

CONCORD CITY COUNCIL
WORK SESSION
AUGUST 10, 2021

The City Council for the City of Concord, North Carolina, held the scheduled City Council Work Session on August 10, 2021, beginning 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 Ella Mae P. Small
Council Member JC McKenzie
Council Member Jennifer Parsley-Hubbard
Council Member John A. Sweat, Jr.

Others Present:

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

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A motion was made by Council Member Langford and seconded by Council Member Sweat to hear the following agenda item first—the vote: all aye.

Consider amending the City's sign ordinance to extend the allowable time periods for posing temporary banners.

Cabarrus Regional Chamber of Commerce Executive Director, Barbi Jones, stated Chamber members have requested the 14 and 30-day limits on temporary banners be lifted until five days after the federal unemployment benefits expire. This will allow businesses to be able to advertise for help in an affordable manner.

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The following agenda was presented for discussion:

Presentations:

Presentation of retirement plaque to Canine Bendix for seven years of service as a Police Canine for the City of Concord Police Department.

Presentation of retirement plaque to Code Enforcement Manager Chuck Brock for over 30 years of service with the City of Concord.

Recognition of the City of Concord Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2020.

Presentation of Certificate of Appreciation to Todd Phillips for his 10 years of service to the Concord ABC Board.

Unfinished Business:

Continue a public hearing to consider amending Section 8.8.4 of the Concord Development Ordinance (CDO) and Section 58-256 (c) of the City Code of Ordinances

to clarify the use of recreational vehicles as residences.

The Deputy Planning and Neighborhood Development Director, Kevin Ashley, stated staff researched other towns and municipalities and could not find any instances where RV use is permissible during the construction of a single-family home. He stated if Council wishes to pursue this option, staff has drafted the amendment to allow for RV use for 365 days.

Continue a public hearing to consider renaming a section of Roberta Church Rd to Elmwood Pl SW.

The Planning and Neighborhood Development Director, Steve Osborne, explained that Cabarrus County no longer titles streets with full proper names of individual persons. He explained the process should the Council wish to move forward with the proposed Dwight Morrison Place as the new name. He stated that portions of the proper names are acceptable and do not require a resolution. He further stated Elmwood Place or Dwight Place are acceptable names and Cabarrus County has concurred with those as well.

Public Hearings:**Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 to consider offering a contract for a seven-year / 85% tax based Economic Development Incentive Grant to Ball Metal Beverage Container Corp (Project Aquamarine Component 1) to locate at 2321 Concord Pkwy, S in Concord, NC.**

Cabarrus EDC Recruitment Project Manager, Samantha Grass, explained the request.

Ms. Grass stated Ball Metal Beverage Container Corp. proposes to develop an 800,000 SF four-line beverage packing facility at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$383,874,400 in real and personal property. They also plan to create 220 jobs with an average annual salary for all new positions estimated at \$70,555. The total value of the City's seven year grant is estimated to equal \$7,359,514 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$1,298,738 after the incentive payments.

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 to consider offering a contract for a seven-year / 85% tax based Economic Development Incentive Grant to RRB Beverage Operations Inc (Project Aquamarine Component 2) to locate at 2321 Concord Pkwy, S in Concord, NC.

Ms. Grass stated RRB Beverage Operations Inc. proposes to develop a 1,400,000 SF factory, distribution, and office space at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$553,000,000 in real and personal property. They also plan to create 323 jobs with an average wage of \$50,387. The total value of the City's seven year grant is estimated to equal \$11,152,354 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$1,968,062 after the incentive payments.

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 to consider offering a contract for a seven-year / 85% tax based Economic Development Incentive Grant to Red Bull North America, Inc (Project Aquamarine Component 3) to locate at 2321 Concord Pkwy, S in Concord, NC.

Ms. Grass stated Red Bull North America, Inc. proposes to develop an 800,000 SF regional distribution center at the Grounds at Concord (2321 Concord Pkwy S, Concord, NC) with a projected investment of approximately \$140,000,000 in real and personal property. They also plan to create 90 jobs with an average wage of \$50,367. The total value of the City's seven year grant is estimated to equal \$2,951,227 dependent on the actual investment. The City of Concord would still collect a 7-year net revenue of \$520,805 after the incentive payments.

Conduct a public hearing to consider adopting an ordinance amending the official

zoning map for +/- 3.366 acres located at 2183 Heqlar Rd from Cabarrus County LDR (Low Density Residential) to City of Concord RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan from Rural to Suburban Neighborhood.

The Planning Manager, Starla Rogers, stated the Planning and Zoning Commission heard the petition at their July 20th meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from Cabarrus County LDR (Low Density Residential) to City of Concord RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan from "Rural" to "Suburban Neighborhood."

The property was annexed on a voluntary basis (ANX-02-21) with an effective date of June 10, 2021. At that hearing, the petitioner indicated as part of their annexation request that the purpose for annexation was to rezone to RM-1 (Residential Medium Density), which would necessitate a Land Use Plan amendment to Suburban Neighborhood, and develop the site with single-family detached dwellings. The property has a Future Land Use designation of "Rural" which specifies a density of one unit per three acres. Both the Buffalo Ranch and Bedford Farms developments are designated "Rural," but were approved prior to the adoption of the 2030 Land Use Plan in 2018 and have lot sizes/densities that are more similar to those permitted in the "Suburban Neighborhood" designation. The "Rural" designation does not permit RM-1 zoning as a corresponding zoning district and therefore a Land Use Plan amendment to "Suburban Neighborhood" would be needed to accommodate the proposed zoning.

Conduct a public hearing to consider adopting an ordinance amending the official zoning map for +/- 0.64 acres located on the southwestern side of the intersection of Freeze Ave, NW and St. James St, NW from Neighborhood Commercial (B-1) to Residential Compact (RC) to Residential Compact Conditional District (RC-CD).

Planner, Katherine Godwin, stated the Planning and Zoning Commission heard the above referenced petition at their July 20, 2021 public hearing and acted to approve the request, by a unanimous vote, with conditions. In accordance with Concord Development Ordinance section 3.2.4-B "Any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the action to the City Council. The appeal shall be filed by giving notice in writing to the Administrator as designated by the City Manager within fifteen (15) days of the decision of the Planning and Zoning Commission. The City Council shall place the item on the next available City Council agenda." An appeal was submitted on July 28th by Mr. Pete Barnhardt and wife Mrs. Carolyn Barnhardt. Therefore, the request was forwarded to City Council for reconsideration of the rezoning request.

Presentations of Petitions and Requests:

Consider authorizing the City Manager to negotiate and execute a contract with McGill Associates, PA for Construction Phase Services for the Union Streetscape Improvements Project.

The Planning and Neighborhood Development Director stated the fee for Construction Phase Services from McGill is \$211,135 and will be invoiced based on time and materials. The contract is separated into three parts: Construction Assistance Services, Design Modifications, and Construction Observation Services. The amount budgeted for the construction contract is \$420,000, which is under budget.

Consider approving the lighting design and authorizing the City Manager to negotiate and execute a sole source contract with Illuminating Concepts Inc, LLC for Intellistreets Light Poles & Associates as part of the Union Streetscape.

The Planning and Neighborhood Development Director stated the poles will have wireless audio, multicolored indicator LED's, adjustable flood light control, wireless switch receptacle control, thinnest LED banners in the industry, and concealed wifi. If Council concurs, the plan will be to transition the existing poles from green to black and to replace the poles as the streetscape is expanded. Total cost is \$865,764, which is \$108,170 less

than budgeted.

Consider approving the purchase of 26, 30, 34. & 69 Powder Street, NW, 224 Cabarrus Avenue, E and 243 Corban Avenue, SW from the estate of Barry K. McClamrock for \$150,050 using City Affordable Housing funds.

The Planning and Neighborhood Development Director stated an offer, contingent on Council approval, has been made and accepted by the estate attorney for \$150,050, which is the total tax value of all properties. The City's affordable housing allocation would be used for the purchase.

Consider recognizing the Woodbridge Homeowner's Association into the City's Partnership for Stronger Neighborhoods program.

The Public Outreach Coordinator, Katherine Ramirez, stated Woodbridge is a residential, certified NC Wildlife friendly community of 49 Asheville-inspired patio homes located on Davidson Highway. The recently completed neighborhood is on Stonecroft Lane NW and Zemosa Lane NW. They submitted all the required documentation for recognition.

Consider adopting a resolution giving preliminary approval for the issuance of multifamily housing revenue bonds to finance the acquisition, rehabilitation, and equipping of The Greens of Concord.

The Finance Director, Jessica Jones, stated The Greens of Concord Apartments, LP (the "Company") has requested that the City issue multifamily housing revenue bonds in an amount not to exceed \$24 million to provide financing for the acquisition, rehabilitation and equipping of the Greens of Concord. The City will have no legal responsibility or liability whatsoever for the payment of principal or interest on the proposed bonds, and the bonds will not affect the City's debt ratios or legal debt limits. All costs and expenses in connection with the financing and the acquisition, rehabilitation and equipping of the Development, including the reasonable fees and expenses of the City's counsel and bond counsel will be paid from the proceeds of the Bonds or by the Company.

Jordan Richter, the developer, was in attendance to answer any questions the Council had.

Council Member McKenzie asked if there would be any displacements while the renovations were being completed. The developer stated there would not be any displacements. He explained how the rehabilitation would be completed while residents are still on site. He also stated he is projecting it will take approximately 10 months to complete the renovations.

Consider adopting an ordinance to temporarily close Cabarrus Avenue, W between Market Street, SW and Church Street, S for the Concord International Festival to be held October 2, 2021.

The Transportation Director, Phillip Graham, stated the road closure is needed for the safety of those attending the Concord International Festival.

Consider approving and adopting the Conceptual Master Plan to develop the 28.6 acre J.E. "Jim" Ramseur Park located at 1252 Cox Mill Road.

The Parks and Recreation Planner, Jason Pauling, introduced the consultant, Andrew Pack.

The consultant stated several public surveys were conducted. He presented the findings of those surveys. Once the surveys were completed, Woolpert staff determined the top indoor and outdoor amenities that citizens stated they wanted and created two (2) concepts for Council's consideration. Concept #2 includes a Recreational Center.

Following the presentation, discussion was held regarding the two concepts.

Council Member King asked if the project could be a phased project. Mr. Pack stated yes it will be phased.

Council Member McKenzie asked if staff is recommending the Community Shelter concept be abandoned and approve the Recreational Center concept. The City Manager stated that was correct.

Consider authorizing the City Manager to negotiate and execute a contract amendment for professional services with Woolpert, North Carolina, PLLC to complete the schematic design phase for the J.E. "Jim" Ramseur Park.

The Parks and Recreation Planner stated the next step in the creation of the Park is the schematic design. He stated it could be 2025, or later, before the opening of the Park.

Consider awarding a sole source purchase order in the amount of \$320,877.36 to Reinhausen Manufacturing Inc for the purchase of two On-Load Tap Changers.

The Electric Systems Director, Alex Burris, explained the request. He stated two units were approved for purchase in June 2021. This purchase is for the remaining two that are needed.

Consider awarding a bid for one 44KV Substation Power Transformer for the Country Club Drive Substation F and one spare 100KV Power Transformer.

The Electric Systems Director stated bids were received on July 21, 2021. The bids were arranged into two schedules. Staff is recommending to award each schedule bid to the lowest bidder, Virginia Transformer Corp in the amount of \$723,634 for Schedule I and \$823,975 for Schedule II.

Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright and Ellington (TBE) to provide engineering, design, and bidding services for the South and North Gravel Parking Lot Paving and to adopt a budget amendment.

The Deputy Aviation Director, Susan Green, stated the intent of this project is to pave the existing lots and install grassed islands and landscaping to meet City of Concord development standards. The project will include asphalt pavement overlay of the existing aggregate, drain modifications for grassed islands, erosion control devices, perimeter security fencing relocation and access control system/revenue control system. The funding for the professional services will be from retained earnings at a cost of \$161,492. The airport anticipates \$2,240,445 in FY 22 to fund the construction phase of the project.

Consider authorizing the City Manager to negotiate and execute a contract with Carolina Siteworks Inc for the installation of the General Services Drive 12-inch water line replacement.

The Engineering Director, Sue Hyde, stated the project consists of the installation of approximately 941 linear feet of 12-in water main along General Services Dr from inside the Brown operation Center to Highway 49. The project was bid under the formal bidding process, bids were taken on July 13, 2021 and 3 bids were received. The lowest responsible bidder was Carolina Siteworks, Inc. in the amount of \$341,317.90, which is within budget.

Consider a preliminary application from Cedric O. Harris.

The Engineering Director stated the property is located at 9722 Dewitt Road. The parcel is currently vacant and zoned LDR. The owner is proposing to construct one single family home. Sewer is not available to the parcel.

Consider a preliminary application from Sandra S. Diffie.

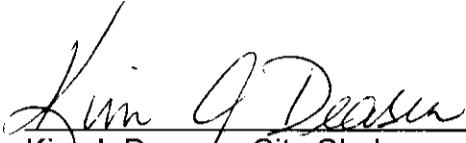
The Engineering Director stated the property is currently zoned LDR and developed with a single-family home. There is not sanitary sewer service available to this property. The owner is having problems with the well.

Consent Agenda:

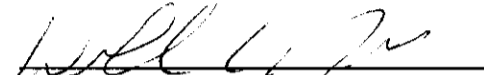
There were no comments regarding the Consent Agenda.

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



Kim J. Deason, City Clerk



William C. Dusch, Mayor