

CONCORD CITY COUNCIL
WORK SESSION MEETING
DECEMBER 10, 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 December 10, 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:

Mayor Dusch recognized Randy Shue for receiving the 2024 North Carolina APWA Streets Manager of the Year Award.

Presentation of the 2024 Collection System of the Year Award to the City of Concord Water Resources Department.

Unfinished Business:

Continue 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).

The Planning Manager, Autumn James, stated the Planning and Zoning Commission heard the above referenced petition at their October 15, 2024 meeting and voted 7-1 to deny the proposed rezoning request.

She stated the applicant is requesting to rezone the subject property from RM-1 (Residential Medium Density) to RV-CD (Residential Village – Conditional District) to construct a single-family attached (town-homes) development. The site would contain a maximum of eighty (80) town-homes on individual lots.

Mayor Dusch asked if there would be a traffic light installed at the Branchview access point. The Planning Manager stated there are no plans for a traffic signal to be installed.

Council Member Crawford asked what type of comments from the public were received at the Planning and Zoning Commission meeting. The Planning Manager stated most comments were traffic related.

Council Member Clay asked why the Planning and Zoning Commission denied the request. The Planning Manager stated traffic and safety were the largest concerns.

Informational Items:

Presentation by Youth Council President, Baylee Barkley.

The President of the Concord Youth Council will provide an update to City Council at the December 12, 2024 City Council meeting.

Presentation of the Independent Auditor's report on the Annual Comprehensive Financial Report for the Fiscal Year ended June 30, 2024.

The Deputy Finance Director, Kristin Roe, introduced Auditor, Claire Earnhardt.

Ms. Earnhardt stated this year the City was issued an unmodified, or clean, opinion. She stated the fund balance available as a percentage of net expenditures was 39.6%, which exceeds the LGC minimum fund balance available percentage.

Ms. Earnhardt reviewed the top three revenues and expenditures in the General Fund.

Departmental Reports:

Streetscape Update

Staff will provide an update at the December 12, 2024 City Council meeting.

Parks and Recreation Bonds update

Staff will provide an update at the December 12, 2024 City Council meeting.

Public Hearings:

Conduct a Public Hearing for case Z-15-24 and consider adopting an ordinance amending the official zoning map for +/- 0.434 acres located at 44 Sherwood Ct. NW from C-2 (General Commercial District) to RV (Residential Village) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcels from "Commercial" to "Urban Neighborhood."

The Planning Manager stated the Planning and Zoning Commission heard the above referenced petition at their November 14, 2024 meeting and voted to forward the request to City Council with a recommendation that the zoning map be amended from C-2 (General Commercial District) to RV (Residential Village) and to amend the 2030 Land Use Plan to designate the parcels as "Urban Neighborhood." The applicant proposes the rezoning of the property in order to construct two (2) single-family homes.

Presentations of Petitions and Requests:

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

The City Attorney stated the property is currently owned by all heirs of Michael Edward Helms. She stated the acquisition of this property is necessary for the repair and reconstruction of a stormwater culvert, the possible construction of affordable housing, and possible future appropriate uses.

Consider approval of an amendment to clarify the restrictions for the real property located at 9 Powder St NW, 11 Powder St NW, 13 Powder St, NW, 15 Powder St, NW, (Originally 11 and 13 Powder).

The City Attorney stated this property was sold to WeBuild subject to restrictive covenants. One of the covenants requires that 75% of the units be kept as affordable housing while the remaining 25% may be leased or marketed at workforce or market rate.

She explained the closing attorney requested an amendment to the restrictions to clarify that the 25% eligible to be leased or marketed at workforce or market rate are not subject to the affordability requirement in subsequent transaction of those units.

The following sentence is proposed to be added to the restrictions for that purpose: "The remaining twenty-five percent (25%) of the housing units may be sold or leased at market or workforce rates, those twenty-five percent (25%) are not required to qualify as affordable housing at the initial sale by Owner or at other subsequent sale by any subsequent purchaser."

Consider authorizing the City Manager to negotiate and execute Work Authorization 2404 with Talbert, Bright & Ellington, Inc. for engineering, design, and bidding services of the Commercial Service Terminal (CST) apron expansion for the City of Concord at the Concord-Padgett Regional Airport.

The Aviation Director, Dirk Vanderleest, stated this will provide an expansion of the existing concrete apron that serves the CST. The total budget for the Work Authorization is not to exceed \$484,395.40. Funding for the project will be through the Bipartisan Infrastructure Law, Airport Infrastructure Grant, and North Carolina Department of Transportation-Aviation Airport Improvement Program.

Consider authorizing the City Manager to execute OMINA Contract #4400008468 for Airport Operations Area (AOA)/Hangar Doors-Access Control Additions and updated CCURE9000 in the amount of \$534,962.64.

The Aviation Director stated the overall security system and access control needs an extensive upgrade. Concord-Padgett Regional Airport has 2 terminal buildings, 14 hangars, and 9 vehicle gates that require access to the AOA, 24/7.

He stated the OMINA contract is recognized by the State of North Carolina and the City of Concord as a procurement process. The proposal for the access control upgrades resulted in a 53% discount under the OMINA contract . The software upgrades proposal reflects a 69% discount.

Funding for these improvements will be from the CARES fund balance. The total balance remaining after the expenditures for the Airport Operations Area (AOA)/Hangar Doors-Access Control Additions and updated CCURE9000 will be \$401,014.46.

Consider authorizing the City Manager to negotiate and execute a construction contract with Cinderella Partners Inc. for the renovation of the Rocky River Golf Course Clubhouse and approve a budget amendment and a capital project amendment.

The Engineering Director, Jackie Deal, stated bids were received on November 25th for the renovation of the Rocky River Golf Course Clubhouse. Cinderella Partners Inc. was the low bidder with a total bid of \$879,545.24. The contract duration is 365 days. A budget amendment is needed in the amount \$77,617.24 to pay for these renovations, and the money can be shifted from the retained earnings golf fund.

Consider accepting a Preliminary Application from Wesley Joyner, W.J. Homes, LLC.

The Engineering Director stated Wesley Joyner submitted a preliminary application to receive water and sewer for property located at 199 Central Heights Dr. The 2.4 acre parcel is zoned LDR within Concord's ETJ. This parcel is contiguous to the City limits and had a single family home on it which has been demolished. Mr. Joyner wishes to build one new residential home on this parcel.

Consider making appointments or reappointments to the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization (CRMPO).

The City Manager recommended the Deputy Transportation Director, Tony Tagliaferri, be appointed as the alternate member to the TCC.

Consider appointing or reappointing two members (1 board member and 1 alternate) to serve on the Centralina Regional Council Board of Delegates for CY 2025.

Council Member Clay stated she would like to have a more active role. Therefore, it is the recommendation that Council Member Clay be the delegate and Council Member Langford serve as alternate.

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Consent Agenda:

A motion was made by Council Member McKenzie and seconded by Council Member Crawford to move Consent Agenda items J, K, and Q to the regular agenda for discussion—the vote: all aye.

These items will be listed as items 9, 10, and 11 in the December 12th City Council meeting minutes.

Consider adopting a budget ordinance to establish the Housing Repositioning Fund and an amendment to the Affordable Housing Fund.

The Finance Director, Jessica Jones, explained the budget ordinance will establish the Housing Repositioning Fund to account for all funds related to repositioning the City's Public Housing units under a conversion method allowed by the US Department of Housing and Urban Development. This amendment will cover the initial contract cost of the consultant for the project, as well as design fees.

She further stated the consultant for the repositioning project was previously being paid out of the Affordable Housing Fund, but all costs and related budget will be moved to the Housing Repositioning Fund to ensure all related project costs are tracked together.

Consider adopting an American Rescue Plan Fund grant project budget amendment.

The Finance Director stated the amendment will transfer the \$2,000,000 in freed up General Fund dollars in the American Rescue Plan that has been held for the housing repositioning project be transferred to the newly established fund for this project to help fund initial costs.

Consider approving changes to the Rates and Charges Schedule for Utility Billing and Collections fees effective January 1, 2025.

The Finance Director stated the City's current structure does not properly ensure the City can recover costs if a customer is unable to pay their utility bill. Staff is recommending to change the current structure to reflect a certain deposit due per service. This will help with cost recovery to ensure the deposit would cover any potential past due amounts upon move out and reduce write offs in future years. She stated the changes are proposed to go in effect on January 1, 2025.

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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