

CONCORD CITY COUNCIL  
WORK SESSION MEETING  
SEPTEMBER 12, 2023

The City Council for the City of Concord, North Carolina, held the scheduled City Council Work Session in the 3<sup>rd</sup> floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on September 12, 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

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The following agenda was presented for discussion:

**Presentations:**

Presentation of a retirement plaque recognizing Captain Duane Shinn for 29 years of service with the City of Concord.

Presentation of a retirement plaque recognizing Carson Carroll for over 16 years of service with the City of Concord Purchasing Department.

Presentation of a Proclamation recognizing September 15 - October 15, 2023 as National Hispanic Heritage Month.

Presentation of a Proclamation recognizing Saturday, September 30, 2023, as Concord International Festival Day.

Mayor Dusch presented a Proclamation recognizing October 1-7, 2023 as Public Power Week.

Presentation of the Award for Outstanding Achievement in Popular Financial Reporting and Triple Crown Award from the Government Finance Officers Association of the United States and Canada.

Recognition of the City of Concord Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2022.

**Departmental Reports:**

Staff will provide an update on the Downtown Streetscape project at the September 14<sup>th</sup> City Council meeting.

**Public Hearings:**

Conduct a public hearing to consider adopting an ordinance amending the Concord Development Ordinance (CDO) Article 12 "Sign Standards" subsection 12.4.5 "Projecting Signs" and subsection 12.4.7.B "Window Signs" to address flexibility for projection and window signage in Center City.

The Development Review Manager, Monterai Adams, stated the text amendment aims to address the feedback staff has received from business owners within the Center City zoning district regarding signage. She stated the proposed changes are applicable in the CC district, but some are also applicable in other zoning districts. She further stated the Planning and

Zoning Commission unanimously voted to recommend the amendment to Council at their August 15, 2023 meeting.

Mayor Pro-Tem McKenzie asked how staff determined increasing the maximum window sign area from 10% to 20% in Center City would be feasible. The Development Review Manager stated staff reviewed regulations from surrounding towns and cities.

### **Presentations of Petitions and Requests**

#### Consider appointing an Alternate Commission Member for the Electricities Non-Power Agencies Board of Commissioners. (Work Session)

The former Deputy Electric Systems Director previously served in this capacity prior to his retirement. Therefore, staff recommended the Deputy Services Director, Andrea Cline, be appointed to fill this position.

A motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member King to appoint Deputy Electric Systems Director, Andrea Cline, as the Alternate Commission Member for the Electricities Non-Power Agencies Board of Commissioners—the vote: all aye.

Following the vote, Mayor Dusch administered the Oath of Office to the Deputy Electric Systems Director.

#### Results of the virtual public hearing and request for Citizen input on New Federal Energy Standards

The Electrical Engineer, Fred Porter, stated a virtual public hearing was held from July 9th to August 4th to receive comments regarding Demand-Response (DR) Standards and Electric Vehicle (EV) Charging Standards as part of new requirements contained in the Federal Infrastructure Investment and Jobs Act of 2021, which amended Title I of the Public Utility Regulatory Policies Act (PURPA). He stated the amendment to PURPA required the City of Concord Electric Systems to seek public input and hold a public hearing on DR and EV standards before November 15, 2023. The public hearing notice was advertised in The Independent Tribune July 9th, 12th, and 16th with a link provided on the City's website. Staff did not receive any responses from the virtual public hearing.

He explained the amendments to Section 111(d)(20) and PURPA Section 111(d)(21) of the PURPA

Council Member Sweat entered the meeting.

#### Consider approving clarification of terms for HOME agreement between STC Coleman Mill, LLC and Concord related to the rehabilitation of Coleman Mill.

The Community Development Manager, Mary Carr, stated in April of this year, Council approved an increase to the HOME allocation for the rehabilitation of Coleman Mill to \$770,000. After discussions with the developer, clarification is needed to complete the HOME agreement.

She stated the first clarification is that the agreement will be between the City and STC Coleman, LLC, not Strategic TC Properties as approved by Council in April. This change is at the request of the attorney as STC Coleman, LLC will be the owner of the property. The second clarification is that part of the requirements for the National Parks Service required the number of units to be reduced from 152 to 150. North Carolina Housing Finance Agency just approved this change for the Tax Credit portion at the end of August. This change will not impact the seven (7) floating HOME designated units within the complex. The third clarification is the term of the HOME repayment will need to extend to 20 years as the Tax Credit terms require that no repayment be made within three (3) years post -construction. There will be the same 2% simple interest, but repayment will not begin until year three (3) after the project is complete. The balloon repayment will be made at the end of year 20. This will result in the need to also extend the affordability period to match the same 20 years as the repayment.

She stated these changes will have no impact on Concord's HOME funds earmarked for this project.

#### Consider approving construction of an aircraft viewing area for an Eagle Scout project at Fire Station 9.

The Fire Chief, Jake Williams, stated the request is from John Morrison with Troop 3 from First Presbyterian Church who is working on his Boy Scout Eagle Project. Mr. Morrison would like to construct approximately a 10' x 18' area with picnic tables on the property of Fire Station 9. This

area could be a location for aviation enthusiast who would like to view planes at the airport. This also could be an area that users of the community room could sit outside and enjoy the outdoors.

Consider allocating \$1,600,000 from the Affordable Housing Revolving Fund to WeBuild Concord to expand the Naturally Occurring Affordable Housing (NOAH) and community revitalization efforts and approve the attached budget amendment.

Mayor Pro-Tem McKenzie stated the requested funding would be used to acquire nine (9) single-family homes to rehab or repurpose to provide affordable housing rapidly to people in danger of homelessness. All of the participants in NOAH's efforts have household incomes below 50% of the AMI. With infrastructure and sewer at a premium, revitalization of the neighborhoods can be completed without slowing down on housing production.

Consider approving the Concord Co-Sponsorship application for the Atrium Health and the Flywheel Foundations' Converge South event to be held October 5-6, 2023.

The Emergency Management Coordinator, Ian Crane, stated the applicant is seeking in-kind services consisting of the following: Overnight Police patrol of their tent area on October 4, 2023 from 5pm-7am; Onsite Police Officer for the entire event site on October 5, 2023 from 7am-7pm; Overnight Police patrol of their tent area on October 5, 2023 from 7pm-7am; Onsite Police Officer for the entire event site on October 6, 2023 from 7am-5pm; and Cardboard waste boxes and removal by Solid Waste.

Consider approving amending, extending and restating a nonexclusive franchise for operation of the CMS Landfill to BFI Waste Systems of North America, Inc.

The Assistant City Manager, LeDerick Blackburn, stated staff has had several discussions with Republic Services over the last two (2) years concerning the life cycle of landfill, representatives from BFI have asked that several minor changes be made to the ordinance as the landfill space and timeline projected is diminishing. They are seeking to amend the terms of the life cycle of the landfill and extend the duration of the Franchise.

Consider authorizing the City Manager to negotiate and execute a contract with Vortex Aquatic Structures International USA for equipment purchase, stamped drawings and associated equipment for the splash pad at Caldwell Park in the amount of \$272,550.15.

The Parks and Recreation Planner, George Berger, stated construction drawings for the overall park project are being finalized. Staff is requesting authorization to contract with Vortex Aquatic Structures for the purchase of the splash pad equipment and the associated precise design plans prior to the bidding the park construction services.

Vortex is part of the NPPGov national procurement cooperative and is thus eligible to be selected for sole -source procurement, providing a discounted price from list cost. He stated if the request is approved, the design plans will be incorporated into the construction documents currently being prepared by the Alfred Benesch Company for the overall park design. Installation of the splash pad will be provided by the park's general contractor.

Consider authorizing the City Manager to negotiate and execute a contract addendum #3 with Talbert Bright & Ellington, Inc (TBE) to provide professional engineering services for modification of the existing pump discharge piping to add new isolation valves, check valves, flow switches and to design an eyewash/hand-wash station.

The Aviation Director, Dirk Vanderleest, stated the Engineering Team has highly recommended to add some additional isolation valves and check valves to the existing fuel farm while designing the additional fuel tank. Since the Jet A tanks are all interconnected these improvement will provide additional safety measures. The funding for the addendum #3 will be from NCDOT-Aviation Improvement Program Grant.

Consider authorizing the City Manager to negotiate and execute a contract addendum with Talbert Bright & Ellington, Inc. (TBE) to provide special services for the preparation of documented categorical exclusion (CATX) for the North Apron Access Road and Sediment Trap Sand Filter.

The Aviation Director stated the Federal Aviation Administration, Memphis ADO, has determined a CATX is required for both the North Apron Access Road and Sediment Trap Sand Filter, based on Section 163. The funds for the addendum will be taken from NC-DOT Aviation Airport Improvement Program grants.

Consider authorizing the City Manager to negotiate and execute a Non-Federal Reimbursable agreement with Department of Transportation, Federal Aviation Administration (FAA) for the

widen of Runway 2/20 to accommodate the modification of the Medium Intensity Approach Light System with Runway Alignment Indicator Lights (MALSR)

The Aviation Director stated FAA has determined that Runway 2/20 needs to expand from 100' width to 150' width. As result of this determination, the MALSR has to be expanded from 13 lights to 18 lights to meet design standard for the wider runway. The airport will need to include in the project new foundations, light cans, in- pavement lights for expanded threshold bar.

He stated the airport will be responsible for the installation of a new duct system and cabling for the in-pavement lights. FAA Tech Ops will be responsible for the design and oversight for this modification. Design work on these improvements will not start until sometime in FY24. The estimated cost for design and oversight is \$141,737.37.

FAA Memphis ADO has indicated that these cost are eligible as part of the construction project and can reimbursed as part of the construction cost. Construction for the widening of the runway is tentatively scheduled for Spring of 2025.

Consider authorizing the City Manager to negotiate and execute a contract with Talbert, Bright & Ellington, Inc. (TBE) to provide construction administration services for the paving of the North and South Gravel Parking Lot Paving.

The Aviation Director stated Aviation Department staff has been working with Federal Aviation Administration-Airport District Office and NCDOT-Aviation the last several years on necessary improvements to the North and South Gravel parking lots. In June 2023, Council authorized the City Manager to negotiate and execute a contract with JD Goodrum for the construction of those improvements. The proposed work authorization includes the following services: construction administration, quality assurance testing, as-built surveying, and Resident Project Representative. The Aviation Department has received a NCDOT-Aviation Airport Improvement Program grant to offset 100% of the cost.

Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright & Ellington, Inc for construction administration for the Hangar Taxilane Rehabilitation project.

The Aviation Director stated the Aviation Department is requesting authorization to proceed with Construction Administration services for the Hangar Taxilane Rehabilitation with Talbert Bright & Ellington, Inc. (TBE). The project is funded by Federal Aviation Administration and NC DOT-Aviation Airport Improvement Program Grants. The project will completely rehab all the taxilanes at Concord-Padgett Regional Airport. It is anticipated the project will take approximately 97 calendar days.

Consider awarding the total bid for the City of Concord's Spring St S Ph 1 Concrete Road Replacement to Performance Managed Construction, Inc.

The Transportation Director, Phillip Graham, stated the contract consists of the selected Contractor performing all necessary work to remove concrete roadway and repair curb and construct the proposed asphalt roadway from Wilshire to Fryling and performing other associated work as noted in the Spring Street Rehabilitation construction plans.

Three formal bids were received on August 30, 2023 with Performance Managed Construction, Inc. submitting the lowest total bid in the amount of \$2,252,240. Contract final completion date is 270 days from the Notice to Proceed.

Consider Preliminary Applications from Kapricia Reid.

The Engineering Director, Sue Hyde, stated Kapricia Reid has submitted preliminary applications for water service at three separate parcels outside the City limits. The properties are located at 640 Piney Church Road, 4511 Zion Church Road, and 4735 Rufus Court. The property at 4511 Zion Church Road is currently developed with a single family home and the applicant proposes to development the other two properties with single family homes. All parcels are zoned LDR and City sanitary sewer is not available to the parcels.

**Consent Agenda:**

There were no comments regarding the consent agenda.

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Following a 30 minute recess, the meeting reconvened for the purpose of conducting the Project Update Meeting.

## **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. Housing

Housing Director, Della Robinson, provided an update on the following project:

- Public Housing Repositioning Project

### 2. Electric

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

- Delivery 4/ Sub Q at The Grounds
- Substation V on Ruben Linker
- Substation W at Eli Lilly
- Substation T on Hwy 29

### 3. Aviation

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

- North Apron Expansion
- North and South Gravel Parking Lot Improvements
- Fuel Farm Improvements - Upgrade
- Runway Widening Design and Bid
- Fire Station #6
- Land Acquisition for General Aviation Flight School Complex Expansion (Misty Wood Neighborhood)
- Hangar Taxi Lane Rehabilitation
- North Apron Roadway Access - Design
- Remote Tower Project

### 4. Water Resources

Water Resources Deputy Director, Kevin Plemmons, provided updates on the following projects:

- Hillgrove projects (Revenue Bonds)
- Hwy 49 Transmission Main Phase 1
- Hwy 29 Booster Pump Station
- AMI

### 5. Planning

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

- McGill Avenue Project
- Coleman Mill project
- Logan Historic Register
- Bruton Smith Corridor Plan
- RRB project

### 6. Information Technology

IT Director, Michael Hausler, provided an update on the following project:

- In-house Transition

### 7. Fire

Fire Chief, Jake Williams, provided updates on the following projects:

- Joint Public Safety Training Center
- Station #6

### 8. Parks and Recreation

Parks and Recreation Interim Director, Sheila Lowry, provided updates on the following projects:

- Bond Update
  - Dorton 1 & 2

- JE “Jim” Ramseur Park
- Marvin Caldwell Park
- Academy-Gibson, McInnis Aquatic Center
- Academy-Gibson, Skate Park/Pump Track, Sculpture Garden, Community Space
- Academy-Gibson, Athletic Fields
- Hartsell
- David Phillips Activity Center Park
- Poplar Tent Trailhead Park
- Academy Recreation Center
- Greenway Update
  - McEachern Greenway
  - Coddle Creek Greenway
  - Clarke Creek Greenway
  - Hector Henry Greenway, Cannon Crossing
  - Irish Buffalo Creek Greenway

## 9. Communications

The Communications Director, Bethany Ledwell, provided an update on the following project:

- Communication Center

## 10. Public Affairs

The Public Affairs and Projects Manager, Lindsay Manson, provided updates on the following projects:

- Videos – In House and Market Street Studios
- Social Media – Facebook, Instagram, Twitter, Nextdoor
- Newsletters – City Link & City Circular
- Websites – concordnc.gov and concordbonds.com
- Media Relations
- Crisis Communications
- Marketing campaigns
- Branding – City Brand Standards Update, Downtown Concord Rebrand
- Council AV/Live Streaming
- Community Input Surveys
- Notification Systems (i.e. Everbridge – utilization for water outages, SWS, etc)
- Events & Promotions – including groundbreaking, ribbon cuttings, etc.
- Civic Education Programs – Concord 101, Public Safety Academy, 3rd Grade Civic Ed, and the various environmental ed programs (Project Wet, Project Wild, Project Learning Tree, Don’t Waste It, Educators of Excellence)
- Neighborhood Program
- Language Access Program
- Litter Abatement
- Stormwater Education
- Environmental Education & Recycling
- Mayor’s Monarch Pledge
- Sustainability Committee

## 11. Transit

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

- Bus Stop Amenity Project
- RideCo Software Implementation
- Microtransit Pilot
- Transit Center Upfit & Maintenance Projects
- Cabarrus Reentry Alliance Pilot Project
- Bus Replacement Project
- Consolidation Study update

## 12. Transportation

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

- Completed Projects from FY 23
  - Old Charlotte Sidewalk
  - Derita (Concord Mills to PT)
  - Concord Mills Flyover
- Concrete Roads – Spring Street Update
- PIP Project Update

- Glenn, Crowell, Cedar, Elm
- Internal Construction
- Brookwood Ave Enhancements (w/ Complete Street typical & Greenway tunnel) NC-3 to Church St.
- US 601 at Flowes Store Road Improvements
- Lincoln St Bridge Update
- Poplar Tent Corridor Update
  - PT at Harris Rd. Intersection
  - Poplar Tent Rd. Widening from US-29 to Derita Rd. (U-3415 A&B)
  - Poplar Tent Rd. Widening from Derita to NC 73 (U-6029)
  - Poplar Tent/Rock Hill Ch Intersection Improvement
- I-85 Widening / Branding Monuments
- NCDOT Projects
  - Bruton Smith Sidewalk
  - Union Cemetery Realignment
  - Derita (485 to Concord Mills)
  - Bridges (Stough Road, US 29, Old Airport)
- ITS/Signal System Updates

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 Stocks and seconded by Mayor Pro-Tem McKenzie—the vote: all aye.

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William C. Dusch, Mayor

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Kim J. Deason, City Clerk