



**KANNAPOLIS CITY COUNCIL
BUSINESS MEETING AGENDA
Kannapolis City Hall
401 Laureate Way, Kannapolis NC
March 27, 2017
6:00 PM**

Please turn off cell phones or place on silent mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

PROCLAMATIONS

1. Proclaim April as Fair Housing Month

APPROVAL/CORRECTION OF MINUTES

1. February 07, 2017 Special Meeting
2. February 13, 2017 Workshop Meeting
3. February 27, 2017 Business Meeting
4. Closed Session February 07, 2017 Special Meeting
5. Closed Session February 13, 2017 Workshop Meeting

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

1. **Approve the 2017 Resurfacing Contract bid award and authorize the City Manager to execute contract** (Wilmer Melton III, Director of Public Works)
2. **Approve a Resolution entering in a contract with Shealy Electrical Wholesale for Street Lighting along Laureate Way and Watson Crick Drive** (Wilmer Melton III, Director of Public Works)

BUSINESS AGENDA

- A. **Public Hearing for the FY 2017 - 2018 (July 1, 2017 - June 30, 2018) for use of the HOME program funds and Motion to approve the Action Plan** (Sherry Gordon, Community Development Program Administrator)
- B. **Resolution in support of the Downtown Connectivity Plan** (Irene Sacks, Director of Economic and Community Development)
- C. **Adopt an Ordinance to demolish the substandard structure located at 619 South Harding Avenue** (Zachary D. Gordon, AICP, Planning Director)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

SPEAKERS FROM THE FLOOR

In order to speak to Council, please fill out a white card and return to the City Clerk. Cards may be found on the table at the back of the room. Please limit comments to 3 minutes.

CLOSED SESSION

GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney-client privilege and G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area **(Mayor Pro tem Wilson)**

ADJOURN MEETING

UPCOMING SCHEDULE

April 10 Workshop Meeting
April 24 Business Meeting

In accordance with ADA regulations, anyone in need of an accommodation to participate in the meeting should notify the ADA coordinator at tcline@kannapolisnc.gov or 704-920-4302 at least forty-eight (48) hours prior to the meeting.



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N

APRIL AS FAIR HOUSING MONTH

WHEREAS, Provision of fair housing opportunities for all citizens of Kannapolis is an important goal of the City of Kannapolis; and

WHEREAS, The City of Kannapolis, the North Carolina Human Relations Commission, concerned citizens, financial institutions and the housing industry are working to realize the dream of fair, safe, decent and affordable housing for all city residents; and

WHEREAS, The participation of the City of Kannapolis with programs of the United States Department of Housing and Urban Development, which prohibits discrimination in housing because of race, color, sex, religion, disability, family status or national origin with April marking the forty-ninth anniversary of the Federal Fair Housing Act of 1968;

WHEREAS, By supporting and promoting fair housing and equal opportunity, we are contributing to the health of our city, our state and our nation, and we are encouraging other to abide by the letter and the spirit of the Federal Fair Housing Act.

NOW, THEREFORE, I, Milton D. Hinnant, Mayor of the City of Kannapolis, North Carolina, by the virtue of the authority vested in me as Mayor do hereby proclaim April 2017 as:

“ FAIR HOUSING MONTH ”

in the City of Kannapolis and urge, all our citizens to rededicate themselves to ensuring that fair housing laws are always upheld and all citizens are protected against discrimination.



IN WITNESS WHEREOF I have set
my hand and caused the Great Seal of
the City of Kannapolis to be affixed this
27th day of March, 2017.

Milton D. Hinnant

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
February 07, 2017**

A special meeting of the City Council of the City of Kannapolis, North Carolina was held on Tuesday, February 07, 2015, 6:00 PM at the Kannapolis City Hall, Council Executive Conference Room located at 401 Laureate Way, Kannapolis, NC

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Tom Kincaid
Darrell Jackson
Roger Haas
Dianne Berry
Doug Wilson
Ryan Dayvault

Council Members Absent: None

City Manager: Mike Legg

City Attorney: Walter M. Safrit, II

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the special meeting to order and welcomed those in attendance.

ADOPTION OF AGENDA:

Council Member Kincaid made a motion to adopt the agenda. Council Member Dayvault seconded the motion and it was approved by unanimous vote.

Mayor Pro tem Wilson made a motion close the session pursuant to G.S. 143.318.11 (a) (3) for consulting with an attorney in order to preserve the attorney-client privilege. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

Council went into closed session at 6:00 PM.

Council Member Kincaid made a motion that Council come out of closed session. Motion was seconded by Council Member Dayvault and approved by unanimous vote.

Council resumed regular session at 10:45 PM.

There being no further business, Mayor Pro tem Wilson made a motion that the meeting adjourn. Motion was seconded by Council Member Berry and approved by unanimous vote.

The meeting adjourned at 10:45 PM on Tuesday, February 07, 2017.

Bridgette Bell, MMC, NCCMC
City Clerk

Milton D. Hinnant, Mayor

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
February 13, 2017**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, February 13, 2017 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Ryan Dayvault
Dianne Berry
Darrell Jackson
Roger Haas
Tom Kincaid
Doug Wilson

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Bridgette Bell, MMC

City Attorney: Walter M. Safrit, II

Staff Present: Ernie Hiers JW Chavis
Wilmer Melton Annette Privette-Keller
Trent Marlow Eric Davis

Visitors: Robin Pope Kym Lawson
Ken Young Bobbi Hague
Gene Overcash Guy Morgan
Devante Watkins

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance.

ADOPTION OF AGENDA:

Mayor Pro tem Wilson made a motion to approve the agenda and the First Reading Agenda. Motion was seconded by Council Member Kincaid and approved by unanimous vote.

FIRST READING:

Ordinance Permitting the Use of Golf Carts on Certain Streets with Conditions (First Reading)
(Copy included as Exhibit A)

1 **CONSENT AGENDA:**

2 Council Member Haas made a motion to approve the Consent Agenda. Motion was seconded by
3 Council Member Berry and approved by unanimous vote.

4
5 Budget Amendment #17-6 and Reimbursement Resolution for Fire Station Improvements (**Eric
6 Davis, Finance Director**) (Copy included as Exhibit B)

7
8 Budget Amendment #17-7 and Reimbursement Resolution Regarding Demonstration Project
9 Parking Deck (**Eric Davis, Finance Director**) (Copy included as Exhibit C)

10
11 Budget Amendment #17-8 for Budget Loan Proceeds (**Eric Davis, Finance Director**) (Copy
12 included as Exhibit D)

13
14 Budget Amendment #17-9 Odell Fire Services Contract (**Eric Davis, Finance Director**) (Copy
15 included as Exhibit E)

16
17 **BUSINESS AGENDA:**

18 **Resolution to Adopt the Declaration of Interdependence (Mike Legg, City Manager) (Copy**
19 **included as Exhibit F)**

20 At the last Council Meeting, Rowan County Chairman Greg Edds presented to City Council a
21 proposed document “the Declaration of Interdependence” which aims to encourage cooperation
22 among and between the County and its 10 municipalities: Salisbury, Kannapolis, China Grove,
23 Landis, East Spencer, Cleveland, Faith, Granite Quarry, Rockwell and Spencer. Three major
24 areas of focus were identified as economic development and jobs, quality of life, and marketing,
25 under each of those three areas are about nine areas of study. Chairman Edds requested that City
26 Council consider approving the Resolution adopting the Declaration of Interdependence.

27
28 Council Member Dayvault made a motion to adopt the Resolution adopting the Declaration of
29 Interdependence. Motion was seconded by Council Member Jackson and approved by
30 unanimous vote.

31
32 **Resolution Supporting De-annexation of Property from the northern most portion of the**
33 **City, south of Cannon Farm Road (Mike Legg, City Manager and Walter M. Safrit, II,**
34 **City Attorney) (Copy included as Exhibit G)**

35 A petition was received requesting that the residential estate owned by Jimmy and Donna Baker
36 of 1343 Cannon Farm Road and Tommy and Barbara Black of 1275 Cannon Farm Road be de-
37 annexed by the City. They felt it is in their best interest to petition the City for de-annexation.
38 The property came into the City at the time of incorporation which included all of the property
39 owned by Atlantic American Properties for Kannapolis Country Club or its predecessors. The
40 location presents problems for efficient provision of City services, especially garbage, leaf and
41 trash collection. City Council has no statutory authority to de-annex property. Such action has to
42 be accomplished by statutory process by the State Legislation. It is Staff recommendation that
43 Council adopt a Resolution supporting legislation which will accomplish the requested action.

44
45 Council Member Jackson made a motion to approve the Resolution Supporting De-annexation of
46 Property from the northern most portion of the City, south of Cannon Farm Road. Motion was
47 seconded by Mayor Pro tem Wilson and approved by unanimous vote.
48

1 **Agreement for the Landis-Kannapolis Treated Water Purchase (Mike Legg, City**
2 **Manager) (Copy included as Exhibit H)**

3 The Town of Landis currently purchases water from the City of Kannapolis at a rate of \$3.15 per
4 1,000 gallons per day and was part of a short term agreement. The Town of Landis is requesting
5 a more permanent agreement with the City. The original Kannapolis proposal was for \$2.47 per
6 1,000 gallons per day and included an annual 4% CPI. Landis counter proposal included rate
7 changes only in year 4 (6%), year 7 (5.66%) and year 10 (3.22%). The negotiated proposal
8 (included in the agreement under consideration) includes a rate of \$2.47 per 1,000 gallons for the
9 first year with the next nine years including an annual 3% during this ten year period. No other
10 changes would occur during this 10 year period. Landis can purchase up to one million gallons
11 per day from Kannapolis.

12
13 Council Member Kincaid asked if there were a minimum Landis has to purchase. City Manager
14 Legg responded no.

15
16 Council Member Haas asked how they came up with the \$2.47 per gallon. City Manager Legg
17 responded to Mr. Haas' question.

18
19 There being no further questions, Council Member Dayvault made a motion to approve the
20 agreement for the Landis-Kannapolis treated water purchase. Motion was seconded by Council
21 Member Berry and approved by unanimous vote.

22
23 **Resolution opposing Legislative changes to the Municipal Voting Schedules (Mike Legg,**
24 **City Manager) (Copy included as Exhibit I)**

25 City Manager Legg explained that the approval of House Bill 64 would move municipal
26 elections to even number of years due to the following reasons:

- 27
28 1. Elections in odd numbered years allows people to be informed regarding local
29 issues and municipal candidates who can best serve their communities;
30 2. This bill is not necessary as citizens currently have the ability to move their
31 elections to odd numbered years if they choose to do so by requesting local
32 Legislative action;
33 3. There would be no cost savings as Municipal Governments pay for Municipal
34 Elections;
35 4. Citizens should retain local control of their municipalities and Municipal
36 Elections without the interference of National and State influences;
37 5. If moved to even number years to coordinate with National and State
38 Elections, Municipal Elections would become partisan and driven by national
39 issues and candidates.

40
41 There being no questions, Council Member Haas made a motion to approve the Resolution
42 opposing House Bill 64- Legislative changes to the Municipal Voting Schedules. Motion was
43 seconded by Mayor Pro tem Wilson and approved by unanimous vote.

44
45 **STAFF UPDATES:** None

46
47 **CITY COUNCIL COMMENTS:**

48 City Manager reported that in the first year there have been 202 events held in the Laureate
49 Center, generally one half have been internal like City functions (including Council Meetings)

1 with 108 outside events, generating \$89,000 in revenue with \$69,000 pending. Comments have
2 been very positive. The train station and old Cabarrus Bank building has generated 120
3 additional rentals.

4
5 **CLOSED SESSION:**

6 Mayor Pro tem Wilson made a motion to close the session G.S. 143-318.11 (a) (3) to consult
7 with an attorney in order to preserve the attorney-client privilege and G.S. 143.318.11 (a) (5) for
8 discussion of a negotiating position on price and other material terms of real property acquisition
9

10 City Council went into closed session at 6:20 PM on Monday, February 13, 2017.

11
12 Council Member Haas made a motion to come out of closed session. Motion was seconded by
13 Council Member Dayvault and approved by unanimous vote.

14
15 Council resumed regular session at 7:40 PM on Monday, February 13, 2017.

16
17 There being no further business, Council Member Haas made a motion to adjourn. Motion was
18 seconded by Mayor Pro tem Wilson and approved by unanimous vote.

19
20 The meeting adjourned at 7:40 PM on Monday, February 13, 2017.
21
22
23
24
25
26

27 _____
28 Bridgette Bell, MMC, NCCMC
29 City Clerk

Milton D. Hinnant
Mayor

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
February 27, 2017**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, February 27, 2017 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Darrell Jackson
Roger Haas
Tom Kincaid
Doug Wilson
Ryan Dayvault

Council Members Absent: Dianne Berry

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Attorney: Walter M. Safrit, II

| | | |
|----------------|--------------|---------------|
| Staff Present: | Ernie Hiers | Terry Clanton |
| | David Jordon | JW Chavis |
| | Irene Sacks | Wilmer Melton |

| | | |
|-----------|--------------------|---------------|
| Visitors: | Jeanne Dixon | Gene Overcash |
| | Dennis Johnson | Melvin Rape |
| | Linda Rape | Robin Pope |
| | Scott Trott | Barbie Jones |
| | Randy Long | Mike DeMaine |
| | Bill Lutrick | Jo Stephens |
| | Donald Gray | Betty Edwards |
| | Haley Hassler | Bobbi Hague |
| | Frances Jackson | Halia J. Nash |
| | Cletus Robinson | Eric Dearmon |
| | Melanie Keziah | Rick Kaziah |
| | Christopher Keziah | Jason Ford |
| | Zach Allee | |

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. Mayor Hinnant noted due to a death in the family, Mrs. Berry was absent and asked that all keep the Berry family in their prayers. He also noted the absent of the City Clerk, who was out with the flu. A moment of silent prayer and the Pledge of Allegiance was led by Council Member Kincaid.

1 **ADOPTION OF AGENDA:**

2 Mayor Pro tem Wilson made a motion to approve the agenda. Motion was seconded by Council
3 Member Dayvault and approved by unanimous vote.
4

5 **APPROVAL OF MINUTES:**

6 Council Member Haas made a motion to approve the January 04, 2017 Special Meeting minutes.
7 Council Member Jackson seconded the motion and it was approved by unanimous vote of
8 Council Members present.
9

10 Council Member Dayvault made a motion to approve the January 09, 2017 Workshop Meeting
11 minutes. Mayor Pro tem Wilson seconded the motion and it was approved by unanimous vote of
12 Council Members present.
13

14 Council Member Jackson made a motion to approve the January 23, 2017 Regular meeting
15 minutes. Council Member Haas seconded the motion and it was approved by unanimous vote of
16 Council Members present.
17

18 Council Member Jackson made a motion to approve the November 28, 2016 Closed Session
19 Minutes. Mayor Pro tem Wilson seconded the motion and it was approved by unanimous vote of
20 Council Members present.
21

22 Council Member Dayvault made a motion to approve the January 04, 2017 Closed Session
23 Minutes. Council Member Jackson seconded the motion and it was approved by unanimous vote
24 of Council Members present.
25

26 Council Member Dayvault made a motion to approve the January 09, 2017 Closed Session
27 Minutes. Council Member Kincaid seconded the motion and it was approved by unanimous vote
28 of Council Members present.
29

30 Council Member Kincaid made a motion to approve the January 23, 2017 Closed Session
31 Minutes. Council Member Jackson seconded the motion and it was approved by unanimous vote
32 of Council Members present.
33

34 **CONSENT AGENDA:**

35 Mayor Pro tem Wilson made a motion to approve the Consent Agenda. Council Member
36 Dayvault seconded the motion and it was approved by unanimous vote of Council Members
37 present.
38

39 Request 25 MPH Speed Limit Modification on Janie Street (Wilmer Melton, III, Director of
40 Public Works) (Copy included as Exhibit A)
41

42 Requested 25 MPH Speed Limit Modification on Taylor Street (Wilmer Melton, III,
43 Director of Public Works) (Copy included as Exhibit B)
44

45 Budget Amendment #17-10 for increased Code Enforcement Activities (Eric Davis, Finance
46 Director) (Copy included as Exhibit C)
47

48 **BUSINESS AGENDA:**

Presentation of Final Schematic Design for the Downtown Sports and Entertainment Venue (Mike Legg, City Manager) (Copy included as Exhibit D)

Mr. Legg explained that Populous, the City's architect for proposed the Sports and Entertainment Venue (SEV) downtown, has been working for the past 60 days to complete the schematic design for the facility. The venue will be located downtown on the site of the former K-Town Furniture. The design features industrial architectural elements which will complement the current structures and the new streetscape on West Avenue. Existing West Avenue buildings will be an integral part of the venue with uses such as restaurants and shops. The plan calls for the sports and entertainment venue to be a key architectural feature of downtown especially as one travels in to the downtown core from N.C. 3 to Laureate Way. The next step in the process is the completion of architectural drawings.

Jason Ford and Zach Allee with Populous provided a power point presentation and reviewed the design for the venue which includes various dining options, seating arrangements, technology, event space, and children's spaces which will create more options for entertainment and social experiences. The \$37 million venue will be designed to have an intimate atmosphere for small and large groups with numerous seating options to enjoy baseball, concerts, festivals, and many other events. The venue is envisioned as another piece of the City's Discover a Healthy Life brand by functioning as a public park. The concourse will be 360 degrees and open to citizens who want to walk or run every day. The sports and entertainment venue is set to hold about 5,800 people, with 3,800 fixed seats and a variety of other seating styles, such as grass-berm seating, rocking chair seating, and cabana-group seating.

The facility will have 8,500 square feet of meeting and banquet space which will be available for special event leasing and a team store. The entire Downtown Revitalization Project is expected to bring over \$370 million in private investment to Kannapolis once the revitalization project is completed. The existing West Avenue buildings will be an integral part of the venue, with uses such as restaurants and shops.

Mayor Pro tem Wilson asked about the old baseball stadium being sold to offset the cost of a new stadium. Mr. Legg stated when the time comes and since the City is partners with Rowan County will have discussions with the County to market the property to an outside investor. Ideally Mr. Legg said would be for economic development like a business park or corporate headquarters. Mayor Hinnant added that Staff has been in discussions with the Rowan and Cabarrus County Board of Commissioners and the Economic Development Corporation for both counties to assist with looking for economic opportunities in redeveloping the park.

Council Member Haas said he is no baseball fan and doesn't watch it on television; however, this makes him want to attend a game. He recalled as a child watching the Saturday games with his Dad. The only reason he watched the games was that halfway into the game, his Dad would tell him to run down to the corner store and get some ice cream sandwiches. He said the new baseball stadium is the economic driver for downtown that is going to happen for private investment. It reminds us that this is much more than a baseball stadium and if we want downtown to thrive, this is absolute critical.

Council Member Dayvault stated that one thing they have missed is the team. They talk about recruitment of new businesses, but one thing that has been glanced over is about keeping the

1 Team and keeping a baseball presence in Kannapolis. Mr. Haas is correct that the sports and
2 entertainment venue will be the economic driver.

3
4 People have asked for many years for downtown to be revitalized. This is a big shock to the
5 system and a big change from the way it is now. Mr. Dayvault feels they keep missing the point
6 that this is also about keeping a baseball in Kannapolis. If we should lose the Team or baseball
7 presence in Kannapolis, in his opinion, it is gone forever and we're not going to get it back. It is
8 a lot of money and a big decision, but we have to keep all of that in mind, it's just like recruiting
9 a new business.

10
11 City Manager Legg stated if Council approves this schematic design, it will give Populous the
12 direction to proceed with design process. At the next Council meeting, Staff is recommending
13 that Barton Malow headquartered in Southfield, Michigan be approved as the Construction at
14 Risk Manager. They have already agreed to work in tandem with Populous in the short term to
15 develop some preliminary schematic pricing. This will happen in the next two weeks. Barton
16 Malow will be managing all of the infrastructure, storm water, utilities and ultimately the
17 streetscape. Mr. Legg said they are still working through some tenant relocation issues. In order
18 to meet the spring 2020 open season, this project has to start in 12-18 months from now.

19
20 Mr. Dayvault asked about security of the complex whether it be additional security or cameras.
21 He mentioned the problems downtown with skateboarders and people wanting to destroy
22 property. Mr. Legg stated that would be a function of the City, City Departments and more
23 notability the Team. Unlike other stadiums that are isolated, this one will have a lot of eyes on it;
24 merchants and business owners. There will be a lot of human activity. The Team will ultimately
25 have a say and it is something that will have to be worked into the lease.





There being no further questions, Council Member Dayvault made a motion to approve the final Schematic Design for the Downtown Sports and Entertainment Venue. Motion was seconded by Council Member Kincaid and approved by unanimous vote of Council Members present.

Ordinance Permitting the Use of Golf Carts on Certain Streets with Conditions (Walter M. Safrit, II, City Attorney) Second Reading (Copy included as Exhibit E)

Mr. Safrit led the discussion. Council Member Dayvault approached him about a Golf Cart Ordinance. Upon checking with state statutes to confirm that golf carts were permissible, and reviewing numerous Golf Cart Ordinances other municipalities in the state have adopted, he has drafted an Ordinance for Council's consideration. The first reading of this Ordinance was presented at the last Council meeting.

Major elements of the Ordinance:

- Maximum speed 20 mph.
- Operator must be over 16 years of age with valid driver's license.
- Must maintain insurance as required for all motor vehicles.
- Permitted only on streets with 35 mph limit during daylight hours only.
- Subject to all laws including impaired driving laws.

In order to operate the vehicle at night, requires that the vehicle have operable head and tail lights; is subject to registration and inspection by the Kannapolis Police Department. Violators are subject to infraction penalties.

Too insure the public safety and welfare, the operation of golf carts must not only comply with normal regulations regarding vehicles, but should comply with special safety regulations intended to protect the operator and passengers in a vehicle that is primarily designed for operation on a golf course or recreational purposes. This Ordinance establishes the basic, minimum standards of care to be used by the operators of golf carts on public roads, streets and

1 highways. Likewise, the public safety requires that golf carts, used as a means of transportation,
2 must also meet certain minimum safety standards that can only be assured through a system of
3 registration and inspection. The registration and inspection of golf carts is required in order to
4 protect the public health, safety and welfare.
5

6 At the last meeting, Chief Chavis provided Council with his thoughts about use of carts and is
7 available to answer any questions tonight.
8

9 Mayor Pro tem Wilson asked what is the difference between this ordinance and a moped? Mr.
10 Safrit responded that a golf cart is defined as a vehicle that is created for the purpose of using on
11 a golf course by the manufacturer, excluding any other type of vehicle such as a moped.
12

13 Mr. Jackson asked if the City would be able to charge a registration fee. Mr. Safrit replied that
14 state statute does give Council that authority to impose an annual fee \$10 initial fee and
15 subsequently \$5.00 per cart. Mr. Jackson noted he has a golf cart registered in South Carolina
16 and was required to go through the Department of Transportation and wondered if that would be
17 a requirement. Mr. Safrit responded no.
18

19 Mayor Pro tem Wilson asked if the proposed regulations for golf carts were the same for
20 mopeds. Mayor Hinnant invited Chief Chavis to the podium to explain regulations between golf
21 carts and mopeds.
22

23 Chief Chavis stated as of last year, moped drivers are required to wear helmets and register with
24 the State of North Carolina and as of July 1, 2017, liability insurance will be required. Mayor Pro
25 tem Wilson asked about speed limits for mopeds. Chief Chavis said it was 35mph on flat ground,
26 noting that is a far cry from the 19mph of a golf cart.
27

28 Council Member Haas asked who would be responsible for the inspections for permits. Mr.
29 Safrit responded that it is anticipated that the Police Department would provide this service and
30 collect the fee.
31

32 Mr. Haas referred to the #4 of the background information of the staff report that says "Permitted
33 only on streets with 35mph limit during daylight hours only" is contrary to Sec10-102 Rules and
34 Regulations (12)(a) and (12)(b). Mr. Safrit clarified that carts without lights may only operate
35 during the daylight hours; however if a cart meets all of the requirements, may operate at any
36 time.
37

38 Mr. Haas said one could ride a cart at two or three o'clock in the morning and he had rather see it
39 an hour before sunrise or an hour after sunset. Mr. Safrit stated the Ordinance was presented as a
40 basic Ordinance for Council's consideration and may make any changes.
41

42 Mr. Haas preferred for crossings to be done at a traffic signal or a stop sign intersection rather
43 than anywhere one chooses. He referred to a recent article that Surf City recently reversed their
44 decision to allow golf carts on its streets. Since enacting a golf cart Ordinance, the number of
45 accidents had increased dramatically. This is something he has discussed with Chief Chavis in
46 that we don't want to send people to the emergency room and have all kinds of golf cart related
47 injuries.
48

1 Mr. Haas stated in the Ordinance under the liability disclaimer, it even says golf carts are not
2 designed or manufactured to be used on streets and that is even what the golf manufactures
3 themselves say. Why would we be putting forth an Ordinance to drive golf carts on the streets
4 when the manufacturer says it not a good idea.

5
6 Council Member Kincaid felt the Ordinance needed to be more defined as it relates to downtown
7 and developments. He feels the matter should be tabled until a future date.

8
9 Council Member Jackson feels the Ordinance could be a marketing tool, especially for people
10 living downtown as a means of transportation. He understands the concerns expressed by Chief
11 Chavis that golf carts could be a safety concern on well-traveled roads. He feels the Ordinance
12 has merit and could be tailored to be more of a center city activity.

13
14 Council Member Dayvault said he has been approached by several citizens asking if it would be
15 possible to allow golf carts on city streets. He then addressed concerns by Council members.

16
17 Mayor Hinnant said he was against allowing golf carts on city streets unless there are massive
18 changes. He noted that China Grove and Landis have town laws that allow for golf carts on city
19 streets, but they don't have major thoroughfares that will complicate driving golf carts.

20
21 Council Member Dayvault made a motion to table the Ordinance for three months. Mayor Pro
22 tem Wilson seconded the motion and it was approved by unanimous vote of Council Members
23 present.

24
25 **Ordinance to demolish the substandard house and outbuildings at 1013 Elm Street**
26 **(Zachary D. Gordon, Planning Director) (Copy included as Exhibit F)**

27 Mr. Gordon provided background information:

- 28
29 • The house on the property has long been vacant and in a deteriorating condition.
30 • There has been no water consumption since July of 2007. The water account was closed
31 out in December of 2008 due to nonpayment.
32 • Duke Energy reports electricity being off since August of 2008.
33 • According to Rowan County records no taxes have been paid on the property since 2008.
34 delinquent taxes total \$11,100.17.
35 • An inspection of the structure was conducted on October 27, 2016. It appeared that
36 during the inspection the house had been cleared of walls, electrical wiring, and
37 necessary items to make a house habitable.

38
39 A hearing was scheduled for November 10, 2016, in which the owner signed receipt of the
40 Hearing Notice mailed. No parties of interest attended the hearing.

41
42 A Findings of Fact and Order was issued to the owner listing a deadline of February 10, 2017 to
43 have the house repaired or demolished. No change has occurred at the property and no contact
44 with the owner has been held. It should be noted that due to a code enforcement action
45 approximately eleven years ago, a second house was demolished on this property. The same
46 owner owned this property at that time. Funding is available and has been approved to use the
47 Community Development Block Grant funds. The expected cost to demolish the house is around

1 \$5,500 plus the cost to remove any asbestos found during an inspection. The expected cost to
2 remove the out- buildings is expected to be around \$1,000.00.

3
4 Council Member Haas made a motion to approve the Ordinance to demolish the substandard
5 house and outbuildings at 1013 Elm Street. Motion was seconded by Mayor Pro tem Wilson
6 and approved by unanimous vote of Council Members present.

7
8 **Ordinance to demolish the substandard house at 1236 Opal Street (Zachary D. Gordon,**
9 **AICP, Planning Director) (Copy included as Exhibit G)**

10 Mr. Gordon provided background information.

- 11
12 • The last occupant of this property died in 2008 and the water account was closed out in
13 October of 2008. Since that date water has leaked through the roof and caused areas of
14 wood rot.
15 • Conversations with a member of the family owning the property began in December of
16 2015. Initial feelings were that this family member had good intentions to repair the
17 house and maintain the property.
18 • Following multiple abatement actions related to nuisance enforcement, and no sign of
19 progress in repairing the house, a title search was requested from legal staff.

20
21 Upon receiving the title search it was revealed that the owner had died and her estate not closed.
22 Since this is the case many parties of interest may exist but all parties cannot be determined. On
23 November 2, 2016 a hearing was held with one party of interest present. Prior to the hearing
24 legal notification of the hearing was advertised in the local paper. Following the hearing the
25 deadline of February 2, 2017 was established as the date to repair or demolish the house. To date
26 only a dilapidated portion of the back porch has been removed. Recent conversations with the
27 family member revealed that no changes will occur between this date and the date of the Council
28 Meeting later this month.

29
30 Funding is available and has been approved to use money from the Community Development
31 Block Grant account. The expected cost to demolish the structure is approximately \$3,500.00
32 plus the cost to remove any asbestos found during an inspection.

33
34 Council Member Kincaid made a motion to approve the Ordinance to demolish the substandard
35 house at 1236 Opal Street. Motion was seconded by Council Member Dayvault approved by
36 unanimous vote of Council Members present.

37
38 **Ordinance to demolish the substandard structure 1509 Tyler Street (Zachary D. Gordon,**
39 **AICP, Planning Director) (Copy included as Exhibit H)**

40 Mr. Gordon provided background information.

- 41
42 • On February 1, 2010 a fire occurred at the property due to faulty electrical wiring.
43 Subsequently, the electricity was shut off.
44 • In May of 2010 the water account was closed out for nonpayment. The house was
45 officially determined to be vacant at that time.
46 • On July 28, 2016 a title search was received from our Legal Department. On the search it
47 was determined that the property was owned by a large number of heirs in various states.

- It was also determined that nearly \$3,500 was owed in backed taxes. Contact with some members of the family was made and a notice of publication was placed in the local paper in order to do due diligence in making contact with parties of interest.

On October 17, 2016 one of the family members allowed an inspection as it was her feeling that the house should be demolished. Also in attendance at the inspection was a Fire Department staff member who determined that the house was too unsafe to be burned as a training exercise.

On November 10, 2016 a hearing was held with only two family members present. Neither opposed the determination of demolition occurring after the deadline of February 10, 2017. This date was listed on the Findings of Fact and Order mailed to parties of interest following the hearing. Funding is available and approval has been granted to use money from the Community Development Block Grant Budget. The expected cost to demolish the structure is approximately \$5,500.00 plus the cost to abate any asbestos that is found during an asbestos inspection.

Mayor Pro tem Wilson made a motion to approve the Ordinance to demolish the substandard house at 1509 Tyler Street. Motion was seconded by Council Member Dayvault approved by unanimous vote of Council Members present.

Bid award for the Bakers Creek Park Tennis Courts and Amended Capital Project Ordinance (Gary Mills, Director of Parks and Recreation) (Copy included as Exhibit I)

The Bakers Creek Park tennis courts have been in disrepair for quite a few years now. City Council decided to expedite their replacement in August of 2016. After design and bidding, bids were opened in January. There were three bidders for the project (see attached bid tab sheet).

We began negotiating with the low bidder, Carolina Siteworks, on bringing the cost of the project down. The City is going to accept the two deduct alternates to lower the fence height and shorten the windscreens. The City also requested an estimate for doing reclamation of the existing surfacing with a concrete mix to eliminate the undercut; that recommendation was approved by the site engineer. The deduct proposal from Carolina Siteworks is also attached for review.

The original project budget was \$300,000 which included design/engineering and new lights. We estimate the total cost for the project to be around \$335,000, but that includes contingency and allowances of almost \$20,000 which may not be needed. We have also applied for a \$20,000 grant from the USTA to help off-set costs as well; at present we do not have a response to our request. It is our recommendation to approve the low-bid to Carolina Siteworks for the amount of \$222,001 (which includes the deducts).

We also have an estimate from Musco Sports Lighting to provide the tennis court lights for the project. This new LED system will be utilizing part of the tennis lighting system from the 2016 Rio Summer Olympics. The project is estimated to take between 60-90 days and should be completed by early summer 2017. Council will need to amend the Capital Project Ordinance in the amount of \$335,000 to cover costs associated with the project. This is the \$35,000 more than the originally approved budget ordinance of \$300,000.

1 Motion was made by Council Member Dayvault to award the low-bid to Carolina Siteworks for
2 the tennis court replacement and approve the Capital Project budget amendment in the amount of
3 \$335,000. Council Member Haas seconded the motion and it was approved by unanimous vote
4 of Council Members present.
5

6 **Amend Capitol Project Ordinance and Reimbursement Resolution for Village Park Phase**
7 **III Improvements (Gary Mills, Director of Public Works) (Copy included as Exhibit J)**

8 The initial Reimbursement Resolution for Village Park Phase III was not amended when the
9 original Capital Project was approved. The attached Resolution will amend the Capital Project
10 budget for Village Park Phase III to \$1.65 million dollars; there is an additional increase of
11 \$50,000 (attached Capital Project Ordinance) to offset additional costs associated with redesign
12 of the building due to poor soils and to address security measures and safety around the site and
13 within the park. This additional amount will also allow us to sell tickets at the carousel for all
14 park amenities by connecting a point of sale register with a link back to the network at the main
15 park building.
16

17 The initial Reimbursement Resolution for Village Park Phase III was not amended when the
18 original Capital Project was approved. The attached Resolution will amend the Capital Project
19 Ordinance for Village Park Phase III to \$1.65 million dollars.
20

21 Council Member Kincaid made a motion to amend the Capitol Project Ordinance and
22 Reimbursement Resolution for Village Park Phase III Improvements. Motion was seconded by
23 Council Member Jackson and approved by unanimous vote of Council Members present.
24

25 **CITY MANAGER REPORT:** None
26

27 **CITY COUNCIL COMMENTS:** None
28

29 **SPEAKERS FROM THE FLOOR:**

30 Betty Edwards of 1521 Daybreak Ridge provided information about the Cabarrus County
31 upcoming GOP Republican Convention precinct meetings for 2017, to be held on March 18th at
32 Central Cabarrus High School. Registration is from 8:30 until 9:30 AM.
33

34 **CLOSED SESSION:**

35 Mayor Pro tem Wilson made a motion to go into closed session pursuant to G.S. 143.318.11 (a)
36 (3) for consulting with an attorney in order to preserve the attorney- client privilege and G.S.
37 143.318.11 (a) (5) for discussion of a negotiating position on price and other material terms of
38 real property acquisition. Motion was seconded by Council Member Kincaid and approved by
39 unanimous vote of Council Members present.
40

41 Council went into closed session at 8:15 PM.
42

43 Council Member Dayvault made a motion to come out of closed session. Motion was seconded
44 by Council Member Haas and approved by unanimous vote of Council Members present.
45

46 Council resumed regular session at 10:45PM.
47

1 There being no further business, Council Member Dayvault made a motion to adjourn the
2 meeting. Motion was seconded by Mayor Pro tem Wilson and approved by unanimous vote of
3 Council Members present.

4
5 The meeting adjourned at 10:45 PM on Monday, February 27, 2017.
6
7
8

9
10 _____
11 Bridgette Bell, MMC, NCCMC
City Clerk

Milton D. Hinnant
Mayor



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Bridgette Bell, City Clerk
TITLE: Closed Session February 07, 2017 Special Meeting

A. Action Requested by City Council

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

H. Issue Reviewed By

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Bridgette Bell, City Clerk
TITLE: Closed Session February 13, 2017 Meeting

A. Action Requested by City Council

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

H. Issue Reviewed By

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, III - Director of Public Works
TITLE: 2017 Resurfacing Contract

A. Action Requested by City Council

Motion to award the 2017 City of Kannapolis Resurfacing Contract to the lowest responsible bidder, Carolina Siteworks Inc., in the amount of \$410,939.21 and authorize the City Manager to execute contract.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

The project consists of paving the following streets (or portions thereof): Fairview Street, Eddleman Road, Jackson Street and Ruth Avenue. Bids for the Project were opened on March 14, 2017. A total of 2 bids were received as follows:

| <u>Contractor</u> | <u>Total Bid Amount</u> |
|---------------------------|-------------------------|
| Carolina Siteworks, Inc. | \$ 410,939.21 |
| Blythe Construction, Inc. | \$ 477,396.48 |

The Contractor is awaiting notice to proceed on the Project to begin work. The contract has a substantial completion time of 30 calendar days and final completion time of 45 calendar days.

D. Fiscal Considerations

The resurfacing will be funded with Powell Bill Funds. Currently, the total amount available for resurfacing in the 2016-2017 budget is \$500,000.00. It is anticipated the final cost of the Project will be within the Project budget.

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. **Award the 2017 City of Kannapolis Resurfacing Contract to the lowest responsible bidder, Carolina Siteworks, Inc., in the amount of \$410,939.21 and authorize the City Manager execute contract. (Recommended).**
2. Reject the bid and delay the Project.

H. Issue Reviewed By

Bridgette Bell, Eddie Smith, Mike Legg, Wilmer Melton

ATTACHMENTS:

File Name

- ❑ 2017_03-27_Kannapolis_Resurfacing_Bid_Tab_Signed.pdf
- ❑ 2017_03-27_Resurfacing_Map_2017.pdf

CONTRACT : 2017 KANNAPOLIS RESURFACING PROJECT
CERTIFIED BID TABULATION

OWNER: CITY OF KANNAPOLIS
 401 LAUREATE WAY
 KANNAPOLIS, NORTH CAROLINA 28081

Page 1 OF 1



BID DATE: March 14, 2017 at 2:00 PM

Carolina Siteworks, Inc.
 PO Box 280
 China Grove, NC 28023

Blythe Construction Inc.
 PO Box 31635
 Charlotte, NC 28231

ENGINEERS ESTIMATE

| ITEM NO. | DESCRIPTION | QUANTITY | UNITS | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION | UNIT PRICE | EXTENSION |
|----------|--|-------------------|------------|-------------|---------------|-------------|---------------|-------------|--------------|
| 1 | Mobilization | 1 | LS | LS | \$ 7,000.00 | LS | \$ 25,000.00 | LS | \$ 20,000.00 |
| 2 | Incidental Milling | 3,553 | SY | \$ 6.00 | \$ 21,318.00 | \$ 10.00 | \$ 35,530.00 | \$ 8.50 | \$ 30,200.50 |
| 3 | Adjustment of Manholes | 16 | EA | \$ 475.00 | \$ 7,600.00 | \$ 450.00 | \$ 7,200.00 | \$ 500.00 | \$ 8,000.00 |
| 4 | Adjustment of Valve Boxes | 22 | EA | \$ 475.00 | \$ 10,450.00 | \$ 400.00 | \$ 8,800.00 | \$ 350.00 | \$ 7,700.00 |
| 5 | Asphalt Concrete Surface Course, Type S9.5B | 1,706 | TON | \$ 91.10 | \$ 155,416.60 | \$ 90.00 | \$ 153,540.00 | \$ 90.00 | \$153,540.00 |
| 6 | Asphalt Concrete Surface Course, Type S9.5B Leveling | 30 | TON | \$ 91.10 | \$ 2,733.00 | \$ 100.00 | \$ 3,000.00 | \$ 90.00 | \$ 2,700.00 |
| 7 | Thermoplastic Pavement Marking Lines (4"-90 mil) | 367 | LF | \$ 1.20 | \$ 440.40 | \$ 0.70 | \$ 256.90 | \$ 1.00 | \$ 367.00 |
| 8 | Thermoplastic Pavement Marking Lines (4"-120 mil) | 3,580 | LF | \$ 1.20 | \$ 4,296.00 | \$ 0.68 | \$ 2,434.40 | \$ 1.00 | \$ 3,580.00 |
| 9 | Thermoplastic Pavement Marking Lines (8"-120mil) | 78 | LF | \$ 3.50 | \$ 266.00 | \$ 3.00 | \$ 228.00 | \$ 3.00 | \$ 228.00 |
| 10 | Thermoplastic Pavement Marking Lines (12"-120mil) | 40 | LF | \$ 4.70 | \$ 188.00 | \$ 5.50 | \$ 220.00 | \$ 12.00 | \$ 480.00 |
| 11 | Thermoplastic Pavement Marking Lines (24"-120 mil) | 103 | LF | \$ 5.90 | \$ 607.70 | \$ 7.50 | \$ 772.50 | \$ 25.00 | \$ 2,575.00 |
| 12 | Thermoplastic Marking Symbol (Arrows) (90 mils) | 6 | EA | \$ 120.00 | \$ 720.00 | \$ 100.00 | \$ 600.00 | \$ 75.00 | \$ 450.00 |
| 13 | Symbol (School) | 1 | EA | \$ 590.00 | \$ 590.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 250.00 | \$ 250.00 |
| 14 | Patching Existing Asphalt | 661 | TON | \$ 150.00 | \$ 99,150.00 | \$ 140.00 | \$ 92,540.00 | \$ 150.00 | \$ 99,150.00 |
| 15 | Traffic Signal Inductive Loop Repair | 4 | EA | \$ 937.50 | \$ 3,750.00 | \$ 1,000.00 | \$ 4,000.00 | \$ 1,500.00 | \$ 6,000.00 |
| 16 | Incidental Stone Base | 50 | TON | \$ 51.20 | \$ 2,560.00 | \$ 50.00 | \$ 2,500.00 | \$ 30.00 | \$ 1,500.00 |
| 17 | Shoulder Reconstruction | 2.87 | SHLDR MILE | \$ 4,420.00 | \$ 12,685.40 | \$ 5,500.00 | \$ 15,785.00 | \$ 7,000.00 | \$ 20,090.00 |
| 18 | AST Mat Coat No. 78M Stone | 20,295 | SY | \$ 2.00 | \$ 40,590.00 | \$ 2.00 | \$ 40,590.00 | \$ 2.00 | \$ 40,590.00 |
| 19 | Temporary Traffic Control | 1 | LS | LS | \$ 3,220.00 | LS | \$ 40,000.00 | LS | \$ 25,000.00 |
| | | SUB TOTAL | | | \$ 373,581.10 | | \$ 433,996.80 | | \$422,400.50 |
| | | 10% CONTINGENCY | | | \$ 37,358.11 | | \$ 43,399.68 | | \$ 42,240.05 |
| | | TOTAL PROJECT BID | | | \$ 410,939.21 | | \$ 477,396.48 | | \$464,640.55 |

Variance from Engineer's Estimate -11.56%

2.75%

I HEREBY CERTIFY THIS BID TAB TO BE A TRUE
 AND ACCURATE COPY OF THE BIDS RECEIVED:

William Melton III



DISCLAIMER: This map is prepared from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data from various federal, state, and local agencies. Maps and associated information must be accepted and used by the recipient with the understanding that the primary information sources should be consulted for verification of the information contained on these maps. As such, the City of Kannapolis provides no warranties, expressed or implied, concerning the accuracy, completeness or reliability, or suitability of this data. Furthermore, the City of Kannapolis assumes no liability whatsoever associated with the use or misuse of such data.



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, III - Director of Public Works
TITLE: Street Lighting along Laureate Way and Watson Crick Drive

A. Action Requested by City Council

Motion to approve a Resolution entering into a contract with Shealy Electrical Wholesales.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

In last year's budget, we allocated \$140,000 for the purchase of Beacon light fixtures along Laureate Way and Watson Crick Drive in accordance with our original downtown lighting plan. We are proposing the purchase of eleven (11) single head fixtures, seven (7) double head fixtures, and five (5) triple head fixtures to complete the Phase I street lighting fixtures along Laureate Way in front of City Hall through to and along Watson Crick Drive.

D. Fiscal Considerations

\$140,000 is currently allocated within the 2016-2017 street lighting budget for this purchase.

E. Policy Issues

None

F. Legal Issues

Council approval is required for a purchase of this amount.

G. Alternative Courses of Action and Recommendation

- 1. Motion to approve a Resolution entering into a contract with Shealy Electrical Wholesales (Recommended)**
2. Take No Action

| |
|-----------------------------|
| H. Issue Reviewed By |
|-----------------------------|

Bridgette Bell, Eddie Smith, Mike Legg, Wally Safrit, Wilmer Melton

ATTACHMENTS:

File Name

📎 2017_03-27_Resolution_-_Shealy_Electrical_Wholesalers.pdf

**RESOLUTION APPROVING A CONTRACT WITH
SHEALY ELECTRICAL WHOLESALERS
FOR PURCHASE OF LIGHTING POLES AND EQUIPMENT**

WHEREAS, the City desires to purchase LED poles and lighting fixtures for Phase 1 of the Downtown Lighting Plans for Laureate Way and Watson Crick Drive; and

WHEREAS, Shealy Electrical Wholesalers (“Shealy”) has provided a quote for lighting equipment which will match the existing decorative fixtures; and

WHEREAS, the job quote is within the City’s approved budget; and

WHEREAS, performance and pricing competition for these fixtures are not available from competitive sources; and

WHEREAS, it is recommended that the City enter into an agreement with Shealy for purchase of the LED poles and lighting fixtures.

NOW THEREFORE, BE IT RESOLVED, pursuant to NCGS 143.129, the City Council authorizes the City Manager to enter into a purchase agreement with Shealy in accordance with the job quote attached.

BE IT FURTHER RESOLVED, that the City Manager and staff are hereby authorized to execute a purchase contract and to disburse funds for purchase in accordance with the job quote attached.

This the 27th day of March, 2017.

Milton D. Hinnant, Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Sherry Gordon, Community Development Program Administrator
TITLE: Public Hearing for use of HOME funds for FY17-18

| |
|--|
| A. Action Requested by City Council |
|--|

- 1) **Conduct a Public Hearing for use of HOME program funds.**
- 2) **Motion to Approve the Action Plan for the FY 2017 HOME funds to be received from the Cabarrus/Rowan/Iredell HOME Consortium.**

| |
|--|
| B. Required Votes to Pass Required Action |
|--|

Majority present at meeting

| |
|----------------------|
| C. Background |
|----------------------|

The City is anticipating receiving \$100,799 from the Cabarrus/Iredell/Rowan HOME Consortium in Fiscal Year 2017 - 18 (July 1, 2017 - June 30, 2018). A twenty-five percent (25%) in local match is required to receive these funds and will be provided by carryover funds from previous years.

The City of Kannapolis joined the regional HOME Consortium in 2002 to receive these Entitlement HOME funds. The HOME program is a housing program under HUD, yet a different program entirely from CDBG. Under the HOME program, the emphasis is primarily on affordable housing; whereas, with CDBG a variety of activities such as economic development, street paving, infrastructure improvements, etc. are eligible. Both programs must benefit low to moderate income citizens.

Sufficient match funds are anticipated to come from Habitat for Humanity & CCM in kind contributions and labor including sweat equity.

The City is required to conduct a public hearing to receive citizen comments and questions about the use of HOME funds each year. The City of Concord, lead agent for the Consortium, will then submit the annual action plan for the HOME program to HUD by May 15, 2017.

D. Fiscal Considerations

The City of Kannapolis will use the FY 2017-18 allocation to continue efforts to improve housing stock. The City will rehab (2) homeowners dwellings that have been on our waiting list for several years.

Down payment assistance will be made available to first time homebuyers that qualify and complete homebuyer counseling classes to purchase a home within the City of Kannapolis.

It is recommended that the following activities be undertaken with the FY 2017-18 HOME funds:

| | |
|-------------------------------|------------------|
| Rehab (2) homeowners dwelling | \$ 80,799 |
| Down payment assistance | <u>\$ 20,000</u> |
| | \$100,799 |

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

- 1) **Approve the Action Plan for the FY 2017-18 HOME funds to be received from the Cabarrus/Rowan/Iredell HOME Consortium. (Recommended)**
- 2) Use the HOME funds for alternative activities as directed by City Council.

H. Issue Reviewed By

Bridgette Bell, Irene Sacks, Mike Legg

ATTACHMENTS:

File Name

17-18PublicHearingAd.pdf



NOTICE OF PUBLIC HEARING

The City of Kannapolis Housing Program will hold a public hearing on Monday, March 27, 2017 at 6:00 p.m. (as soon thereafter as the matter may be heard) in the Kannapolis City Hall/Police Headquarters, 401 Laureate Way, Kannapolis, NC. The purpose of this hearing is to receive citizens comments and questions on its Annual Action Plan for the Cabarrus/Rowan/Iredell HOME Consortium and the US Department of Housing and Urban Development (HUD) for use of program funds during FY 2017 (July 1, 2017 – June 30, 2018). The City of Kannapolis anticipates receiving approximately \$100,799.00 in HOME funds that may be used for eligible affordable housing programs that serve low and moderate income households.

| | |
|-------------------------|---------------------|
| Homeowner Rehab | \$ 80,799.00 |
| Down Payment Assistance | <u>\$ 20,000.00</u> |
| TOTAL | \$100,799.00 |

Copies of this Report are available for public inspection at the following location: City of Kannapolis City Hall/Police Headquarters, 401 Laureate Way, Kannapolis, NC and from the City's website: www.kannapolisnc.gov

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **the City of Kannapolis**, should contact the office of **Tina H. Cline, Human Resource Director**, by phone at 704-920-4302 or by email at tccline@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.



PUBLICATION DIRECTIONS

Publish in Non-Legal section only with black border.

Please use all logos!

Please publish by March 1, 2017.

Mail invoice and affidavit of publication to the following address:

City of Kannapolis
HOME Program
401 Laureate Way
Kannapolis, NC 28081
Attn: Sherry Gordon
(704) 920-4332



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Irene Sacks, Director of Economic and Community Development
TITLE: Downtown Connectivity Plan

| |
|--|
| A. Action Requested by City Council |
|--|

Motion to approve a Resolution in support of the Downtown Connectivity Plan.

| |
|--|
| B. Required Votes to Pass Required Action |
|--|

Majority present at meeting

| |
|----------------------|
| C. Background |
|----------------------|

The Cabarrus Health Alliance (CHA) was awarded a 3-year, nearly \$2.5 million grant from the U.S. Department of Health & Human Services to focus on reducing health disparities among African American and Hispanic populations in Cabarrus County. Called the REACH (Racial and Ethnic Approaches to Community Health) program, the program uses policy, systems, and environmental approaches to address the leading causes of chronic disease and obesity, as well as promoting healthy lifestyles. The timeframe of the grant period is October 2014 to September 2017.

Through the REACH grant, CHA provided the City of Kannapolis with funding to create plans and policy changes that are consistent with the goals of the program: to increase access to healthy food, access to physical activity opportunities, and clinical and community linkages. For the 2014-15 federal fiscal year, CHA awarded \$45,000 to the City of Kannapolis for active transportation planning. The City used the funds to contract with Stewart, Inc. to provide recommendations for improving pedestrian and bicycling connectivity for downtown Kannapolis.

Specifically, the study addresses:

- Improving connectivity from Village Park to the new City Hall, and from NC Research Campus to downtown and destinations such as the train station and Veterans Park. This includes looking at how to get around the detention pond behind the City Hall and looking at circulation across the horseshoe area of campus.
- Identifying specific needs for bike lane signage and striping for the downtown/NCRC area, based on the 2014 Kannapolis Bicycle Plan.
- Evaluating the feasibility of putting a paved path along or near the Main Street rail corridor

between Rogers Lake Rd and N. Loop Rd.

Stewart, Inc. will present the plan recommendations to City Council for consideration and discussion.

D. Fiscal Considerations

The plan will be implemented as funds become available and are allocated.

E. Policy Issues

The plan implementation will be coordinated with downtown redevelopment efforts. Stewart and LandDesign have been working together to make sure the staff involved in downtown and the connectivity plan are in sync.

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. **Adopt a Resolution in support of the Downtown Connectivity Plan (Recommended)**
2. Do not adopt the Resolution in support of the Downtown Connectivity Plan

H. Issue Reviewed By

Mike Legg, Wilmer Melton, Zac Gordon

ATTACHMENTS:

File Name

📎 Resolution_-_Downtown_Connectivity_Plan.pdf

**RESOLUTION TO ADOPT THE
DOWNTOWN CONNECTIVITY PLAN**

WHEREAS, the City of Kannapolis (“City”) has received a \$45,000 grant from the Cabarrus Health Alliance to create an active transportation plan consistent with the goals of the Racial and Ethnic Approaches to Community Health (“REACH”) program; and

WHEREAS, the Cabarrus Health Alliance has approved the use of the grant funds by the City to contract with a consultant to provide recommendations for improving pedestrian and bicycling connectivity in and around downtown Kannapolis; and

WHEREAS, the Downtown Connectivity Plan includes recommendations for 1) improving connectivity between Village Park to City Hall and from the NC Research Campus to downtown destinations, 2) identifying specific bicycle lane signage and striping for the downtown and NC Research Campus area based on the 2014 Kannapolis Bicycle Plan, and 3) evaluating the feasibility of a paved path along or near the Main Street rail corridor between Rogers Lake Rd and N. Loop Rd.; and

WHEREAS, the Downtown Connectivity Plan is consistent with the City’s brand of Healthy Living as well as downtown revitalization efforts.

NOW THEREFORE, BE IT RESOLVED that the Kannapolis City Council supports the Downtown Connectivity Plan.

Adopted this 27th day of March 2017.

M. Darrell Hinnant
Mayor

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Zachary D. Gordon, AICP, Planning Director
TITLE: Minimum Housing Code Violation 619 South Harding Avenue

A. Action Requested by City Council

Adoption of an Ordinance to demolish the substandard structure located at 619 South Harding Avenue.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Beginning in 2012 code enforcement staff attempted to reach the owner of the property in question. At that time, the listed owner of the property was contacted by mail to determine any plans with regard to repairing the substandard house. In response to the City's letter, the then listed owner claimed not to own the property. This was subsequently confirmed by a review of public records. Attempts were made over a period of several years to contact parties of interest in this property but none were successful.

According to the Water Department no record of water hook-up or owner contact information existed due to records only going back to 2004. It appears that the house had been vacant for at least the years back to 2004.

In April of 2016 a thorough title search was conducted by the city. The title search listed a number of individuals who could be considered parties of interest to the property. With this information, attempts were made to obtain permission from parties of interest to inspect the house. These attempts were unsuccessful and on November 15, 2016 an Administrative Search Warrant was obtained to enter the house.

Findings from the inspection were recorded and pictures were taken. The house was so dilapidated that it was not possible to walk safely from the front to the back of the house due to structural defects.

On November 29, 2016 a hearing was held with no parties of interest present. The following day one of the members of the family owning the property appeared along with his wife. They agreed to repair the house after obtaining full ownership. These individuals were advised that the Findings of Fact and Order had already been mailed with a deadline of March 1, 2017 established to bring the property up to minimum housing code standards.

As of this date (March 21, 2017) no repairs have been made to the house. In a recent conversation with the family members present after the hearing, they indicated that they were still working on getting contractors to make repairs, even though they had not yet obtained full ownership of the property.

D. Fiscal Considerations

The expected cost to demolish the house is approximately \$5,500 plus the cost to remove any asbestos found. Funding for demolition would come out of the Planning Department budget.

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

1. Adoption of an ordinance to demolish the substandard structure (Recommended)
2. Delay action and address again at a future meeting.
3. Take no action.

H. Issue Reviewed By

Bridgette Bell, Eric Davis, Mike Legg, Wally Safrit, Zac Gordon

ATTACHMENTS:

File Name

- ❑ Hearing_Notice_619_S_Harding_Ave_HC17-8.docx
- ❑ Exhibit_A_619_South_Harding_Ave_HC17-8.doc
- ❑ SAM_0977.JPG
- ❑ SAM_1382.JPG
- ❑ SAM_1377.JPG
- ❑ SAM_1378.JPG
- ❑ Demo_Ordinance_619_South_Harding_Ave.doc

COMPLAINT AND NOTICE OF HEARING BEFORE
THE HOUSING INSPECTOR UNDER THE MINIMUM HOUSING CODE

TO: Owners and parties in interest in the property located at **619 South Harding Avenue (5613-97-8939)**, in the City of Kannapolis, North Carolina.

YOU ARE HEREBY NOTIFIED that the housing unit and/or lot located at the address designated above is a condition that appears to be unfit for human habitation and to violate the City of Kannapolis Minimum Housing Code in the following ways:


See Exhibit "A"

YOU ARE FURTHER NOTIFIED that a hearing will be held before the Inspector of the City of Kannapolis at 401 Laureate Way at **10:00 A.M on November 29, 2016** for the purpose of finding the facts as to whether or not the condition of such property falls within the scope of the above mentioned sections of the Minimum Housing Code. At the hearing, you shall be entitled to offer such evidence as is relevant to material to the questions sought to be determined or the remedies to be effected.

YOU ARE FURTHER NOTIFIED that if, upon such hearing, the Housing Inspector shall find that the conditions of the above described property do in fact violate the Minimum Housing Code, and do in fact render such dwelling unit unfit for human habitation, the Housing Inspector will issue an order in writing directed to the owner of such property requiring the owner to remedy these conditions. The Housing Inspector may make such other orders and take such other procedures as are authorized under the Housing Code and the General Statutes of North Carolina.

Further information as to this matter may be obtained by contacting the undersigned at 704-920-4356. I can also be reached by e-mail at twcline@kannapolisnc.gov.

This the 15th day of November 2016.



Tony W. Cline
Housing Inspector

"Exhibit A"
Inspection conducted on November 15, 2016
619 South Harding Avenue

A building or structure to be especially dangerous to life and held unsafe if the inspector finds any one of the following conditions existing in such building or structure (all conditions below apply to this property)

Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety or welfare of the occupants or other people of the jurisdiction

Inadequate facilities for egress in case of fire or panic

Defects significantly increasing the hazards of fire, accident or other calamities

Lack of adequate ventilation, light, heating or sanitary facilities to such extent as to endanger the health, safety or general welfare of the occupants or other residents of the jurisdiction

Lack of proper electrical, heating or plumbing facilities required by this article which constitutes a health or a definite safety hazard

For any building whose occupancy classification requires it, lack of connection to a potable water supply and/or to the public sanitary sewer or other approved sewage disposal system

Any violation of the State Fire Prevention Code which constitutes a condition which is unsafe and especially dangerous to life

Any abandoned residential building which is found to be a health or safety hazard by the Inspector as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vacant as living quarters in absence of sanitary facilities

Specific violations will be discussed at the hearing with pictures to show substandard conditions around and within the structure

Repair cost is expected to be more than \$18,720 which is 50% of the tax value of the building. The total tax value of the building is \$37,440.00



08/26/2016 11:32 AM



11/15/2016 12:22 PM



11/15/2016 12:20 PM



11/15/2016 12:20 PM

File No. HC17-8

**AN ORDINANCE DIRECTING THE HOUSING INSPECTOR TO REMOVE OR
DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN
HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT
THE SAME MAY NOT BE OCCUPIED**

WHEREAS, the City of the Kannapolis finds that the dwelling described herein is unfit for human habitation under the City Minimum Housing Code and that all of the procedures of the Minimum Housing Code have been complied with; and

WHEREAS, this dwelling should be removed or demolished as directed by the Code Administrator/Housing Inspector and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of this dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Code in accordance with NCGS 160A-443(5) pursuant to an order issued by the Code Enforcement Officer/Housing Inspector on **December 1, 2016**, and the owner has failed to comply with the Order;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Kannapolis that:

Section 1. The owner of such building(s), dwelling(s) and premises is hereby ordered to vacate any occupants or personal property therein on or before **April 9, 2017**.

Section 2. The Housing Inspector is hereby authorized and directed to place a placard containing the legend:

"This building is unfit for human habitation; the use or occupation of
this building for human habitation is prohibited and unlawful."

on the building located at the following address:

619 South Harding Avenue (5613-97-8939)

Section 3. The Code Enforcement Officer/Housing Inspector is hereby authorized and directed to proceed to remove or demolish the above described structure in accordance with his order to the owner thereof dated the **1st day of March 2017**, and in accordance with the Housing Code and NCGS 160A-443;

Section 4. (a) The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the County Tax Collector, and shall have the same priority and be collected in the same manner as the lien for special assessments in Article 10 of NCGS Chapter 160A or as otherwise allowed by law.

(b) Upon completion of the required removal or demolition, the Code Enforcement Officer/Housing Inspector shall sell the materials of the dwelling and credit the proceeds against the cost of removal or demolition. The Code Enforcement Officer/Housing Inspector shall certify the remaining balance to the Tax Collector. If a surplus remains after the sale of the materials and satisfaction of the cost of removal or demolition, the Code Enforcement Officer/Housing Inspector shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160A-443(6).

Section 5. It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

Section 6. This Ordinance shall become effective upon its adoption.

ADOPTED this _____ day of _____.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Walter M. Safrit II, City Attorney
TITLE: Closed Session

A. Action Requested by City Council

Motion to go into Closed Session pursuant to GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney-client privilege and G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area (Mayor Pro tem Wilson)

ADJOURN MEETING

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

H. Issue Reviewed By

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
March 27, 2017
Staff Report**

TO: Mayor and City Council
FROM: Bridgette Bell, City Clerk
TITLE: April Meeting Schedule

A. Action Requested by City Council

**April 10 Workshop Meeting
April 24 Business Meeting**

B. Required Votes to Pass Required Action

C. Background

D. Fiscal Considerations

E. Policy Issues

F. Legal Issues

G. Alternative Courses of Action and Recommendation

H. Issue Reviewed By

ATTACHMENTS:

File Name

No Attachments Available