



City Council Agenda

Thursday, May 8, 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

March 25, April 8, and April 10, 2025 **APPROVED**

IV. Presentations

1. Presentation of retirement plaque to Major Keith Eury for over 28 years of service to the City of Concord.

Major Keith Eury is retiring from the Concord Police Department after 28 years of service. He began his law enforcement career in 1997, interning with the Concord Police Department while attending the University of North Carolina at Charlotte. After graduating, he was sponsored by the department to attend Basic Law Enforcement Training (BLET) at the NC Justice Academy in Salemburg, NC.

Major Eury served nine years in the patrol division, achieving the rank of Master Police Officer, before transferring to the Criminal Investigations Division in 2006. He was promoted to Sergeant in 2008 and Captain in 2010, serving as the Baker District Captain. Promoted to Major in 2016, he currently leads the Administration Bureau, which includes budget management, strategic planning, and training.

Major Eury holds a Bachelor of Science degree in Criminal Justice from UNC Charlotte, an MBA from Pfeiffer University, and a graduate certificate in Public Administration from Clemson University. He is also a graduate of the FBI National Academy and the North Carolina Justice Academy's Management Development Program.

2. Recognition of Public Affairs for winning two Excellence in Communications Awards from the North Carolina City & County Communicators (NC3C).

The Public Affairs team earned recognition in the two most competitive categories that received the highest number of award submissions - winning First Place in the Small Population Photography category, and Second Place in the Small Population Single Post category.

3. Presentation of a Proclamation recognizing the week of May 4-10, 2025 as Professional Municipal Clerks Week.

4. Presentation of a Proclamation recognizing May 18 - 24, 2025 as National Public Works Week.

National Public Works Week (NPWW) is a celebration of the tens of thousands of women and men in North America who provide, administer, and maintain the infrastructure collectively known as public works. Instituted as a public education campaign by the American Public Works Association in 1960, NPWW calls attention to the importance of public works in community life and to enhance the prestige of those who serve the public good every day with their dedication. NPWW is observed during the third full week of May.

5. **Presentation of a Proclamation recognizing May as Frontline Worker Appreciation Month.**
6. **Presentation of a Proclamation recognizing May 15, 2025 as Social Action Day in honor of the Concord Alumnae Chapter of Delta Sigma Theta Sorority, Inc.**
7. **Presentation of a retirement plaque to Planning & Neighborhood Development Director, Steve Osborne, for 35 years with the City of Concord.**

Steve began his career with the city in 1989 as the Community Development Coordinator where he founded the City's first CDBG program, making a huge difference in the lives of Concord residents. Steve was promoted to Deputy Planning Director in 2003 and Director in 2018. He was a driving force behind the creation of ClearWater Arts Center & Studios and also contributed to the development of the bicentennial parking lot, the Lofts 29 project, the Concord Hotel project, and the Union Streetscape project.

Steve obtained his master's degree in public administration from the University of North Carolina at Charlotte and received a B.S. in City and Regional Planning and Geography from Appalachian State University. Steve served as the President of the NC Community Development Association, he was a two-time Keystone award winner and served as a member of the Department of Corrections Community Resource Council. His leadership, dedication, and wisdom will be greatly missed.

V. Unfinished Business

VI. New Business

A. Informational Items

B. Departmental Reports

1. Parks and Recreation Bonds update

C. Recognition of Persons to be Heard

D. Public Hearings

1. **Conduct a public hearing and consider adopting a resolution on the matter of closing the right-of-way of an unopened +/- 30-foot-wide alley connecting Union St. S to Sunset Dr. SE and running parallel to Louise Dr. SE. APPROVED**

The proposal includes the abandonment of the right-of-way for a +/- 312-foot-long portion of alley that runs behind 4 Louise Dr. SE. The alley was never opened and is unimproved. Stephen Bradley & Karen Bradley, owners of 4 Louise Dr., SE, filed the application. The other adjoining property owners are Renda & Albert Powell and Seth and Bethany Jean Micarelli. Each property owner will receive a portion of the alley being abandoned.

Staff posted signs two (2) places along the right-of-way, sent copies of the approved resolution of intent to all neighboring owners after adoption, and advertised in the newspaper once a week for four (4) consecutive weeks, all as required by the General Statutes. All City departments have reviewed the petition, and there are no objections.

Recommendation: Conduct a public hearing and consider adopting a resolution on the matter of closing the right-of-way of an unopened +/- 30-foot-wide alley connecting Union St. S to Sunset Dr. SE and running parallel to Louise Dr. SE.

E. Presentations of Petitions and Requests

1. **Consider adopting an ordinance amending Chapter 58, Traffic and Vehicles, of the Code of Ordinances to add a new Article IX, Commercial Pedal Vehicles. APPROVED**

The purpose of this proposed ordinance amendment is to adopt rules and regulations pursuant to 160A-174, related to the use and operation of Commercial Pedal Vehicles on the streets of Concord. These

types of vehicles are registered and inspected by the State of North Carolina. They are allowed to operate on streets with a speed limit of 35mph or less and the consumption of alcoholic beverages by passengers is allowed under the State Statute. This ordinance amendment seeks to establish clear rules and procedures for the safe and respectful operation of commercial pedal vehicles in the City of Concord.

Recommendation: Motion to adopt an ordinance amending Chapter 58, Traffic and Vehicles of the Code of Ordinances to add a new Article IX, Commercial Pedal Vehicles.

2. Consider authorizing the City Manager to execute a work authorization contract in the amount not to exceed \$99,916.72 with Talbert, Bright, and Ellington, Inc. (TBE) to provide professional engineering, design, and bidding services for a Rental Car Parking Lot Project at Concord-Padgett Regional Airport. APPROVED

The existing Rental Car parking lot is limited and undersized for the current activity at the airport. There are just thirty-seven (37) parking spaces for ready vehicles and no dedicated vehicle drop-off area. This project will assess the recently paved "North Overflow Lot" on Aviation Blvd. and design a remote car rental facility that would include area for a temporary building used for check in and office space, a vehicle return area, and significantly more spaces for parked rental vehicles than are available at the existing Commercial Terminal Rental Car Lot. This parking lot currently has 116 marked spaces.

There is no immediate or near-term demand for airline passenger parking at the "North Overflow Lot." Its best use would be as a remote car rental location that would free up space for additional employee parking at the commercial terminal.

Funding for this contract comes from the Rental Car Facility Fees collected and allocated specifically for improvements to rental car facilities at the Airport. Currently, there is \$593,332 in that fund to cover this portion of the project.

Recommendations: Motion to authorize the City Manager to execute the work authorization contract with TBE in the amount not to exceed \$99,916.72 for engineering, design, and bidding services for a Rental Car Parking Lot Project at Concord-Padgett Regional Airport.

3. Consider authorizing the City Manager to execute change order #2 for the Fuel Farm Expansion at Concord-Padgett Regional Airport. APPROVED

During the Fuel Farm Expansion, certain areas of pavement surrounding the project site have deteriorated to a point where it requires rehabilitation. The current pavement surface area is the original asphalt paved in 1994. Once these areas are rehabilitated, it will minimize Foreign Object Damage (FOD) to the Airport Operations Area. The funding for these improvements will be from NCDOT-Aviation Airport Improvement Program.

Recommendations: Motion to authorize the City Manager to execute change order #2 in the amount \$40,279.30 and budget amendment.

4. Consider approving updated design options for David Phillips Park. APPROVED

The changes identified for Council's consideration will bring the cost estimate for construction to \$3,719,539. The current project construction cost estimate is \$5,588,636. The budget estimate is \$3,582,340 which includes design. The current amount available in the budget is \$3,248,580.

The design for David Phillips Park was approved by Council in October 2024. Staff moved forward with project permitting and final design documents to prepare construction documents and bidding.

During the permitting phase and soil testing it was identified the soil at the area identified for the Aviary was not stable and would not support the structure planned for the site. Staff along with the consultant identified an alternative for the Aviary with cost savings of \$155,976.

Additionally, staff and the consultant McAdams have identified additional items for consideration to reduce the overall cost of the project without changes to the overall master plan. The items identified are material for terraced garden, SCM path, greenway material, playground equipment, additional savings due to these changes and material for the overlook. If approved the cost savings would be \$1,869,097 under the estimated project cost and over \$470,959 from the available budget. The estimate \$3,719,539 includes 8% contingency and 12.5% for GC overhead.

Recommendation: Motion to approve the modified design for the new David Phillips Park 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.

5. Consider adopting a Municipal Ordinance for declaring NO PARKING ANY TIME along both sides of Robins Way SW from Pitts School Rd. SW to Concord Pkwy. S (a distance of approximately 1750-ft.) and both sides of Halton Crossing Dr. SW from Robins Way SW to Coventry Commons Ave. SW (a distance of approximately 560-ft) under Chapter 58 Section 303 of the City Code. APPROVED

Residents on Robins Way SW and Halton Crossing Dr. SW has requested No Parking signs due to concerns of sight distance issues due to numerous large commercial vehicles parking along the streets. Staff investigated such and discussed with the Traffic Safety Advisory Committee. The Committee recommended prohibiting parking along the inside radius of Robins Way SW to mitigate the potential of head on accidents. No Parking signs were erected in February 2023. Further investigation indicated the need for additional clear area. Additional No Parking signs were erected June 2023.

Halton Crossing Dr. SW is currently designated as allowing unrestricted on-street parking in its entirety under Schedule IV of the City Street Control Schedule. Robins Way SW is currently posted No Parking for 400' along the inside radius of the curve. With large vehicles parking on both sides of the road, there are continued concerns by the businesses and surrounding residents of adequate sight distance at intersections and driveways and complaints of commercial trucks not associated with the surrounding businesses parking for extended periods of time. See attached map for proposed NO PARKING areas.

Recommendation: Motion to approve a Municipal Ordinance for declaring NO PARKING ANY TIME along both sides of Robins Way SW from Pitts School Rd. SW to Concord Pkwy. S (a distance of approximately 1750-ft.) and both sides of Halton Crossing Dr. SW from Robins Way SW to Coventry Commons Ave. SW (a distance of approximately 560-ft) under Chapter 58 Section 303 of the City Code.

6. Consider adopting a resolution requesting to reduce the Speed Limit of US 601 (Warren C. Coleman Blvd) from Armentrout Dr. SW to 0.22 Miles south of Zion Church Rd. E (Concord City Limits) from 55 MPH to 45 MPH. APPROVED

NCDOT has recommended the speed limit on US 601 (Warren C. Coleman Blvd) from Armentrout Dr. SW to 0.22 Miles south of Zion Church Rd. E (Concord City Limits) be reduced from 55 MPH to 45 MPH. NCDOT requests that changes within in the City Limits be adopted as a resolution from City Council in support of the change. City Transportation staff agree due to the characteristics of this section of road, spacing of driveways, intersections, density of businesses, and increase traffic and turning movements.

NCDOT will also pursue reducing the speed limit on US 601 from Concord City Limits to Flowes Store Rd/Miami Church Rd from 55 MPH to 45 MPH.

Recommendation: Motion to adopt a resolution requesting to reduce the Speed Limit of US 601 (Warren C. Coleman Blvd) from Armentrout Dr. SW to 0.22 Miles south of Zion Church Rd. E (Concord City Limits) from 55 MPH to 45 MPH.

7. Consider authorizing the City Manager to negotiate and execute a contract with Clearwater Inc. in the amount of \$202,765.86 for wastewater SCADA Integration and approve the attached budget amendment. APPROVED

In February, an RFP was publicly advertised. Three responses were received. After evaluation, the selected vendor is Clearwater Inc. at a price of \$202,765.86. This project will install modernized Mission SCADA equipment to receive real-time data and alerting to all 22 wastewater pump stations.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Clearwater Inc. for wastewater SCADA Integration and rainfall sensors in the amount of \$202,765.86 and approve the attached budget amendment.

8. Consider accepting a preliminary application from Steven McDonald. APPROVED

In accordance with City Code Chapter 62, Steven McDonald has submitted a preliminary application to receive water and sewer service outside the City limits. The property is located at 5040 Flowes Store Rd., Concord NC. This 2.54 acre parcel is zoned county LDR and is located within Area B. The owners wish to build one single family home. Sewer is available to the parcel. The parcel is not contiguous to the City Limits.

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

VII. Consent Agenda ALL ITEMS APPROVED IN ONE MOTION

A. Consider approving one additional “Personal Day Off” for City employees who serve as a Recognized Neighborhood Liaison.

Through the City’s Partnership for Stronger Neighborhoods Program, every Recognized Neighborhood is assigned a City liaison. The City Manager appoints a full-time employee to serve as the liaison. Recognized Neighborhood Liaisons regularly attend community association meetings to listen to and respond to neighborhood concerns that can be addressed through City services and resources. The liaisons also convey official communications and notifications from City departments on a variety of programs, services, events and activities.

Each year, liaisons are given a small monetary gift, typically a \$100 gift card, in appreciation for their service. The liaison pays taxes on the gift card. In Fiscal Year (FY) 2023-2024, Council approved an option for liaisons to receive one additional “Personal Day Off” in lieu of the gift card. Out of a total of 62 neighborhood liaisons, 42 chose the personal day off appreciation gift in FY 24.

If approved by Council, full -time employees who have served as Recognized Neighborhood Liaisons for at least seven months during Fiscal Year 2024-2025 would again be given the option of selecting one additional “Personal Day Off” in lieu of the \$100 gift card for their appreciation gift. The one additional “Personal Day Off” would take effect on July 1, 2025 and must be used by June 30, 2026.

Recommendation: Motion to approve one additional personal day off as a benefit to full-time city employees who served as a Recognized Neighborhood Liaison in Fiscal Year 2024-2025 for at least seven months. The one additional “Personal Day Off” is available beginning July 1, 2025, and must be used by June 30, 2026.

B. Consider authorizing Concord-Padgett Regional Airport to apply for the Bipartisan Infrastructure Legislation Program (BIL) Grant Funding for FY26-FY28 (years three through five).

Concord-Padgett Regional Airport is a recipient of a five-year BIL grant, and as in the 2024 fiscal year, the agency has again designated the City of Concord as a sub-recipient for FY26-FY28 funding application for the following Airport Projects; N GA A1 TaxiLane Rehabilitation, Air Carrier Apron Expansion and Hangar - Development (North Apron).

Recommendation: Motion to authorize Concord -Padgett Regional Airport to apply for the Bipartisan Infrastructure Legislation Program (BIL) Grant for FY26-FY28 (years three through five).

C. Consider authorizing Concord-Padgett Regional Airport to apply for the FY25 North Carolina Department of Transportation, State Transportation Improvement Program (STIP) Grant.

The FY25 North Carolina Department of Transportation State Transportation Improvement Program (STIP) Grant provides state aid in the forms of loans and grants to cities, counties and public airport authorities for the purpose of planning, acquiring, constructing, or improving municipal, county and other publicly owned or controlled airport facilities. If awarded, the funds of \$300,000 will be utilized for the design and construction of the South Development Area Apron Expansion.

Recommendation: Motion to authorize Concord-Padgett Regional Airport to apply for the FY25 North Carolina Department of Transportation State Transportation Improvement Program (STIP) Grant.

D. Consider authorizing the Parks & Recreation Department to partner with Atrium Health Cabarrus and Safe Kids Cabarrus to paint a playground on the asphalt at Les Myers Park.

This initiative, Paint the Playground (Asphalt Play Prints) would add playful and educational elements on top of asphalt that could include hopscotch, foursquare, checkers and chess boards, tic-tac-toe, animal footprint trails and custom learning games with letters, numbers, and more.

Grants from Cabarrus Arts Council and Cabarrus Healthcare Foundation cover all costs to paint the space.

This initiative would provide a fun interactive artistic addition to the park. Beyond brightening play areas, the painted designs can help reduce falls, prevent injuries, deter bullying, and provide accessible play opportunities for children with special needs.

Recommendation: Motion to authorize the Parks & Recreation Department to partner with Atrium Health Cabarrus and Safe Kids Cabarrus to paint a playground on the asphalt at Les Myers Park.

E. Consider authorizing the Transportation Department to apply for funds from the NCDOT Toll Credit Program for Federal-aid Projects with Local Match for EB-5732 Bruton Smith Blvd Sidewalk Project.

The Federal Highway Administration (FHWA) uses toll credits to reward states for spending toll revenue on projects that would otherwise require federal-aid support. NCDOT has developed a pilot program to apply a portion of the available funds to support projects delayed due to cost increases. Toll credits will only be used to cover the match on increases and not the entire project. Projects must be included in the NC State Transportation Improvement Program (STIP) and be funded through either TAP (Transportation Alternatives), CMAQ (Congestion Mitigation & Air Quality), or CRP (Carbon Reduction) that are not DA (Direct Allocation). TAP project EB-5732 Bruton Smith Blvd project was scheduled in the STIP for right of way in FY 2025 and construction in FY 2027. The current Draft STIP has delayed the project 4 years to right of way in FY 29 and construction in FY31 due to NCDOT fund rebalancing.

Municipal agreement No. 7323 defines the project cost as \$6,000,000 with 80% TAP funds (\$4,800,000), 20% City of Concord local match funds (\$1,200,000) and all costs that exceed the estimated cost are the responsibility of the City. The current estimate on the Draft STIP is \$13,247,000. Staff is actively working with NCDOT to bring the scope of the project into a more viable project. Staff is requesting to apply for approximately \$1,000,000 in Toll Credit program funds while further value engineering is performed.

Recommendation: Motion to authorize the Transportation Department to apply for funds from the NCDOT Toll Credit Program for Federal-aid Projects with Local Match for EB-5732 Bruton Smith Blvd Sidewalk Project.

F. Consider abandoning an existing 18,681 square foot easement across property at 5350 John Q. Hammon Dr. (Tax Parcel ID 4599-31-5569).

There is an existing sewer and utility easement recorded in Deed Book 2608 page 46-47. The abandonment will accommodate future development of a free standing emergency department. The existing sewer line must be removed and relocated from the future development.

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

G. 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: Subdivision Plat for Cumberland Phase 3 Map 1, Subdivision Plat for 832 and 836 Kathryn Drive and Griffin Industrial Subdivision. 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: Subdivision Plat for Cumberland Phase 3, Map 1 and Griffin Industrial Subdivision.

H. Consider accepting an offer of dedication for 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 Five Star Investment, LLC located at 497 Woodhaven Place, Concord, NC, Cabarrus County. Property Identification Number (PIN): 4690-77-4082. The owners are offering access easements and SCM maintenance agreements.

Recommendation: Motion to approve the maintenance agreements and accept the offer of dedication to the following properties: Parcel owned by Five Star Investment, LLC located at 497 Woodhaven Place.

I. Consider accepting an offer of dedication for 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 Concord Retail Investment Group, LLC and Dependable Development, Inc. located at 535 Concord Pkwy N., Concord, NC, Cabarrus County Property Identification Number (PIN): 5610-88-8892. The owners are offering access easements and SCM maintenance agreements.

Recommendation: Motion to approve the maintenance agreements and accept the offer of dedication to the following properties: Parcel owned by Five Star Investment, LLC and Dependable Development, Inc. located at 535 Concord Pkwy N.

J. Consider approving a \$1,000 donation from the Mayor's Golf Tournament Fund to Odell Eagles Pop Warner Football Program (part of Odell Recreation) and to adopt a budget ordinance.

If approved, the funds will be used for sponsorship fundraising efforts to help prepare for the upcoming football season.

Recommendation: Motion to approve a \$1,000 donation from the Mayor's Golf Tournament Fund to Odell Eagles Pop Warner Football Program (part of Odell Recreation) and to adopt a budget ordinance.

K. Consider approving a donation in the amount of \$2,500 from the Mayor's Golf Tournament Fund to the Cabarrus Arts Council and to adopt a budget ordinance.

If approved, the funds will be used to support the new arts summer camps in June 2025.

Recommendation: Motion to approve a donation in the amount of \$2,500 from the Mayor's Golf Tournament Fund to the Cabarrus Arts Council and adopt a budget ordinance.

L. 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.

M. Consider receiving quarterly report on water and wastewater extension permits issued by the Engineering Department in the first quarter of 2025.

In accordance with City Code Chapter 62, the attached reports outline the water and wastewater extension permits that were issued between January 1, 2025 and March 31, 2025.

Recommendation: Motion to receive the first quarter water and wastewater extension report for 2025.

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

O. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of March 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 March 2025.

P. Receive monthly report on status of investments as of March 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.