



City Council Agenda

Thursday, September 11, 2025

6:00 PM

City Hall

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone.

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is then held on the Tuesday preceding the regular meeting at 4:00 pm.

I. Call to Order

II. Pledge of Allegiance and Moment of Silent Prayer

III. Approval of Minutes

July 22, July 31, August 12, and August 14, 2025.

IV. Presentations

1. Presentation of a Proclamation Recognizing September 17-23 as Constitution Week.
2. Presentation of a Proclamation recognizing September 15 – October 15 as National Hispanic Heritage Month.
3. Presentation of a Proclamation recognizing September 27, 2025 as Concord International Festival Day.
4. Presentation of the 2025 Jo Atwater Continuous Core Values Award.

The Jo Atwater Continuous Core Values Award is the highest award presented to a City of Concord co-worker. Jo Atwater's life was synonymous with heartfelt service to others in our community and the highest dedication to our organizational core values. Jo Atwater worked for the City from 1994 until her passing in 2004. During this time, she became a respected friend and inspirational teammate to all co-workers. This award continues Jo's vibrant spirit and valued legacy by annually recognizing one co-worker that best embodies our organizational core values and commitment to serving others in the community.

V. Unfinished Business

VI. New Business

A. Informational Items

B. Departmental Reports

1. Parks and Recreation Bond Update

C. Persons Requesting to be Heard

D. Public Hearings

1. Conduct a public hearing and consider adopting an ordinance annexing +/- 37.98 acres at 1185 Odell School Rd (PINs 4681-74-5467; 4681-73-1596) owned by William Justice and Ralph Justice.

The request is for voluntary annexation of +/- 37.98 acres of property at 1185 Odell School Rd. The property is currently zoned Cabarrus County LDR (Low Density Residential). The proposed annexation would be for the construction of eighty-four (84) age-restricted, single-family detached homes. If annexed, this parcel would be in District 5.

Recommendation: Consider making a motion to adopt the annexation ordinance and set an effective date for September 11, 2025.

2. Conduct a public hearing and consider adopting an ordinance annexing +/- 2.57 acres at 199 Central Heights Dr (PIN 5528-87-7566) owned by Clarence Little and Melissa Quay.

The request is for voluntary annexation of +/- 2.57 acres of property at 199 Central Heights Dr. The property is currently zoned Cabarrus County LDR (Low Density Residential). The City of Concord Council reviewed the preliminary application at the December 12, 2024 regular council meeting and voted to have the applicant proceed to the final application phase, including the voluntary annexation process as outlined in Section 62-81 of the City Code. If annexed, this parcel would be in District 7.

Recommendation: Consider making a motion to adopt the annexation ordinance and set an effective date for September 11, 2025.

3. Conduct a Public Hearing for case Z-15-25 and consider adopting an ordinance amending the official zoning map for +/- 1.0 acres located at 1012 Burrage Rd NE from O-I (Office Institutional) to RM-1 (Residential Medium Density) and to amend the 2030 Future Land Use Plan to modify the future land use designation of the parcel from Mixed-Use Activity Center (MUAC) to Suburban Neighborhood (SN).

The Planning and Zoning Commission heard the above referenced petition at their August 19, 2025 meeting and voted to forward the request to City Council with a recommendation that the zoning map be amended from O- I (Office Institutional) to RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan to designate the parcels as "Suburban Neighborhood." The applicant proposes the rezoning of the property to continue its use as a single-family residence.

Recommendation: Consider adopting an ordinance amending the official zoning map from O-I (Office Institutional) to RM-1 (Residential Medium Density) and to amend the 2030 Land Use Plan to designate the parcel as "Suburban Neighborhood."

E. Presentations of Petitions and Requests

1. Consider adopting a resolution authorizing the transfer by private sale of 361 Fox Street to WeBuild Concord, Inc. for the purpose of development of affordable housing.

In 1977, the then City Board of Aldermen designated the Board as a housing authority pursuant to Chapter 157 of the North Carolina General Statutes. Acting as a housing authority, the City Council has the ability to transfer property to WeBuild for a public use such as affordable housing.

WeBuild ("buyer") has offered to develop affordable housing at 361 Fox Street. All city departments have confirmed that the properties are not needed for City use other than the easements shown on the survey, which shall be retained. The property will be conveyed with deed restrictions and covenants to assure that it is used for affordable housing and will revert to the City in the event these covenants are breached. The proposed resolution directs the City Manager, City Clerk, and City Attorney to take all necessary steps and to execute the necessary documents to affect the conveyance of the property in accordance with North Carolina General Statutes §157-9.

Recommendation: Consider making a motion to adopt a resolution authorizing the transfer of 361 Fox Street to WeBuild Concord, Inc. for the purpose of development of affordable housing and directing the

City Manager, City Clerk, and City Attorney to take all necessary steps and to execute the necessary documents in order to affect the conveyance of the property.

2. Consider adopting an ordinance directing the Housing Code Enforcement Officer to vacate, close, demolish, and remove the property located at 245 Bellhaven Place NW as unfit for human habitation and directing that a notice be placed on the property that it may not be occupied until repaired.

The property is currently owned by the Heirs of Myrtle W. Jones. The owners and parties in interest, including current occupants, of the property were served with the Code Enforcement Complaint and Notice of Hearing. A hearing on the Complaint was held on June 10, 2025, and no owners or parties in interest appeared or filed any answer. Following the hearing, the Code Enforcement Officer found that the property was dilapidated and needed to be repaired, demolished, and removed on or before July 18, 2025. The owners have not complied with the Order. The proposed ordinance would direct the Housing Code Enforcement Officer to place appropriate signage at the property noting the property is unfit for human habitation and to vacate, close, demolish and remove the property in accordance with the provisions of the Housing Code of the City of Concord and N.C.G.S. § 160D-1203.

Recommendation: Consider adopting an ordinance directing directing the Housing Code Enforcement Officer to vacate, close, demolish, and remove the property at 245 Bellhaven Place NW as unfit for human habitation and directing that a notice be placed on the property that it may not be occupied until repaired.

3. Consider recognizing Fullerton Place Homeowners Association in the City's Partnership for Stronger Neighborhoods program.

Fullerton Place is located near Poplar Tent Road in Concord. The community is supported by a volunteer HOA board made up of neighborhood homeowners who meet every other month. Officers for the Association are President, Carl Pitman, Vice President, Kate Beltz, Secretary, Josh Hedge, and Treasurer, Christine Sekulski. They have submitted all the required documentation for recognition. By approving their inclusion in the program, the City will have 82 recognized neighborhoods in the Partnership for Stronger Neighborhoods since its foundation in 2000.

Recommendation: Motion to approve the acceptance of Fullerton Place Homeowners Association as a recognized neighborhood in the Partnership for Stronger Neighborhoods Program.

4. Consider authorizing City Manager to execute Amendment #1, Commercial Service Terminal (CST) Apron Expansion, Work Authorization 2404.

The amendment covers designing a new storm water detention basin at the south end of the airport. This scope of services will provide ground survey, geotechnical investigation, and additional design for a new stormwater detention facility that will be south of Taxiway 'A1'. The new facility will be designed for the CST expansion program which includes the CST apron. The cost for the amendment is not to exceed \$76,314.24. The revised budget for the design and bid phase for the Commercial Service Terminal Apron Expansion is now \$560,707.64. Federal Aviation Administration, FAA, and NCDOT are funding the design phase at 100%.

Recommendation: Motion to authorize the City Manager to execute Amendment #1 for Work Authorization 2404, Commercial Service Terminal Apron Expansion and adopt a budget amendment.

5. Consider authorizing the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services relating to the intersection improvement of Poplar Tent Road and Harris Road.

City Council approved on April 14, 2022 to enter into an agreement with the North Carolina Department of Transportation for intersection improvements at Poplar Tent Road and Harris Road. In September

2022, the City received letters of interest for the engineering services for this project. Rummel, Klepper & Kahl, L.L. P. (RK&K) was selected by a review committee as the top firm to complete the work. On June 8, 2023, City Council approved the first phase of the contract with RK&K for work which includes roadway design, traffic analysis, NEPA permitting, natural resources & permitting, and location surveys. NCDOT and City of Concord staff have since agreed to a design concept that best mitigates current traffic volumes and aligns with future growth.

Staff are requesting authorization to proceed through the next phase through the final design and right of way with RK&K based on the current design concept. The lump sum cost is \$1,392,432.15 with 80% provided through the STBG-DA federally awarded funds and 20% (\$278,486.43) provided by the budgeted Transportation Project Fund Account.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services related to intersection improvements at Poplar Tent Road and Harris Road contingent on NCDOT approval.

6. Consider entering into an agreement with the North Carolina Department of Transportation (NCDOT) in order to construct sidewalk along TIP Project No. U-5956, realignment of Union Cemetery Road.

It is requested that City Council enter into an Agreement with the NCDOT to as outlined. This agreement details the funding responsibility of constructing sidewalks along: south side of Union Cemetery Road from US 29 (Concord Parkway) to Sunderland Road; north side of Union Cemetery Road from US 29 (Concord Parkway) to existing Union Cemetery Road; and west side of existing Union Cemetery Road from Union Cemetery Road to the end of the project.

The estimated total cost of the sidewalk is \$375,283.50 with the City being responsible for 50% of the actual cost currently estimated at \$187,641.75. Funds will come from the Transportation Project Fund. Payment will be due upon completion of the project. The project is currently scheduled to begin construction in January 2026.

Recommendation: Motion to enter into an agreement with the North Carolina Department of Transportation (NCDOT) in order to construct sidewalk along TIP Project No. U-5956, realignment of Union Cemetery Road.

VII. Consent Agenda

A. Consider authorizing the Fire Department to seek funding for a Scorpion Attenuator for the Domestic Preparedness Region 7.

Each year, the Domestic Preparedness Region (DPR) 7 collectively determines equipment that needs to be kept in the region. Agencies are able to volunteer to be the purchasing host of selected equipment and then be reimbursed by North Carolina Emergency Management. The purchased equipment is then stored and maintained by the purchasing agency, maintaining a state of readiness in the event that it is requested by participating agencies in the region or by North Carolina Emergency Management. The estimated cost of this purchase is approximately \$40,000 and will be reimbursed by North Carolina Emergency Management.

Recommendation: Motion to authorize the Fire Department to seek funding for a Scorpion Attenuator for the Domestic Preparedness Region 7.

B. Consider approving a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners on Bruton Smith Blvd. and Hwy 29.

Conder Flag Company has requested to place 96 banners on City light poles on Bruton Smith Blvd. between I-85 and Hwy. 29 (Exit 49 area between Mecklenburg County and the Rocky River) to promote

the Roval 400 race. The City will receive \$15 for each attachment. As required, the North Carolina Department of Transportation has reviewed and approved the banner design. The applicant may install the banners no earlier than September 22, 2025 and must remove the banners no later than October 14, 2025.

Recommendation: Motion to approve a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners on Bruton Smith Blvd. and Hwy. 29.

C. Consider adopting a resolution authorizing an inter-local agreement with Cabarrus County for the distribution and use of settlement funds from the National Opioid Litigation Settlement Funds.

The City is participating in the National Opioid Litigation. When the first settlement funds were distributed, the City received an initial payout of about \$189,910.05, and that amount has earned interest resulting in a current amount of \$200,750.17. A small amount of additional interest is expected to accrue before the funds are transferred to the County.

If approved, the County will agree to accept the funds and use them in accordance with the requirements of the settlement, the agreement with the North Carolina Department of Justice regarding the use of settlement funds and the attached inter-local agreement. The funds will be used for evidence-based addiction treatment.

Recommendation: Consider adopting a resolution authorizing the City Manager to enter an inter-local agreement with Cabarrus County for the distribution and use of settlement funds from the National Opioid Litigation Settlement Funds.

D. Consider approving partnership memorandum of understanding (MOU) related to the Assistance, Services, and Knowledge (A.S.K.) program.

In August of 2024, Concord was selected as one of eight cities to participate in the National League of Cities Healthy Housing Innovation Cohort. Since that time, staff has worked to coordinate a core group of local partners who share the vision of advancing the health outcomes and improving healthy housing equally throughout Concord and Cabarrus County. The overall effort has been named the A.S.K. program with the goal to provide residents with the assistance, services, and knowledge to assist with whatever the need is as partners agree a household's needs do not stop at just the structure of a home. As these efforts progress, the need to complete a more formal agreement to better define role and expectations for partner participation in the project has become evident. Staff has worked with the Legal Department staff to craft a memorandum of understanding (MOU) which will assist to better define what each partner's role and ability within the program will entail.

Recommendation: Motion to approve partnership memorandum of understanding (MOU) related to the Assistance, Services, and Knowledge (A.S.K.) program.

E. Consider approving partnership memorandum of understanding (MOU) related to the McGill Reuse Project.

As staff continues to move forward with the McGill Avenue project, the need to complete a more formal agreement to better define role and expectations for partner participation in the project has become evident. Staff has worked with the Legal Department staff to craft a memorandum of understanding (MOU) which will assist to better define for both funders and the community what each partner's role within the campus or overall project will generally entail.

Recommendation: Motion to approve partnership memorandum of understanding (MOU) related to the McGill Reuse Project.

F. Consider awarding a bid in the amount of \$167,648 to WESCO for a main breaker that will be installed at the City's 44kv Delivery station.

This 44kv main breaker is available for purchase from Wesco Distribution using their Sourcewell contract for efficient and competitive procurement. WESCO quoted the breaker at \$167,648. Siemens is the manufacturer, and it meets all the required specifications. The expected delivery date for this breaker is September 2027.

Recommendation: Make a motion to purchase one 44kV main breaker from Wesco Distribution using the Sourcewell contract bid for \$167,648.

G. Consider adopting a resolution abandoning an existing 0.014 acre water easement and a 0.020 acre sewer easement across TWG GM Performance Power Units, LLC and HSREI, LLC Property, lot 4 and lot 5 (Tax Parcel ID 45982946410000).

There is an existing public water and sewer easement recorded in plat book 105 page 58, and as conveyed in Deed Book 17468 page 231 encompassing public infrastructure that is no longer necessary, and the infrastructure and associated easements will be abandoned. Public infrastructure was designed and constructed with initial phases of the Advanced Manufacturing Campus. Subsequent development is proposed associated with the TWG GM Performance Power Units project, and a portion of the public water and sewer are no longer necessary due to revised service locations for this site.

Recommendation: Motion to adopt a resolution authorizing the abandonment of the easements.

H. Consider authorizing the Parks & Recreation Department to receive a donation of two bike racks and a bicycle work station from the North Carolina Division of Public Health, Community and Clinical Connections for Prevention and Health Branch.

The Community and Clinical Connections for Prevention and Health Branch of the North Carolina Division of Public Health has selected the City of Concord as a recipient of two bike racks and a bicycle workstation to help support equitable biking access in Cabarrus County at an estimated value of \$1,140.

Recommendation: Motion to authorize the City Manager to accept the donation of two bike racks and a bicycle workstation from the North Carolina Division of Public Health.

I. Consider authorizing the City Manager to negotiate and execute a contract amendment with Kimley Horn Associates for additional design services for Phase A of the Clarke Creek Greenway for the total amount of \$113,300.

Parks and Recreation staff have been working with Kimley Horn Associates on full design of Phase A of the Clarke Creek Greenway project since May 2023, and the City has been awarded Congestion Mitigation and Air Quality funding for the project by the FHWA through the CRMPO. However, acquisition of easements has required substantial additional time and work effort for redesign. The redesign request was for the neighborhood connection change at Highland Creek and Allen Mills based on feedback received from the HOA Board and residents. To complete the redesign and facilitate additional approvals, a contract amendment with Kimley Horn Associates is required for revision and permitting of approved construction documents, environmental documentation and permitting, additional project and property owner meetings and coordination, survey, and appropriate reimbursable expenses.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract amendment with Kimley Horn Associates in the amount of \$113,300 for design services for Phase A of the Clarke Creek Greenway.

J. Consider accepting the conveyance, based on a recorded exemption plat for Lot 1, of 24.382 acres of the Niblock Homes Red Hill subdivision open space located off Troxler Circle and Lucky Drive.

The 24.382 acre property considered for conveyance includes a developed parking lot, 0.75 miles of constructed natural surface trail, and a pedestrian bridge crossing an intermittent tributary. The 0.75 miles of natural surface trail is identified in the Open Space Connectivity Plan as part of the Irish Buffalo Creek Greenway corridor; it is part of the future connection linking Kannapolis to Gibson Mill and downtown Concord and is designated as a priority corridor for the Carolina Thread Trail. Much of this area will be maintained in its natural state, with greenway maintenance being absorbed into the current Buildings & Grounds operational capacity.

This conveyance does not include the 0.97-acre Lot 3, which includes a developed trailhead parking lot for future public use along with the facilities proposed in a Memorandum of Understanding between Niblock Homes and the City of Concord to build a replica of the Red Hill Tavern as a community room/greenway restroom facility. Conveyance for this lot will be transferred once the items outlined in the MOU are completed and accepted.

Recommendation: Motion to accept the conveyance of the 24.382 acres in Lot 1 of the Red Hill Subdivision exemption plat.

K. Consider acceptance of real property conveyed by the Catawba Lands Conservancy, comprised of 38.548 acres known as Survey Tract B/Plat Book 78 Pages 69 -72/Rocky Pop Reserve, identified by PIN # 4680- 49-2592, located off Poplar Tent Road near Cox Mill Road and Poplar View Drive along the Rocky River. This property is in the Hector Henry Greenway Corridor.

The 38.548 acre property known as the Rocky Pop Preserve is currently owned by the Catawba Lands Conservancy (CLC); the property is undeveloped with significant floodplain and wetland and includes covenants and restrictions for conservation purposes. The property was purchased by the CLC in 2017 from Epcon Poplar Tent LLC to protect marshes and forested land along the Rocky River and to provide public access for a potential future segment of the Carolina Thread Trail—currently known as Phase 3 of the Hector H. Henry (HHH) Greenway.

The property was purchased using grant resources from the North Carolina Clean Water Management Trust Fund (now known as the NC Land and Water Fund). In 2018, covenants and restrictions were placed on the property in perpetuity for conservation purposes restricting certain specific uses of the property and ensuring its long-term management protecting the natural resources of the property. Exceptions include passive recreation uses including the construction and maintenance of trails and incidental facilities. In 2020, the CLC Board of Directors authorized the transfer of the property to the City of Concord.

Parks and Recreation staff is currently working with LandDesign, Inc. on a feasibility and preliminary design study for Phase 3 of the HHH Greenway; this property is within the project's study area and one of the alternative alignments utilizes the property for greenway development or environmental open space.

Recommendation: Motion to accept the conveyance of the 38.548 acres of the Rocky Pop Preserve from the Catawba Lands Conservancy.

L. Consider approving changes to the Rates and Charges Schedule for Utility Billing and Collections fees.

Staff is recommending changes to the current fee schedule to remove references to meter tampering penalties. These fees are not allowable charges for a utility in North Carolina. The red-lined version and updated clean version of this section of the fee schedule is attached. The changes are proposed to go in effect on September 11, 2025.

Recommended: Motion to approve changes to the Rates and Charges Schedule for Utility Billing and Collections fees.

M. Consider approval of the budget ordinance to re-appropriate the remaining funding on State and Local Cybersecurity Grant Program Fiscal Year 2022 that was originally awarded in FY23 in the amount of \$24,302.

In FY24, the FY22 SLCGP award was budgeted and approved but only partially expended. Information Technology is requesting a budget ordinance to reallocate the remaining unspent grant funding for the purchase of approved and eligible cybersecurity assets.

Recommendation: Motion to approve a budget ordinance of previously approved SLCGP grant funds totaling \$24,302.

N. Consider adopting a project ordinance amendment for the increase of CDBG program income budget to actual received for FY25.

The current budgeted amount is \$106,791 and needs to be increased to \$111,370 with a difference of \$4,579 to account for less program income received by the City of Concord.

Recommendation: Motion to adopt a project ordinance amendment to increase the amount of CDBG program income for FY25 by \$4,579.

O. Consider adopting a project ordinance amendment for the increase of HOME program income budget to actual received for FY25.

The current budgeted amount is \$1,778,199 and needs to be increased to \$1,876,28 with a difference of \$98,085 to account for additional program income received by the City of Concord.

Recommendation: Motion to adopt a project ordinance amendment to increase the amount of HOME program income for FY25 by \$98,085.

P. 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 plat and easements are now ready for approval: Lot 5 Chick-fil-a, Mini Storage, and Cumberland Phase 3 Map 2. Various utility easements and public rights-of-ways are offered by the owners.

Recommendation: Motion to accept the offer of dedication on the following plat and easements: Lot 5 Chick-fil-a, Mini Storage, and Cumberland Phase 3 Map 2.

Q. Consider accepting an offer of infrastructure at Kathryn Dr. Subdivision, Union Street Improvements, Cabarrus County EE Warehouse and ITS, Cannon Run Subdivision (SF Homes-DEV D) PH 1 MPs 1A and 1B, Red Hill (PH 1), Red Hill (PH 1), Odell Corners (Commercial Site).

In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptance:

100.00 LF of 6-inch water line, 4 valves (6-inch), 70.00 LF of 8- inch water line, 1 valve (8-inch), 50.00 LF of 12-inch water line, 2 valves (12-inch), 1,600.00 LF of 16-inch water line, 13 valves (16-inch), 9 Hydrants, 448.00 LF of 8-inch Sanitary Sewer, 107.00 LF of 12-inch Sanitary Sewer, and 6 Manholes. Cannon Run Sub (PH 1 MPs 1A and 1B) - Roadway acceptance: 938 LF - Moss Plantation Avenue NW; 321 LF – Gossage Lane NW; 1244 LF – Respect Street NW; 347 LF – Resolve Avenue NW; Red Hill (PH 1) - Roadway acceptance: 2019.42 LF-Lucky Drive NW, 180 LF - Crosshaven Court NW, 135 LF - Cornelius Place NW; and Odell Corners – Commercial Site- Roadway acceptance: 513 LF - Odell Corners Boulevard; 226 LF - August Street.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites: Kathryn Dr. Subdivision, Union Street Improvements, Cabarrus County Warehouse and ITS, Cannon Run Subdivision (SF Homes-DEV D) PH 1 MPs 1A and 1B, Red Hill (PH 1), Odell Corners (Commercial Site).

R. Consider acceptance of the Tax Office reports for the month of July 2025.

The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

Recommendation: Motion to accept the Tax Office collection reports for the month of July 2025.

S. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of July 2025.

G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to over payments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of July 2025.

T. Receive monthly report on status of investments as of July 31, 2025.

A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

Recommendation: Motion to accept the monthly report on investments.

VIII. Matters not on the Agenda

- Transportation Advisory Committee (TAC)
- Metropolitan Transit Committee (MTC)
- Concord/Kannapolis Transit Commission
- Centralina Regional Council
- Water Sewer Authority of Cabarrus County (WSACC)
- WeBuild Concord
- Public Art Commission
- Concord United Committee

IX. General Comments by Council of Non-Business Nature

X. Closed Session (If Needed)

XI. Adjournment

*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE CITY CLERK AT (704) 920-5205 AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING.