

CONCORD CITY COUNCIL
WORK SESSION
AUGUST 11, 2020

The City Council for the City of Concord, North Carolina, held a work session on August 11, 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
Various Department Directors

* * * * *

The following agenda was presented for discussion:

Public Hearings: – the public hearings were opened at the August 11, 2020 Work Session and continued to the August 13, 2020 City Council meeting to allow for the required 24 hour written comment period for virtual hearings:

Conduct a public hearing to consider adopting a resolution on the matter of abandoning a portion of the right-of-way of the former location of Wilshire Ave. SW between Old Charlotte Rd. SW and the new alignment of Wilshire Ave SW.

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 and Neighborhood Services Director, Steve Osborne, stated the applicant, Chris Lucas, owns the property on both sides of the right of way proposed for abandonment. He also stated all requirements, per the NC General Statutes, for the closure of a right-of-way were met.

There were no speakers signed up to speak in favor or in opposition to the public hearing. Therefore, a motion was made by Mayor Pro-Tem Sweat and seconded by Council Member McKenzie to table the public hearing for further consideration until August 13, 2020 at 6:00 p.m.—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

Conduct a public hearing and consider adopting an ordinance for annexation of a portion of a parcel (+/- 1.135 acres) located generally east of HWY 601 South and south of NC Hwy 49 North (3505 US Hwy 601 South).

A motion was made by Mayor Pro-Tem Sweat and seconded 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, Starla Rogers, stated the petitioner is Jerry Rigsby of Cambridge Corners LLC. The property is a portion of parcel number 5539-94-4060 (3502 US Hwy 601 South). She stated the majority of the parcel (62.03 acres) was annexed into the City limits on January 14, 1999. However, the subject 1.135 acres was omitted for unknown reasons. She explained that Mr. Rigsby submitted a preliminary plat for the development of townhomes over the entire parcel and annexation of the subject property is necessary to complete the project as currently designed.

Jerry Rigsby, Manager, Cambridge Corners, LLC, spoke in favor of the request.

There were no further speakers signed up to speak in favor or in opposition to the public hearing. Therefore, a motion was made by Mayor Pro-Tem Sweat and seconded by Council Member McKenzie to table the public hearing for further consideration until August 13, 2020 at 6:00 p.m.—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

Presentations of Petitions and Requests:

Consider approving an amendment to the Cabarrus County Parking Deck Interlocal Agreement between Cabarrus County and the City of Concord.

The Planning and Neighborhood Development Director stated in October 2018, Cabarrus County and the City of Concord entered into the Cabarrus County Parking Deck Interlocal Agreement. The City authorized a contribution of \$3,000,000 to the cost of construction of the project. In return for the City's contribution, the County agreed to designate 142 parking spaces in the completed deck for the City's use. The existing agreement designates 50 of the City's spaces as reserved individual spaces. The remaining 92 are located in the general use area of the parking deck. The existing agreement only allows the City to collect revenue on the 50 spaces. Any revenue derived from the other 92 spaces must go to the County. The proposed amendment gives the City flexibility to lease and collect revenues on all the 142 spaces. The proposed amendment leaves flexibility in the future to assign individual spaces if the County mutually agrees. If approved, the amendment would go to the Cabarrus County Commissioners for their approval.

Consider approving the appropriation of Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding in the amount of \$149,818.08 to Prosperity Unlimited to respond to immediate community mortgage needs related to COVID-19.

The Community Development Manager, Mary Carr, stated Concord was awarded \$400,339 in CARES Act funding to respond to the growing effects of the historic public health crisis. As of August 11, 2020, Council has allocated \$250,520.92 to various agencies to assist with these immediate needs of Concord residents.

She stated one area of growing concern is the potential loss of housing for many Concord residents who are facing eviction or foreclosure due to COVID-19 related job loss. Staff received a request for the remaining CARES funding of \$149,818.08 to be allocated to Prosperity Unlimited to provide mortgage assistance following, to the greatest extent feasible, guidelines set forth in the former Foreclosure Prevention Fund that was implemented by the North Carolina Housing Finance Agency. If approved, Prosperity Unlimited will aid residents who have suffered a job loss due to COVID-19 with mortgage assistance, help develop a crisis management budget, educate them about possible options to prevent foreclosure and assist with mitigation options if needed.

Consider adopting a spending plan as proposed by the City Manager to spend the remaining balance of \$1,145,979.33 of the City allocated \$1,252,112.42 received from Cabarrus County as part of the Coronavirus Relief Fund (CRF) established under the federal CARES Act.

The City Manager stated North Carolina counties are receiving funding as part of the Coronavirus Relief Fund (CRF) established under the federal CARES Act. The CRF allocation for Cabarrus County totaled \$3,771,761 during Round 1 and \$4,200,908 during

Round 2 for a grand total of \$7,972,669. The City of Concord has already been reimbursed \$106,133.09 by Cabarrus County for COVID-19 related expenses that were submitted to Cabarrus County for review on June 18, 2020 and has since then received the remaining balance of \$1,145,979.33.

The Emergency Management Coordinator, Ian Crane, stated the proposed spending plan would allocate the remaining CARES Act funding to the following: CCM (utilities/rent), Community Free Clinic, Salvation Army, Opportunity House, Meals on Wheels, Dream Center, Big Brothers Big Sisters, Academic Learning Center, El Puente Hispano, Boys and Girls Club, Cleanup (post 1st reimburse), Expenses (since 1st reimburse), and City (future expenses).

Consider making an appointment to the Historic Preservation Commission (HPC) and to the Barber Scotia Property Task Force Committee.

Mayor Dusch stated Aimee Cain has applied to serve on the HPC and it is recommended that she be appointed. He also stated it has been requested that Shanell Varner, Cabarrus EDC, be appointed to serve on the Barber Scotia Property Task Force Committee to replace Robbie Carney.

Consider awarding a bid for construction of concrete foundations at the new Delivery 6 / Substation P site on Heglar Rd.

The Electric Systems Director, Bob Pate, stated staff received formal bids on July 27, 2020 for the construction of concrete foundations that will be used to construct Delivery 6 / Substation P. Three (3) bids were received and evaluated by staff. The lowest qualified bidder was GridTech Power in the amount of \$349,662.

Consider adopting a project ordinance for additional funding for the implementation of the AMI metering project.

The Water Resources Director, Jeff Corley, stated the additional funding of \$500,000 will allow the continued remediation of water devices already deployed and continue the deployment of water devices into remaining areas. The additional funding will be allocated from savings in other water projects in the previous year.

Consider authorizing the City Manager to negotiate and execute a contract with Cleary Construction, Inc. for the installation of the Poplar Tent Rd 24-inch Water Line Extension.

The Water Resources Director stated this new water line will further facilitate the pressure zone changes associated with the construction of the Hwy 29 water tank. The project was bid under the formal bidding process. Bids were taken on July 28, 2020 and 7 bids were received. The lowest responsible bidder was Cleary Construction, Inc. in the amount of \$2,762,964.05, which is within budget.

Consider a Preliminary Application from Carolina Development Services. In accordance with City Code Chapter 62, Carolina Development Services has submitted a preliminary application to receive water and sewer service outside the City limits.

The Engineering Director stated Carolina Development Services submitted a preliminary application to receive water and sewer service outside the City limits. The properties are located along Hwy 601 and total area is approximately 436 acres. Some of the properties are within Midland Town limits and all are outside Concord's planning area. The parcels are currently zoned OI, LI, and CR. The applicant proposes to develop with a mixed use development. There are no concerns over capacity and the applicant would be required to install any and all necessary infrastructure necessary to serve the proposed development.

There was some discussion regarding the City of Concord providing utility service to the parcels located within the Town of Midland.

The City Attorney explained the City of Concord currently has a sewer service agreement with the Town of Midland and, per that agreement, the City is required to provide service to the areas within the Town of Midland as long as there is capacity to do so.

Council Member McKenzie asked if the Town of Midland is requiring the developer to annex into Midland's corporate limits. The City Attorney stated that is unknown.

Council Member King stated that he would like to know Midland's opinion regarding the development. The Engineering Director stated that she did send the preliminary application and maps provided by the developer to Midland staff for their information.

Additional discussion was held in regards to flow capacity to Midland.

Consent Agenda:

A motion was made by Council Member Parsley and seconded by Council Member Langford to move Items E and F to the regular agenda for further discussion—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley and Sweat; Nay – none.

E. Consider adopting an ordinance to amend the General Fund to include the funding for the annual street resurfacing contract for the prior year.

The City Manager explained that details of the final resurfacing contract were not completed in time to enter a purchase order in June. Therefore, staff recommended that these funds be appropriated in the current year budget so the contract can be finalized and the work can be performed. The total amount of this amendment is \$5,898,823 with \$2,205,000 of this amount being taken from Powell Bill reserves.

A motion was made by Council Member King and seconded Mayor Pro-Tem Sweat to move Item E back to the Consent Agenda—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none.

F. Consider amending Article 8.18, Social Media Policy, of the City of Concord Personnel Policy and Procedures.

No discussion was needed. Therefore a motion was made by Council Member McKenzie and seconded by Council Member Langford to move Item F back to the Consent Agenda—the roll call vote: Aye – Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay – none

* * * * *

Matters not on the Agenda:

Updates:

TAC – no update to report
 MTC – no update to report
 Concord/Kannapolis Transit Commission – no update to report
 Centralina Council of Government (CCOG) – update provided
 WSACC – no update to report
 Public Art Advisory Committee – no update to report
 Concord Family Enrichment Association – no update to report
 PTT Committee – no update to report
 Barber Scotia Task Force Committee – update provided

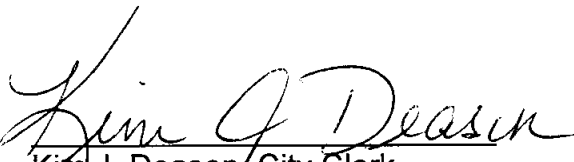
* * * * *

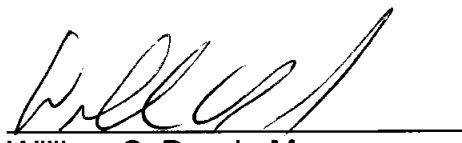
A motion was made by Council Member McKenzie, seconded by Council Member Small, to conduct a closed session in accordance with N.C. General Statute 143-318.11 (a)(5) to establish the position to be taken in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property located at 7429 Rueben Linker Road, currently owned by Timothy Stewart and to be acquired for the purpose of an electrical substation; and 2 parcels Located at 2700 Concord Parkway South, currently owned by Morrison Farm and Timber, LLC also to be acquired for the purpose of an electrical substation—the roll call vote: Aye: Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay: none.

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

* * * * *

There being no further business to be discussed, a motion was made by Council Member Parsley and seconded by Council Member Langford to adjourn—the roll call vote: Aye: Langford, King, Small, McKenzie, Crawford, Parsley, and Sweat; Nay: none.


Kim J. Deason, City Clerk


William C. Dusch, Mayor