

CONCORD CITY COUNCIL
2nd WORK SESSION MEETING
AUGUST 20, 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 August 20, 2024, at 11:00 a.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

Members Absent:

Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
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

Eagle Scout Project - Encroachment

The City Attorney stated an encroachment permit is needed for this project. If Council approves, the permit would be granted to First Presbyterian Church.

A motion was made by Council Member Langford and seconded by Council Member Clay to grant an encroachment permit to First Presbyterian Church for the completion of an Eagle Scout project—the vote: all aye.

Public Art Commission Update

The ClearWater Artist Studios Coordinator, Sarah Gay, introduce muralist, Jonathan Grauel.

Mr. Grauel provided a presentation of a planned mural. He stated Rebuilding Together of Greater Charlotte (RTGC), in collaboration with the City of Concord and Republic Services Foundation, has partnered for a community mural project. The planned location for the mural is on an exterior wall of the Clearwater Arts Center at 223 Crowell Dr NW.

Mr. Grauel stated in addition to an online survey, an in-person event was held where the community could drop in and engage in creative activities to help the him learn about the area. He presented a conceptual design of the finished mural.

Sewer Allocation Discussion

The City Attorney provided an update to the Council regarding NCGS 162A-900, Limitations on Allocating Service for Residential Development. She stated, in her professional opinion, the City's current sewer allocation policy was not in violation of the Statute.

The Water Resources Director, Jeff Corley, explained changes to NCGS 160A-317, Power to Require Connections to Water or Sewer Service and the Use of Solid Waste Collection Services. NCGS 160A-317 states:

“1. City CAN require connection to water/sewer for developed property in the city limits and within a “reasonable distance” of a line.

EXCEPT if:

- **Inadequate capacity**
- Cost of connection exceeds the cost of installing onsite system authorized by NCGS Chapter 130A. If a property owner installs on site system that owner has sole responsibility for the system.
- Inadequate water pressure. City cannot require a larger meter/piping to achieve pressure”

The Water Resources Director offered some next steps for the Council to consider.

Council Member McKenzie asked if the Council would have the ability to regulate how the on-site sewer systems are managed. The Water Resources Director stated no. The City Attorney stated these systems are State and local Health Alliance regulated.

The Council discussed the new regulations and the impact it could have on the City’s capacity issue.

The Water Resources Director stated there are developers that will ensure the installation of a successful private system, but there are also risks involved.

Mayor Pro-Tem Hubbard asked if this would apply only to residential developments. The City Attorney, and Water Resources Director, both stated it would apply to all development.

September Sewer Allocation Discussion

The Water Resources Director provided a history of the sewer allocation “buckets”. He also provided an update on the City of Charlotte’s water allocation. He stated there is a possibility there could be significant allocation available for the City of Concord in the 2027 allocation.

Mayor Pro-Tem Hubbard and Council Member McKenzie presented information regarding the current allocation totals and future allocation totals. Mayor Pro-Tem Hubbard stated this information was being presented so all the Council could be in agreement for future allocations.

Council Member McKenzie presented the findings from the quarterly housing survey. He suggested to creating a “True-up Reserve Bucket”.

Council Member Crawford stated, in his opinion, schools and road capacity should be reviewed before allocation is granted.

Council Member Stocks stated she agreed that the focus should be on housing with economic development following. She asked if staff could obtain information from the school system and share with the Council. The Planning and Neighborhood Development Services Director, Steve Osborne, stated the school system does provide that information. The City Manager stated that information could be relayed to the Council.

Council Member Langford stated he is absolutely committed to allocating economic development secondary to housing. He asked if Mayor Pro-Tem Hubbard and Council Member McKenzie could provide some key directions for the Council to take into consideration.

Mayor Pro-Tem Hubbard stated the Council would like to have information provided to them regarding school and road capacity.

Council Member McKenzie asked the Council what ranking the Council would want to approve at the September allocation meeting.

Mayor Dusch suggest 2.5 and above. Council Member Langford suggested 2.75 and above.

After some discussion, it was the consensus of the Council that projects ranking 2.75 or above would be considered for sewer allocation.

Food Trucks

Mayor Dusch asked the Council if there was any desire to amend the CDO to allow food trucks in residential areas.

The Planning and Neighborhood Development Services Director explained why the CDO currently prohibits food trucks in residential districts. He stated staff reviewed other cities regulations such as Huntersville, Kannapolis, Mooresville, Greensboro, and Raleigh, and found all were very similar to Concord's.

He stated staff could draft an amendment to the CDO but would need Council's direction for doing so.

Mayor Pro-Tem Hubbard asked the Police Chief, Jimmy Hughes, what the impact would be to allow food trucks in residential neighborhoods. The Police Chief stated there would be more concerns if allowed in residential neighborhoods. There would be the possibility of non-residential traffic entering the residential area for the food truck.

Council Member Crawford stated the City should notify residents with a reminder that food trucks are not allowed in residential areas. The City Manager stated notification has not been yet due to wanting to have this discussion with the Council, but if the Council is not wanting to amend the ordinance, staff will send notification to the neighborhoods.

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A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to conduct a closed session in accordance with N.C. General Statute 143-318.11 (a)(2) to prevent the premature disclosure of an honorary award or scholarship—the vote: all aye.

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk