

CONCORD CITY COUNCIL
WORK SESSION MEETING
OCTOBER 10, 2023

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 October 10, 2023, at 4:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

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

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
Department Directors

* * * * *

The following agenda was presented for discussion:

Informational Items:

Ann Fleming, and Robert Kirk, Concord United Committee Co-chairs, presented the Committee's annual report.

Council Member Stocks thanked the Co-chairs and the Committee for what they have done.

Council Member Parsley-Hubbard proposed, in the future, the Committee provide their annual report to the Mayor and Council prior to their presentation to give the Council time to review the recommendations and to meet with the co-chairs to discuss. Jennifer – proposed that the committee provide the annual report to the council and let the Council review the recommendations and then meet with the co-chairs to discuss.

Council Member Langford asked the City Manager to have staff respond to the issues about City policies or reports and provide that information to the Council so they can respond to the Committee.

Departmental Reports:

Staff will provide an update on the Downtown Streetscape project at the October 12th City Council meeting.

Parks and Recreation staff will provide a bond update at the October 12th City Council meeting.

Public Hearings:

Consider adopting an ordinance annexing +/- 11.13 acres at 2976 Zion Church Rd., PIN 5529-85-3566, owned by Ready Mix of the Carolinas, LLC, for the construction of a ready-mix concrete facility.

The Planning and Development Manager, Autumn James, stated the request is for voluntary annexation petition of +/- 11.13 acres of property on Zion Church Rd. The property is currently zoned Cabarrus County GI (General Industrial). The developer is proposing to annex the property into Concord and conditionally zone it as Heavy Industrial (I-2 CD) for the construction of a ready -mix concrete facility.

Consider adopting an ordinance amending Article 9 “Special Purpose and Overlay Districts” of the Concord Development Ordinance (CDO) to create the Neighborhood Infill Residential District (NRD).

The Planning and Neighborhood Development Services Deputy Director, Kevin Ashely, stated earlier this year, staff presented an ordinance to Council to allow for the development of tiny and cottage home communities on a “by-right” basis in RC and RV zoning with specific design standards. After discussion, the Council directed staff to develop a site-plan controlled zoning district to allow these types of development.

Per that direction, staff drafted the Neighborhood Infill Residential District which is proposed to contain the design standards for tiny and cottage homes. The NRD district is intended to allow the addition of design standards for other types of infill residential uses as needed in the future. He stated the Planning and Zoning Commission unanimously recommended the amendment to Council at their September meeting.

Presentations of Petitions and Requests:

Consider authorizing the City Manager to execute a contract with M.H. Graves Construction Company for the construction of site improvements and amenities at nineteen of Rider Transit's existing bus stops.

The Transit Deputy Director, Andy Christy, stated this is the first phase of the project. The first bid opening occurred on July 21, 2023 and one bid was received; therefore, the project was re-advertised. The second bid opening occurred on September 6, 2023 and again only one bid was received. M.H. Graves Construction Company submitted the lowest total bid in the amount of \$397,991. The engineering estimate for the project was \$460,042.

He explained FTA funding will cover 80% (\$318,392.80) of the total cost. The remaining 20% (\$79,598.20) will be split 50/50 between Concord and Kannapolis (\$39,799.10 each). This request (based on the engineering estimate) was recommended for approval by the Concord Kannapolis Transit Commission at their August 2, 2023 meeting.

Consider awarding a bid and authorize the City Manager to execute a contract for Broadlinx Telecom Inc. to provide labor services for installation and maintenance of the City of Concord's Fiber Optic Network

The Communications Director, Bethany Ledwell, stated, if approved, Broadlinx Telecom Inc. would provide labor services for installation and maintenance of the City of Concord's Fiber Optic Network not to exceed \$400,000. Bids were received on September 28, 2023 with

Broadlinx Telecom, Inc submitting the lowest responsive bid. The contract term is through June 30, 2024, and is not to exceed \$400,000, per the approved FY24 budget.

Consider authorizing the City Manager and staff to move forward with the bidding process for the renovations to Marvin Caldwell Park as part of the bond referendum based on final design.

The Parks and Recreation Director, Sheila Lowry, stated the City of Concord received three grants for construction of amenities from the Conceptual Master Plan. Carolinas Thread Trail and PARTF included greenway construction along Irish Buffalo Creek within the park. Other PARTF amenities were the splash pad and new Logan Optimist shelter. The amenities identified in the LWCF were identified inclusive playground, covered basketball courts, multi-purpose field and small diamond field.

She explained the changes that have occurred from the Master Plan process to the design process. She stated the final design has a new Robert Mathis Amphitheater, a new Logan Optimist shelter, new splash pad, new playground, new covered basketball court, new restroom/storage facility, greenway multi-purpose field and space for a community garden. The expanded parking will add an additional 68 spaces and 14 accessible spaces bringing the total to 149 spaces and 17 accessible spaces.

Council Member Stocks requested the Council to postpone this request until the November Council meeting to allow staff to provide the updated Plan information to the Logan community at the Logan Community Association meeting being held November 1st, 2023.

Council Member Langford explained his concerns with postponing the request until November.

Following discussion regarding funding for park projects, a motion was made by Council Member Stocks and seconded by Council Member King to continue this request until the November 9, 2023 City Council meeting—the vote: all aye.

Consider authorizing the City Manager and staff to approve the final design for the new J.E. 'Jim' Ramsey Park as part of the General Obligation bond referendum, and permit staff to proceed to the project bid stage.

The Parks and Recreation Planner, George Berger, stated on May 12, 2022, the Council adopted a revised Master Plan removing the recreation center from the current phase of Ramsey Park citing cost considerations. The recreation center was placed into a 'future phase' category to be constructed as funds became available after the current bond program was completed.

He explained one change had been made from the revised Plan; the environmental education area has shifted location further west on the property placing it adjacent to the wetland and providing easier access to the County-owned Soil & Water Conservation District property north of the project site. All other park features and amenities remain in the same general locations as they were on the Plan.

Consider authorizing the City Manager to negotiate and execute a contract with Ground Thunder Construction, Inc. for the construction of four Pickle Ball courts at Les Myers Park and approve the attached budget amendment.

The Deputy Engineering Director, Rick Blat, the project was bid under the formal bidding process and bids were taken on September 28, 2023. Six (6) bids were received, and the lowest responsible bidder was Ground Thunder Construction, Inc. in the amount of \$340,634.36. The

original budget for the project was \$160,000, but due to construction cost increases and the need to replace and extend the existing retaining wall the project is \$180,634.36 over budget. He stated additional project funding will come from cost savings from other Park and Recreation projects as summarized in the attached budget amendment.

Consider authorizing the City Manager to negotiate and execute a construction contract with Ground Thunder Construction Inc. for the construction of the Equipment Shed and Restroom located at the Alfred M. Brown Operations Center.

The Engineering Director, Sue Hyde, stated bids were received on September 27, 2023 for the construction of an equipment shed and restroom located at the Brown Operations Center. The equipment shed placement aligns with the space needs assessment/master plan that was completed for the campus in 2010. Five bids were received and Ground Thunder Construction Inc. was the low bidder with a total bid of \$1,163,018.87.

Consider authorizing a contract amendment with HDR Engineering for construction administration, project management, and material testing for the basin repairs/improvements and the GAC facility construction at the Hillgrove WTP.

The Water Resources Director, Jeff Corley, stated HDR Engineering, Inc. of the Carolinas (Consultant) developed the design for the construction of a new granular activated carbon (GAC) contactor building, a new GAC pump station, a new finished water chemical mixing vault, installation of new plate settlers in the sedimentation basins, a new rapid mixer, four (4) new sedimentation basin influent valves, concrete basin rehabilitation, and associated site work, piping, and electrical modifications. This scope of services covers project management, construction administration, materials testing and special inspections, and resident project representative services associated with the project.

The construction duration is assumed to be 22 months to substantial completion and 24 months to final completion. If approved, the project total will be \$1,872,910. The expenses for these services are included in the overall project budget.

Consider authorizing a contract amendment with Garver for construction administration, construction observation, project management, and material testing for the chlorine room rehab project at the Coddle Creek WTP.

The Water Resources Director stated the Scope of Services shall consist of Construction Phase Services (CPS) for the Coddle Creek Water Treatment Plant (WTP) Chlorine Feed System Improvements project. CPS will consist of the following primary activities: Task 800 Construction Phase Project Management, Task 900 Construction Administration, and Task 1000 Construction Observation.

Construction duration is estimated at seven (7) months including Contractor mobilization and equipment procurement periods. If approved, the project total will be \$153,413.24. The expenses for these services are included in the overall project budget.

Consider reservation of bi-annual "true-up" sewer allocation.

The Water Resources Director stated the City's Sewer Allocation Policy (Section 2-F) allows City Council to reserve the bi-annual "true-up" sewer allocation until the next bi-annual "true-up" is received. On August 2, 2023, the City received capacity distribution #8 from WSACC which included a bi-annual true-up amount of 167,761 gal/day.

Consent Agenda:

Consent Agenda Item N was removed from the Consent Agenda for discussion.

Consent Agenda Item N

Consider amending Article 5.10 Political Activities in the Personnel Policies and Procedures manual to reflect an exception for holding political office for the Cabarrus County School Board and/or running in a partisan election for the Cabarrus County School Board.

The update would allow City coworkers to hold a political office for the Cabarrus County School Board and/or run for office in partisan elections for the Cabarrus County School Board.

Mayor Pro-Tem McKenzie stated he is not opposed to the amendment. He stated he was wondering what the City would discourage any employee from running for any office.

The City Attorney, if approved, the City’s policy will be in compliance with State law that was recently amended.

Following discussion, the City Manager recommended the Council move forward with this amendment at the Council meeting and, if amendments are needed in the future, to allow him, the City Attorney and the HR Director to discuss those additional policy amendments prior to bringing them before the City Council.

* * * * *

A motion was made by Council Member Crawford and seconded by Council Member Parsley-Hubbard to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(3) to consult with the Attorney to protect the attorney-client privilege and N.C. General Statute 143-318.11(a)(4) to discuss the location or expansion of businesses located in this area—the vote: all aye.

* * * * *

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk