



**KANNAPOLIS CITY COUNCIL
MEETING AGENDA
Kannapolis City Hall
401 Laureate Way, Kannapolis NC
August 13, 2018
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

APPROVAL/CORRECTION OF MINUTES

1. July 09, 2018 Meeting Minutes
2. July 23, 2018 Meeting Minutes
3. Closed Session Minutes July 09, 2018

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

1. **Request 25 MPH Speed Limit Modification on Azalea Avenue** (Wilmer Melton, III, Director of Public Works)
2. **Amendment to the Davidson Road Water Main and Sudbury Road Sewer Main Capital Project Ordinance** (Wilmer Melton, III, Director of Public Works)

BUSINESS AGENDA

- A. **Downtown Block 1 - Main Street Improvements** (Mike Legg, Annette Privette Keller, Irene Sacks; Trent Marlow and Gary Mills)
- B. **Resolution Authorizing the Upset Bid Process for property located at 610 Kansas Street** (Mike Legg, City Manager)
- C. **Gem Theatre Master Plan Working Group** (Mike Legg, City Manager)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

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 Berry)

MOTION TO ADJOURN

UPCOMING SCHEDULE

August 27, 2018

September 10, 2018

September 24, 2018

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.

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
July 09, 2018**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, July 09, 2018 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
Roger Haas
Van Rowell
Diane Berry
Doug Wilson
Tom Kincaid

Council Members Absent: None

City Manager: Mike Legg

City Attorney: Walter M. Safrit, II

City Clerk: Bridgette Bell

Staff Present: Irene Sacks Wilmer Melton
Zac Gordon Gary Mills
Ernie Hiers David Hancock
David Hancock Pat Patty
Donie Parker Annette Privette Keller
Melissa Loveless Tina Cline
Kirk Beard

Visitors Present: Mark Spitzer Ryan French
Jeff Phillips Tyler Legg
Gerald Faulkner Nathan Payne
John Comer

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed those in attendance. A moment of silent prayer and the Pledge of Allegiance was led by Mayor Hinnant.

RECOGNITIONS:

**North Carolina's Area Wide Optimization Program Award - Water Treatment Plant
(Wilmer Melton, III, Director of Public Works)**

Mr. Melton recognized Staff members from the Water Treatment Plant; Gerald Faulkner, Alex Anderson, Tyler Legg and James Irvin as the recipients of the North Carolina's Area Wide Optimization Program Award. This award means that the City of Kannapolis Water Treatment Plant is optimizing turbidity removal well below the federal and state minimums. This will be the City's second consecutive year in receiving the award.

North Carolina City & County Excellence in Communications Awards (Annette Privette-Keller, Director of Communications)

The City of Kannapolis was among 23 North Carolina governments to earn recognition in the 11th North Carolina City & County Communicators' (NC3C) Excellence in Communications Awards. The City received five awards; two first place, and three second place in five different categories.

First Place:	Marketing Tools-Branding/New Logo-Loop the Loop Program
First Place:	Community Visioning-Move Kannapolis Forward 2030 Plan
Second Place:	Printed Publications-External Newsletter-Kannapolis Matters
Second Place:	Delivery Service-Loop at the Loop Program
Second Place:	Most Creative with Lease Dollars Spent-Bicycle Lid Art Project

ADOPTION OF AGENDA:

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

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revision:

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

Personnel Policy 800.035-Vehicle Use Procedures (Tina Cline Human Resources Director) Copy included as Exhibit A)

Personnel Policy 400.01 - Position Classification Plan (Tina Cline, Human Resources Director) (Copy included as Exhibit B)

BUSINESS AGENDA

Voluntary Annexation of property located at 3821 Shiloh Church Road (PIN 4672- 69-6150) (Zachary D. Gordon, AICP, Planning Director) (Copy included as Exhibit C)

Mr. Gordon provided the following information:

- Property Owner and Applicant: Kenneth and Teresa Irvin
- Property Location: 3821 Shiloh Church Road
- Property Area: Approximately 1.3 +/- acres
- Parcel Identification Number: (4672-69-6150)
- Existing Zoning: Cabarrus County Zoning Designation CR (Countryside Residential)
- Property is currently vacant and applicant has submitted a petition requesting contiguous voluntary annexation. This annexation will allow for the property to be developed as part of a residential subdivision to be located on adjoining property that was recently annexed by the City.

1 The first step in the annexation process is for City Council to adopt a Resolution Directing the
2 Clerk to determine the sufficiency of the request to annex and prepare a Certificate of Sufficiency
3 for the Petition. Council will need to adopt a Resolution of Intent to Annex and Fix Date of Public
4 Hearing for July 23, 2018.

5
6 As is required by the North Carolina General Statutes, an initial City of Kannapolis zoning
7 designation must be applied to the property by the Planning and Zoning Commission within 60
8 days of the effective date of the annexation. The Planning and Zoning Commission will be
9 reviewing a request for a conditional rezoning for a residential subdivision, which includes this
10 property, at their August 8, 2018 meeting.

11
12 Council Member Dayvault made a motion to approve a Resolution directing the Clerk to
13 investigate the sufficiency of the petition and prepare a Certificate of Sufficiency. Motion was
14 seconded by Council Member Haas and approved by unanimous vote.

15
16 The City Clerk provided a Certificate of Sufficiency.

17
18 Council Member Dayvault made a motion to approve a Resolution of Intent to annex property
19 located at 3821 Shiloh Church Road - Property Identification Number (PIN) 4672-69-6150 and
20 Fix Date of Public Hearing on Question of Annexation for July 23, 2018. Motion was seconded
21 by Council Member Wilson and approved by unanimous vote.

22
23 **College Station Lease 443 N. Cannon Blvd (Irene Sacks, Director of Economic & Community**
24 **Development) (Copy included as Exhibit D)**

25 Mrs. Sacks explained that the tenants, Larissa Olivares, Leslie Olivares, and Lizet Candiani were
26 initially going to lease just 3,100 square feet to be used for an event and meeting space. However,
27 would require the City to install a demising wall that would separate the remaining space also
28 prepare the remaining space for future lease. The cost was estimated at \$50,000 mainly due to the
29 fact that the additional space required a bathroom and a new HAC system. Chip Mark with Mark
30 Real Estate Advisors, broker for the City, asked the new tenants if they would be interested in
31 leasing the entire space, thus eliminating the need for additional up fits. Mrs. Sacks upon consulting
32 with the City Attorney, suggests that this matter be tabled to the next Council meeting in order to
33 allow appropriate publication notice as required by law.

34
35 Council Member Dayvault how much available square footage is for lease. Mrs. Sacks responded
36 around 2,400 square feet.

37
38 Mayor Pro tem Berry made a motion to table this matter until the July 23, 2018 City Council
39 Meeting. Motion was seconded by Council Member Wilson and approved by unanimous vote.

40
41 **Firemen's Local Relief Fund Board of Trustees (Kirk Beard, Technical Services Division**
42 **Chief)**

43 Council Member Kincaid made a motion to re-appoint Rick L. Towell to a two-year term on the
44 Fireman's Local Relief Fund Board of Trustees. Motion was seconded by Council Member Haas
45 and approved by unanimous vote.

1 **Board of Adjustment Appointments and Recommendation to Rowan County Board of**
2 **Commissioners for Appointment of ET J Representative (Zachary D. Gordon, AICP,**
3 **Planning Director)**

4 The Board of Adjustment have three seats to fill. Jeff Parker, Colby Meadows and James Palmer.
5 Colby Meadows and James Palmer will be completing their 2nd three-year term and are eligible
6 for re-appointment for a third term of three years. Colby Meadows and James Palmer have
7 expressed a desire to serve another three year term at the pleasure of Council.
8

9 In accordance with the City's Boards and Commission Policy, Jeff Parker is completing his 3rd
10 three-year term (9 years) and is not eligible for re-appointment. However, Council has the authority
11 to appoint Mr. Parker to an additional three-year term.
12

13 Boyd Hardin (ETJ Representative) is completing his second term and is eligible to serve an
14 additional three-year term, subject to re-appointment by the Rowan County Board of
15 Commissioners. The ETJ representative would need to be re-appointed by the Rowan County
16 Board of Commissions, based on a recommendation from City Council.
17

18 Council Member Dayvault asked about the attendance records for Mr. Colby and Mr. Palmer. He
19 is aware there has been a challenge with sustaining a quorum at the Board of Adjustment meetings.
20

21 Mr. Gordon did not have the attendance records on hand, but noted that Mr. Colby's attendance is
22 very good. Mr. Palmer is employed by UPS and sometimes his schedule makes him unable to
23 attend.
24

25 Council Member Dayvault further stated the Mr. Parker indicated that he would like to serve on
26 the Planning and Zoning Commission, considering he has served his maximum term allowed. If
27 Mr. Parker is not reappointed to this board, he would like to see Mr. Parker serve on the Planning
28 and Zoning Commission.
29

30 Mayor Pro tem Berry asked if they could move onto the appointments for the Planning and Zoning
31 Appointments, then come back to the Board of Adjustment appointments. There was no objection
32 from Council Members.
33

34 **Planning and Zoning Commission Appointments (Zachary D. Gordon, AICP, Planning**
35 **Director)**

36 The Planning and Zoning Commission have three seats to fill. David Baucom, Bob Caison and
37 Allan Overcash. David Baucom is completing his fourth three-year term and is not eligible for re-
38 appointment. Allan Overcash has completed his second three-year term (6 years) and is eligible to
39 serve an additional three-year term. Mr. Overcash has indicated a willingness to be re-appointed
40 to a second term at the pleasure of City Council.
41

42 In the past, Council Member Haas served on the Cabarrus County Planning and Zoning Board. He
43 also served along Larry Ensley and would recommend Mr. Ensley and Jeff Parker to fill the two
44 vacant seats. Mr. Haas also recommends that Allan Overcash be reappointed to another three-year
45 term.
46

1 Council Member Rowell recommended Mark Comer. Mr. Dayvault suggested that Mark Comer
2 be appointed to the Board of Adjustment due to the fact that Mr. Ensley and Mr. Parker have
3 experience.

4
5 Council Member Kincaid recommended the appointment of Ryan French. Mr. French is very much
6 interested in getting involved with Kannapolis and encouraged Council to find a board he could
7 serve. Mayor Hinnant responded there has been some discussion about revamping the Community
8 Advisory Committee and will be opportunities for others to serve.

9
10 Council Member Haas made a motion to re-appoint Allan Overcash to a three-year term, Larry
11 Ensley and Jeff Parker for a three year term to expire June 30, 2021. Motion was seconded by
12 Council Member Dayvault and approved by unanimous vote.

13
14 City Council then discussed appointments to the Board of Adjustment and Recommendation to
15 Rowan County Board of Commissioners for Appointment of ET J Representative.

16
17 **Board of Adjustment Appointments**

18 Council Member Dayvault made a motion that Colby Meadows be reappointed and appoint Darrin
19 Jordon and Mark Comer to a three year term to expire June 30, 2021. Council Member Haas
20 seconded the motion and it was approved by unanimous vote.

21
22 **ETJ Appointment**

23 Council Member Dayvault made a motion to recommend the reappointment of ETJ Board Member
24 Boyd Hardin to the Rowan County Board of Commissioners. Motion was seconded by Mayor Pro
25 tem Berry and approved by unanimous vote.

26
27 **Parks and Recreation Commission Appointments (Gary Mills, Parks & Recreation Director)**

28 The Parks and Recreation Commission have three seats to fill. Jeff Ashbaugh, Richard Chaney,
29 and Cindy Griggs have all asked to be re-appointed to the Parks and Recreation Commission for a
30 new three year term. Staff has carefully reviewed the applications and would like to recommend
31 the reappointment of Cindy Griggs, Jeff Ashbaugh and Richard Chaney for a three year term to
32 expire June 30, 2021. All three have served one three (3) year term.

33
34 Council Member Wilson made a motion to re-appoint Jeff Ashbaugh, Cindy Griggs, and Richard
35 Chaney to the Parks and Recreation Commission for another three-year term to expire June 30,
36 2021. Motion was seconded by Council Member Kincaid and approved by unanimous vote.

37
38 **CITY MANAGER REPORT:** No Comment

39
40 **CITY COUNCIL COMMENTS:**

41 Council Member Dayvault mentioned again about the shape of the downtown structures, especially
42 the area around the Gem Theater. The store fronts, broken windows and frames at the top of the
43 buildings, he said are not setting a good image of what the City is trying to do. In previous
44 discussions, they talked about putting in store front windows renderings to show the future
45 revitalization of downtown. City Manager Legg was directed to bring back recommendations to
46 Council.

1 Council Member Wilson noted on the corner of the old Jewel Shoppe at the corner of Main Street
2 and East First, looks like a cannon ball hit the side of the building.

3
4 **Board of Adjustment Alternate Appointment**

5 Council Member Kincaid noted there was one alternate positionⁱ on the Board of Adjustment and
6 wondered if Council were going to take action tonight.

7
8 Mr. Gordon was not aware there were an open alternate positions. City Attorney Safrit brought it
9 to the attention of Council that James Palmer's term expired and was interested in serving another
10 term.

11
12 It is noted that Scott Wilson moved out of town. At the October 25, 2017 meeting, Council moved
13 to appoint JoAnn Crosby from alternate member to regular member, leaving one open alternate
14 position. Mrs. Crosby filled the unexpired term of Scott Wilson through June 30, 2019.

15
16 Council Member Wilson made a motion to appoint James Palmer as alternate member to the Board
17 of Adjustment. Motion was seconded by Mayor Pro tem Berry and approved by unanimous vote.

18
19 **CLOSED SESSION:**

20 Mayor Pro tem Berry made a motion to go into closed session pursuant to G.S. 143.318.11 (a) (3)
21 for consulting with an attorney in order to preserve the attorney-client privilege and G.S.
22 143.318.11 (a) (4) for discussing matters related to the location or expansion of industries or
23 businesses in the area. Motion was seconded by Council Member Wilson and approved by
24 unanimous vote.

25
26 Council went into closed session at 6:37 PM.

27
28 Council Member Wilson made a motion to come of out closed session. Motion was seconded by
29 Council Member Dayvault and approved by unanimous vote.

30
31 Council resumed regular session at 7:37 PM.

32
33 There being no further business, Council Member Haas made a motion to adjourn. Motion was
34 seconded by Council Member Dayvault and approved by unanimous vote.

35
36 The meeting adjourned at 7:37 PM on Monday, July 09, 2018.

37
38
39
40
41 _____
42 Milton D. Hinnant, Mayor

43
44
45 _____
46 Bridgette Bell, MMC, NCCMC
City Clerk

i

**CITY OF KANNAPOLIS
COUNCIL MEETING MINUTES
July 23, 2018**

A regular meeting of the City Council of the City of Kannapolis, North Carolina was held on Monday, July 23, 2018 at 6:00 p.m., at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor Pro tem: Dianne Berry

Council Members: Ryan Dayvault
Van Rowell
Doug Wilson
Tom Kincaid

Council Members Absent: Mayor Darrell Hinnant
Roger Haas

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit, II

Staff Present: Zac Gordon Wilmer Melton
Eric Davis Tony Eury
David Jordan Trent Marlow
Jason May Terry Clanton
Donie Parker Irene Sacks
Ernie Heirs

Visitors Present: Darrin Gamradt N.E. Hill
Bobbi Hague Nathan Payne
Sophia Wilkerson Alex Alexander

In the absence of Mayor Hinnant, Mayor Pro tem Berry deferred to City Attorney Safrit.

City Attorney Safrit responded that Council would need to appoint Mayor Pro tem Berry as temporary presiding officer

1 Motion was made by Council Member Wilson and seconded by Council Member Dayvault to
2 appoint Mayor Pro tem Berry as temporary presiding officer. The motion was approved by
3 unanimous vote.

4
5 **CALL TO ORDER AND WELCOME:**

6 Mayor Pro tem Berry called the meeting to order and welcomed those in attendance. A moment of
7 silent prayer and the Pledge of Allegiance was led by Council Member Wilson.

8
9 **ADOPTION OF AGENDA:**

10 Council Member Wilson made a motion to approve the agenda. Motion was seconded by Council
11 Member Dayvault and approved by unanimous vote.

12
13 **APPROVAL/CORRECTION OF MINUTES:**

14 Motion was made by Council Member Kincaid to approve the June 25, 2018 meeting Minutes.
15 Motion was seconded by Council Member Dayvault and approved by unanimous vote.

16
17 Motion was made by Council Member Dayvault to approve the Closed Session meeting minutes
18 from June 25, 2018. Motion was seconded by Council Member Wilson and approved by
19 unanimous vote.

20
21 **CONSENT AGENDA:**

22 Council Member Dayvault made a motion to approve the Consent Agenda. Motion was seconded
23 by Council Member Kincaid and approved by unanimous vote.

24
25 Budget Amendment Carryover Funds FY2018 (Eric Davis, Finance Director) (Copy included as
26 Exhibit A)

27
28 Agreement for Engineering Services for FY 2018-2019 (Wilmer Melton, III, Director of Public
29 Works) (Copy included as Exhibit B)

30
31 Personnel Policy 400.021 - Merit Incentive Pay (Tina Cline, Human Resource Director) (Copy
32 included as Exhibit C)

33
34 Personnel Policy 400.19 - Shift Differential Pay (Tina Cline, Human Resource Director) (Copy
35 included as Exhibit D)

36
37 North Carolina League of Municipalities Advocacy Goals (Mike Legg, City Manager; Annette
38 Privette Keller, Communications Director) (Copy included as Exhibit E)

39
40 Personnel Policy 400.23 - Water and Sewer Utilities Incentive Pay Program (Tina Cline, Human
41 Resource Director) (Copy included as Exhibit F)

42
43 **BUSINESS AGENDA:**

44 **Public Hearing Voluntary Annexation of property located at 3821 Shiloh Church Road (PIN**
45 **4672-69-6150) and Motion to adopt an Ordinance to annex (Zachary D. Gordon, AICP,**
46 **Planning Director) (Copy included as Exhibit G)**

1 Mr. Gordon provided the following information:

- 2
- 3 • Property Owner and Applicant: Kenneth and Teresa Irvin
- 4 • Property Location: 3821 Shiloh Church Road
- 5 • Property Area: Approximately 1.3 +/- acres
- 6 • Parcel Identification Number: (4672-69-6150)
- 7 • Existing Zoning: Cabarrus County Zoning Designation CR (Countryside
- 8 Residential)
- 9 • Property is currently vacant and applicant has submitted a petition requesting
- 10 contiguous voluntary annexation. This annexation will allow for the property to be
- 11 developed as part of a residential subdivision to be located on adjoining property
- 12 that was recently annexed by the City.
- 13

14 At the July 09, 2018 meeting, City Council adopted a Resolution Directing the Clerk to determine
15 the sufficiency of the request to annex and prepare a Certificate of Sufficiency for the Petition. At
16 that time, the Clerk provided a Certificate of Sufficiency. City Council also adopted a Resolution
17 of Intent to annex and set a public hearing for tonight.

18
19 There being no questions or comments, Mayor Pro tem Berry opened the public hearing to those
20 in attendance for an opportunity to speak. There being no speakers, Mayor Pro tem Berry closed
21 the public hearing.

22
23 Council Member Dayvault made a motion to adopt an Ordinance to extend the Corporate Limits
24 of the City of Kannapolis to include approximately 1.3 +/- acres of property located at 3821 Shiloh
25 Church Road (Cabarrus County PIN 4672-69-6150. Motion was seconded by Council Member
26 Wilson and approved by unanimous vote.

27
28 **Second Supplemental Agreement for Transportation Improvement Project C-4916C**
29 **between the City of Kannapolis and the North Carolina Department of Transportation and**
30 **Amend the Project Ordinance (Wilmer Melton, III, Director of Public Works) (Copy**
31 **included as Exhibit H)**

32 On June 18, 2018, Staff received bids on the Oakwood Avenue Sidewalk Project that were 85.39%
33 higher than the engineer's estimate. Upon receipt and review of the bids, we rejected all bids and
34 will be re-advertising the Project this fall. Prior to re-advertising, we have requested additional
35 Congestion Mitigation and Air Quality (CMAQ) funds to cover the Project. At the request of the
36 City of Kannapolis, The North Carolina Department of Transportation (NCDOT) has prepared a
37 second Supplemental Agreement for TIP Project C-4916C for the construction of sidewalk along
38 Oakwood Avenue from Windsor Drive to Rogers Lake Road.

39
40 The Supplemental Agreement is for additional funding which increases the federal participation
41 for the Project up to \$2,028,800 and the local match to \$507,200. City Council entered into the
42 first supplemental agreement with the NCDOT in March of 2016 in which the federal participation
43 was \$880,000 and the local match was \$220,000. By execution of this Agreement, the City agrees
44 to the requirements set forth by NCDOT as stated in the Agreement. The City will be responsible
45 for completing the Project within five (5) years of authorization of Federal funds for the Project.
46 The total estimated cost of the Sidewalk Project has been modified to \$2,536,000. The federal

1 participation in this Project is 80% of the Project cost up to a total federal amount of \$2,028,800.
2 The City is responsible for all costs over the \$2,028,800 that is estimated to be \$507,200. NCDOT
3 has agreed to administer the disbursement of project funds on behalf of the Federal Highway
4 Administration (FHWA). The City will submit requests to NCDOT for reimbursement of expenses
5 on the Project. The City of Kannapolis will borrow the funds for the City's share of this Project;
6 debt service payments will be funded through current Powell Bill Funds.

7
8 Following general questions and concerns involving the extremely high estimate, a motion was
9 made by Council Member Dayvault to approve the Second Supplemental Agreement for
10 Transportation Improvement Project C-4916C between the City of Kannapolis and the North
11 Carolina Department of Transportation. Motion was seconded by Council Member Kincaid and
12 approved by unanimous vote.

13
14 **Oakwood Avenue Sidewalk Project Construction Engineering Inspection (CEI) Services**
15 **Contract (TIP# C-4916C) (Wilmer Melton III, Director of Public Works) (Copy included as**
16 **Exhibit I**

17 In March of 2017, the City received letters of interest from prospective consultants on the
18 Oakwood Avenue Sidewalk Project (TIP #C-4916C) for CEI Services and Alley, Williams,
19 Carmen and King, Inc. (AWCK) was the selected firm to perform this work. NCDOT has also
20 reviewed the attached contract and cost and is in concurrence. Therefore, it is Staff
21 recommendation that City Council award the CEI Services for the Oakwood Avenue Sidewalk
22 Project to AWCK. Funding for this work is covered as a part of the Oakwood Avenue Project
23 Ordinance.

24
25 Council Member Dayvault made a motion to approve the Oakwood Avenue Sidewalk Project
26 Construction Engineering Inspection (CEI) Services Contract (TIP# C-4916C). Motion was
27 seconded by Council Member Kincaid and approved by unanimous vote.

28
29 **College Station Leases 443 and 479 N. Cannon Blvd (Irene Sacks, Director of Economic &**
30 **Community Development) (Copy included as Exhibit J)**

31 The City purchased a shopping center on N. Cannon Blvd to house the Rowan-Cabarrus
32 Community College cosmetology facility. Now that renovations for the anchor building are nearly
33 complete, the City engaged a broker to market the remaining commercial spaces to attract new
34 tenants. Chip Mark with Mark Real Estate Advisors has brought two leases to the City for approval.
35 A five-year lease of 443 N. Cannon Blvd to Larissa Olivares, Leslie Olivares, and Lizet Candiani
36 for an event and meeting space and five-year lease of 479 N. Cannon Blvd to Jose Espinal for a
37 retail clothing store. Mr. Mark has reviewed the tenants' business history and feels this would bring
38 positive traffic to the shopping center. The leases will generate \$51,700 combined in the first year
39 in revenue to the City as owners of the Shopping Center (with annual increases).

40
41 Following the approval of these leases, there are two vacant space remaining in the College Station
42 shopping center with 1,600 sf each.

43
44 Motion was made by Council Member Kincaid to approve the College Station Leases 443 and 479
45 N. Cannon Blvd. Motion was seconded by Council Member Wilson and approved by unanimous
46 vote.

1 **Board of Adjustment Appointment (Zachary D. Gordon, AICP, Planning Director) (Copy**
2 **included as Exhibit L)**

3 There is currently a vacancy on the Board of Adjustment due to the departure of Jeff Parker. At
4 the July 9th meeting City Council previously appointed Darrin Jordan to fill this vacancy; however
5 Mr. Jordan was unable to serve due to personal family matters. Additionally, Board Member James
6 Palmer's term was up for re-appointment. City Council moved Mr. Palmer from a regular board
7 member to serve as an alternate. Staff recommends appointing James Palmer as the regular
8 member and to appoint a new person to serve as the alternate.

9
10 Council Member Dayvault made a motion to appoint Ryan French to serve a three year term
11 expiring June 30, 2021 and appoint James Palmer as an alternate member. Motion was seconded
12 by Council Member Kincaid and approved by unanimous vote.

13
14 **CITY MANAGER REPORT:**

15 Mr. Legg explained that Staff will bring three different alternatives at the next meeting pertaining
16 to Council Member Dayvault's inquiry on making temporary repairs to the downtown store fronts
17 and adding signage with regards to future downtown rehabilitation plans. DFI has added a
18 developer to their team, Jordan Jones, who will be assisting Kannapolis with downtown
19 redevelopment. Also at the next meeting, Staff will bring information on the interim staffing study.

20
21 The City has hired an architect firm, well versed in historic theaters who will do a long term Master
22 Plan for the Gem Theatre. There are plans for a Steering Committee comprised of Staff and a few
23 others to explore options and future visioning for the Gem Theatre. Council would need to decide
24 if they would like a Council Member to sit in on this committee. The Steering Committee would
25 bring back to Council recommendations and options.

26
27 **CITY COUNCIL COMMENTS:**

28 Council Member Wilson said over the past several months it has been discussed conceal carry in
29 this building; some believe you should be able to carry and those who think you don't. He and Mr.
30 Dayvault have talked to Rowan and Cabarrus County and it seems they do have the right to do
31 this, or they have a policy that affords them an opportunity. A couple of Rowan County
32 Commissioners have personally told Mr. Wilson they do carry. At one time, the City amended the
33 Ordinance to prohibit conceal carry at parks. He would like to see Staff investigate as to whether
34 we really have the right to carry and if so, be entitled to our rights. Right before the meeting, Mr.
35 Dayvault told him of a shooting at a UPS facility. Mr. Wilson said he just witnessed a man come
36 through the front door wearing a tee shirt, shorts and flip flops and headed to the elevator to
37 upstairs. Mr. Wilson did not know what his role is in this building, but it looked a little strange to
38 him. All he is asking if it is our right to conceal carry, that we have the capability to exercise that
39 right.

40
41 On another note, Mr. Wilson said it has been discussed how can they determined who is a good
42 candidate to serve on our boards and commissions. He is not opposed to a background check. He
43 wanted to know where we are on that issue. Mr. Legg explained Staff is working on a new policy
44 and will bring back to Council, hopefully in August. The policy will include the process of how to
45 choose a candidate and the reorganization of the Community Development Commission that will
46 take on a much broader set of roles.

1 Council Member Dayvault said in response to Mr. Wilson's comments on conceal carry, he agrees
2 one hundred percent. In bringing our policy in line with Cabarrus and Rowan County makes sense.
3 He knows there are provisions that do not allow conceal carry in law enforcement centers and we
4 are blessed we have locked doors that separate the law enforcement side from the rest of the
5 building.

6
7 Council Member Dayvault noted the bus stops are littered with trash. Sometimes these stops are
8 in front of businesses or homes and someone has to clean it up. He asked about adding trash
9 receptacle's or some kind of waste station.

10
11 Referring to the transportation increases needed in order to continue to operate the bus system, he
12 said someone needs to look at cheaper methods of transportation. When Council and Staff were
13 recently in D.C. they attended a workshop on how other communities deal with transit services.
14 The trend seems to be going toward more of smaller buses and shuttles instead of the mammoth
15 buses we currently have. Someone needs to begin looking at what is next for transit, especially in
16 an area like have. We are not Charlotte, we are not New York and not San Francisco.

17
18 One last matter is the railroad corridor from the old depot north up to Ebenezer Road and the
19 amount of growth that has taken over. He asked for the NC Rail Road be contacted to see if they
20 will do something to clean up the area. He also noted that the kudzu was back on the power lines
21 across from Dixie Cleaners. Mr. Melton stated he would reach out to the rail road and Duke
22 Energy.

23
24 **SPEAKERS FROM THE FLOOR:** No Speakers

25
26 There being no further business, Council Member Wilson made a motion to adjourn. Motion was
27 seconded by Council Member Dayvault and approved by unanimous vote.

28
29 The meeting adjourned at 6:35 PM on Monday, July 23, 2018.

30
31
32
33
34 _____
35 Dianne Berry, Mayor Pro tem

36
37 _____
38 Bridgette Bell, MMC, NCCMC
39 City Clerk



**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, III - Director of Public Works
TITLE: Azalea Avenue 25 MPH Speed Limit Modification Request

A. Action Requested by City Council

Motion to approve an Ordinance declaring 25 MPH speed limit for Azalea Avenue.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

The owners/residents of Azalea Avenue have requested that the speed limit of 35 MPH be reduced to 25 MPH based on the criteria from the City of Kannapolis' 25 MPH Neighborhood Speed Limit Policy. It is Staff's recommendation that the requested street be reduced to 25 MPH speed limit.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation

- 1. Motion to approve the Ordinance declaring the requested 25 MPH speed limit modification on Azalea Avenue which is consistent with the City of Kannapolis' 25 MPH Neighborhood Speed Limit Policy. (Recommended)**
2. Deny the requested 25 MPH speed limit modification on Azalea Avenue. Take no action Table to another meeting
3. Table action to a future meeting.

ATTACHMENTS:

File Name

- ▢ Petition_for_Azalea_Avenue.pdf
- ▢ 2018_08-13_Ordinance_-_Azalea_Avenue_-_25_MPH_speed_limit_modification.docx
- ▢ Azalea_Avenue_Vicinity_Map.pdf



**Petition for Neighborhood
25 MPH Speed Modification**

We, the undersigned residents of Azalea Ave located in the City of Kannapolis, North Carolina, formally request a reduction in the speed limit within our neighborhood to 25 MPH. We support this action and show our support by signing the petition below for street name: Azalea Ave. There are 25 lines on each page for signatures.

PRINTED NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1 Reid Mullis	1803 Azalea Ave ✓	704-363-5416	Reid Mullis
2 Jason Thomas	1820 Azalea Ave ✓	704-281-2929	Jason Thomas
3 Angela Thomas	1820 Azalea Ave ✓	704-652-2338	Angela Thomas
4 Shirley Henry	1820 Azalea Ave ✓	704-932-2838	Shirley R. Henry
5 BRUCE JENKINS	1812 AZALEA AVE ✓	704-608-6947	Bruce Jenkins
6 Austin Fink	1712 Azalea Ave ✓	704-467-6567	Austin Fink
7 Shelby Marlow	1802 Azalea Ave ✓	980-622-7841	Shelby P. Marlow
8 Jennie Lingerfelt	1693 Azalea Ave ✓	704-938-2072	Jennie Lingerfelt
9 ANDREW GLEDSON	1626 AZALEA AVE ✓	704-726-4379	Andrew Gledson
10 Russell Musgrove	1612 AZALEA AVE ✓	704-619-7459	Russell Musgrove
11 Elizabeth Cook	1605 Azalea Ave ✓	704-938-2175	Elizabeth Cook
12 Willa Russell	1506 Azalea Ave ✓	704-649-1336	Willa Russell
13 ANDY RODGERS	1506 AZALEA ✓	704-942-8821	Andrew Gledson
14 WF Rodgers	1501 Azalea Ave ✓	704-938-2173	WF Rodgers
15 Ricky Hatfield	1401 Azalea Ave ✓	704-958-9653	Ricky Hatfield
16 Jareli Trejo	1411 Azalea Ave ✓	704-699-8789	Jareli Trejo
17 LARIN CARTER	1465 Azalea Ave ✓	704-951-5643	Larin Carter
18 Jeremiah Caplan	1465 Azalea Ave ✓	704-672-9458	Jeremiah Caplan
19 John R Rodgers	1445 Azalea Ave ✓	704-699-5831	John R. Rodgers
20 Connie Rodgers	1445 Azalea Ave ✓	704-699-5830	Connie Rodgers
21 Chuck Rodgers	1507 Azalea Ave ✓	704-932-9143	Chuck Rodgers
22 Lori Rodgers	1507 Azalea Ave ✓	704-425-7257	Lori Rodgers
23 TRAVIS Rodgers	1569 Azalea Ave ✓	704-699-8811	Travis Rodgers
24 Elizabeth Rodgers	1569 Azalea Ave ✓	980-521-2316	Elizabeth L. Rodgers
25 Justin Raffaldt	1701 Azalea Ave ✓	704-791-8004	Justin Raffaldt

18
Return form to:

City of Kannapolis
Public Works Department
401 Laureate Way
Kannapolis, NC 28081
704-920-4202

signatures needed
35 signatures collected



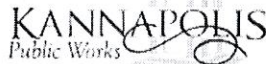
Petition for Neighborhood 25 MPH Speed Modification

We, the undersigned residents of Azalea Ave. located in the City of Kannapolis, North Carolina, formally request a reduction in the speed limit within our neighborhood to 25 MPH. We support this action and show our support by signing the petition below for street name: Azalea Ave. There are 25 lines on each page for signatures.

PRINTED NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1 Brandon Mundy	1720 Azalea Ave	704-614-1409	Brandon Mundy
2 Kaitlyn Howie	1720 Azalea Ave	704-614-1409	Kaitlyn Howie
3 Dalton Stifewell	1795 Azalea Ave	704-918-7802	Dalton Stifewell
4 Raquel Smith	1816 Azalea Ave	704-273-0520	Raquel Smith
5 Thomas Connelly	1824 AZALEA AVE	704-932-6948	Thomas Connelly
6 Myrtie McWhorter	1811 Azalea Ave	704-699-0215	Myrtie McWhorter
7 Thomas McWhorter	1811 Azalea Ave	704-798-0076	Thomas McWhorter
8 Christopher McWhorter	1811 Azalea Ave	704-922-2023	Christopher McWhorter
9 Megan Julian	1700 Azalea Ave	704-425-6466	Megan Julian
10 Jeremy Julian	1700 Azalea Ave	828-302-2789	Jeremy Julian
11 Beverly Connelly	1824 Azalea Ave	704-458-2025	Beverly Connelly
12 Michael Gaskin	1704 AZALEA AVE	704-791-0510	Michael Gaskin
13 Clarence Harts	1406 Azalea Ave	704-699-2015	Clarence Harts
14 Gary Jones	1406 Azalea Ave	704-273-7692	Gary Jones
15 Dawn Staufen	1413 Azalea Ave	704-879-3271	Dawn Staufen
16 Ernest Cidari	1402 AZALEA AVE	704-402-8579	Ernest Cidari
17 YTA LO DEGRADO	1690 AZALEA AVE	704-791-9995	YTA LO DEGRADO
18 Logan Lawrence	1419 AZALEA AVE	386-228-5738	Logan Lawrence
19 VACUHAN Combs	1403 AZALEA AVE	704-932-9329	VACUHAN Combs
20 Drew Finney	1407 Azalea Ave	704-791-5728	Drew Finney
21 Lori Murray	1425 Azalea Ave	704-934-2528	Lori Murray
22 Roger Murray	1425 Azalea Ave	704-934-2528	Roger Murray
23 Charles Blalock	1428 Azalea Ave	704-932-7868	Charles Blalock
24 Jimmy Johnson	1627 Azalea Ave	704-791-9234	Jimmy Johnson
25			

17
Return form to:

City of Kannapolis
Public Works Department
401 Laureate Way
Kannapolis, NC 28081
704-920-4202



**Petition for Neighborhood
25 MPH Speed Modification**

We, the undersigned residents of Azalea Ave located in the City of Kannapolis, North Carolina, formally request a reduction in the speed limit within our neighborhood to 25 MPH. We support this action and show our support by signing the petition below for street name: Azalea Ave. There are 25 lines on each page for signatures.

PRINTED NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1 Michael Roberts	1711 Azalea Ave	704-932-5136	M. Roberts
2 Glenna Moore	904 Coventry Rd.	704-938-3065	Glenna Moore
3 Naomi R. Her	908 Coventry Rd.	202-640-0974	Naomi R. Her
4 Janet Johnson POA (Virginia Rodgers)	1423 Trotters Ridge	704-932-6239	Janet R. Johnson
5 Dawn Bucknell	1000 Virginia Dare	704-938-1131	Dawn Bucknell
6 Carolyn Morris	1403 Oakwood Ave		Carolyn Morris
7 Marilyn Overcash	1450 Azalea Ave.	980-622-3809	Marilyn Overcash
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Return form to:

City of Kannapolis
Public Works Department
401 Laureate Way
Kannapolis, NC 28081
704-920-4202



**Petition for Neighborhood
25 MPH Speed Modification**

We, the undersigned residents of Azalea Ave located in the City of Kannapolis, North Carolina, formally request a reduction in the speed limit within our neighborhood to 25 MPH. We support this action and show our support by signing the petition below for street name: Azalea Ave. There are 25 lines on each page for signatures.

PRINTED NAME	ADDRESS	PHONE NUMBER	SIGNATURE
1 Winecell	1410 Azalea		
2	died 10+ yr. ago house has been empty since his death		
3 Dalton	1415 Azalea		
4	lives in Western NC house has been vacant 10+ years		
5 Kincaid	1450 Azalea		
6	lives with daughter due to deteriorating mental status		
7	1760 Azalea		
8	vacant house for sale		
9	1808 Azalea		
10	vacant rental house		
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Return form to:

City of Kannapolis
Public Works Department
401 Laureate Way
Kannapolis, NC 28081
704-920-4202

1. Cidoni, Ernest Edward ~~house~~ 1402 Azalea
04-051-0013.00 sig. 2:16
2. Harrington, Clarence ~~house~~ 1406 Azalea
04-051-0013.10 sig. 2:13
3. Winecroft, John ~~house~~ 1410 Azalea
04-051-0011.00 vacant since his death 15 yrs ago
belongs to son in Albemarle
4. Kincaid, Jeweldean ~~house~~ empty lot .91 Ac
04-051E-0006.00 sig. 3:7
5. Billings, Charles empty lot .54 Ac
04-051E-0005.00 sig. 2:23
6. Billings, Charles ~~house~~ 1428 Azalea
04-051-0018.10 sig. 2:23
7. Kincaid, Jeweldean ~~house~~ 1430 Azalea
04-051-0018.20 sig. 3:7
no longer lives in house due
to deteriorating mental condition
8. Rodgers, Virginia empty lot 9.838 Ac
04-051-0008.22 sig. 3:4
Jan Johnson daughter
(P.O.A.) Mrs Rodgers resides @
Morningside, no longer
communicates
9. Rodgers, Andrew ~~house~~ 1506 Azalea
04-051-0008.14 sig. 1:13

10. Stack, Claude
04-063-0064.10
(rental) house 1626 Azalea
sig: 1:9 A. Treadway (tenant)
11. Cubarnus Co
04-051-0008.18
Kann. Middle School
sig. 3:5 C. Buckwell (Supt. KCS)
12. Delgado, Ytalo
04-063-0063.10
house 1690 Azalea
sig: 2:17
13. Julian, Jeremy
04-063-0063.20
house 1700 Azalea
sig 2:10
14. Gaskey, Michael
04-063-0063.00
house 1704 Azalea
sig 2:12
15. Fink, Austin
04-064-0001.00
house 1712 Azalea
sig 1:6
16. Mundy, Brandon
04-064-0017.00
house 1720 Azalea
sig 2:1
17. Finney, William
04-064-0016.10
house 1760 Azalea
vacant for sale
18. Martowe, Larry/Skelby
04-064-0015.00
house 1802 Azalea
sig 1:7
19. Conelly, Thomas
04-064-0015.30
house 1804 Azalea
sig: 2:5
20. Ritter, Naomi
04-051A-0053.00
house 908 Country
sig: 3:3

21. Moore, Glenn
04-051A-0011.00 house 904 Coventry Rd
sig 3:2
22. Bluto Properties
04-099-0003.14 (rental) house 1808 Azalea
vacant
23. Bluto Properties
04-099-0003.12 house 1812 Azalea
sig 1:5
24. Bluto Properties
04-099-0003.15 house 1816 Azalea
sig 2:4
25. Thomas, Kenneth
04-064-0011.00 house 1820 Azalea
sig 1:2
26. True Homes, LLC
04-064A-0008.00 empty lot .299 Ac
27. Smith, Antonio
04-064A-0007.00 house 115 Daisy Ave
28. True Homes LLC
04-064A-9995.00 empty lot .113 Ac
(4809 sq. ft.)
29. Jusino, Amanny
04-064A-0004.00 house 2492 Spruce St
30. True Homes, LLC
04-064A-9994.00 empty lot .132 Ac
(5618 sq. ft.)
31. McWhorter, Chris
04-064-0007.00 house 1811 Azalea
sig 2:8

32. Sloop, Charles Dale empty lot 3.87 Ac
04-064-0007.10
33. Mullis, Reid house 1803 Azalea
04-064-0006.00 sig 1:1
34. Mullis, Reid (rental) house 1795 Azalea
04-064-0005.00 sig: 2:3 (tenant)
35. Roberts, Michael empty lot 2.96 Ac
04-064-0003.00 sig 3:1
36. Roberts, Michael house 1711 Azalea
04-064-0002.00 sig 3:1
37. Roberts, Michael empty lot 6.1 Ac
04-063-0062.00 sig 3:1
38. Kiser, Stephen empty lot 1.41 Ac
04-063-0066.10
39. Raffaldt, Justin house 1701 Azalea
04-063-0006.00 sig: 1:25
40. Lingerfelt, Jennie house 1693 Azalea
04-063-0005.00 sig 1:8
41. Leopard, James house 1627 Azalea
04-063-0004.00 sig 2:24
for sale under contract to Jimmy Johnson
42. Musgrove, Russell house 1617 Azalea
04-063-0003.00 sig 1:10

43. Cook, Maurice, Elizabeth house 1605 Azalea
04-063-0002.00 sig 1:11
44. Rodgers, Virginia empty lot 4.25 Ac
04-051-0008.16 sig 3:4
45. Rodgers, Travis house 1569 Azalea
04-051-0019.40 sig 1:23
46. Rodgers, W. Floyd Jr empty lot 10.037 Ac
04-051-0019.00 sig: 1:14
47. Rodgers, W. Floyd III house 1507 Azalea
04-051-0019.20 sig ~~1:21~~ 1:21
48. Rodgers, W. Floyd III empty lot 0.45 Ac
04-051-0019.30 sig ~~1:21~~ 1:21
49. Rodgers, W. Floyd Jr. house 1501 Azalea
04-051-0018.00 sig 1:14
50. Rodgers, John house 1445 Azalea
04-051-0018.50 sig 1:19
51. Rodgers, John empty lot .78 Ac
04-051-0018.40 sig 1:19
52. Murray, John R. house 1425 Azalea
04-051-0017.10 sig 2:22
53. Lawrence, Stanley house 1419 Azalea
04-051-0017.00 sig 2:18

54. Dalton, Mary
04-051-0016.10
house 1415 Azalea
vacant for 10 yrs.
55. Stayton, Dawn
04-051-0016.20
house 1413 Azalea
sig 2:15
56. Trejo, Juanito
04-051-0016.40
house 1411 Azalea
sig 1:16
57. Finney, Andrew
04-051-0016.50
house 1407 Azalea
sig 2:20
58. Brigman, Darrell
04-051-0016.00
(rental) house 1405 Azalea
sig 1:17 (tenant)
59. Combs, Vaughn
04-051-0014.00
house 1403 Azalea
sig: 2:19
60. Hatfield, Ricky
04-051-0015.00
house 1401 Azalea
sig 1:15
61. Carolyn Norris
04-058-0148.00
house 1403 Oakwood
sig 3:6
62. True Homes
04-064A-9997.00
empty lot 1.312 AC
end of Azalea Ave in flood plane

62 parcels → 50 sig
57 Azalea → 47 sig
5 Adjacent → 3 sig

46 houses






41 Azalea → ~~37~~ sig 37
5 Adjacent → 3 sig

15 empty lots → 9 sig
1 school → 1 sig

48 property owners

Azalea

1. 1402
2. 1406
3. 1410 no signature for John Wincott - deceased, son owns
4. 1450 ^{daughter POA} ~~no signature~~ Marilyn Overcash
5. 1428 } Mr. Charles Billings
6. 04-051-0005.00 } empty lot } he owns
7. 04-051-00018.20 (See #4 signature of POA & owns this lot as well) ^{- Marilyn Overcash}
8. 04-051-0008.22 (vacant lot ^{signed} Janet Johnson POA, daughter Virginia Rodgers)
9. 1506
10. 1626
11. 1000 Virginia Dare (middle school - Chip Buckwell signed)
12. 1690
13. 1700
14. 1704
15. 1712
16. 1720
17. 1760 Vacant - For Sale - no signature
18. 1802
19. 1824
20. 908 Coventry - signed
21. 904 Coventry - signed
22. 04-099-0003.14 - no signature 1808 Azalea - Vacant
23. 1812
24. 1816
25. 1820

26. 04-064A-0008-00 - True Homes & parcel is empty lot & creek
27. 115 Daisy Ave - no signature
28. 04-064A-9995.00 1.1 acres True Homes no signature
29. 2492 Spruce St - no signature
30. 04-064A-9994.00 1.3 acres True Homes no signature
31. 1811
32. 04-064-0007.10 empty lot no signature
33. 1803
34. ~~000~~1795
35. 04-064-0003.00 - Mike Roberts owns / empty lot
36. 1711 " " "
37. 04-063-0062.00 " " "
38. 04-063-0006.10 empty lot - no signature
39. 1701
40. 1693
41. 1627
42. 1617
43. 1605
44. 04-051-0008.16 - signed by POA Janet Johnson / Virginia Rodgers
45. 1569
46. 04-051-0019.00 - vacant lot - ~~no signature~~ 
47. 1501 - signed pgl #14 and owns 
48. 1445 ~~5~~ John Rodgers owns & signed 
49. 1507 Chuck Rodgers owns & signed 
50. 04-051-0019.30 " " " & signed
51. 04-051-0018.40 John Rodgers owns & signed 

- 52. 1425
- 53. 1419
- 54. 1415 - vacant - no signature
- 55. 1413
- 56. 1411
- 57. 1407
- 58. 1405
- 59. 1403
- 60. 1401
- 61. 1403 Oakwood Ave

11 - not signed
50 - signed

ORDINANCE

BE IT ORDAINED that Section 10-121 of the Code of the City of Kannapolis is hereby amended by modifying Schedule 8 of the Traffic Control Schedule as follows:

Rescind the Following Speed Limits

Speed Limit

Description

35

Azalea Avenue from Oakwood Avenue to dead end of Azalea Avenue.

Declare the Following Speed Limits

Speed Limit

Description

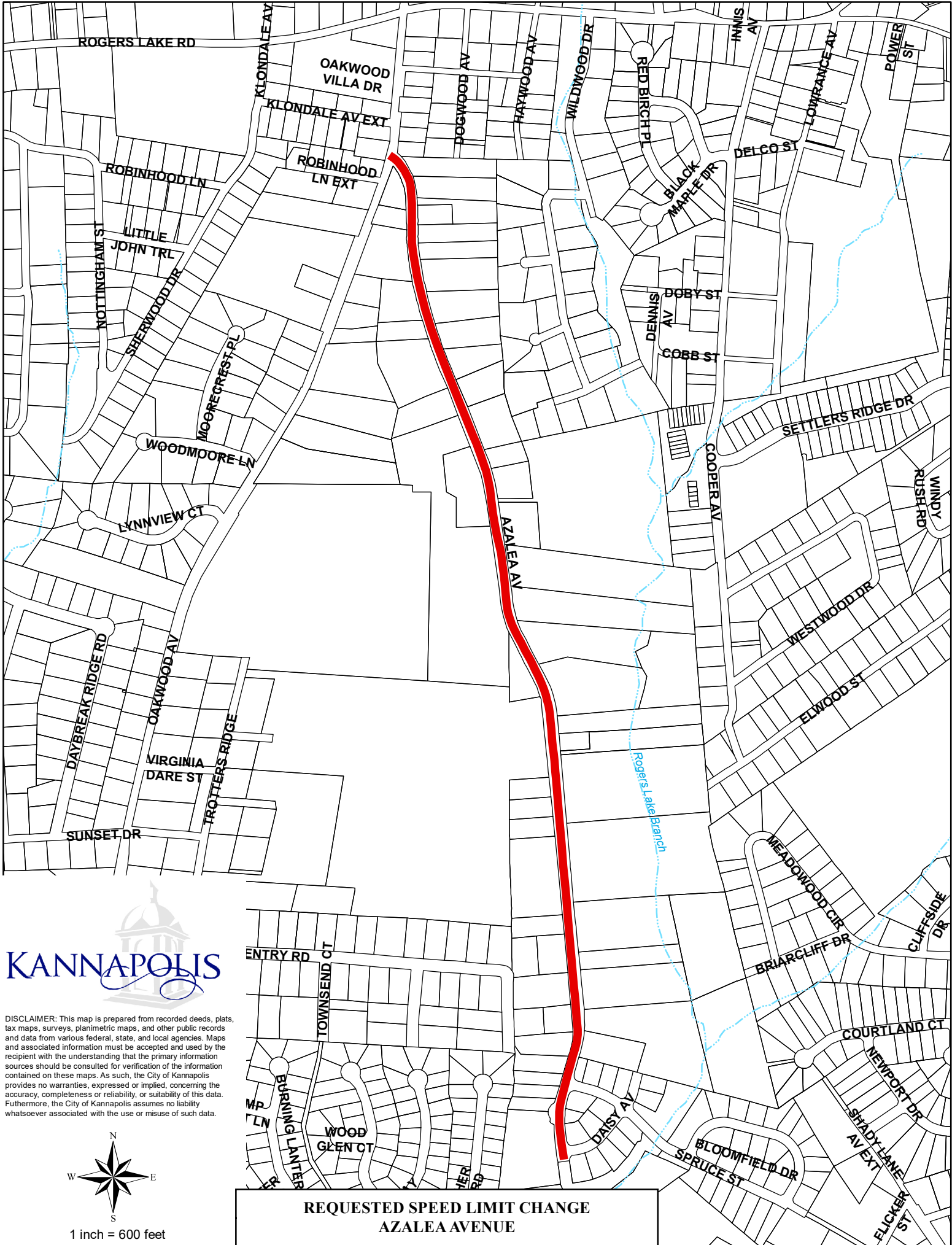
25

Azalea Avenue from Oakwood Avenue to dead end of Azalea Avenue.

Adopted this 13th day of August, 2018.

Milton D. Hinnant, Mayor

Bridgette Bell, MMC, NCCMC
City Clerk





**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Wilmer Melton, III - Director of Public Works
TITLE: Amendment to the Davidson Road Water Main and Sudbury Road Sewer Main Capital Project Ordinance

A. Action Requested by City Council

Motion to amend the Capital Project Ordinance for the Davidson Road Water Main and Sudbury Road Sewer Main.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Change Order #1 consists of two items related to the Booster Pump Station located on Shiloh Church Road. Below is an item-by-item description on each item in this Change Order:

1. \$41,973.17 increase. This item includes costs associated with the additional gravel, grading, fencing, manual gate, automatic gate with operator, and electrical work for the revised site plan for the pump station. The revised site plan includes an additional driveway entrance, manual gate, and automatic gate with operator.
2. \$5,773.08 increase. This item includes costs associated with the installation of the 1-inch Schedule 40 PVC sampling line for the Chlorine Analyzer.

Original contract amount:	\$973,000.00
Change Order #1:	\$ 47,746.25

D. Fiscal Considerations

Funding for this Project and the requested Change Order #1 will be paid from the Water Sewer Fund.

E. Policy Issues

Council approval is required to amend the Capital Project Ordinance.

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
--

1. **Approve the amendment to the Capital Project Ordinance for the Davidson Road Water Main and Sudbury Road Sewer Main. (Recommended)**
2. Take no action.
3. Table item to a future meeting.

ATTACHMENTS:

File Name

▢ Capital_Project_Ordinance_amendment_19-3.pdf

**CITY OF KANNAPOLIS, NORTH CAROLINA
ORDINANCE AMENDING THE DAVIDSON ROAD WATER MAIN
& SUDBURY ROAD SEWER MAIN
CAPITAL PROJECT ORDINANCE
Amendment #19-3**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13th day of August, 2018, that the following amendment to the Davidson Road Water Main & Sudbury Road Sewer Main Capital Project Ordinance for the City of Kannapolis, North Carolina is hereby adopted:

FUND 315: DAVIDSON ROAD WATER MAIN & SUDBURY ROAD SEWER MAIN

SECTION I: Increase Fund Revenue Estimate as follows:

Increase Investment Earnings (33000-38000)	\$ 48,000
--	-----------

SECTION II: Increase Fund Expenditures as follows:

Capital Outlay (33000-59200)	\$ 48,000
------------------------------	-----------

This Ordinance is approved and adopted this 13th day of August, 2018.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Annette Privette-Keller, Irene Sacks; Trent Marlow; Gary Mills
TITLE: Downtown Block 1 - Main Street Improvements

A. Action Requested by City Council

Authorize staff to proceed with the Block 1 Main Street Improvement Plan.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Staff was asked to evaluate and make recommendations regarding Downtown's Block 1 (Main Street Buildings) to improve the outward image of these building facades which are starting to appear less than attractive.

Staff has put together recommendations that vary in scope and costs in order to approve the appearance of the block as well as to stabilize the structure itself.

This block of buildings has many of the same issues as the other structures in downtown. General upkeep and repairs have not been completed in many years. Roof damage is the major concern as it has the potential of resulting in the continued deterioration of the buildings, especially on the 2nd floor. Previous tenants of the structures have left trash and other items that need to be cleaned out. Mold is now an issue in several of the spaces which is an easy problem to solve now but if left in attended will become more complicated.

Irene has been working with a group of developers who have a strong interest in redeveloping Blocks 1 and 8 (Tuttle/Burgess Building), both sides of Main Street. Obviously the city has a long term (but not binding) agreement with Corporate Realty on the revitalization or redevelopment of Block 8 but no discussion has been initiated with them on the future of this block.

The initial feedback from the second group of developers is that Block 8 has deteriorated beyond making it worthwhile to preserve, and that demolition and new construction would be the most feasible path for redevelopment. Staff expects them to submit a proposal in the next month or so. These developers are also interested in Block 1. In walking through these buildings, they

were more concerned about the stabilization of the block (especially stopping roof leaks and controlling moisture) than the exterior appearance of the buildings. Even so, staff agrees that the exterior image is important as well.

To address the above concerns, staff offers the following plan of action.

1. Paint the exterior wood trim on the first floor of the Main St. and Laureate Way fronting buildings. Repair rotten wood and broken windows. (\$55,860)
2. Clean buildings of debris and mold/ replace roofs. (\$200,000)
3. Blacking out all second level windows and all lower level windows that do not receive graphics. (\$4,000)
4. Painting color blocks on the facades to give visual impression of signage. (\$5,000)
5. Remove the trees/grind stumps and replace pavers (\$5,900)
6. Adding decorative banners to eight light poles. (\$5,690)
7. Adding cone shaped trees in planters. This would be an ideal year-round solution – and can be lighted and decorated for the Christmas Parade if we are able to salvage the electric lines. Would coordinate with the new planters for the train station improvement project. (\$3,349)
8. Adding generic signage to create graphic expression on the buildings. (\$4,000)
9. Add 20 to 29 graphic window murals (about 30-35 sq. ft.) each. The murals would serve to advertise the plans for downtown as well as give life to the buildings. (\$15,040)
10. Add decorative fencing to the train station parking. (\$14,000 fencing). This could potentially be extended to Laureate Way/First St. should the Block 8 buildings be demolished.

Total: \$312,839

D. Fiscal Considerations

Funding would come from the \$1.1 million of remaining funds from the bond issuance used to purchase downtown. This funding would also be used for the renovation of the spaces for Drs. Tuttle and Burgess. It may also be used for the demolition of the Block 8 buildings and a temporary treatment of that parcel.

These three efforts would exhaust these funds so new funding sources for other downtown initiatives like the Gem Theatre renovations would need to be established.

E. Policy Issues

N/A

F. Legal Issues

N/A

G. Alternative Courses of Action and Recommendation

Staff will discuss alternatives at the meeting.

ATTACHMENTS:

File Name

Block_One_S_Main_Streetscape_Murals.pdf



TRAIN STATION STORY & GRAPHICS

DOWNTOWN DEVELOPMENT

AMERICANA / THEATER / ENTERTAINMENT

BALLPARK / BASEBALL

VETERANS NOSTALGIA



**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE: Resolution Authorizing the Upset Bid Process for property located at 610 Kansas Street

A. Action Requested by City Council

Motion to approve a Resolution Authorizing the Upset Bid Process for property located at 610 Kansas Street.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

Staff has received a written offer from Matthew C Erich to purchase approximately 0.24 acres of the city-owned land we are referring to as the "610 Kansas Street" for \$45,000. The current tax value for the property is as follows:

- Building - \$21,260
- Other Buildings & Extra Features \$6,210
- Land \$51,260
- Total Tax Value \$ 78,730

The North Carolina General Statute § 160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property. These standards for selling the property through this process are clearly described on the attached resolution. It is important to understand that starting the bidding process does not lock the City Council into selling the property. Any and all bids can be rejected at any time, for any reason up until the time a purchase agreement is signed by the final high bidder.

A minimum qualifying upset bid would be a \$47,300.

The staff recommendation (as reflected in the Resolution) is to sell this land via the upset bid process.

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
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1. **Motion to approve a Resolution Authorizing the Upset Bid Process for property located at the 610 Kansas Street (Recommended)**
2. Do not approve Resolution.
3. Table action to a future meeting.

ATTACHMENTS:

File Name

- ☐ Resolution_Kansas_Street_Bid_Resolution.doc
- ☐ 610_Kansas_Street_Upset_Bid_Notice.pdf
- ☐ 610_Kansas_Street_Aerial_View.pdf

**Resolution Authorizing the Upset Bid Process for
Selling Certain City-Owned Property known as the
“610 Kansas Street Property”**

WHEREAS, the City of Kannapolis (“the City”) owns certain property known as the “610 Kansas Street”; and

WHEREAS, said property consists of approximately 0.24 acres of land which can be further identified as a portion of Cabarrus County Property Identification Number 5622-09-4138-0000, recorded in Cabarrus County Deed Book 627, Page 720; and

WHEREAS, North Carolina General Statute § 160A-269 permits the City to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of \$45,000.00, submitted by Matthew C. Erich; and

THEREFORE, THE CITY COUNCIL OF THE CITY OF KANNAPOLIS RESOLVES THAT:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
2. Matthew C. Erich has paid to the City the required five percent (5%) deposit on their offer in the amount of \$2,250.00 in a form acceptable to the City Attorney.
3. The City Clerk shall cause a notice of the proposed sale to be published. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
4. Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the City Clerk shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
5. If a qualifying higher bid is received, the City Clerk shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
6. A qualifying higher bid shall be one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.

7. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The deposit may be made in cash, cashier's check, or certified check. The City shall return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

8. The terms of the final sale are that: a) the City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed, b) the buyer must pay with cash or certified check at the time of closing, c) a Purchase and Sale Agreement must be negotiated between the City and a successful bidder, and d) buyer and the City may execute such other and further agreements as they deem appropriate.

9. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

10. In the event there is no upset bid after the initial public notice and the offer is accepted by the City, appropriate City officials are authorized to execute additional documents as are necessary or appropriate to this transaction including, but not limited to, documents necessary to convey the property to Matthew C. Erich.

11. The final high bidder may assign the rights granted under the process outlined in this resolution to another party, subject to the consent of the City which will not be unreasonable withheld.

Adopted this 13th day of August, 2018.

M. Darrell Hinnant
Mayor

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



PUBLIC NOTICE SALE OF CITY PROPERTY

An offer of \$45,000.00 has been submitted for the purchase of a certain property owned by the City of Kannapolis located at 610 Kansas Street, Kannapolis, NC 28083 more specifically described as follows: Approximately 0.24 acres of land which can be further identified as Cabarrus County Property Identification Number 5622-09-41380000, recorded in Cabarrus County Deed Book 627, Page 720.

Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the City Clerk, 401 Laureate Way, Kannapolis, N.C., by 5:00 p.m., August 24th, 2018. At that time, the City Clerk shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

A qualifying higher bid is one that raises the existing offer to an amount not less than \$47,300.

A qualifying higher bid must be accompanied by an official bid form, provided by the City, and a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder at closing.

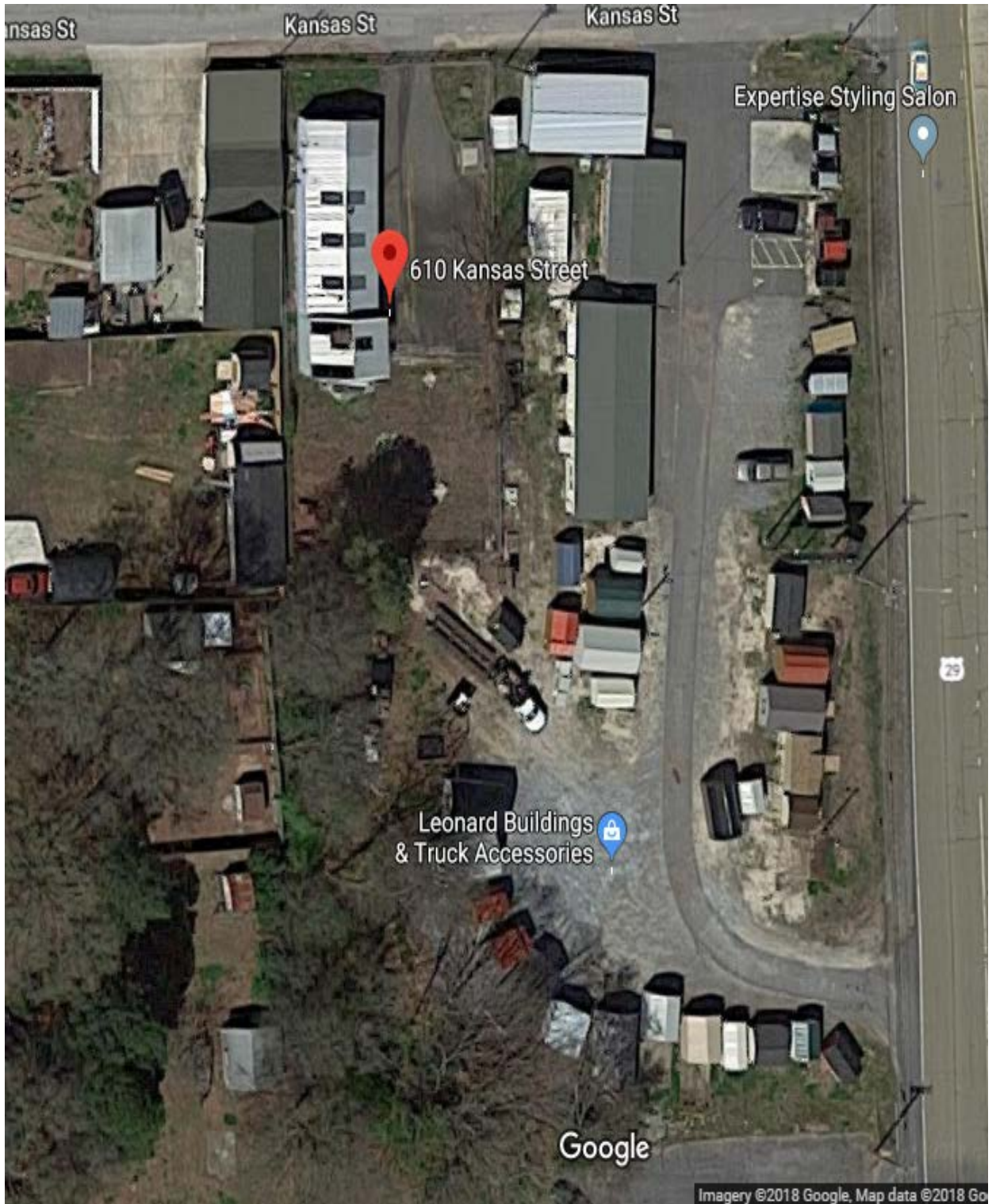
The buyer must pay cash or certified check at closing.

The City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed. The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

Further information may be obtained at the office of the City Clerk, 401 Laureate Way, Kannapolis, N.C., or by telephone 704-920-4333 during normal business hours.

PUBLISH WEDNESDAY, AUGUST 15, 2018
AS LEGAL AD

Aerial View of 610 Kansas St.



View of Property from Kansas St.





**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE: Appointment of City Councilmember to Gem Theatre Working Group

A. Action Requested by City Council

Appoint City Council member to the Core Working Group for the Gem Theatre Master Plan.

B. Required Votes to Pass Required Action

Majority present at meeting

C. Background

The City has engaged with Clearscapes, an architectural firm that has significant experience with historic theatres, to develop a conceptual master plan for the Gem Theatre. The purpose is to develop a practical solution for incorporating ADA-accessible bathrooms into the facility while at the same time, looking at the potential evolution of the facility over the long term. The scope of work and architectural firm will be presented to City Council in detail at a future meeting.

In the meantime, a Core Working Group is being assembled to move the project forward. City Council is encouraged to identify a member interested in serving on this group. Meetings will likely occur monthly through the beginning of 2018. The group will review the architect's work and provide project direction. There will be community outreach and stakeholder input in addition to the feedback from the working group. Other members of this working group include:

- Mike Legg, City Manager
- Eddie Smith, Deputy City Manager
- Irene Sacks, Director of Economic & Community Development
- Trent Marlow, General Services Director
- Steve Morris, Gem Theatre owner
- Noelle Scott, Cabarrus Arts Council
- Bunny Nash, Cabarrus Arts Council

D. Fiscal Considerations

None

E. Policy Issues

None

F. Legal Issues

None

G. Alternative Courses of Action and Recommendation
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1. **Appoint City Council member to the Core Working Group for the Gem Theatre Master Plan. (Recommended)**
2. Do not appoint a City Council member to the Core Working Group; the group will proceed as currently composed.

ATTACHMENTS:

File Name

No Attachments Available



**City of Kannapolis
City Council Meeting
August 13, 2018
Staff Report**

TO: Mayor and City Council
FROM: Mike Legg, City Manager
TITLE: Closed Session

A. Action Requested by City Council

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 Berry)

MOTION TO ADJOURN

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

ATTACHMENTS:

File Name

No Attachments Available