewed the preliminary application for water and sewer at the September 12, 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 residential water and sewer service application.

Conduct a public hearing for case Z(CD)-27-23 and consider adopting an ordinance amending the official zoning map for +/- 13.44 acres of property located at 805 Branchview Dr. from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District).

Per the applicant's request, a motion was made by Council Member Crawford and seconded by Council Member Sweat to table the request until the December 12, 2024 City Council meeting to allow the applicant additional time to speak to surrounding residents about the proposed project.

Conduct a public hearing to consider adopting an ordinance amending Articles 5 "Subdivision Plats, Site Plans, Construction Plans", Article 7 "Base Zoning Districts", Article 8 "Use Regulations," Article 9 "Special Purpose and Overlay Districts," Article 10 "Development and Design Standards," Article 12 "Sign Standards", and Article 14 "Definitions" of the Concord Development Ordinance (CDO) to correct errors, provide clarity and comply with the North Carolina General Statutes.

The Planning and Neighborhood Development Services Deputy Director, Kevin Ashley, explained the proposed amendments. He stated the amendments involve minor changes and is corrective in nature but does include minimal changes. The changes involve, but are not limited to plat certificate requirements, bonding of stormwater facilities, addition of consistent setback requirements for large multifamily developments, corrective changes to the use table and the associated requirements of Article 8, minor modification of day care and home

occupation requirements, slight reorganization of Article 9 and location requirement clarification for ground mounted signs.

Mayor Pro-Tem Hubbard entered the meeting.

Presentations of Petitions and Requests:

Consider naming a street in the Brown Operations Center to Public Works Way SW.

The Planning and Neighborhood Development Services Deputy Director stated the existing unnamed drive that connects Warren C. Coleman Blvd S to Alfred Brown Jr Ct SW is now serving the Traffic Management Center and the Fleet Services Facility that is currently under construction.

In accordance with the Addressing Ordinance, the naming of the drive and subsequent posting of street name signs will necessitate new addresses being assigned to the Traffic Management Center (currently 880 Warren C. Coleman Blvd S) and Fleet Services Facility (currently 605 Alfred Brown Jr Ct SW). Those addresses will change to Public Works Way SW addresses.

Consider adopting a resolution authorizing an eminent domain action for a parcel located at 3625 Rock Hill Church Road.

The City Attorney stated acquisition of this property is necessary for the reconstruction of a 100kv electric transmission line. The permanent utility easement is appraised at a value of \$9,875.

Consider approving the 2025 funding request from WeBuild Concord.

WeBuild Concord Chief Executive Director, Patrick Graham, stated WeBuild Concord is requesting \$1.8 million of construction funds for FY25. The funds will be directly spent on the 114 Kerr Street Church, Corban Ave 55+, and 266 Malvern Ave projects. The funding will also help offset costs for the Wilson Street, Ramseur Home, and potential 240 Pitts Road Church projects. These funds will be used to supplement or offset projects totaling well over \$9 million in their current stages and will exceed this amount if WeBuild moves forward with the larger project at 240 Pitts Road.

Consider authorizing the City Manager to negotiate and execute Amendment 3-Work Authorization 2204 with Talbert, Bright and Ellington, Inc. (TBE) for North Apron Access Road.

The Aviation Director stated TBE will provide engineering, design services for a sanitary sewer lift station to be included in the North Apron Access Road project at Concord-Padgett Regional Airport. The sanitary sewer lift station is required by the City after utility design review. The cost for the Amendment 3 is \$43,958. The project is being funded through a special appropriation with the General Assembly with a \$5 million grant.

Consider awarding material bids to Substation Enterprises, Virginia Transformer Corporation, Siemens Industry, Inc, and Avail Switchgear systems in the amount of \$4,334,604 for Substation N on Vinehaven Drive.

Electric Systems Coordinator, Jarrin Houge, stated a formal bid was held on October 22, 2024 for materials at Substation N. For schedule I, Substation Enterprises submitted a bid for the steel structure totaling \$374,324. For schedule II, Virginia Transformer Corporation submitted a bid for two power transformers totaling \$3,026,600. For schedule V, Siemens Industry, Inc.

submitted a bid for two 15kV circuit breakers totaling \$63,680. For schedule VI, Avail Switchgear Systems submitted a bid for the metal clad switchgear totaling \$870,000.

Schedule III only received one bid, and it didn't meet our minimum specifications. Schedule IV did not receive any bids.

Consider purchasing two 115kV Circuit Switchers for Substation N from Wesco Distribution using Sourcewell contract for competitive bid pricing.

The Electric Systems Coordinator stated Substation N will require two 115kV circuit switchers to enable transformer protection at the City of Concord's delivery point from Duke Energy. These 115kV circuit switchers are available for purchase from Wesco Distribution using their Sourcewell contract for efficient and competitive procurement and are quoted at \$250,384.28. The circuit switchers bid by Wesco are manufactured by S&C Electric Company and meet the required specifications for this site.

Consider approval to move forward with the conveyance based on the preliminary plat of 25.127 acres of the Red Hill Development open space located off Troxler Circle and Lucky Drive. Authorize the City Manager to negotiate and execute the Memorandum of Understanding (MOU) between the City of Concord and Niblock Homes and move forward with the finalized plat.

The Parks and Recreation Director, Sheila Lowry, stated the 25.127 acre property under consideration for conveyance already includes two developed trailhead parking lots with a total of 21 parking spaces, 0.75 miles of natural surface trail, and a bridge crossing an intermittent tributary. She stated the Memorandum of Understanding (MOU) establishes an agreement between Niblock Homes and the City of Concord to build a replica of the Red Hill Tavern as a Community Room, which will include two restroom facilities. This building will then be transferred to the City for Parks and Recreation to manage, providing a new amenity for the citizens of Concord.

The City of Concord would incur operational impacts associated with the conveyance of the building and greenway. There would be a one-time cost of \$61,575 and an additional \$9,750 in recurring annual costs.

Consider authorizing the City Manager to negotiate and execute a contract with GMV Syncromatics Corporation for a CAD/AVL system, automated passenger counters, and on-board WiFi for Rider Transit.

Transit Deputy Director, Andy Christy, stated GMV's product will provide more modern, enhanced, and user-friendly real-time vehicle location information to both Rider Transit staff and customers. He stated five proposals were received and following evaluation and product demonstrations from finalists, GMV was selected as the most responsive, responsible, and best value to the City.

Total cost of the contract over three years will not exceed \$469,975. Federal grant funding from the Federal Transit Administration has been secured to cover 75% or \$352,494 of the total project cost. The remaining 25% or \$117,482 will be split evenly by the City of Concord and City of Kannapolis resulting in a cost to Concord of \$58,741.

He stated the Concord Kannapolis Area Transit Commission unanimously recommended to approve this contract at its October 2024 meeting.

Consider adopting a resolution in support of the NCDOT project to modify the intersection of Bruton Smith Blvd (SR 2894) and Weddington Rd.

The Transportation Director, Phillip Graham, stated the North Carolina Department of Transportation (NCDOT) is proposing to modify the intersection of Bruton Smith Blvd (SR 2894) and Weddington Rd to improve safety and operations. The project is to include re-configuring turning movements on the Weddington Rd approaches, establish a right turn lane in the eastbound direction on Bruton Smith Blvd, and repaving and re-striping of the intersection as well as coordinate new timing patterns to more efficiently move traffic.

He stated City of Concord Transportation staff, through agreements with NCDOT, will continue to monitor and refine operations of the mentioned intersection. NCDOT is asking for local municipal support from Concord of this project. NCDOT will fully fund the improvements noted to the intersection.

Council Members McKenzie and Crawford expressed their concerns of the project.

Mayor Pro-Tem Hubbard expressed her concerns also.

The City Manager stated if the Council does not adopt the resolution in support, NCDOT will not move forward with the project.

Consider authorizing the City Manager to negotiate and execute a construction contract with BRS Inc. for the construction of the 12" Public Sewer Extension Phase 3 and to adopt a capital project ordinance amendment.

The Water Resources Director, Jeff Corley, stated bids were received on November 1, 2024 for the construction of a 12" Public Sewer Extension located along Coddle Creek Tributary to serve The Grounds at Concord. BRS Inc. was the low bidder with a total bid of \$2,075,932.10.

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

The Water Resources Director presented the proposed changes. He stated the changes include general text cleanup and revisions to better reflect the project prioritization process. It also removes all remaining references to the policy score which is no longer used.

Consider modifying the Economic Development Agreement with Bootsmead LeaseCo. LLC

The Engineering Director, Jackie Deal, stated the City of Concord is requesting an intermediate reimbursement for work on the 12" Public Sewer Extension that has been completed. The current agreement does not allow for an intermittent disbursement. By modifying the terms of the existing agreement initially approved in May of 2020, the escrow company will be able to disburse funds back to the City for sewer that has been installed. An additional reimbursement will be made at the completion of the final phase of the sewer extension project.

Consider a Preliminary Application from Zil McCurty.

The Engineering Director stated Zil McCurty submitted a preliminary application for water service at 9750 Dewitt Rd. Concord NC which is located outside of Concord City limits. The property is currently undeveloped, and the owners would like to construct a single family home. The parcel is zoned LDR, and City sanitary sewer is not available to the parcel.

Consider a Preliminary Application from Robert Rahilly

The Engineering Director stated Robert Rahilly submitted a preliminary application for water service at 5615 Zion Church Rd, Concord, NC 28025 which is located outside of the Concord

city limits. The property is currently undeveloped and the owners would like to construct a single family home. The parcel is zoned LDR and City sanitary sewer is not available to the parcel.

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Consent Agenda:

Council Member Stocks asked for Item R to be removed from the Consent Agenda for further discussion.

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Hubbard to remove Item R from the Consent Agenda for further discussion—the vote: all aye.

Consider approving a change to the classification/compensation system to include the following classification: Civilian Traffic Crash Investigator.

The addition of this new classification will increase the ability to attract and retain employees and provide enhanced expertise for the City of Concord.

Council Member Stocks asked for explanation of this position.

Police Chief, Jimmy Hughes, explained this Investigator position would be for property damage only. He also stated that by adding this position, it would allow sworn police staff to be more available at other calls for service. This type of position has been tested in other cities across North Carolina and found to be successful.

Council Member Stocks thanked the Police Chief for the explanation.

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A motion was made by Council Member McKenzie and seconded by Council Member Sweat 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 Mayor Pro-Tem Hubbard and seconded by Council Member Crawford to adjourn—the vote: all aye.

William C. Dusch, Mayor

Kim J. Deason, City Clerk