

CONCORD CITY COUNCIL  
 WORK SESSION MEETING  
 SEPTEMBER 10, 2019

The City Council for the City of Concord, North Carolina, held a work session on September 10, 2019, at 4:00 p.m., in the Council Room of City Hall, with Mayor William C. Dusch presiding. Council members were present as follows:

**Members Present:**

Mayor Pro-Tem W. Brian King  
 Council Member Ella Mae P. Small  
 Council Member JC McKenzie  
 Council Member Terry L. Crawford  
 Council Member Jennifer H. Parsley  
 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:**

1. Presentation of the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2018 to the Finance Department.
2. Presentation of a Proclamation recognizing the week of October 6-12, 2019 as Public Power Week.

**Unfinished Business:**

1. Continue a public hearing and consider renaming a portion (approximately half) of the public street named Melrose Dr, SW to Balknight Dr, SW.

The Planning and Neighborhood Development Director, Steve Osborne, stated the applicant has not been successful in obtaining the 80% of the signatures as required by the Street Renaming Policy. Therefore, staff is recommending the City Council deny the request. He stated the applicant can reapply at a later date should she wish to.

**Informational Items:**

1. Presentation by Youth Council President Kelsey Mosshart.
2. Receive a report from the Concord Downtown Development Corporation (CDDC) on the accounting for all City moneys paid to the CDDC, downtown Municipal Service District needs, completed projects, and pending projects.
3. Presentation of Recycle Right NC Campaign efforts and events.

**Public Hearings**

1. Conduct a public hearing and consider adopting a resolution concerning the approval of the execution and delivery of the installment financing contract and a deed of trust, the financing of the airport hangar and the granting of a security

interest and allowing the Finance Director to execute the installment financing contract.

The Finance Director, Pam Hinson, stated bids were received and staff is recommending to enter into an installment financing agreement with BB&T. BB&T was not the lowest bidder but they have agreed to waive the title insurance requirement, whereas the lowest bidder, Zions Bank, would require title insurance.

2. Conduct a public hearing and consider adopting an ordinance annexing one parcel of land owned by City of Concord, located at the Southwest corner of Old Airport Rd and Heglar Rd (PIN 5640-40-6090).

The Planning and Neighborhood Development Directors stated the City of Concord's Electric Department has requested annexation of the subject property in order to construct an electric substation.

Council Member McKenzie stated he had received calls from concerned citizens regarding this request. He asked if there would other uses permitted on the site, and also if the existing trees would remain.

The City Manager stated there were no plans to clear cut the lot. He further stated that staff would only clear what is needed in order to construct the substation.

3. Conduct a public hearing and consider adopting an ordinance amending the official zoning map for the Baptist Retirement Homes' property (Taylor Glen) located at 3700 Taylor Glen Ln. from O-I-CU (Office Institutional Conditional Use) and RM-2 (Residential Medium Density) to O-I-CD (Office Institutional Conditional District).

Senior Planner, Kristen Boyd-Sullivan, stated on June 11, 1998, approximately 89.9 acres were rezoned by the Planning and Zoning Commission, with conditions, from R-2 to O-I-CU for the purpose of constructing a multi-level retirement home.

She stated William Stillerman, Baptist Retirement Homes of North Carolina, Inc., submitted an application to add approximately 8,735 linear feet of green vinyl coated chain link fencing to the perimeter of the property. As a conditional zoning, any changes or additions to the approved site plan require a zoning amendment and public hearing.

She explained the 2030 LUP designates the subject property as Suburban Neighborhood. O-I (Office Institutional) is not a corresponding zoning classification to this designation. However, the use has been operating on the subject property for approximately 20 years. If the zoning map amendment is approved, an amendment to the 2030 Land Use Plan will be required. Staff recommended the Land Use category of Civic/Institutional as it is corresponding to the proposed zoning classification and existing retirement home use.

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

1. Consider amending "ClearWater Artist Studios" name to "ClearWater" with the tag line under it "Arts Center & Studios" to better reflect the growth and increasing activity occurring at the facility.

The Planning and Neighborhood Development Directors explained by having Arts Center within the tag line, it is expressive of more activities than just renting studio space. The center is known as Clearwater and that would simply be the primary name with the tag line expanding on what activities occur on site

2. Consider amending the HOME Investment Partnership (HOME) funds awarded November 8, 2018 to Habitat Cabarrus in the amount of \$15,000 for additional foundation cost at 350 Broad Drive SW.

Community Development Manager, Mary Carr, explained during the November 8,

2018 Council meeting, Habitat Cabarrus was approved to receive \$60,000 to construct two (2) new homes located at 330 Broad Drive SW and 350 Broad Drive SW. During the site preparation, both lots were found to have large amounts of ground water and unstable soil by Concord Engineering & Surveying, Inc. However, 330 Broad Drive was deemed not buildable due to major water issues present. In light of this, Habitat will not be able to use the \$30,000 allocation for 330 Broad Drive SW.

Habitat Cabarrus is requesting that half of the allocation for 330 Broad Drive be moved to 350 Broad Drive to help alleviate the cost.

Council Member Small asked if the additional \$15,000 allocated to 350 Broad would increase the cost of the home once completed. The Community Development Manager stated that the additional funding would not increase the cost of the home.

Council Member McKenzie suggested the Habitat abandon the lot on Broad Drive and allocate the full \$60,000 on another site. Mayor Dusch asked how HOME funds could be used for another site instead. The Community Development Manager stated it would depend where the site is located. She further stated HOME funds cannot be used for Magnolia Crossing because a clear environmental review cannot be obtained. Council Member McKenzie suggested the City also contribute an additional \$6,000 to offset the purchase cost Habitat paid for the properties.

Council Member Phillips stated he is also concerned with the site and the issues discovered.

3. Consider authorizing the Police Department to enter into a Memorandum of Understanding with the U.S. Marine Corps Forces, Special Operations Command (MARSOC), allowing the MARSOC to periodically conduct required training within the City of Concord.

Major, Bobby Ledwell, explained the MOU. He stated the MARSOC wish to conduct military training, to include surveillance, advanced communications, and reconnaissance, necessary to develop special operations skills within the boundaries of Concord, North Carolina.

He stated the MOU will be effective for three years but can be terminated by the City or MARSOC with a 90 day notice. He also stated that a privacy statement is included in the MOU that the training location and activities not be disclosed with the public and/or media. The City Attorney stated she is concerned the privacy statement violates the public records law.

Council Member McKenzie asked if citizens would be involved in the training exercises. Major Ledwell stated no citizens will be involved in the training.

4. Consider entering into a purchasing contract with RMG LLC for the purchase of the RMG hangar located at the Concord - Padgett Regional Airport.

Aviation Director, Dirk Vanderleest, explained an appraisal was conducted on to determine market value for the subject property situated on 23,588 square feet of non-commercial improved land leased from the City of Concord by RMG Aviation. The subject property consists of a community hangar, an office associated with the hangar, storage associated with the hangar, concrete apron, and asphalt vehicle parking which are owned by RMG and the City of Concord. The property was appraised at \$850,000.

He stated staff is requesting to acquire the subject property for a purchase price not to exceed \$875,000. The Aviation Department has several prospects that would lease part of the building and generate approximately \$50,000 in additional income per year.

5. Consider approving the expenditure of funds to Vulcan Materials Company for the

removal of trees causing obstructions near the airport property and consider adopting a budget ordinance amending the airport operating budget.

Council Member Sweat entered the meeting.

The Aviation Director stated an element of the approved Master Plan was to survey the approaches (arriving and departing) at the airport. Upon completion of the survey, it was determined there is a number of obstructions on and off airport property. One particular area of concern identified is the north end of the airport, at the Vulcan Quarry.

Vulcan received two proposals for cutting, hauling and clearing of trees and, cutting and trimming all over grown berms. The lowest bid was in the amount of \$75,000.

6. Consider accepting and executing a grant from the FAA for the apron strengthening project and adopt a budget amendment.

The Aviation Director stated the total project cost is \$5,755,700. The Federal 90% share of the project cost is \$5,161,958, and the City's 10% match for the project is \$593,742. He stated funds from retained earnings will be used for the local match.

7. Consider authorizing the City Manager to negotiate and execute a contract with Sealand Contractors Corporation for the Apron Strengthening project at the Concord-Padgett Regional Airport.

The Aviation Director stated Sealand Contractors Corporation submitted the low responsive base bid in the amount of \$5,411,318.

8. Consider authorizing the City Manager to execute Work Authorization 1903 for Talbert, Bright and Ellington, Inc for the apron strengthening project at the Concord-Padgett Regional Airport.

The Aviation Director stated the request is to allow for Talbert, Bright and Ellington, Inc to provide construction administration, quality assurance testing, as-built surveying, and Resident Project Representative Services for the apron strengthening project at the Concord-Padgett Regional Airport. The amount shall not exceed \$234,028 without additional authorization.

9. Consider authorizing the City Manager to enter into a contract with HDR Inc to conduct Concord's Risk and Resiliency Assessment and Emergency Response Plan.

The Water Treatment Plant Superintendent, Rusty Campbell, stated America's Water Infrastructure Act of 2018 (AWIA) requires Concord to do a Risk and Resiliency Assessment and Emergency Response Plan. The contract amount is \$223,500 and funds are available in the Water Resources operations budget.

10. Consider adopting a resolution abandoning a right-of-way and easement across property on Weddington Road (PIN 4599-26-1878).

The Engineering Director, Sue Hyde, explained the current location of the right-of-way and easement conflict with the development plan and the developers have requested to relocate the right-of-way. During the site plan review process, a new easement will be required.

11. Consider a Preliminary Application from Schumacher Homes.

The Engineering Director stated sewer is not available to this site; only water. Staff's recommendation is to accept the application and proceed excluding annexation.

## Consent Agenda

A motion was made by Council Member McKenzie, seconded by Council Member Phillips, and duly carried, to move Consent Agenda Item H listed below to the regular agenda—the vote: all aye.

Consider authorizing the City Manager to take all necessary action to acquire a portion of a vacant tract of land (being 16.596 acres, more or less) located at 860 Warren C. Coleman Boulevard to accommodate future expansion of the Alfred Brown Sr. Operations Center and adopting an amendment to the Electric Department operating budget ordinance to fund acquisition of property.

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A motion was made by Council Member Sweat, seconded by Mayor Pro-Tem King, and duly carried, to reconvene in Conference Room #330 for the Project Update Meeting—the vote: all aye.

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## 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. Transit

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

- Long Range Transit Plan
- Regional Transit Plan
- Bus Stop Amenity Installation project – Phase I completed
- Bus Signage upgrade - completed
- Enhanced Customer Experience and Technology updates
  - CAD/AVL and Automatic Passenger Counters
  - Mobile Fare Payment
  - Dedicated Wi-Fi (Transit Center complete; vehicles in progress)

### 2. Buildings and Grounds

The Buildings and Grounds Director, Susan Sessler, provided an update regarding the Cemetery Software project.

### 3. Electric

Electric Systems Director, Bob Pate, provided updates on the following projects:

- New Delivery 4 and 6
- Substations P, Q, and S
- Smart Meters

### 4. Aviation

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

- Remote/Virtual Towers
- Hanger analysis

### 5. Water Resources

Water Resources Deputy Director, Jeff Corley, provided updates on the following projects:

- Hwy 29 Water Tank
- Downtown Water Tank
- Poplar Tent Road and Hwy 49 Waterline
- Stormwater Projects – Glen Eagles Lane culvert
- Wastewater Projects – Irish Buffalo Sewer Outfall Replacement

## 6. Housing

Housing Director, Angela Graham, provided updates on the Housing Non-Profit and Maintenance Building projects.

## 7. Planning

Planning and Neighborhood Services Director, Steve Osborne, provided updates on the following projects:

- Union Street Streetscape; three options, including anticipated costs, were presented to the Council. Option 1 is estimated at \$6 million; Option 2 estimated at \$6 million; and Option 3 estimated at \$3.1 million. The Planning and Neighborhood Services Director explained the difference in costs from Option 1 & 3 would be the cost for infrastructure. After some discussion, it was the consensus of the Council to direct staff to do a complete analysis of costs for Option 3 and present the findings to the Council at a later date.
- CDO update
- Historic Expansion Study
- 30 Market Street project
- George Liles Small Area Plan
- Means Avenue

## 8. Communications

Communications Director, Bethany Ledwell, provided an update on the Weddington Road Tower relocation project and the Microwave Backhaul project.

Following the presentation, it was the consensus of the Council the Tower should be located at Fire Station 5 as originally proposed. Staff was directed to use the information presented to inform the community of the decided location.

## 9. Fire

Deputy Fire Chief, Thomas Knox, provided an update on the Joint Public Safety Training Center and on Fire Stations 10, 12, and 13. He stated staff is exploring the option of adding Communications and the Radio Shop at the Joint Public Safety Training Center.

## 10. Parks and Recreation

Parks and Recreation Director, Bob Dowless, provided updates on the following projects:

- HVAC installation at the Recreation Centers
- Open Air Learning Center at the David Phillips Activity Center
- Connectivity Study
- Hartsell Playground Replacement
- Dorton Park Master Planning Process & the YMCA donation
- Mountain Bike course consisting of two one mile trails.

## 11. Transportation

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


- Poplar Tent Rd. / US 29 CMAQ Project


- Weddington Rd at Bruton Smith Blvd Improvements
- US 601 at Flowes Store Rd Improvements
- Derita Rd. Project
- Derita Rd. Project (Concord Mills to Derita)
- US 29/601 Bridge over NSRR Replacement
- Virginia Concrete Rehabilitation
- Spring, Chestnut, and Broad (5-Pt Intersection)
- Bruton Smith Sidewalk Enhancement Project
- Concord Mills Blvd Fly Over
- Brookwood Ave Enhancements (with Complete Street typical & Greenway tunnel) NC-3 to Church St.
- Rock Hill Church/Union Cemetery Realignment
- US-29 Access Management project to be added to scope, from Rock Hill Church Rd. to Concord Commons (Wal-Mart)
- Transportation & Community & System Preservation Grant
- Signal Facility Relocation
- Poplar Tent Rd. Widening from US-29 to Derita Rd.
- Poplar Tent Rd. Widening from Derita to NC 73
- George W. Liles Pkwy. Extension
- Stough Rd. Bridge Replacement
- I-85 Widening
  - Branding
  - Interchange Landscaping
- US 29 Bridges at Rocky River
- NC 73 W from US 29 to Mecklenburg Co Line
- US 29 Bridges at Irish Buffalo
- Old Airport Rd Bridge at Cold Water Creek
- Pedestrian Improvement Program Update
- Pavement Evaluation Status Update
- Transportation Policy Updates
  - Traffic Calming Policy
  - Speed Hump Policy
  - Speed Limit Policy
  - Parking Restriction Policy

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 Crawford, seconded by Council Member Sweat, and duly carried, to adjourn—the vote: all aye.

  
 Kim J. Deason, City Clerk

  
 William C. Dusch, Mayor