

CONCORD CITY COUNCIL  
WORK SESSION  
DECEMBER 8, 2020

The City Council for the City of Concord, North Carolina, held a work session on December 8, 2020, at 4:00 p.m. with Mayor William C. Dusch presiding.

In order to maintain the safety of City residents, City Council, and staff, this meeting was conducted electronically via Zoom.

Council members were present as follows:

**Members Present:**

- Mayor Pro-Tem John A. Sweat, Jr.
- Council Member Andy Langford
- Council Member W. Brian King
- Council Member Ella Mae P. Small
- Council Member JC McKenzie
- Council Member Terry L. Crawford
- Council Member Jennifer H. Parsley

**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:

**Organization and Procedure of City Council:**

Establishment of time and place for Council's regular meetings and work sessions.

Election of Mayor Pro-Tem for CY2021

**Presentations:**

Recognition of the Water Resources Department for receiving the 2020 Wastewater Collection System of the Year Award for medium sized systems.

**Unfinished Business: (public hearings were opened at the December 8, 2020 Work Session and continued to the December 10, 2020 City Council meeting, unless otherwise noted, to allow for the required 24 hour written comment period for virtual hearings).**

Continue a public hearing and consider adopting an ordinance for annexation of four (4) parcels located on the northeast side of the Rocky River Road and Lower Rocky River Road intersection.

A motion was made by Council Member King and seconded by Council Member McKenzie to reconvene the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager, Starla Rogers, stated the subject property consists of approximately 56.83 acres on the northeast corner of Rocky River Road and Lower Rocky River Road. The applicant is requesting annexation of the property for the development of an age restricted single-family residential detached subdivision.

Council Member Parsley stated, it was her understanding, the age restrictive requirement is 80% of the development. The Planning Manager stated that was correct.

Elaine Kelly, 8397 Lower Rocky River Road, signed up to speak in favor of the request. Ms. Kelly is the current property owner. She and her husband feel this development is a good fit for the area.

Isaac Padgett signed up to speak in favor of the request on behalf of the developer Stanly Martin Homes. He stated the proposed development will be 100% age restrictive and deed restrictive.

There were no further speakers signed up to speak in favor or in opposition to this request. Therefore, a motion was made by Council Member Langford and seconded by Council Member McKenzie to continue the public hearing until the December 10, 2020 City Council meeting—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay - none.

**Informational items:**

Presentation by Youth Council President, Akhilesh Shivaramakrishnan.

Presentation of Independent Auditor's report on the Comprehensive Annual Financial Report for FY ending June 30, 2020.

**Departmental Reports:**

Receive a status update on City and Concord Family Enrichment Association (CFEA) undertaken to address affordable housing efforts.

Receive a progress update presentation on the Union Streetscape Project.

**Public Hearings:**

Conduct a public hearing to consider adopting an ordinance amending Sections 8.1 and 5.5 of the Concord Development Ordinance (CDO) to correct a typographical error and to eliminate incorrect cross-references.

A motion was made by Council Member Small and seconded by Council Member Crawford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Deputy Planning and Neighborhood Services Director, Kevin Ashley, explained the proposed amendments. He stated the proposed amendments are needed to correct a typographical error and to eliminate incorrect cross references.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Crawford and seconded by Council Member King to continue the public hearing to the December 10, 2020 City Council meeting—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing for case Z-21-20 and consider adopting an ordinance amending the official zoning map for +/- 5.3 acres located at 3300 Roberta Road from I-1, General Industrial, and AG, Agricultural, to O-I, Office Institutional.

A motion was made by Council Member Langford and seconded by Council Member Crawford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager stated the Planning and Zoning Commission heard the request at their November 17<sup>th</sup> meeting and unanimously voted to forward the request to the City Council with a recommendation of approving the rezoning to O-I, Office Institutional, and that the Land Use Plan be modified to Office/Institutional. She also stated the purpose of the request is to establish a City fire station.

There was no one signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member Small and seconded by Mayor Pro-Tem Sweat to continue the public hearing to the December 10, 2020 City Council meeting—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance annexing +/- 0.258 acres located at 4636 Roberta Road owned by Jody F. Smith.

A motion was made by Council Member Crawford and seconded by Council Member King to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager stated the request is for voluntary annexation of approximately 0.258 acres located at 4636 Roberta Road, and owned by Jody F. Smith, for the purpose of connecting to City utilities.

She explained in March 2020 City Council voted to annex an approximately 45.9 acre parcel to the west owned by Cabarrus County for the future location of a new middle school. During the design and construction process for the new school, Cabarrus County discovered the septic system for Ms. Smith's property was located on the middle school's site and would need to be removed. Due to the size of Ms. Smith's property, installing a new septic system was not feasible. Therefore, Ms. Smith submitted a preliminary application requesting utility extension. The City Council voted to accept the preliminary application and have Ms. Smith move forward with the application including annexation.

The Planning Manager stated staff would recommend a zoning classification of RV, Residential Village, should the annexation be approved.

The property owner, Jody Smith, signed up to speak in favor of the request. Ms. Smith stated she was available to answer any questions the City Council may have had.

There were no further speakers signed up to speak in favor or in opposition to the request. Therefore, a motion was made by Mayor Pro-Tem Sweat and seconded by Council Member McKenzie to continue the public hearing to the December 10, 2020 City Council meeting—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance annexing +/- 26.35 acres located at 3070 and 3100 Zion Church Road owned by Frank Shepardson.

A motion was made by Mayor Pro-Tem Sweat and seconded by Council Member Langford to open the public hearing—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

The Planning Manager stated the request is for annexation of approximately 26.35 acres located at 3070 and 3100 Zion Church Road for the purpose of subdividing the property into two separate developments; an industrial development and a residential subdivision.

Trena Shutters, 3152 Sossamon Place, signed up to speak in opposition to the request. Ms. Shutters asked if her property would be annexed as well. The City Council confirmed that her property was not part of the annexation petition.

Kate Underwood, CESI, signed up to speak in favor of the request. Ms. Underwood was representing the property owner and was available to answer questions City Council may have had.

Frank Shepherdson, property owner and petitioner, signed up to speak in favor of the request.

There was no further speakers signed up to speak in favor or in opposition. Therefore, a motion was made by Council Member McKenzie and seconded Council Member Langford to table the public hearing until the December 10, 2020 City Council meeting—the roll call

vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

**Presentations of Petitions and Requests:**

Receive a presentation on rental rates for non-profit office space located at 66 Union Street, South and consider adopting an ordinance to amend the 2020-2021 Approved Fees, Rates and Charges Schedule.

The Economic Development Coordinator, Joseph Beasley, stated the proposed rental rates for each office would cover all of the City's estimated expenses and build a reserve for general maintenance of the area. The proposed lease agreement and rental rates include the City's provision of utilities, internet, common area cleaning, and general maintenance.

Consider approving the purchase of 314 Sycamore Avenue, SW from Lirio B. Roases for \$12,500 using City Affordable Housing funds.

The Planning and Neighborhood Development Director stated this property was vacant and deteriorating. After contacting the property owner, she stated her desire to sell the property. After reviewing and assessing the property, staff determined the home needed to be demolished and the parcel could be divided into two lots. The tax value of the property is \$25,480. An offer in the amount of \$12,500, contingent upon Council's approval, has been accepted by the property owner. If approved, the City's affordable housing allocation will be used for the purchase.

Consider adopting a Memorandum of Understanding (MOU) between the City of Concord and the Concord Downtown Development Corporation.

The CDDC Executive Director, Johnson Bray, stated the CDDC is requesting the City of Concord absorb the responsibilities of the Executive Director and the Assistant Executive Director positions of the CDDC with both becoming full-time employees of the City.

He stated the City would no longer provide MSD funds to the CDDC and would instead use the funds to cover the expenses associated with the transition.

The CDDC Board of Directors has voted to enter into a MOU with the City for this purpose. If approved by Council, the MOU will be effective January 10, 2021.

Discussion was held as to the current duties of the CDDC staff during the pandemic.

Consider amending the MSD Contract between the City of Concord and the Concord Downtown Development Corporation.

The CDDC Executive Director explained the amendment to the current MSD contract.

Consider terminating the MSD contract between the City and the Concord Downtown Development Corporation.

The CDDC Executive Director explained the request.

Consider approving a Memorandum of Understanding (MOU) between the City of Concord and the Town of Harrisburg.

The Communications Director, Bethany Ledwell, stated the Town of Harrisburg has requested fire dispatch services to be provided by the City of Concord Communications Department. They have agreed to pay a price per dispatch, which will be calculated annually. The Town Council for Harrisburg approved entering into a MOU with the City of Concord for this service.

Consider authorizing the City Manager to negotiate and execute an addendum to the contract with D. R. Reynolds Company, Inc for design build services for Fire Station 12.

The Engineering Director, Sue Hyde, stated D.R. Reynolds Company, Inc is currently

under contract for preconstruction services related to the design and construction of Fire Station 12. They have submitted a guaranteed maximum price for construction services in the amount of \$5,755,000.

Consider authorizing the City Manager to negotiate and execute a contract with Carolina Siteworks, Inc for the construction of the Alfred Brown Jr, Ct roundabout and the paving of the Traffic Management Center Drive.

The Engineering Director stated the project was bid under the formal bidding process and 4 bids were received. The lowest responsible bidder was Carolina Siteworks, Inc in the amount of \$930,799.10. She also stated this amount is within budget.

Consider authorizing the City Manager to enter into a 50-year lease agreement with Cabarrus County with a 25-year option to extend for the 34 acre public park property (Cox Mill Elementary Athletic Fields) located at 1300 Cox Mill Road.

The Parks and Recreation Director, Bob Dowless stated the proposed lease is for a 34 acre public park. Contingent upon Concord City Council and Cabarrus County Board of Commissioners approval, the lease would begin August 1, 2021 and end September 30, 2071 with an option for an additional 25-year term. The annual lease payment to Cabarrus County would be \$1.00. During the term of the lease, the City would manage, operate, program and maintain the park.

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).

Consider appointing or reappointing two elected officials to the Concord/Kannapolis Transit Commission.

Consider appointing or reappointing two members (1 board member and 1 alternate) to serve on the Centralina Regional Council Board of Delegates for CY2021.

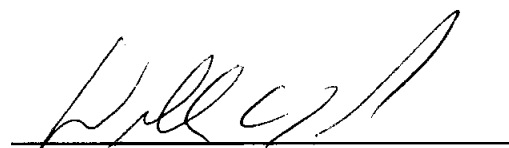
**Consent Agenda:**

There were no comments regarding the Consent Agenda.

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

  
 Kim J. Deason, City Clerk

  
 William C. Dusch, Mayor