

CONCORD CITY COUNCIL
WORK SESSION MEETING
SEPTEMBER 6, 2022

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 September 6, 2022, at 4:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

Mayor Pro-Tem Terry L. Crawford
Council Member Andy Langford
Council Member W. Brian King
Council Member Betty M. Stocks
Council Member JC McKenzie
Council Member Jennifer Parsley-Hubbard

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
Department Directors

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The following agenda was presented for discussion:

Presentations:

Presentation from CALEA Commissioner and Director of the North Carolina Criminal Justice Training and Standards Division, Jeffrey Smythe.

Presentation of a Proclamation recognizing September 16-22, 2022 as Constitution Week.

Presentation of a Proclamation recognizing October 1, 2022 as International Festival Day in Concord.

Presentation of the FY23 Annual Budget Video

Unfinished Business:

Continue a public hearing for case Z(CD)-07-21 and consider adopting an ordinance amending the official zoning map for +/- 54.8519 acres located northeast corner of International Drive and Highway 73, generally addressed as 4208 and 4515 Davidson Hwy from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial).

The City Manager stated the applicant requested another continuance.

Council Member McKenzie stated, in his opinion, this rezoning would not be a good fit for the City. He stated he was ready to vote for denial of this request.

Mayor Pro-Tem Crawford stated he would like to hear from the adjacent property owners

since they have had discussions with the developer of the project.

Council Member Stocks asked if both opponents and proponents were in agreement with the continuance request. The Planning and Neighborhood Development Services Deputy Director, Kevin Ashley, confirmed both parties were agreement with the continuance request.

Informational Items:

Receive the annual update from the Concord United Committee.

Concord United Committee Co-Chairs, Rev. Bertram Hinton, Jr., Ann Fleming, and Robert Kirk, provided an updated on the accomplishments the Committee has seen in the past year since being established.

Public hearings:

Conduct a public hearing for case Z(CD)-03-22 and consider adopting an ordinance amending the official zoning map for +/-7.66 acres located at 4145 Davidson Hwy from C-2 (General Commercial) to RC-CD (Residential Compact - Conditional District) and consider amending the 2030 Land Use Plan to modify the future land use designation of the parcel from Industrial Employment to Urban Neighborhood.

The Planning and Neighborhood Development Services Planning Manager, Scott Sherrill, explained the request. He stated the developer had reduced the number of units, which increased the open space.

Council Member Parsley-Hubbard asked the Planning Manager to confirm if the project received sewer allocation in July and also if the Planning and Zoning Commission denied the request at their August meeting. The Planning Manager confirmed both.

Conduct a public hearing and consider adopting an ordinance annexing +/- 2.029 p/o PIN 5622-65-8770 on Copperfield Blvd. owned by Copperfield, Inc.

The Planning and Neighborhood Development Services Planning Manager stated the request is for voluntary annexation of approximately 2.029 acres of property on Copperfield Blvd. The developer is proposing to build a DairiO on the site. The project was allocated sewer on July 19th, 2022.

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Center City Economic Development Incentive Grant to Shelby Company LTD, LLC to locate at 131 - 171 Cabarrus Avenue East, Concord, NC.

The Planning and Neighborhood Development Services Senior Planner, Brad Lagano, stated Shelby Company LTD, LLC is proposing to develop an approximately 220,637 square foot mixed use development within the geographic boundary of the Center City Economic Development Grant Program. The proposed project includes approximately 212 residential units (1 bedroom and 2 bedroom) in addition to approximately 11,000 square foot of commercial space. He stated the company's proposed investment represents a total \$55,000,000 - \$60,000,000 in real and personal property.

Conduct a public hearing for case TA-09-22 and consider adopting an ordinance amending the Concord Development Ordinance Section 8.3.5.Q.5. regarding supplementary regulations for Food Trucks.

The Planning and Neighborhood Development Services Planning Manager explained the proposed amendment.

After some discussion, a motion was made by Mayor Pro-Tem Crawford and seconded by Council Member McKenzie to table the proposed amendment until the October 13th Council meeting.

Presentations of petitions and requests:

Consider adopting a resolution of intent to schedule a public hearing on the matter of closing the right-of-way of an unopened 50 foot right of way of Davidson Dr. NW contained within the property of 48-50 Beechwood Ave NW.

The Planning and Neighborhood Development Services Planning Manager stated Concord California Associates, LLC is the applicant and the owner of the property. He stated the right of way is not used for public ingress/egress and is not maintained by the City. An easement will need to be retained for electric infrastructure on the site but the City would abandon maintenance of the stormwater pipe on the site.

Consider reallocating \$109,582.34 in Community Development Block Grant (CDBG) Coronavirus Aid, Relief and Economic Security Act (CARES Act) funding to select public service agencies and organizations responding to community needs related to COVID-19.

The Planning and Neighborhood Development Services Community Development Manager, Mary Carr, explained due to the foreclosure moratorium being extended and the North Carolina Housing Finance Agency (NCHFA) American Rescue Plan backed mortgage assistance, Prosperity Unlimited has not expended the funds previously granted to them by the City. Therefore, Prosperity Unlimited has requested to return the funds to ensure other community needs can be met. She stated staff reached out to other service agencies and organization to access continued needs. The following three agencies were identified to receive additional funding: Cooperative Christian Ministries, Opportunity House, and Salvation Army.

Consider adopting a resolution for the City of Concord to declare its intentions to issue tax exempt bonds (secured by and payable solely from private development revenues, not City of Concord revenues) in the new amount not to exceed \$20,500,000 to finance the acquisition, rehabilitation and equipping of mixed income units to be known as Coleman Mill Apartments and for related purposes.

The Planning and Neighborhood Development Services Community Development Manager stated the developer is requesting the bond increase due to the rising construction costs. The amended amount of the bond issuance is not to exceed \$20,500,000. If approved, the amended bond issuance, the City will designate a Bond Counsel and the developer will be responsible for all fees associated with the transaction.

Consider adopting a resolution authorizing an eminent domain action for property located at 400 Kingsport Dr NE, Concord, NC 28025 and commonly known as Crown Point Apartments.

The City Attorney stated certain easements, both permanent and temporary, are required by the Water Resources Department in order to construct a stormwater culvert.

Consider adopting a resolution authorizing an eminent domain action for property located at 120 Country Club Drive, Concord, NC 28025 and commonly known as the Carolina Mall.

The City Attorney stated certain easements, both permanent and temporary, are required by the Water Resources Department in order to construct a stormwater culvert.

Consider awarding a bid for installation of twelve steel transmission poles to Power Grid Services in the amount of \$982,322.92.

The Electric Systems Director, Alex Burriss, stated three received bids on August 18, 2022 for the Construction of 100 KV Transmission Line at Substation T and Delivery 4. The low bid was submitted by Power Grid Services in the amount of \$982,322.92. He stated funding will be taken from the Delivery 4 project account.

Consider awarding bids for electric equipment and materials for Substation W, located at 1420 Concord Parkway S, to Substation Enterprises; Virginia Transformer Corporation;

S&C Electric Company; Siemens Industry, Inc; and Myers Controlled Power, LLC.

The Electric Systems Director stated bids were received on August 18, 2022. The following represent the five schedules for the project and the low bidder for each: Schedule I - Substation steel and structures, Substation Enterprises, \$356,718; Schedule II - Two 28 MVA power transformers, Virginia Transformer Corporation, \$1,991,982; Schedule III - Two 100KV circuit switchers, S&C Electric Company, \$141,400; Schedule IV - Two 15KV circuit breakers, Siemens Industry, Inc, \$57,626; and Schedule V - One metalclad switchgear, Myers Controlled Power, LLC, \$913,615. He stated funding will be derived from the existing Substation W project account. He also stated the service contract with Eli Lilly is being completed at this time. Eli Lilly will be invoiced to provide funding for the Substation W project account.

Consider authorizing the City Manager to sign a contract with Gillig LLC utilizing the Piedmont Authority for Regional Transportation (PART) consortium contract for the purchase of one (1) new 35' heavy duty hybrid electric diesel replacement bus for the Rider system.

The Transit Director, LJ Weslowski, stated Rider Transit was awarded a \$713,813 FTA 5339(c) Low or No Emission Discretionary grant specifically for the purpose of securing a replacement hybrid bus, which has a current cost of \$882,932, including registration. The FTA funds will cover 80.85% of the cost of the vehicle. The remaining 19.15% (\$169,119) will be split 50/50 between Concord and Kannapolis (\$84,559.50 each).

Consider abandoning a portion of public utility easement across property at 4291 Papa Joe Hendrick Blvd (PIN 4599-10-9019). Sue

The Engineering Director, Sue Hyde, stated the request is to abandon a portion of a public utility easement that is not needed.

Consider approving the Master Plan and Conceptual Design for the Academy-Gibson Park areas.

The Parks and Recreation Deputy Director, Sheila Lowry, introduced Withers Ravenel consultant, Bryan Starkey.

The Parks and Recreation Deputy Director stated the Plan consists of the following five (5) sites: 1-Academy Complex (9.86 acres); 2-Kerr Street-Cedar Street Properties (2.44 acres); 3-Clearwater Art Studio Open Space (1.42 acres); 4-Academy-Kerr Street (0.49 acres); and 5-existing Gibson Field (4.16 acres).

She presented the Community Engagement survey results.

Mr. Starkey presented the improvements recommended for the five sites.

Continue discussion regarding future funding of non-profits with General Fund monies.

Mayor Dusch opened the discussion.

Council Member Stocks stated she wanted to encourage the Council to review what the grants are requested for and how the funds are utilized.

Mayor Pro-Tem Crawford suggested that discussion on this topic could be held at the Council Retreat.

Council Member McKenzie explained why he would prefer to move away from providing funding for the non-profits.

Council Member Parsley-Hubbard stated she would support what Mayor Pro-Tem Crawford suggested and discuss this issue further.

Mayor Pro-Tem Crawford asked if the letter had been submitted to the non-profits and, if

so, what feedback was received.

The City Manager stated the letter was prepared but since there were Council Members not present at the August 2nd Work Session it was decided to not send the letter until all Council Members could review and give their support of the letter.

Council Member Parsley-Hubbard stated each time discussion is held on this matter not all Council Members are present. She stated a decision should not be made until a consensus from the full Council is obtained.

Council Member McKenzie asked for the letter to be resent to the Council for review and a vote taken Thursday evening at the Council meeting.

Consent Agenda

There were no comments regarding the consent agenda.

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Following a 15 minute recess, the meeting reconvened for the purpose of conducting the Project Update Meeting.

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City of Concord Project Update Meeting

The purpose of this meeting is to give staff the opportunity to provide the Council brief updates on each ongoing project in their divisions.

1. Electric

Electric Systems Director, Alex Burris, provided updates on the following projects:

- Eli Lilly Substation (Substation W) – New substation to feed Eli Lilly.
- Delivery 4/ Sub Q – New 100kv Delivery, new 44 KV delivery and substation at The Grounds.
- New Electric Systems Operation Center
- Substation T – Substation on Hwy 29 beside of Christy's Nursery
- Substation V – Substation on Ruben Linker Rd (off Weddington Road)

2. Aviation

Aviation Director, Dirk Vanderleest, provided updates on the following projects:

- Airport Capital Improvement Program
- Airline Service (Allegiant, Avelo)
- Remote Tower Project

3. Water Resources

Water Resources Director, Jeff Corley, provided updates on the following projects:

- Water Treatment Plant Projects
- Hwy 49 Water Line
- Booster Pump Station Expansion
- Albemarle Water Supply Study
- Grounds Sewer Project
- Rocky River WWTP Expansion Update

4. Planning

Planning and Neighborhood Services Deputy Director, Kevin Ashley, provided updates on the following projects:

- Union Street Streetscape Design

- Coleman Mill project
- Logan Historic Register
- Eli Lilly project
- RRB project

5. Information Technology

Assistant City Manager, Pam Hinson, provided an update on the following project:

- VC3 update – bringing IT in as City Department

6. Fire

Fire Chief, Jake Williams, provided an update on the following project:

- Public Safety Training Center

7. Parks and Recreation

Parks and Recreation Director, Bob Dowless, provided updates on the following projects:

- Greenway Land Acquisition
 - McEachern Greenway
 - Clarke Creek
 - Coddle Creek
- Parks
 - J.E. "Jim" Ramseur Park Design
 - Caldwell Park Design
 - WW Flowe Master Plan

8. Housing

The Housing Director, Angela Graham, provided an update on the following project:

- Public Housing conversion project

9. Buildings & Grounds

The Buildings and Grounds Director, Susan Sessler, provided an update on the following project:

- Rutherford Cemetery Improvements

The Transit Director, LJ Weslowski, provided an update on the following projects:

- Bus Replacement update
- Paratransit Software update
- TSA Security Assessment process
- Bus Stop Amenity project
- Consolidation Study update

10. Transportation

The Transportation Director, Phillip Graham, provided updates for the following projects:

- Project Fund Financial Update
- Overall Project Summary
- List of completed projects from FY 22
- Concrete Road Rehabilitation
- PIP Project Update – Glenn, Crowell, Cedar, Elm
- Downtown Mast Arm Signal Replacements (Union @ Cab / Union @ Corban)
- Brookwood Avenue Enhancements (w/ Complete Street typical & Greenway tunnel) NC-3 to Church
- Old Charlotte Road & Swink Street Sidewalk Project
- Derita Road Project (U-4910 A&B)
- Derita Road Project (U-6032) Concord Mills to Derita
- Concord Mills Blvd Fly Over (U5806)
- Bruton Smith Blvd Ped Project (EB-5732)

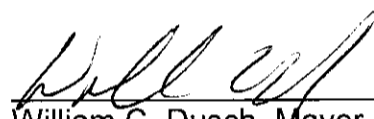
- US 601 @ Flowes Store Road Improvements
- U5956: Rock Hill Church/Union Cemetery Realignment
- US-29 Access Management project to be added to scope, from Rock Hill Church Rd to Concord Commons (Wal-Mart)
- Poplar Tent @ Harris Road Intersection
- Poplar Tent – Widening from US-29 to Derita Road (U-3415 A&B)
- Poplar Tent – Widening from Derita to NC-73 (U6029)
- Poplar Tent/ Rock Hill Church Intersection Improvement
- George W. Lile Pkwy Extension (R-2246)
- Stough Road Bridge Replacement
 - NC-73 W from US-29 to Mecklenburg Co Line
 - I-85 Widening (I-3802A)
- Branding
 - Lincoln Street Bridge
 - US-29 Bridges @ Irish Buffalo (B-5808)
 - Old Airport Road Bridge @ Cold Water Creek (B-5794)
 - Signal System Update
- ASTPM System (Performance Management Dashboard)

The Mayor and Council thanked the City Manager and staff for the information presented.

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There being no further business to be discussed, a motion was made by Council Member Parsley-Hubbard and seconded by Mayor Pro-Tem Crawford—the vote: all aye.


Kim J. Deason, City Clerk


William C. Dusch, Mayor