

CONCORD CITY COUNCIL  
2nd WORK SESSION MEETING  
DECEMBER 17, 2024

The City Council for the City of Concord, North Carolina, held the City Council 2nd Work Session in the 3rd floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on December 17, 2024, at 11:00 a.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

**Members Present:**

Mayor Pro-Tem Hubbard  
Council Member Andy Langford  
Council Member Lori A. Clay  
Council Member Betty M. Stocks  
Council Member JC McKenzie  
Council Member Terry L. Crawford

**Members Absent:**

Council Member John A. Sweat, Jr.

**Others Present:**

Assistant City Manager, Josh Smith  
City Attorney, Valerie Kolczynski  
City Clerk, Kim J. Deason  
Assistant City Managers  
Various Department Directors

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Mayor Dusch called the meeting to order

**Quarterly Sewer allocation**

Council Member McKenzie explained the Sewer Allocation Policy. He stated rankings are allocated by the City Council. Council has agreed that projects ranking 2.75 and above would be considered for approval.

A motion was made by Council Member Crawford and seconded by Council Member Stocks to approve the following projects that ranked 2.75 and above for allocation:

**Residential – Single Family**

Cannon Run  
Afton Village – Phase 3

**Residential – Townhomes**

Church Street Townhomes

**Residential - Apartments**

No Flow Approved

**Non-Residential**

RaceTrac – Poplar Tent Rd  
HMM150 (Bldgs A, B, and C)  
Flea Market Coffee Shoppe  
Cannon School Expansion – Activity Center  
Dover Vineyards Tasting Room Expansion

**Mixed Use**

No Flow Requested

**Public**

Coltrane Webb/Beverly Hill Elementary School  
Academy Gibson Park  
Wilkinson Homes  
McGill Reuse Project

### **Afton Village Commercial Sewer Discussion**

The Engineering Director, Jackie Deal, explained the Afton Village project had two components to it. She stated the developer is now planning to only do the restaurant component and not do the office component.

She asked if the Council would be willing to accept the 2,200 gallons of allocation previously approved back to the non-residential bucket.

There was some discussion between the Council regarding whether or not the project would have scored the same ranking if the office component was not included.

Council Member McKenzie stated he is concerned with setting a precedent by allowing this. In his opinion, it would be better for the developer to reapply for sewer allocation.

After some discussion, Council Member McKenzie stated he was okay with approving this but stated he would like for staff to proposed an amendment to the Sewer Allocation Policy addressing this type of issue.

Mayor Pro-Tem Hubbard stated the amendment should address a change in the scope of the project.

A motion was made by Council Member McKenzie and seconded by Council Member Crawford to approve this amendment to the Afton Village application—the vote: all aye.

Staff will present an amendment to the Sewer Allocation Policy before the next Sewer Allocation deadline.

### **Public Art Commission presentation**

The Public Art Commission Chairman, Doyle Bussey, asked if the Council was pleased with the Public Art Commission. He stated, in his opinion, the Commission needs more staff time appropriated. He stated the Commission is asking for direction from the Council.

Council Member Stocks stated she was pleased with the Commission's accomplishments in such a short time. She stated, in her opinion, the Commission is doing a great job.

### **Micro-Transit update**

The Transit Director explained what Micro-Transit is. He provided results of the North Carolina Department of Transportation (NCDOT) Feasibility Study regarding Micro-Transit.

He explained the phases of implementation should the Council move forward with this concept. He also stated it would result in a \$4.3 million budget increase.

### **Acquiring Real Estate for Affordable Housing**

The City Attorney explained eminent domain actions that are taken to acquire abandoned properties for affordable housing opportunities.

She stated there are numerous abandoned properties in Cabarrus County but most have many heirs that have to be notified. She stated administrative costs per case filed are estimated at a cost of \$4,000. An eminent domain case takes anywhere from about 6 months to a year from start to finish. This largely depends on the Court scheduling motions for hearings.

Council Member McKenzie stated, in his opinion, abandoned houses would be beneficial for the City to be used for housing purposes.

The City Attorney stated if this is something that the Council would like to begin then a policy would need to be drafted.

The Council was agreement to begin moving forward with the process of utilizing abandoned property for affordable housing purposes and directed staff to draft a policy and procedures.

### **Oakwood Cemetery issues**

The City Attorney stated lots purchased many years ago are often not accounted for in estates when the original purchaser passes away. As generations pass, the ownership of the lots can become highly diluted. Until now, the City has required heirs wishing to use the lots to acquire at least 50% ownership. To verify this, City staff are spending hours and hours doing research to identify heirs and calculate the percentage of each heir's ownership interest. This is costly for the City in terms of staff time and understandably aggravating for the citizen given that they are generally trying to inter a loved one at the time.

The City Attorney presented the following three options for Council's review: 1) continue requiring any interested heirs to acquire controlling ownership interest from the remaining heirs; 2) first need approach - no one is allowed to "claim" the lots until there is a death in the family. Any heir with any amount of ownership interest is allowed to inter their loved one at the time of that person's death; and 3) create an "affidavit of ownership" and allow an interested heir to "testify" that they own it, take control of the lots with indemnity to the City.

The City Attorney recommended Option 2 and stated, if Council agreed, she would draft a policy and bring before Council at a later date.

It was the consensus of the Council to accept the City Attorney's recommendation for Option 2.

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A motion was made by Council Member Crawford and seconded by Council Member McKenzie to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(3) to consult with the attorney and to give instructions concerning a potential claim or judicial action—the vote: all aye.

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

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William C. Dusch, Mayor

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Kim J. Deason, City Clerk