

CONCORD CITY COUNCIL
WORK SESSION MEETING
JULY 09, 2024

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 July 09, 2024, at 4:00 p.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 John A. Sweat, Jr. joined via cell phone

Members Absent:

Council Member Terry L. Crawford

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Department Directors

* * * * *

Mayor Dusch requested to add a presentation to the agenda. The presentation will be to honor former City Council member Sam Leder on the fifth anniversary of his death.

A motion was made by Council Member Stocks and seconded by Council Member Clay to add the presentation to the agenda—the vote: all aye.

* * * * *

The following agenda was presented for discussion:

Presentations:

Presentation of a Proclamation recognizing the month of July as Parks and Recreation Month.

The FY24/25 annual Budget Video was presented.

Informational Items:

Presentation of the City's Vision/Mission/Values Board and Strategic Plan document.

The Public Affairs and Projects Manager, Lindsay Manson, and the Budget Manager, Lesley Reder, presented the updated City's Vision/Mission/Values board design and the Strategic Plan document.

Departmental Reports:

Downtown Streetscape Historic Overview

The Engineering Director, Jackie Deal, presented information related to the timeline of the streetscape construction from beginning to current status.

Streetscape Update

Staff will provide an update at the July 11, 2024 City Council meeting.

Parks and Recreation Bonds update

Staff will provide an update at the July 11, 2024 City Council meeting.

Public Hearings:

Conduct a public hearing and consider adopting an ordinance annexing +/- 3.383 acres at 17635 Huntersville-Concord Rd. PIN 4671-64-8074 owned by SAAD International, LLC.

Planning Manager, Autumn Jacobs, presented the information. She stated the Land Use Plan classifies the parcel as Suburban Neighborhood. She also confirmed adjacent property owners were notified of the annexation petition.

Conduct a Public Hearing for case Z(CD)-23-23 and consider adopting an ordinance amending the official zoning map for +/- 2.443 acres located at 200, 202, and 206 Winecoff School Rd from C-2 (General Commercial District) to I-1-CD (Light Industrial – Conditional District) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcels from “Suburban Neighborhood” to “Industrial/Employment.”

The Planning Manager presented the information. She stated, if approved, a parcel will be located in the Concord City limits and the adjacent parcel will be located in Kannapolis City limits.

Conduct a public hearing and consider adopting an ordinance amending Article 4 “Environmental/Land-Disturbing Activities”, Section 4.7, “Floodplain Life and Property Protection,” and Article 14 “Definitions” of the Concord Development Ordinance (CDO) regarding minimum floodplain regulations.

The Planning and Neighborhood Development Services Deputy Director, Kevin Ashley, explained the proposed changes. He stated the amendments are needed due to FEMA updates.

Presentation of Petitions and Requests

Consider adopting a resolution of intent to schedule a public hearing in the matter of closing a portion of the Evans Street NW right-of-way (+/- .39 feet) generally located near the intersection of Evans and Central Drive.

Senior Planner, Fred Womble, stated owners of the property, Erica Fulton and Jermaine Lawrence, filed the application. He explained the steps required to be taken before a right of way closing can be conducted.

Consider adopting a resolution authorizing the sale of .03 acre/1,402 sf parcel on Market Street identified as PIN #5620-97-0605.

The Planning and Neighborhood Services Director, Steve Osborne, explained the request. He stated Morris Building, LLC is offering \$7,500 for the parcel and will construct a 12' wide x 9' deep x 8' tall, enclosed dumpster behind the Morris Building and make the dumpster available to any business along Market Street that is interested in cost sharing. Morris Building would manage all the billing, maintenance, and cleaning of the dumpster. The City would not be involved in the service.

Questions and concerns were raised regarding the property being used for downtown parking. The Planning and Neighborhood Services Director stated, if the property is purchased by Morris Building, LLC, parking will be for tenants of those buildings.

Consider adopting an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article II Obstructions, Section 44 and Section 50-56, and incorporating the referenced Downtown Sidewalk Design Guidelines.

The Planning and Neighborhood Development Services Design Manager, Kaylee Caton, stated the proposed amendments to the City of Concord Code of Ordinances revise Chapter 50, Streets, Sidewalks, and other Public Places, to include retail merchandise display in addition to sidewalk dining through an Encroachment Agreement as well as incorporate the referenced Downtown Sidewalk Design Guidelines for businesses within the Downtown MSD.

Consider adopting an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article X Social Districts and approving the Downtown Social District signage and sticker designs.

The Planning and Neighborhood Development Services Director stated City of Concord's Social District Ordinance was adopted on February 8, 2024, establishing a new Downtown Concord Social District, effective August 1, 2024. The new destination brand for Downtown Concord was approved by City Council on June 13, 2024. He stated staff is requesting Council to review the consideration on moving the effective date from August 1, 2024 to October 1, 2024.

The Planning and Neighborhood Development Services Director stated Social District signage would be placed on the boundaries of the District. Council Member Stocks asked if the City would be providing the signage. The Planning and Neighborhood Development Services Director stated the signage would be provided by the City.

Council Member Stocks stated, in her opinion, the effective date should be postponed until October 1, 2024 to allow for more completion of the streetscape construction.

Mayor Pro-Tem Parsley-Hubbard asked how many businesses would be able to participate in the Social District if opened on August 1st. The Planning and Neighborhood Development Services Director stated currently 11 businesses would be able to participate.

Council Member Langford stated, in his opinion, the 11 businesses would benefit from the Social District opening on August 1st.

Consider approving a resolution confirming approval of a multifamily housing facility to be known as Coleman Mill Lofts and the financing thereof with multifamily housing revenue bonds in an aggregate principal amount not to exceed \$20,630,000.

The Finance Director, Jessica Jones, explained the closing has not happened as required by the previously adopted resolution. Therefore, a new resolution should be adopted. She stated no changes have been made, and the developer is planning to close on the property in August.

Consider authorizing the City Manager to negotiate and execute a contract addendum with JD Goodrum, Inc. for the renovations of Dorton Park.

The Parks and Recreation Director, Sheila Lowry, stated the original construction contract for the renovations of Dorton Park included the resurfacing of the existing tennis courts, but upon further evaluation, it was determined that complete replacement would be the best course of action. In addition, during structural fill placement on the athletics fields, it was discovered that the existing storm drainpipes have collapsed and need to be replaced. The total amount of these two items is \$211,901.86.

Consider adopting a resolution authorizing the sale of 900 square feet/0.02 acres of Gibson Field located at 265 Misenheimer Drive NW. PIN 5620-39-4588 to Jessica R. Andreano and Vincent Andreano located at 281 Misenheimer Drive. The location is the rear of 281 Misenheimer Drive NW.

The Parks and Recreation Director stated this facility was part of the bond projects for Academy-Gibson. During survey for the park, staff discovered an encroachment of a permanent structure on the Misenheimer side of the park. The property owners of the structure requested to purchase the portion of the property instead of tearing down their building.

Selling the 900 sq. ft. section would not cause a negative impact. Following an appraisal, the 900 sq. ft./0.02 acres was valued at \$7,525.

Consider recognizing the St. Andrews Place Homeowners Association in the City's Partnership for Stronger Neighborhoods program.

The Community Outreach Coordinator, Raeshawn Palmer, stated St. Andrew's Place is a neighborhood of 506 single family homes. Officers for the Association are President Justin Crowe, Vice President Christina Parkins, and Secretary/Treasurer Sonja Allison. She stated they submitted all the required documentation for recognition.

Consider approving Neighborhood Matching Grant awards distribution requests for FY24-25 applicants.

The Community Outreach Coordinator stated a review committee determined the following 13 projects best met the criteria for funding. The thirteen recommended projects, if funded, total \$30,000, using all the allocated funds in the NMG FY24-25 adopted budget.

Consider adopting an ordinance ordering the demolition of the structure located at 90 James St SW (PIN# 5620-85-0735) owned by Jerimiah Owens Jr.

Police Chief, Jimmy Hughes, stated the structure is located on a single parcel and was damaged in a structure fire. Before the fire, the building had a tax value of \$44,160.00 per Cabarrus County land records. Upon inspection, the structure had massive damage due to fire and was considered to be dilapidated. Dexter Zimmerman, Code Enforcement Officer, opened the case March 15, 2024. The Finding of Fact and Order to Repair or Demolish was issued on April 02, 2024. The Order to Repair or Demolish said structure was not extended. The Order to Repair or Demolish expired on May 02, 2024. There have been no attempts to come into compliance with this case. No civil penalties have been imposed.

Consider adopting an ordinance amending Chapter 42 of the City of Concord Code of Ordinances.

The Emergency Management Coordinator, Ian Crane, stated the proposed amendment will address future requests and unauthorized drone take offs and landings on City property. This also applies to airplanes, flying machines, balloons, parachutes, helicopters, rockets, etc. He stated kite flying in open areas of City parks will still be permitted.

Consider awarding bid for electric materials for 13,200 feet of 500 MCM primary feeder cable to Border States Electric.

The Electric Systems Special Projects Manager, Caleb Greene, stated two bids were received on June 13, 2024. Border States Electric was the lowest bidder at \$233,904, and was compliant in meeting the required specifications.

Consider authorizing the City Manager to negotiate and execute a contract with Aviation Management Consulting Group and Mead & Hunt to facilitate the development of an Airport Strategic Business Plan for Concord-Padgett Regional Airport.

The Aviation Director, Dirk Vanderleest, stated the Airport Strategic Business Plan will utilize a comprehensive approach consistent with the Transportation Research Board, Airport Cooperative Research Plan Report 77 *Guides for Developing General Aviation Airport Business Plans (2012)*, and contemporary updates. The project will take 12 months to complete and a cost not to exceed \$247,800. The funding for the project will come from the CARE account. The fund balance currently is \$984,379.96.

Consider authorizing the City Manager to negotiate and execute Work Authorization #2402 with Talbert, Bright and Ellington, Inc. (TBE) for the purpose of performing professional consulting services associated with the construction administration (CA), quality assurance testing, and resident project representative for the fuel farm expansion at Concord-Padgett Regional Airport.

The Aviation Director stated the FAA approved the City's grant application for the construction of a one (1) 20,000 gallon Jet A Tank and containment system for one (1) proposed 20,000 gallon Jet A tank. The grant also included new Inventory Management and Emergency Fuel Shut Off system and widening of the access road/new gate. The grant will be funded through the Bipartisan Infrastructure Law (BIL) legislation.

Consider authorizing the City Manager to negotiate and execute a contract with Southern Engineering and Testing P.C. to perform materials testing and special inspections during the construction of the proposed Fleet Building.

The Engineering Director, Jackie Deal, stated a request for qualifications (RFQ) was advertised for qualified consulting firms to perform the materials testing and special inspections for the proposed fleet building. Nine firms submitted RFQs and were reviewed by a panel. Southern Engineering and Testing P.C. was selected for this project.

Consider awarding the total bid for the City of Concord's annual street preservation program to Ferebee Corporation.

The Transportation Director, Phillip Graham, stated formal bids for this work were due June 25, 2024. Only 2 submittals were received; therefore, no bids were opened.

Bid documents were readvertised and opened on July 3, 2024 with Ferebee Corporation submitting the lowest total bid in the amount of \$4,085,602.95. Contract Final Completion date is 180 days from the Notice to Proceed.

Consider awarding the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to ALS of North Carolina, LLC.

The Transportation Director stated the contract consists of providing traffic signal and associated construction/maintenance work in and adjacent to the City of Concord. Quotes for this work were opened on June 25, 2024 with ALS of North Carolina, LLC submitting the lowest unit cost pricing. The contract is not to exceed \$150,000 per the FY 25 approved budget. The contract term is through June 30, 2025.

Consider a revised Preliminary Application from William Jordan Hall and Margaret Hall.

The Engineering Director stated William Jordan Hall and Margaret Hall submitted a preliminary application for sewer service outside the City limits. The property is located at 520 Crestmont Dr. SE, Concord, NC 28025. The property is a 4.52-acre existing single-family residential parcel located within the Cabarrus County jurisdiction and is zoned RM-1 (in ETJ).

She stated the applicant stated his existing septic system is failing. City water is available to this parcel; however, the existing well is in compliance and functional, and the applicant wishes to remain on well water. The applicant does not wish to be annexed. The parcel is contiguous to City of Concord limits on two sides.

Consider a revised Preliminary Application from Christopher Burren and Kelley J. Burren.

The Engineering Director stated Christopher Burren and Kelley J. Burren submitted a preliminary application for sewer service outside the City limits. The property is located at 441 Scalybark Tr., Concord, NC 28027. The property is a 1.01-acre existing single-family residential parcel located within the Cabarrus County jurisdiction is zoned LDR. City water is not available to this parcel.

Consider a revised Preliminary Application from John P. and Peggy S. Furr.

The Engineering Director stated John P. Furr and Peggy S. Furr submitted a preliminary application for sewer service outside the City limits. The property is located at 1037 Manassas Dr., Concord, NC 28027. 4.28-acre parcel located in Area B of Cabarrus County is zoned LDR. The applicant is proposing a single family home. City sanitary sewer is not available to this parcel.

Consent Agenda:

There were no comments regarding the consent agenda.

* * * * *

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk