

CONCORD CITY COUNCIL
WORK SESSION MEETING
MARCH 12, 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 March 12, 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 Terry L. Crawford
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 Stocks and seconded by Council Member Langford to add the following item to the agenda for consideration—the vote: all aye.

Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.

In accordance with CDO Article 5, the following final plats and easements are now ready for approval: 212 McGill Ave, Upper Room. Various utility easements and public rights-of-ways are offered by the owners.

A motion was made by Council Member Stocks and seconded by Council Member Langford to accept the Offer of Dedication for 212 McGill Ave, Upper Room—the vote: all aye.

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The following agenda was presented for discussion:

Presentation of a retirement plaque recognizing Division Chief Mark Goodman for 28 years of service with the City of Concord.

Presentation of a Proclamation recognizing March as Women’s History Month.

Departmental Reports:

Downtown Streetscape update

Planning and Neighborhood Development Services staff and CDDC staff will provide an update at the Thursday, March 14th, City Council meeting.

Parks and Recreation Bonds update

Parks and Recreation staff will provide an update at the Thursday, March 14th, City Council meeting.

The Boulevards of Concord Corridor Study progress update

Bolton & Menk will present a progress update of The Boulevards of Concord Corridor Study (Concord Mills/Bruton Smith Blvd) at the Thursday, February 8th, City Council meeting.

Public Hearings:

Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider entering into a new economic development agreement with Fortius -Richardson, LLC for one year to allow for the third and final payment associated with the grant previously approved in 2018, that has since expired, for a three year / 85% tax based Economic Development Incentive Grant. (Project Meadows, Building 1, located at 703 Pitts School Road NW.)

The Cabarrus Economic Development Corporation (EDC) Project Manager, Samantha Grass, explained the request.

She stated Project Meadows, Building 1, was developed with a 112,000 SF building and site improvements. The proposed capital investment at the time of the original agreement was \$5.9 million. Fortius-Richardson LLC's proposed investment has met the requirements as set forth under the City of Concord Economic Development Incentive Program. The proposed final grant payment would be approximately \$45,000.

Conduct a public hearing for case Z(CD)-19-23 and consider adopting an ordinance amending the official zoning map for +/- 79.29 acres located at 100 & 172 Pitts School Rd. from C-2 (General Commercial District) and I-1 (Light Industrial District) to I-1-CD (Light Industrial – Conditional District) and I-2-CD (General Industrial Conditional District) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcels from “Mixed Use Activity Center” to “Civic/Institutional.”

The Planning and Neighborhood Development Services Planning Manager, Autumn James, stated the Planning and Zoning Commission heard the above referenced petition at their February 20, 2024 meeting and voted to forward the request to City Council with a recommendation that the zoning map be amended from C-2 (General Commercial District) and I-1 (Light Industrial District) to I-1-CD (Light Industrial – Conditional District) and I-2-CD (General Industrial Conditional District) and to amend the 2030 Land Use Plan to designate the parcels as Civic/Institutional.

Presentations of Petitions and Requests:

Consider authorizing the City Manager to negotiate and execute a contract with J.D. Goodrum Co., Inc. for the Fuel Farm Expansion at Concord-Padgett Regional Airport.

The Aviation Director stated Aviation staff initiated a 20,000 gallon Jet A tank expansion project along with improvements to the fuel pump system, roadway, lighting, oil water separator and catwalks. The scope of work was approved for funding by NCDOT-Aviation in 2023. The Aviation Department received three sealed bids on January 11, 2024. After review by NCDOT-Aviation, it was determined that the low bidder was non-responsive in meeting its MBE/WBE goal on the project.

The project was re-advertised on February 16, 2024, with a revised construction estimate of \$1,357,600 and additive alternate bid of \$144,000 for a total amount of \$1,501,600. Only one bid was received; J.D. Goodrum Co., Inc. The base bid was \$1,409,894.94 and additive alternate bid of \$220,501.06 for a total of \$1,632,396.

Consider recognizing the Haven at Rocky River Homeowners Association in the City's

Partnership for Stronger Neighborhoods program.

The Community Outreach Coordinator, Raeshawn Palmer, stated the neighborhood is located in the southern portion of the City and has 140 single-family detached homes. The HOA board was newly established in November 2023. Officers for the Association are President Casey Getchell; Vice President Omekia Murray; and Treasurer Jennifer Peduto. By approving their inclusion in the program, the City would have a total of 78 recognized neighborhoods in the Partnership for Stronger Neighborhoods.

Consider recognizing the Roberta Ridge Homeowners Association in the City's Partnership for Stronger Neighborhoods program.

The Community Outreach Coordinator stated the neighborhood has 206 single-family detached homes is located off of Roberta Road in Concord. The HOA board was newly established in August 2023. Officers for the Association are President Vanessa Hampel; Vice President Cecil Hutchley; Secretary Kimberly Osterhout; and Treasurer Sreedhar Kanduri. They have submitted all the required documentation for recognition. By approving their inclusion in the program, the City would have a total of 79 recognized neighborhoods in the Partnership for Stronger Neighborhoods.

Consider awarding a bid in the amount of \$257,187.07 to Pike Electric, LLC for the construction of Substation V at 7437 Ruben Linker Rd.

The Electric Systems Director, Alex Burris, stated Substation V site-work, grading, and subsurface construction is now complete. Bid specifications for construction of the steel bus were developed, and an informal bid was held on February 20, 2024.

He stated four construction firms submitted bids and were evaluated by staff for adherence to specifications. Pike Electric, LLC was deemed to be a responsive and responsible bidder at \$257,187.07. Upon a Notice to Proceed letter, Pike Electric, LLC will have 120 days to perform the work

Consider approving the Public Art Commission's FY24 Project Recommendation.

The Public Art Commission Chairman. Doyle Bussey, stated the Concord Public Art Commission is establishing identity, education on best practice, and development of public art policy and coordination. As a first project, in partnership with the efforts of the City on the development & opening of the new Downtown Streetscape, the Commissioners propose the initiation of an annual Concord Revolving Art Show Program focused on the Downtown Streetscape.

He stated the Commissioners are requesting to contract a Curator to help coordinate, develop materials on, and establish the new year-long program, including recruiting artists for four loaned sculptures, and one commissioned mural in the inaugural year. FY24 allocated funding up to \$25,000 is budgeted to include payment to the curator, appropriate stipends to participating artists, and contingencies.

Consider approving the Public Art Commission's FY25 Annual Work Plan and authorize the Commission to execute five (5) proposed projects.

The Public Art Commission Chairman stated the Commission is requesting \$35,000, as new funding in FY25, to achieve public art in five project areas. As presented in the Public Art Master plan (2023), the Commission has evaluated and continues to recognize opportunities for City-owned facilities.

He stated, if approved, Commissioners will coordinate with staff to facilitate community input surveys, contracts, and project management and will continue City-wide assessment for future projects.

Consider authorizing the City Manager and staff to move forward with the final design and

the bidding process for the renovations to McInnis Aquatic Center, located at 151 Academy Ave., as part of the bond referendum project.

The Parks and Recreation Director, Sheila Lowry, stated the firm Benesch began the design development for the pool project in February 2023. Based on site constraints, only a pool renovation could be considered rather than a pool expansion. The renovations include adding a zero-entry feature to improve accessibility to the pool; along with the addition of a water feature and bubblers, and renovations to the existing pump building for equipment needed for the water feature and bubblers.

She stated staff is planning to put the project out to bid in May or June of 2024.

Consider authorizing the City Manager to negotiate and execute a professional services contract to RL Conrad Associates, LLC to provide Transportation Planning services for the Cabarrus Rowan Metropolitan Planning Organization (CRMPO).

The Transportation Deputy Director stated the current contract for CRMPO Administration and Transportation Planning Services is expiring on June 31, 2024. Staff advertised a Request for Letters of Interest due February 5, 2024. RL Conrad Associates, LLC was the only submittal and was subsequently selected by a review of representatives from member jurisdictions (Cabarrus and Rowan Counties) as well as NCDOT staff. Negotiations are underway with RL Conrad Associates, LLC on the fees which will have to be approved by Office of Inspector General's Office at NCDOT. The contract time is for one year with an optional one year renewal.

Consider adopting a resolution requesting NCDOT to abandon SR-1310 (Dwight Pl., NW) to the City of Concord.

The Transportation Deputy Director stated Dwight Pl., SW is a connection from US 29 to 3 residential roads on the City of Concord road network; Oakview Dr., SW, Harp Dr., SW, and Windswept Rd., SW. The use of the road dramatically decreased upon the construction of George Liles Pkwy, functioning as a local facility more than a typical NCDOT route. Transferring Dwight Pl., SW to City maintenance will also streamline future development interest.

Consider awarding the total bid for the City of Concord's Lincoln Street Bridge Replacement project to Kemp Sigmon Construction LLC and approve the attached budget ordinance to appropriate funds from reserve funds.

The Transportation Deputy Director stated the replacement of the bridge includes removing the existing bridge structure, asphalt pavement, curb and gutter, and sidewalk, and constructing the new bridge structure, asphalt pavement, curb and gutter and sidewalk per the Bridge Replacement of Lincoln Street Crossing Irish Buffalo Creek plan set.

He stated formal bids were received on February 13, 2024. The bids were rejected. A new Formal Bid contract was advertised and opened on February 29, 2024 with Kemp Sigmon Construction LLC submitting the lowest total bid in the amount of \$2,743,739.58. Contract is to be completed for vehicular access 270 Days from the Notice to Proceed and the Final Completion date is 360 days from the Notice to Proceed.

Council Member Stocks expressed her appreciation to Assistant City Manager Blackburn and City staff for speaking with the community in regards to this project.

Considering authorizing the City Manager to negotiate and execute a contract with Harper General Contractors for the completion of the Hillgrove Water Treatment Plant improvements project in the amount of \$14,730,000.

The Water Resources Director explained the project was formally bid with bids being originally opened on January 25, 2024. After opening, one bid was deemed invalid due to a bid bond issue. All bids were rejected and the project was re-advertised as required. Bids

were again received on February 6, 2024 but only two were received. These bids were not opened and the project was again re-advertised according to formal bidding rules. The final bid opening occurred February 14, 2024 with two bids received and both determined to be valid. Harper General Contractors is the low bidder. This project is part of the revenue bond package.

Council Member Langford asked when the project would be completed. The Water Resources Director stated it is estimated to take two (2) years to complete.

Considering authorizing the City Manager to negotiate and execute a contract with Armstrong Glen, P.C. for engineering, design, permitting and bid phase services for the Farmwood Culvert Replacement project in the amount of \$165,000.

The Water Resources Director stated this project will replace several aging metal culvert pipes with new larger concrete box culverts. The City publicly advertised an RFQ for project services and Armstrong Glen, P.C. was the selected consultant.

Consider authorizing the City Manager to negotiate and execute an addendum to the contract with D.R. Reynolds for the Construction of the new Fire Station 6.

The Fire and Life Safety Chief, Jake Williams, explained the request. The Police Chief, Jimmy Hughes, and the Engineering Director, Jackie Deal, were available to answer any questions from the Council.

The Fire Chief stated the new station will provide response services for airport operations, an engine company and a police district office.

D. R. Reynolds Company Inc. is currently under contract for pre-construction services related to the design and construction of the new Fire Station 6. D. R. Reynolds has submitted a guaranteed maximum price (GMP) for construction services which includes furnishing and delivering all materials and performing all work in the manner and form as provided by the approved design drawings and specifications from the pre-construction phase.

The guaranteed maximum price is made up of the following costs: cost of the work, builders contingency, general requirements cost, bonds and insurance and design builder fee. The GMP submitted by D.R. Reynolds is \$11,793,800, and \$310,000 is requested to be allocated for Furniture Fixtures and Equipment (FFE), for a total requested of 12,193,800.

Consider authorizing the City Manager to negotiate and execute a contract with Liles Construction in the amount of \$295,701.47 for the renovation of Fire Station 7 to provide additional space for the Charlie District Substation.

The Police Chief stated the proposal is to renovate approximately 3,000 square feet of Fire Station 7 for the use of Charlie District. This renovation will provide additional office space, shower facilities, equipment room and a breakroom.

The project was bid under the informal bidding process, bids were taken on February 22, 2024, and 5 bids were received. The lowest responsible bidder was Liles Construction in the amount of \$295,701.47.

Consider appointing a voting delegate for the NCLM CityVision 2024 conference.

Mayor Dusch stated CityVision 2024 will be held April 23-25 in Winston-Salem. Each member municipality is asked to designate one voting delegate who is eligible to cast a single vote for the 2024-2025 League Board of Directors in advance of the annual business meeting.

Consider amending Alan Benson's term on the ABC Board to expire June 30, 2025.

Mayor Dusch explained Mr. Benson was appointed to the ABC Board in November 2021 to fill an unexpired term. Due to this, it is recommended his term be extended until June 30, 2025.

Consent Agenda

There were no comments regarding the consent agenda.

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A motion was made by Council Member McKenzie and seconded by Council Member Crawford 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 industries or other businesses in the area served by this public body—the vote: all aye.

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk