

CONCORD CITY COUNCIL
WORK SESSION MEETING
JUNE 11, 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 June 11, 2024, at 4:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

Council Member Andy Langford
Council Member Lori A. Clay
Council Member Betty M. Stocks
Council Member Terry L. Crawford

Members Absent:

Mayor Pro-Tem Jennifer Parsley-Hubbard
Council Member JC McKenzie
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

* * * * *

The following agenda was presented for discussion:

Presentations:

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

Presentation of a Proclamation recognizing June 19, 2024 as Juneteenth.

Mayor Dusch presented a Proclamation for Pollinator Week.

Informational Items:

Receive the results of the 2023 City of Concord Citizen Survey from ETC Institute Inc.

Jason Morado, ETC Institute Vice President and Director of Community Research presented the survey results.

Presentation of the Cabarrus/Iredell/Rowan HOME Consortium Housing Needs Assessment by Bowen National Research.

This item will be presented to the Mayor and City Council at the June 13, 2024 Council meeting.

Departmental Reports:

Parks and Recreation Bonds update

Staff will provide an update at the June 13, 2024 City Council meeting.

Streetscape Update

Staff will provide an update at the June 13, 2024 City Council meeting.

Public Hearings:

Conduct a public hearing and consider adopting an ordinance annexing +/- 12.16 acres at 2014 NC HWY 49 S. PIN 5518-94-6683 owned by the Charlotte-Mecklenburg Hospital Authority.

The Planning Manager, Autumn James, stated the request is for voluntary annexation of approximately 12.16 acres of property at the intersection of NC Highway 49 S and Stough Rd. The property is currently zoned Cabarrus County LI (Limited Industrial).

Conduct a public hearing to consider adopting an ordinance amending the Historic Handbook, including the Approval Requirement Needs Table and Chapters 1-8, the addition of Chapter 9, updates and clarifying language related to State Land Use Law (160D), and other clerical amendments.

Senior Planner, Kim Wallace, stated the proposed amendments provide updates to the current handbook including a new layout, changes and updates to the Approval Requirement Needs Table and Chapters 1-8, the addition of Chapter 9, updates and clarifying language related to State Land Use Law (160D), and other clerical amendments. She stated the Historic Preservation Commission and the Planning and Zoning Commission unanimously recommended the amendment to Council at their respective meetings.

Conduct a public hearing, pursuant to N.C. General Statutes, Section 159-12, to receive public comments relative to the proposed FY 2024- 2025 budget for the City of Concord; following public comments, consider adopting the proposed FY2024-2025 Budget, and consider adopting the Cabarrus Arts Council portion of the External Agencies pursuant to NC General Statutes, Section 14-234.3.

The City Manager submitted his recommended budget to the City Council for consideration.

He stated the City-wide budget totals \$353,849,526 for all funds, including utilities and special revenue funds. This is an overall budget increase of 9.02% over the FY 2024 adopted budget. The recommended General Fund budget for FY 2025 is \$150,303,310 with a tax rate of 42¢ per \$100 of valuation, which is a decrease of 6¢ from the current tax rate. Reducing the rate to 42¢ returns the City to the property tax rate that was in place from 2008 to 2012. The revenue neutral tax rate, using the formula provided by G.S. 159-11(e) and accounting for normal growth is calculated at 34.41¢ for FY 2024-25.

Presentations of Petitions and Requests:

Consider approving a new destination brand for Downtown Concord.

The Public Affairs and Relations Manager, Lindsay Manson, introduced Matt Wagoner with Destination by Design (DbD).

Mr. Wagoner presented the new destination brand for Downtown Concord. He stated a Steering Committee that consisted of City staff from Public Affairs and the Planning Department, including the Downtown team, along with Downtown Concord merchants and property owners and a local historian, worked closely with the DbD team of experts on the new Downtown Concord destination brand.

He stated the project is estimated to be completed in August 2024.

Consider approving a Memorandum of Understanding between the City of Concord and Concord Downtown Development Corporation (CDDC) to provide services in the downtown Municipal Service District (MSD) as required under the authority of NC G.S. 160A-536(d).

The Downtown Development Manager, Paige Grochoske, stated the purpose of the Memorandum of Understanding is to work in good faith to further the redevelopment of downtown, spur economic development in the context of historic preservation, and effectively market the downtown area to include businesses, venues, events, and available real estate.

Consider adopting an ordinance amending the City of Concord Code of Ordinances, Section 10, Animals; Subsection 10.1, Keeping cattle, sheep, goats, domestic fowl, or swine.

The Deputy Planning and Neighborhood Development Services Director, Kevin Ashley, stated the proposed text amendment is needed to clarify the distance in which properties can be declared a public nuisance when in violation of this code.

He explained Section 10.1(c) of the City Code references that the animal ordinance is effective for a distance of one mile from the City limits. This distance appears to have been added to the Code when the City's Extraterritorial Jurisdiction (ETJ) for zoning extended that one mile distance in an effort to match the zoning requirements. The City has no authority to extend this Code requirement outside of its corporate limits, therefore the reference to the one mile needs to be removed.

Consider awarding a bid and authorize the City Manager to execute a contract for Broadlinx Telecom Inc. to provide labor services for installation and maintenance of the City of Concord's Fiber Optic Network.

The Communications Director, Bethany Ledwell, stated, if approved, the City will contract with Broadlinx Telecom Inc. to provide labor services for installation and maintenance of the City of Concord's Fiber Optic Network. She stated bids were received on May 23, 2024 with Broadlinx Telecom Inc. submitting the lowest responsive bid. The contract term will run July 1, 2024 through June 30, 2025 and is not to exceed \$400,000 as approved in the FY25 budget.

Consider authorizing the City Manager to negotiate and execute a one year contract extension (Addendum 4) with the Town of Harrisburg for continued treated water sales to the Town of Harrisburg.

The Deputy Water Resources Director, Kevin Plemmons, stated Addendum 3 provided a one year extension of the water sales contract to allow Harrisburg time to have discussions with Charlotte Water. The expiration of Addendum 3 is June 30, 2024. All three jurisdictions have worked to facilitate the sale of water from Charlotte Water to Harrisburg and lower the amount Harrisburg requires from Concord. Significant progress has been made but more time is needed to finalize details and new contracts. He stated staff is requesting an additional one year extension (Addendum 4) to allow more time to complete negotiations.

Consider authorizing the City Manager to negotiate and execute a contract with Richard D. Suggs Construction, Inc. for the construction of the Old Charlotte Rd. water line replacement.

The Deputy Water Resources Director stated the project was bid under the formal bidding process. Bids were taken on May 15, 2024 and four (4) bids were received. The lowest responsible bidder was Richard D. Suggs Construction, Inc. in the amount of \$1,510,918.20.

Consider authorizing the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc. for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal.

The Deputy Water Resources Director stated the project was bid under the formal bidding process. Bids were received on April 3, 2024, and one bid was received. As required by GS143-132, three bids are required before they can be opened. The bid was returned unopen to the bidder, and the project was re-advertised. Bids were received a second time on May 3, 2024, and two bids were received. As allowed by NCGS 143-132, the bids were opened. The lowest responsible bidder was Bio-Nomic Services, Inc. in the amount of \$394,810.90.

Consider authorizing the City Manager to negotiate and enter into an agreement with Republic Services, Inc. for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge.

The Deputy Water Resources Director stated the cost of the disposal of the sludge at the Republic landfill is \$82.50 per ton. It is estimated approximately 3,500 tons will be removed at a cost of \$288,750.

Consider making appointments / reappointments to various City of Concord Boards and Commissions and a reappointment to the CDDC Board of Directors.

Mayor Dusch stated the Council previously received the term listing for each Board/Commission. This listing notes those members that have expiring terms and can or cannot be reappointed.

Additional Item:

A motion was made by Council Member Crawford and seconded by Council Member Stocks to publicly state the City Council's opposition to the proposed House Bill 385—the vote: all aye.

Consent Agenda:

There were no comments regarding the consent agenda.

* * * * *

A motion was made by Council Member Crawford and seconded by Council Member Langford to conduct a closed session in accordance with NCGS 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.

* * * * *

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk