

CONCORD CITY COUNCIL
WORK SESSION MEETING
MAY 7, 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 May 7, 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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The following agenda was presented for discussion:

Presentations:

Recognition of the Central Cabarrus High School Boys Basketball Team for winning the 2024 NCHSAA 3A Championship.

Mayor Dusch read the following Proclamation and requested it be included in the meeting minutes:

WHEREAS, the Central Cabarrus High School men's basketball team won the 2023-2024 North Carolina High School Athletic Association (NCHSAA) 3A State Championship on March 15, 2024, for the second consecutive year; and

WHEREAS, the Vikings defeated the Falcons of Seventy-First High School, 90-62, to defend their state championship title and end the season with an impressive 33-0 record; and

WHEREAS, the State Championship marked the Vikings' 65th straight victory, achieving the nation's longest winning streak of 65-0; and

WHEREAS, the Vikings have a three-year record of 95-1 and a four-year record of 107-3; and

WHEREAS, the Vikings led the country in scoring in 2023 and 2024; and

WHEREAS, the Vikings won four straight South Piedmont Conference Regular Season and won three straight South Piedmont Conference Tournaments, and

WHEREAS, the Vikings were ranked back-to-back #1 team in North Carolina by Phenom Hoop Report and HighSchoolOT, and ranked #21 by MaxPreps, #8 by BallisLife, #17 by USA Today Super 25, and #9 in The Circuit Top 30; and

WHEREAS, the City of Concord recognizes the players, Head Coach Jim Baker, the assistant coaches and staff, and the entire Central Cabarrus High School community for

their hard work and achievements throughout the school year.

NOW, THEREFORE, I, William C. Dusch, Mayor of the City of Concord, North Carolina, on behalf of the City Council, do hereby proclaim May 8, 2024, in the City of Concord as: VIKINGS DAY

Presentation of a Proclamation recognizing May 19 - 25, 2024 as National Public Works Week.

Mayor Dusch presented the Proclamation to several members of the Public Works staff.

Presentation of a Proclamation recognizing the week of May 10-16, 2024 as National Police Week.

Presentation of a Proclamation recognizing the month of May as Mental Health Awareness month.

Informational Items:

Presentation of the Wilkinson Homes Repositioning Project update by Selenium Consulting Partners.

The Wilkinson Homes Repositioning Project's objective is to demolish aging structures and reconstruct 95 affordable units and an additional 12 affordable homeownership units. The Wilkinson Homes currently spans a 7.26-acre parcel, this complex comprises 17 buildings housing a total of 46 units, including 13 one-bedroom, 21 two-bedroom, 10 three-bedroom, and 2 four-bedroom units. Leveraging HUD's Residential Assistance Demonstration (RAD) program, the City of Concord's Housing Department current master plan in development aims to build 107 units with varied rental rates to enhance density and affordability, fostering socioeconomic diversity within the community. The 46 existing units will cater to current public housing residents, while the remaining 49 rental units will align with HUD's fair market rent, catering to families earning 80% or less of the area median income (AMI). Key milestones for the Repositioning Project include resident updates and engagement, in addition to pre-relocation household assessment.

The Housing Director, Della Robinson, introduced Sheila Jones and her colleagues to provide the update the Mayor and Council on the project.

Council Member Stocks asked if the playground would be relocated. Ms. Jones confirmed it would be relocated within the plan.

She stated construction is anticipated to begin the first quarter of 2025 (Phase I). Construction on Phase I is estimated to take 18 months. There is currently no timeline for Phases II and III.

Following the presentation, questions and discussions were had regarding tenant locations during the infrastructure upgrades.

Departmental Reports:

Parks and Recreation Bonds update

Staff will provide an update at the May 9, 2024 City Council meeting.

Streetscape Update

Staff will provide an update at the May 9, 2024 City Council meeting.

Public Hearings:

Conduct a public hearing to consider adopting a resolution approving an amendment to an installment financing contract.

The Finance Director, Jessica Jones, explained the City is planning to issue Limited

Obligation Bonds to finance the costs of constructing, equipping and furnishing a fire station and police substation to be located at the Concord-Padgett Regional Airport. If rates are advantageous, the City will also refinance the 2014A LOBS that were used to finance the construction of City Hall.

Conduct a public hearing and consider adopting an ordinance annexing +/- 15.382 acres at 10756 & 10758 Ellenwood Rd., PINs 4670-65-6370; 4670-64-6808; 4670-65-5413 owned by Barbara Davis and Douglas & Beverly Howell.

The Planning Manager, Autumn James, stated the request is for voluntary annexation of +/- 15.382 acres of property on Ellenwood Rd. The developer has proposed to construct one hundred eight (108) rear load townhomes. If annexation is approved, the request for zoning to City of Concord RV-CD (Residential Village-Conditional) will be presented to the Planning and Zoning Commission at the June 18, 2024, meeting.

Conduct a public hearing to consider adopting an ordinance amending Article 8 “Use Regulations,” “Residential Use Categories,” and Article 14 “Definitions” of the Concord Development Ordinance (CDO) to create regulations to address “Keeping of Chickens.”

The Planning and Neighborhood Development Services Director, Steve Osborne, stated the proposed amendment would allow for the keeping of domestic female chickens on single-family detached or manufactured home residential lots, as an accessory use. Up to five (5) total chickens may be kept on a lot that is between one-half acre (0.50 ac) and one acre (1.0 ac) in area; up to ten (10) total chickens may be kept on a lot that is at least one acre (1.0 ac); and, up to fifteen (15) chicken may be kept on a lot that is at least two acres (2.0 ac) or more in area. The maximum number of chickens allowed is fifteen (15) per lot, regardless of number of dwelling units on the lot.

At their April 16, 2024 meeting, the Planning and Zoning Commission unanimously recommended the amendment to Council.

The Planning and Neighborhood Development Services Director stated a zoning clearance permit would be needed before installing a coupe. He also explained how the Planning and Zoning Commission determined the 0.50 acre lot size.

Council Member McKenzie suggested the permissible area be changed to one acre lots and above for a period of one year. After the one year period, the Council could review and make changes if need be. Council Members Sweat and Clay agreed.

Presentations of Petitions and Requests:

Consider authorizing the City Manager to negotiate and execute a contract with LandDesign, Inc. for preliminary design up to 30% full design services for Phase 3 of the Hector H Henry Greenway for the total amount of \$204,245.

The Parks and Recreation Planner, George Berger, stated the Phase 3 preliminary design will provide analysis of a multi-use path along Poplar Tent Road and preliminary design for a pedestrian/bicycle bridge over the Rocky River to provide future extension toward Derita Road as well as a direct connection to the Courtyards on Poplar Tent residential neighborhood.

Parks and Recreation staff selected LandDesign, Inc. of Charlotte through an RFQ process for professional design services for greenway development. Work will include Conceptual Design and Alternatives Analysis; Preliminary Design of the Selected Alternative; Preliminary Flood Modeling; Preliminary Structural Design; Traffic Signal and Crossing Analysis; and Environmental Review Services and Permitting; along with appropriate reimbursable expenses.

Consider authorizing the City Manager to negotiate and execute a purchase contract with Safeware Inc. to provide Equipment and Training for the purchase of two SkyWatch Two-Person Towers to be utilized by the City of Concord Police Department.

The Police Chief, Jimmy Hughes, stated the equipment will allow the Police Department to increase efforts to secure large outdoor events in the City. Total cost for the purchase is \$509,100.32. Purchase vetted with Finance/Purchasing to use OMNIA Contract #4400008468 to meet procurement guidelines. The FY23 OSBM Grant Funds will be used for this contract.

Consider authorizing the City Manager to negotiate and execute a purchase contract with Forensic Technology, Inc., to provide Equipment and Training for the purchase of hardware and software that provides the ability to compare unique markings left by firearms on fired bullets and cartridges in the National Integrated Ballistic Information Network (NIBN) and the Integrated Ballistic Identification System (IBIS) to be utilized by the City of Concord Police Department.

The Police Chief stated IBIS solutions provide timely actionable intelligence for the investigation of firearm related crimes and is the search engine that helps law enforcement quickly find links between firearm related incidents. Total cost for the purchase is \$333,866. Purchase vetted with Finance/Purchasing to use sole source to meet procurement guidelines for this purchase as NIBN/IBIS is the only system utilized by the Bureau of Alcohol, Tobacco, and Firearms. The FY23 OSBM Grant Funds will be used for this contract.

Consider authorizing the City Manager to negotiate and execute a purchase contract with Federal Contracts Corp using Sourcewell Contract Number 020923-FCC to purchase five new Signal Power SP400SD LED Diesel Light Towers to be utilized by the City of Concord Police Department.

The Police Chief stated the purchase will enhance the safety of the citizens and visitors to the City of Concord downtown outdoor events such as the Festivals, Parades and Tree Lighting. The cost of the purchase is \$121,125. Purchase vetted with Finance/Purchasing to use Federal Contracts Corp using Sourcewell Contract Number 020923-FCC to meet procurement guidelines. The FY23 OSBM Grant Funds will be used for this contract.

Consider entering into an Agreement with the North Carolina Department of Transportation (NCDOT) in order to cover cost overruns associated with TIP project U-4910A&B, widening of Derita Rd (SR 1445) from Concord Mills Boulevard (SR 2894) to Poplar Tent Rd (SR 1394), as well as, approving the associated budget amendment.

The Transportation Director, Phillip Graham, stated the City and NCDOT entered into an agreement on September 9, 2008 to widen Derita Rd from Concord Mills Blvd to Poplar Tent Rd. On October 12, 2016, both parties entered into a supplemental agreement to provide additional funding and allowing NCDOT to let the construction contract. The federal funding equaled \$17,810,000, with the City contributing \$4,140,000. The City is responsible for all costs which exceed the total estimate.

The estimated total cost of the project at completion is currently \$39,950,000, approximately \$18 million over the estimate. NCDOT has agreed to split the additional cost and cover 50% (\$9,000,000) of the overrun. The City has also requested, through the CRMPO, \$7,200,000 from STBG-DA Funds (80% of the remainder). This will result in the City covering the remaining \$1,800,000 from Transportation Project Funds.

Consider entering into an Agreement with the North Carolina Department of Transportation (NCDOT) in order to convey right of way, permanent utility easement area, and permanent drainage easement area along Dickens Place NE and Vinehaven Drive NE at Copperfield Boulevard (SR 2126).

The Transportation Director stated this agreement details the right of way (ROW), permanent utility easement area (PUE), and permanent drainage easement area (PDE) of to be conveyed to the City of Concord that were the result of improvements with the project along I-85 from NC 73 in Cabarrus County (Exit 55) to Lane Street (Exit 63) in Concord.

Consider authorizing the City Manager to negotiate and execute a design build services contract with D.R. Reynolds for the preconstruction and construction services for the Fire Station #3 addition.

The Engineering Director, Jackie Deal, stated the addition will consist of an approximately 48x40, 1,920 square foot addition as a detached brick veneer building to the back of the existing fire station. A request for qualifications was posted for design build construction services. After interviews were held and references called, the selection committee chose D.R. Reynolds for the project. D.R. Reynolds has worked on numerous projects with fire station components. The contract will be a fixed fee for pre-construction services of \$585,000 and a Guaranteed maximum Price (GMP) for construction services of \$585,000.

A revision to this item was presented at the May 9th City Council meeting.

Consider Preliminary Applications from Tim Phelps.

The Engineering Director stated Tim Phelps submitted preliminary applications for water and sewer service at two separate parcels outside the City limits. The properties are located at 4301 and 4309 White Tail Lane Midland, NC. The properties are vacant and will be developed with single family homes. All parcels are zoned SFR.

Consider a Preliminary Application from Mark and Aleigha Tucker.

The Engineering Director stated Mark and Aleigha Tucker submitted a preliminary application for water service at 1295 A.J. Tucker Loop Rd, Midland, outside the City limits. The property is currently undeveloped and the owners would like to construct a single family home. All parcels are zoned SFR and City sanitary sewer is not available to the parcel.

Consider a Preliminary Application from Carolina Thomas Development LLC.

The Engineering Director stated Carolina Thomas Development, LLC submitted a preliminary application for water service at 2575 NC Hwy 24/27 outside the City limits. The property is undeveloped and the applicant proposes to develop the parcel into a commercial facility. Sanitary sewer is not available to the parcels.

Consider approving the Vision, Mission, Values, Goals and Strategies that comprise the Strategic Plan.

The City Manager stated the City partnered with Centralina Regional Council beginning in July 2023 to create a new strategic plan. Together with the Staff Leadership Team and the Customer Service Advancement Team (CSAT), as well as input from coworkers and the community, a new Plan was created. This work culminated in a new Vision statement, a revised Mission statement, new values, six strategic plan goals, and 25 associated strategies.

Consent Agenda

There were no comments regarding the consent agenda.

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A motion was made by Council Member Sweat and seconded by Mayor Pro-Tem Parsley-Hubbard to conduct a closed session in accordance with 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 Sweat to adjourn—the vote: all aye.

William C. Dusch, Mayor

Kim J. Deason, City Clerk