



**KANNAPOLIS
REGULAR MEETING
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS NC
FEBRUARY 13, 2023 6:30 PM**

Please Turn off Cell Phones or Place on Silent Mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. American Heart Month (Bridgette Bell, City Clerk)

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. First Reading for Text Amendment TA-2023-01 to amend Table 3.6.G(3)a: Coddle Creek Subdistrict Segments of the Kannapolis Development Ordinance (KDO) to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet. (Richard Smith, Planning Director)
- B. Budget Amendment #23-15 Appropriating Fund Balance for the Purchase of an Additional Train at Village Park (Kristin Jones, Assistant to the City Manager)
- C. Budget Ordinance #2022-21 Establishing Project Budget for the American Rescue Plan (ARP) Funds (Kristin Jones, Assistant to the City Manager)
- D. Budget Ordinance Appropriating Debt Proceeds for Water and Sewer Revenue Bond Refundings (Kristin Jones, Assistant to the City Manager)
- E. Budget Amendment # 23-16 Appropriating Fund Balance for the Rapid Response Team (Kristin Jones, Assistant to the City Manager)
- F. Budget Ordinance Establishing the Budget for the HOME ARP Consortium Budget (Kristin Jones, Assistant to the City Manager)
- G. Budget Ordinance for FY 22 HOME Funding (Kristin Jones, Assistant to the City Manager)
- H. January 23, 2023 Work Session Minutes (Bridgette Bell, City Clerk)
- I. January 23, 2023 Regular Meeting Minutes (Bridgette Bell, City Clerk)
- J. Amend Position Pay Classification Plan - (Tina Cline, Human Resource Dir)

BUSINESS AGENDA

- A. Public Hearing to consider case No. CZ-2022-08 - Conditional rezoning request - Trinity Church Road and Stirewalt Rd (Richard Smith, Planning Director)
- B. Public Hearing and Consideration of a Special Assessment of Cost Sharing in Reference to Opal Street Acceptance to Powell Bill Schedule (Michael Rattler, Director of Transportation & Environmental Services)
- C. Resolution to Accept a Portion of Opal Street and add to the Powell Bill Schedule (Michael Rattler, Director of Transportation & Environmental Services)
- D. Dixie Youth Facility Improvement Update (Gary Mills)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

ADA Notice and Hearing Impaired Provisions

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), anyone who requires 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 email at tcline@kannapolisnc.gov as soon as possible, but no later than forty-eight (48) hours before the scheduled event.



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

American Heart Month
February 2023

WHEREAS, As the leading cause of death for both men and women nationwide, heart disease devastates hundreds of thousands of families every year, and

WHEREAS, During American Heart Month, we pause to remember the lives lost to heart disease and the families who mourn, and we reaffirm our commitment to preventing and treating this terrible disease that inflicts immeasurable pain and suffering, and

WHEREAS, According to the Centers for Disease Control and Prevention, about half of all Americans have at least one of three key risk factors: high blood pressure, high blood cholesterol, or a history of smoking. By making small, incremental changes and creating healthier habits can lead to life-saving benefits, and

WHEREAS, We must all take decisive action to control our cardiovascular health and support and motivate friends and family members in their efforts to curb unhealthy behaviors. Community groups, educators, and fitness and healthcare professionals can also provide guidance, support, accountability, and encouragement on the journey to better health, and

WHEREAS, Thanks to scientific research, medical advances, and healthy lifestyle choices, much of the power to combat this disease is within our grasp. During American Heart Month, I urge all men and women to prioritize their health and to take the necessary measures to lead a heart-healthy lifestyle.

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 February 2023 as American Heart Month and I invite all citizens to join me in recognizing and reaffirming our commitment to fight cardiovascular disease.



IN WITNESS WHEREOF I have set my hand
and caused the Great Seal of the City of Kannapolis
to be affixed this 13th day of February 2023.

Milton D. Hinnant



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: First Reading for Text Amendment TA-2023-01 to amend Table 3.6.G(3)a: Coddle Creek Subdistrict Segments of the Kannapolis Development Ordinance (KDO) to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet.

Action Requested by City Council

Motion to Continue to February 27, 2023 for Second Reading of TA-2023-01.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Staff is proposing the following amendments to the Kannapolis Development Ordinance (KDO), Section 3.8, F. Thoroughfare Protection Overlay (TPO) District, (3)a. Coddle Creek Subdistrict:

Amend Table 3.6.G(3)a: Coddle Creek Subdistrict Segments. Staff recommends this amendment to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet. The preservation area is measured from the edges of the right-of-way. According to information provided by the North Carolina Department of Transportation (NCDOT) and the Cabarrus-Rowan Metropolitan Planning Organization (CRMPO), the proposed cross section/right-of-way width for Highway 73/Davidson Highway is one-hundred twenty (120) feet. The narrowest portion of the existing right-of-way is sixty (60) feet; therefore, the future cross section can be achieved with the reduced corridor preservation area for the entirety of the City of Kannapolis' portion of this highway.

The Planning and Zoning Commission recommended approval of TA-2023-02 to City Council at their December 13, 2023 Commission meeting.

The proposed text amendments to the KDO are attached as Exhibit A and shown in **bold, red text**.

Fiscal Considerations

None

Policy Issues

The Planning and Zoning Commission recommended approval of TA-2023-02 to City Council at their December 13, 2023 Commission meeting. Pursuant to Section 2.3.A(1)d of the KDO, City Council has final authority to review and make decisions on Zoning Text Amendments.

The proposed text amendment to the KDO is attached and shown per staff recommended edits.

Legal Issues

None

Alternate Courses of Action and Recommendation:

1. **Motion to Continue to February 27, 2023 for Second Reading of TA-2023-01 (Recommended).**
2. Defer action to a future meeting.

Attachments

1. Recommended Text Changes
2. TA-2023-01 PZ Signed Statement of Consistency

EXHIBIT A

TA-2023-01 Proposed Text Amendments

Table 3.6.G(3)a: Coddle Creek Subdistrict Segments

ROAD OR HIGHWAY SEGMENT AND SIDE OF SEGMENT	CORRIDOR PRESERVATION AREA WIDTH
North side of Davidson Highway (NC 73) from Coddle Creek to the Mecklenburg County line (within Kannapolis city limits)	55 35 feet
Both sides of Trinity Church Road from Orphanage Road to Barr Road and the east side of Trinity Church Road from Barr Road to Stirewalt Road	55 feet from Orphanage Road to the Westside Bypass (existing Boy Scout Camp Road); 40 feet from Westside Bypass to Stirewalt Road
Both sides of the Kannapolis Parkway (Westside Bypass, including the existing Crisco Road and the existing Boy Scout Camp Road) from Interstate 85 to Mooresville Road (NC 3)	0 feet (No Corridor Preservation Area)
Both sides of Davidson Highway (NC 73) from Interstate 85 to the westernmost boundary of the City's limits	55 35 feet
Both sides of Mooresville Road (NC 3) from ____ to the westernmost boundary of the City's limits	40 feet



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO TEXT
AMENDMENT TA-2023-01**

WHEREAS, Section 160A-383 (2013), of the North Carolina General Statutes, modified in Section 160D-605, specifies that the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive and any other officially adopted plan that is applicable; and

WHEREAS, the text amendment to **Article 3, Table 3.6.G(3)a, to reduce the corridor preservation area width along Davidson Highway (NC 73) from fifty-five (55) feet to thirty-five (35) feet**, is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*..

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on January 17, 2023 for consideration of text amendment Case# TA-2023-01 as submitted by the Planning Department staff;

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2023-01 is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, and is recommended for approval by the City Council based on consideration of the application materials, information presented at the Public Hearing, and the recommendation provided by Staff.

Adopted this the 17th Day of January 2023:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest:

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager

Subject: Budget Amendment #23-15 Appropriating Fund Balance for the Purchase of an Additional Train at Village Park

Action Requested by City Council

Motion to approve budget amendment #23-15 which appropriates fund balance for the purchase of an additional train at Village Park.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

At the January 9th City Council meeting an update on the train at Village Park was provided by Parks and Recreation Director Gary Mills. Mr. Mills described the downtime experienced with the existing train having mechanical problems during the holiday season. A motion was presented and voted on to purchase an additional train for Village Park to help prevent the challenges experienced this past year. Due to heavy lead times, the bid is set to go out within the next week and staff will facilitate the purchase of the additional train for Village Park. This budget amendment is necessary to authorize staff to take these actions.

Fiscal Considerations

Appropriating fund balance in the amount of \$650,000 to fund the purchase of an additional train at Village Park.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

1. **Motion to approve budget amendment #23-15 which appropriates fund balance for the purchase of an additional train at Village Park (Recommended).**
2. Do not approve the budget amendment.
3. Table action to a future meeting.

Attachments

1. BA #23-15 Train

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2022
AND ENDING JUNE 30, 2023
Amendment # 23-15**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13^h day of February 2023, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2022, and ending June 30, 2023, is hereby adopted:

Description: This budget amendment appropriates \$650,000 in fund balance for the purchase of an additional train at Village Park. This project was identified as a need that emerged from the on-going strategic plan.

SECTION I– GENERAL FUND

Revenue:	Increase – Fund Balance Appropriated Revenue: 19900-39900	\$650,000
Expenditure:	Increase – Capital Machinery and Equipment Expenditure: 15010-59500	\$650,000

This ordinance is approved and adopted this 13th day of February 2023.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager

Subject: Budget Ordinance #2022-21 Establishing Project Budget for the American Rescue Plan (ARP) Funds

Action Requested by City Council

Motion to adopt the project ordinance that budgets the American Rescue Plan (ARP) funds.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Federal American Rescue Plan Act of 2021 (ARP) established Coronavirus State and Local Fiscal Recovery Funds ("FRF"), which will be distributed to state and local governments for the purpose of responding to negative economic impacts stemming from COVID-19. The City of Kannapolis has been awarded \$9,352,893 in ARP funds.

In January 2022 the US Treasury published its Final Rule on how ARP funds could be expended. More specifically, key changes and clarifications included guidance for replacing lost public sector revenue. The final rule offered a standard allowance for revenue loss of up to \$10 million. Electing the Revenue Replacement Standard Allowance authorized recipients to use up to \$10 million of the allocation for any government services, with streamlined reporting requirements. Additionally, jurisdictions were able to look at qualifying expenditures incurred as of March 3, 2021. From the period March 3, 2021 - March 31, 2022 the City expended in excess of \$9.5 million in salaries for Public Safety employees, and has elected to reimburse itself for those expenditures.

By electing the Revenue Replacement Standard Allowance, the City now has its full \$9,352,893 allocation to appropriate to any government service.

Proposed expenditures no longer have to relate specifically to COVID and are only prohibited in the following instances:

- Pension Fund contributions
- Borrowing money
- Financial reserves/ rainy day fund
- For settlement/ judgement/ consent decree
- Undermines or discourages CDC guidelines
- Violates conflict of interest provisions
- Violates state law or other federal laws and regulations including applicable Uniform Guidance
- Anything not authorized by State law

City Council on May 23, 2022, approved the adoption of the American Rescue Plan Act Grant project ordinance but at that time, the funds were not budgeted for. In the closing of fiscal year 2022, staff is working with the auditors and an administrative budget amendment is needed to budget the funds when the initial project ordinance was adopted. This budget amendment corrects this oversight and budgets the funds in the same fiscal year in which the spending

was reported. As a reminder, the City elected to take the standard allowance, as authorized by 31 CFR Part 35.6 (d) (1) and expend all its ARP/CSLFRF funds for the provision of government services (\$6,070,952.70 in law enforcement services through March 3, 2021-March 31, 2022 and \$3,281,940.30 in fire protection services through March 3, 2021-March 31-2022.

Fiscal Considerations

This is an administrative budget amendment supported by the City's audit firm to budget the ARP funds received.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

1. Motion to adopt the project ordinance that budgets the American Rescue Plan (ARP) funds (Recommended).
2. Do not adopt the project ordinance.
3. Table action to a future meeting.

Attachments

1. Ordinance #2022-21 ARP-CSLFRF
2. ARP Budget Ordinance

**CITY OF KANNAPOLIS, NORTH CAROLINA
AMERICAN RESCUE PLAN ACT 2021
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
GRANT PROJECT ORDINANCE**

BE IT ORDAINED by the Governing Board of the City of Kannapolis, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The City of Kannapolis has received the first tranche in the amount of \$4,676,447.00 of CSLFRF funds. The total allocation is \$9,352,893, with the remainder to be distributed to the City within 12 months. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The City has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriate for the project and authorized for expenditure:

Internal Project Code	Project Description	Expenditure Category (EC)	Cost Object	Appropriation of ARP/CSLFRF Funds
001	Law Enforcement Services for period of March 3, 2021 through March 31, 2022	6.1	Salaries	\$6,070,952.70

002	Fire Protection Services for period of March 3, 2021 through March 31, 2022.	6.1	Salaries	3,281,940.30
	TOTAL			\$9,352,839.00

Section 4: The following revenues are anticipated to be available to complete the project:

ARP/CSLFRF Funds:	\$9,352,839
TOTAL:	\$9,352,839

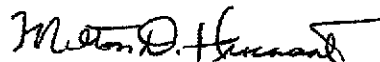
Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the City's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

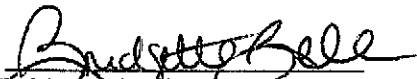
Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to City Council.

Section 8: This grant project ordinance is effective as of March 3, 2021, and expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the City, whichever occurs sooner.

This Ordinance is adopted this 23rd day of May 2022


Milton D. Hinnant, Mayor

ATTEST:


Bridgette Bell, MMC, NCCMC
City Clerk

Ordinance #2022-21

**CITY OF KANNAPOLIS, NORTH CAROLINA
AMERICAN RESCUE PLAN ACT 2021
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS
FY 2021-2022**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The City of Kannapolis has received the full allocation of \$9,352,893. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The City has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3. The following revenues are anticipated to be available to complete this project:

Federal Grants:	\$9,352,893
71000-33000	

Section 4. The following amount is appropriated for the project:

Transfer to General Fund:	\$9,352,893
71000-57000	

Section 5. The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the City's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the governing board on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to City Council.

Section 8: This grant project ordinance is effective as of March 3, 2021, and expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the City, whichever occurs sooner.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 23rd day of May 2022.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager

Subject: Budget Ordinance Appropriating Debt Proceeds for Water and Sewer Revenue Bond Refundings

Action Requested by City Council

Motion to adopt the budget ordinance that budgets the debt proceeds to fund the 2011 and 2013 Water and Sewer Revenue Bond Refundings.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

City Council approved at the July 12, 2021 meeting to approve Truist as lender for the installment financing of 2021 Revenue Bonds and the refunding of the 2011 and 2013 revenue bonds. This budget amendment budgets the debt proceeds associated with the 2011 and 2013 refunding debt issuances. In the closing of fiscal year 2022, staff is working with the auditors and an administrative budget amendment is needed to budget the funds associated with these refundings. This action is back-dated to the original consideration and approval from City Council on July 12, 2021.

Fiscal Considerations

A budget amendment is required that back dates the actions taken by City Council on July 12, 2021, which approved the City to issue new debt associated with the 2021 Revenue Bonds and the 2011 and 2013 Revenue Bond refundings. This budget amendment budgets the debt proceeds associated with the 2011 and 2013 refunding debt issuances. In the closing of fiscal year 2022, staff is working with the auditors and an administrative budget amendment is needed to budget the funds associated with these debt refunding actions.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

1. **Motion to adopt the budget ordinance that budgets the debt proceeds to fund the 2011 and 2013 Water and Sewer Revenue Bond Refundings (Recommended).**
2. Do not approve the motion.
3. Table action to a future meeting.

Attachments

1. Debt Refunding Capital Project Ordinance

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022
Amendment # 22-31**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 12th day of July 2021, that the following amendment to the budget ordinance for the City of Kannapolis, North Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022 is hereby adopted:

Description: City Council approved at the July 12, 2021 meeting to approve Truist as lender for the installment financing of 2021 Revenue Bonds and the refunding of the 2011 and 2013 revenue bonds. This budget amendment budgets the debt proceeds associated with the 2011 and 2013 refunding debt issuances. In the closing of fiscal year 2022, staff is working with the auditors and an administrative budget amendment is needed to budget the funds associated with these refunding's.

SECTION I– REVENUE BONDS 20

Revenue:

Increase: Proceeds from Debt Financing	
Revenue: 34095-39000	\$14,563,000

Expenditure:

Increase: Bond Principal	
Expenditure: 34000-58100	\$13,315,000

Expenditure:

Increase: Bond Interest	
Expenditure: 34000-58200	\$1,153,775

Expenditure:

Increase: Debt Issuance: Cost	
Expenditure: 34000-58300	\$94,225

Revenue:

Increase: Proceeds from Debt Financing	
Revenue: 34095-39000	\$5,571,000

Expenditure:	
Increase: Bond Principal	
Expenditure: 34000-58100	\$5,499,652
Expenditure:	
Increase: Bond Interest	
Expenditure: 34000-58200	\$24,572
Expenditure:	
Increase: Debt Issuance: Cost	
Expenditure: 34000-58300	\$46,776

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to provide for accounting to the City Council as required by North Carolina law.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total project revenue.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Capital Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This ordinance is approved and adopted this 12th day of July 2021.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager

Subject: Budget Amendment # 23-16 Appropriating Fund Balance for the Rapid Response Team

Action Requested by City Council

Motion to approve budget amendment # 23-16 which appropriates fund balance for the Rapid Response Team.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Staff previously presented a recommendation to City Council to establish a Rapid Response Team related to solid waste collection services. The purpose is to facilitate City staff providing supplemental collection services for missed solid waste pick-ups by the City's contractor, Waste Management. This team would consist of three (3) Waste Collection Operators (Equipment Operator II) budgeted at a pay grade (70) and the operational costs required to support this service. It was presented that this would cost around \$270,000 annually to fund. The two (2) pieces of equipment needed for this unit are already funded (a rear-loader and an automated side load truck). The cost reflects funding this at half a year's impact to the current budget with the full amount included in the FY 23-24 Budget.

Fiscal Considerations

This budget amendment appropriates \$135,000 to fund the Rapid Response Team (RRT) that will serve as a supplemental service to Waste Management. The (2) pieces of equipment needed for this unit are already funded. This budget amendment funds the personnel and operational supplies only at half a year's impact to the operating budget.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

- 1. Motion to approve budget amendment # 23-16 which appropriates fund balance for the Rapid Response Team (Recommended).**
2. Do not approve the budget amendment.
3. Table to a future meeting.

Attachments

1. Cash Reserves BA for Rapid Response Unit

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2022
AND ENDING JUNE 30, 2023
Amendment # 23-16**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13^h day of February 2023, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2022, and ending June 30, 2023, is hereby adopted:

Description: This budget amendment appropriates \$135,000 in fund balance to fund the Rapid Response Team (RRT) that will serve as a supplemental service to Waste Management. Staff presented options to City Council for this unit and it was recommended and approved to fund the RRT that would consist of (3) Waste Collection Operators budgeted at a grade (70) and the operational costs required to bring this unit in house. It was presented that this would cost around \$270,000 annually to fund. The (2) pieces of equipment needed for this unit is already funded (one rear loader and an automated side loader). This budget amendment funds the personnel and operational supplies only.

SECTION I– ENVIRONMENTAL FUND

Revenue:	Increase – Fund Balance Appropriated Revenue: 59900-39900	\$135,000
Expenditure:	Increase – Salaries and Wages Expenditure: 50000-41000	\$70,000
Expenditure:	Increase – Motor Fuel Expenditure: 50000-45610	\$45,000
Expenditure:	Increase – Uniforms Expenditure: 50000-47100	\$10,000
Expenditure:	Increase – Repair and Maintenance: Equipment Expenditure: 50000-44400	\$10,000

This ordinance is approved and adopted this 13th day of February 2023.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Kristin Jones, Assistant to the City Manager

Subject: Budget Ordinance Establishing the Budget for the HOME ARP Consortium Budget

Action Requested by City Council

Motion to adopt the budget ordinance establishing the project funds for the HOME ARP Consortium.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Cabarrus/Iredell/Rowan HOME Consortium is expecting to receive \$4,777,338 in HOME American Rescue Plan (ARP) Program funds from the Department of Housing & Urban Development (HUD). The City of Kannapolis' allocated amount of those funds is \$561,907 for projects and \$44,622 in administrative funds. City Council approved at their February 28th, 2022 meeting the use of the HOME ARP Funds to the Cabarrus/Iredell/Rowan HOME Consortium. This budget amendment funds the City's portion of this project.

Fiscal Considerations

The City of Kannapolis' allocated amount is \$561,907 for projects and \$44,622 in administrative funds. City Council approved at their February 28th, 2022 meeting the use of the HOME ARP Funds to the Cabarrus/Iredell/Rowan HOME Consortium. This budget amendment funds the City's portion of this project.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

- 1. Budget Ordinance Establishing the budget for the HOME ARP Consortium Budget (Recommended).**
2. Do not approve the budget amendment.
3. Table action to a future meeting.

Attachments

1. Home ARP funding one time

**CITY OF KANNAPOLIS, NORTH CAROLINA
HOME-ARP CONSORTIUM AGREEMENT
FY 2022-2023**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the an agreement between the City of Concord and the City of Kannapolis as an “eligible HOME-ARP Consortium Member under the 24 CFR 92.252 or 92.254.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s), the rules and regulations of HUD, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

CDBG Program Grant :	\$606,529
75000-33400-CDBC	

Section 4. The following amount is appropriated for the project:

Administration:	\$44,622
75000-51910-CDBC	

Public Services:	\$561,907
75000-51945-CDBC	

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 13th day of February 2023.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council
From: Kristin Jones, Assistant to the City Manager
Subject: Budget Ordinance for FY 22 HOME Funding

Action Requested by City Council

Motion to approve the budget ordinance that establishes the project funds for the FY 2022 HOME program funding allotment.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City is anticipating receiving \$169,093 from the Cabarrus/Iredell/Rowan HOME Consortium for Fiscal Year 2021-2022. In addition to that, we will receive \$19,500 in program income for loan payments from the Villas at Forest Park and Prosperity Ridge senior housing projects. A twenty-five percent in local match is required to receive these funds. The match funds will be provided by carried over funds accumulated in partnership with Habitat for Humanity and CCM projects.

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.

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, 2021.

City Council approved the funding plan at the April 12, 2021 City Council Meeting but a budget amendment wasn't prepared at that time. This is an administrative budget amendment to account for the FY 22 HOME program Funds.

Fiscal Considerations

City Council approved the funding plan at the April 12, 2021 City Council Meeting but a budget amendment wasn't prepared at that time. This is an administrative budget amendment to account for the FY 22 HOME program Funds.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

1. **Motion to approve the budget ordinance that establishes the project funds for the FY 2022 HOME program funding allotment (Recommended).**
2. Do not approve the recommendations.
3. Table action to a future meeting.

Attachments

1. HOM22 copy

**CITY OF KANNAPOLIS, NORTH CAROLINA
HOME CONSORTIUM GRANT PROGRAM PROJECT BUDGET ORDINANCE
FY 2021-2022**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the Cabarrus/Iredell/Rowan HOME Consortium Program and the U.S. Department of Housing and Urban Development (HUD). This project is more familiarly known as the 2021-2022 Consortium Home Program.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s), the rules and regulations of HUD, and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project:

75000-33300-HOM22: HOME Program Grant	\$169,093
75000-33300-HOM22: HOME Administration	\$19,500

Total Revenues: **\$188,593**

Section 4. The following amount is appropriated for the project:

75000-51950-HOM22: Rehabilitation Expenses	\$139,022
75000-51915-HOM22: Construction	\$20,000
75000-51925-HOM22: Down Payment Assistance	\$20,000
75000-51910-HOM22: General Administration	\$9,571

Total Expenditures: **\$188,593**

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 13th day of February 2023.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council
From: Bridgette Bell, City Clerk
Subject: January 23, 2023 Work Session Minutes

Action Requested by City Council

January 23, 2023 Work Session Minutes

Required Votes to Pass Required Action

Background

Fiscal Considerations

Policy Issues

Legal Issues

Alternate Courses of Action and Recommendation:

Attachments

1. 01-23-2023 Work Session Minutes

**CITY OF KANNAPOLIS
CITY COUNCIL MEETING
WORK SESSION MINUTES
January 23, 2023**

A regular work session meeting of the City Council of the City of Kannapolis was held on Monday, January 23, 2023, at 4:30 PM at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Jeanne Dixon
Doug Wilson
Tom Kincaid
Darrell Jackson
Ryan Dayvault
Dianne Berry

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant to the City Manager: Kristen Jones

Assistant City Manager: Wilmer Melton

Assistant City Manager: Eric Davis

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present: Richard Smith Annette Privette Keller
David Jordan Tony Eury
Irene Sacks Becky Tolle
Gary Mills

APPROVAL OF AGENDA

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

Community/Recreation Center Discussion (Eric Davis, Assistant City Manager and Gary Mills, Parks, and Recreation Director)(Copy included as Exhibit A)

City Manager Legg reported that Staff is completing a compilation of more than 100 projects and initiatives to be considered as part of the final Imagine Kannapolis Strategic Plan. As we near the end of the planning process in February and March there are few complex projects/initiatives that need more City Council discussion. Council will be given a draft of all proposed projects and initiatives being proposed. Council will be asked to give Staff feedback on 30 of the projects, whether to do it now, do it soon, maybe for a later time, delay the project or not to do the project at all.

1 One such project is the Community/Recreation Center. This project could be a huge range of
2 features and Staff is asking Council's help staff to define the project and determine if it is
3 something you will support.
4

5 Staff believes City Council cannot adequately decide where (or if) such a facility fits in the plan
6 until the project is better defined. The ultimate cost and location of such a facility hinges on
7 defining what the project is. Staff will ask City Council to participate in a straw voting exercise at
8 the meeting to better define what amenities and features most of the City Council believes this
9 project should include, with the exception of three projects: Homelessness and the City's Personnel
10 Policy. Staff is getting closer on a proposing a recommendations. The Community Recreation
11 Center, which is one big capital project, Staff is needing input from Council.
12

13 Mr. Davis said that everyone seems to have a different idea of how this building would look like.
14 This presentation will help define what Council wants to see in a Community Center and funding
15 strategy. This project could possibly be the most expensive project. Gary and his staff have broken
16 all the projects and amenities into different categories, so Council will be able to rank in
17 importance what they feel should be a priority.
18

19 Mr. Mills provided a Power Point presentation outlining the three existing facilities nearby with
20 amenities. Cannon Memorial YMCA-Kannapolis- built in 1982 with 47,600sf; West Cabarrus
21 YMCA-Concord – built in 2002 with 62,000fs and the Sports-Center Built in 1982 with 49,000sf.
22

23 The Power Point also shown several Sportsplex & Community Centers in Indiana Utah, Colorado,
24 Kansas City, Virginia, Texas, Florida, Ohio, Charlotte and Boone, NC. Also, examples of aquatic
25 spaces. Mr. Mills said obviously, the more elaborate aquatic facilities, the price goes up. Roughly
26 between \$250 to \$450 per square foot with annual operating expenses ranging from \$1 to \$1.8
27 million, estimated revenue between \$1 and \$1.9 million. Estimated revenues would be covered
28 through user fees, concessions and facility fees. Illustrations of fitness spaces include indoor
29 walking track, rock climbing walls, fitness centers with aerobic room/exercise multi-use rooms,
30 and Ninja Warrior/Obstacle Courses. Mr. Mills noted that Council will now rank in preference the
31 following categories. Recreation Center Categories: Aquatics; Athletics; Fitness; Active Areas and
32 Passive Space.
33

34 There was general discussion regarding the equipment failure at the YMCA and other comments
35 on the recreation centers. Following general discussion Mr. Mills reported on the following results:
36

37 **Top Categories:**
38

39 Athletics, Aquatics, Fitness (tied), but Athletics had the most 1st place votes.
40 Activity Areas
41 Passive space
42

43 **Top amenities:**

44 Athletics:

45 Indoor multi-use hard courts were 1st; all 7 votes were 1st or 2nd.

46 Indoor pickleball courts was 2nd; had three 1st place votes.

Indoor golf simulator was 3rd.

Aquatics:

Indoor waterpark, outdoor waterpark, outdoor pool (all tied for 1st),
Indoor lap pool a close 2nd ; Indoor waterpark and indoor lap pool had the most 1st place
votes

Fitness:

Indoor walking track (five 1st or 2nd place votes)
Aerobics room/exercise multi-use rooms was 2nd.
Fitness components was 3rd.

Activity areas:

Game room had five 1st place votes.
Pre-school gym/child watch was 2nd.
Indoor playground was 3rd.

Passive space:

Museum; had four 1st place votes.
Multi-use meeting space/conference rooms
Small auditorium/multi-use space

Mr. Mills gave examples of indoor and outdoor aquatics and noted that some of these rooms could
be combined for multi-use and the use of Coffee bar/juice bar/café could be easily included.

Primary building (with indoor and outdoor aquatics) could include:

2-3 multi-use courts
Overhead walking track
Exercise rooms/multi-use spaces
Game room
Museum
Indoor pool with indoor waterpark
Outdoor pool and outdoor waterpark

Additional priority components:

Indoor pickleball
Fitness components
Pre-school gym/ child watch area
Juice bar/café

Estimate: \$30-\$40 million. Roughly 85,000+ sq. ft

Primary building (with indoor aquatics) could include:

2-3 multi-use courts
Overhead walking track
Exercise rooms/multi-use spaces
Game room

Museum
Indoor pool with indoor waterpark

Additional priority components:
Indoor pickleball
Fitness components
Pre-school gym/ child watch area
Juice bar/café

Estimate: \$23-\$30 million. Roughly 75,000-85,000 sq. ft

Primary building (without aquatics) could include:

2-3 full size multi-use courts
Overhead walking track
Exercise rooms/multi-use spaces
Game room
Museum

Additional priority components:
Indoor pickleball
Fitness components
Pre-school gym/child watch area
Juice bar/café

Estimate: \$14-\$20 million. Roughly 50,000-60,000 sq. ft.

CLOSED SESSION:(Due to time restraints, no Closed Session was held.

Closed Session pursuant to GS 143-318.11 (a)(3) to preserve the attorney client privilege and GS 143-318.11 (a)(4) for discussing matters related to the location or expansion of industries or businesses in the area.

Council Member Wilson made a motion to adjourn. Motion was seconded by Council Member Dixon and approved by unanimous vote.

The meeting adjourned at 6:20 PM on Monday, January 23, 2023.

Milton D. Hinnant, Mayor

Bridgette Bell, MCC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council
From: Bridgette Bell, City Clerk
Subject: January 23, 2023 Regular Meeting Minutes

Action Requested by City Council

Required Votes to Pass Required Action

Background

Fiscal Considerations

Policy Issues

Legal Issues

Alternate Courses of Action and Recommendation:

Attachments

1. 01-23-2023 Regular Meeting

**CITY OF KANNAPOLIS
CITY COUNCIL MEETING
January 23, 2023**

A regular meeting of the City Council of the City of Kannapolis was held on Monday, January 23, 2023, at 6:30 PM at the Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Mayor: Milton D. Hinnant

Council Members: Jeanne Dixon
Dianne Berry
Doug Wilson
Tom Kincaid
Darrell Jackson
Ryan Dayvault

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant to the City Manager: Kristen Jones

Assistant City Manager: Wilmer Melton

Assistant City Manager: Eric Davis

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	Richard Smith	Sherry Gordon
	Scott Kaufhold	Alex Anderson
	David Jordan	Tony Eury
	Gerald Faulkner	Kirk Beard
	Terry Spry	Annette Privette Keller
	Daniel Wallace	Gary Mills
	Michael Dodge	Tracy Winecoff
	Wilmer Melton	Michael Rattler

Others Present:	Bob Doty	David Flynn
	Joe Hatley	Jennifer Clarke
	Derek Moore	Sam Moore
	Wayne Johnson	Verna Witherspoon

CALL TO ORDER AND WELCOME:

Mayor Hinnant called the meeting to order and welcomed all in attendance. Mayor Hinnant led a moment of silent prayer and Council Member Berry gave the Pledge of Allegiance.

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

PROCLAMATIONS:

Mayor Hinnant read a Proclamation proclaiming February as Black History Month.

CONSENT AGENDA:

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

RECOGNITIONS:

Police Chief Terry Spry introduced Michael Armstrong and Tyler Goodell. These officers recently completed Basic Law Enforcement Training. This course includes over 700 hours of training, covering a variety of law enforcement topics and a comprehensive State exam on all topic areas at the conclusion of the course. Both are currently going through the Police Department's 20-week Field Training Program and by all reports are doing well.

City Clerk, Bridgette Bell administered the Oath of Office.

Police Chief Spry also introduced Officer David Flynn. Officer Flynn began his law enforcement career here in North Carolina in 2001. He eventually moved to Texas where he remained in law enforcement until his retirement in 2021. After moving back to North Carolina, he decided he wanted to continue his law enforcement career. He successfully completed Basic Law Enforcement Training in June and joined our department in November of last year. He completed the Department's Field Training Program and was released for independent duty two weeks ago.

CONSENT AGENDA:

Council Member Jackson made a motion to approve the Consent Agenda. Council Member Berry seconded the motion, and it was approved by unanimous vote.

1. Resolution Authorizing City Manager to Execute Non-Warranty Deed (Walter M. Safrit, City Attorney) (Copy included as Exhibit A)
2. Resolution to Amend Code of Ordinances to Authorize Infrastructure Agreements (Walter M. Safrit, City Attorney) (Copy included as Exhibit B)
3. January 09, 2023, Work Session Minutes
4. January 09, 2023, Regular Meeting Minutes
5. January 09, 2023, Closed Session Minutes

1 **BUSINESS AGENDA:**

2
3 **Public Hearing A-2023-01 Voluntary annexation of property located at Kannapolis**
4 **Crossing (Richard Smith, Planning Director) (Copy included as Exhibit C)**

5 Mr. Smith gave an overview of the request for voluntary annexation.

6
7 On January 9, 2023, City Council adopted a Resolution of Intent to Annex property located at 1445
8 China Grove Road, and unaddressed parcels located on Old Beatty Ford Road, authorized the
9 Clerk to Investigate the Sufficiency of the Petition and established a public hearing date for January
10 23, 2023. The property is in an unincorporated area of Rowan County that is currently zoned RA
11 (Rural Agricultural). While this property is located outside the City's corporate limits, it is within
12 an area designated as a future growth area for the City of Kannapolis in an Annexation Agreement
13 between the City of Kannapolis and the Town of Landis. City of Kannapolis zoning will be applied
14 to the property after the annexation.

15
16 There being no questions or comments, Mayor Hinnant opened the public hearing to those in
17 attendance for an opportunity to speak. There being no speakers. Mayor Hinnant closed the public
18 hearing.

19
20 Council Member Dayvault made a motion to approve an Ordinance extending the corporate limits
21 of the City of Kannapolis. Motion was seconded by Council Member Dixon and was unanimous.

22
23 **Public Hearing A-2023-02 Voluntary annexation of Western Growth Area future park**
24 **property located on Davidson Hwy (Richard Smith, Planning Director) (Copy included as**
25 **Exhibit D)**

26 Mr. Smith gave an overview of the request for voluntary annexation.

27
28 On January 9, 2023, City Council adopted a Resolution of Intent to Annex unaddressed property
29 located on Stadium Drive, authorized the Clerk to Investigate the Sufficiency of the Petition and
30 established a public hearing date for January 23, 2023.

31
32 The property is in unincorporated areas of Cabarrus County and Rowan County. The Cabarrus
33 County portion is currently zoned LDR (Low Density Residential), and the Rowan County portion
34 is in the City of Kannapolis ETJ and zoned Office Institutional. While this property is located
35 outside of the City's corporate limits, it is within an area designated as "Proposed Kannapolis
36 Growth Area", in an "Annexation Agreement" between the City of Kannapolis and City of
37 Concord. City of Kannapolis zoning will be applied to the Cabarrus County portion after
38 annexation.

39
40 There being no questions or comments, Mayor Hinnant opened the public hearing to those in
41 attendance for an opportunity to speak. There being no speakers. Mayor Hinnant closed the public
42 hearing.

1 Council Member Wilson made a motion to approve an Ordinance extending the corporate limits
2 of the City of Kannapolis. Motion was seconded by Council Member Dayvault and was
3 unanimous.

4
5 **Public Hearing A-2023-03 Voluntary annexation of property located on Stadium Drive**
6 **(Richard Smith, Planning Director) (Copy included as Exhibit E)**

7 Mr. Smith gave an overview of the petition for voluntary annexation.
8

9 On January 9, 2023, City Council adopted a Resolution of Intent to Annex unaddressed property
10 located on Stadium Drive, authorized the Clerk to Investigate the Sufficiency of the Petition and
11 established a public hearing date for January 23, 2023.
12

13 The property is in unincorporated areas of Cabarrus County and Rowan County. The Cabarrus
14 County portion is currently zoned LDR (Low Density Residential), and the Rowan County portion
15 is in the City of Kannapolis ETJ and zoned Office Institutional. While this property is located
16 outside of the City's corporate limits, it is within an area designated as "Proposed Kannapolis
17 Growth Area", in an "Annexation Agreement" between the City of Kannapolis and City of
18 Concord. City of Kannapolis zoning will be applied to the Cabarrus County portion after the
19 annexation.
20

21 There being no questions or comments, Mayor Hinnant opened the public hearing to those in
22 attendance for an opportunity to speak. There being no speakers. Mayor Hinnant closed the public
23 hearing.
24

25 Council Member Jackson made a motion to approve an Ordinance extending the corporate limits
26 of the City of Kannapolis. Motion was seconded by Mayor Pro tem Kincaid and was unanimous.
27

28 **SPEAKERS FROM THE FLOOR:** There were no speakers.
29

30 **CITY MANAGER REPORT:** None.
31

32 **CITY COUNCIL COMMENTS:** None.
33

34 **ADJOURN:**

35 There being no further business brought before Council, Mayor Pro tem Kincaid made a motion
36 to adjourn. Council Member Berry seconded the motion, and it was approved by unanimous vote.
37

38 The meeting adjourned at 6:45 on Monday, January 23, 2023.
39
40

41 _____
Milton D. Hinnant, Mayor

42 _____
43 Bridgette Bell, MMC, NCCMC
44 City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council
From: Tina Cline, Human Resource Dir
Subject: Amend Position Pay Classification Plan -

Action Requested by City Council

Motion to adopt amendments to the Position Classification Plan job classification schedule included in Personnel Policy 400.01 as presented to be effective February 13, 2022 (Tina Cline, Human Resource Director)

Required Votes to Pass Required Action

Majority Present at Meeting

Background

A rapid response team (RRT) is proposed in the Environmental Services Department to address solid waste collection service concerns. This team would consist of (3) Equipment Operator II positions. These positions would operate the necessary heavy equipment/vehicles needed to supplement solid waste collection efforts. These three positions are in addition to existing vacant and hard to fill positions requiring a commercial driver's license. Due to similar job requirements and duties of this new unit, amendments to the existing job classification schedule are necessary to meet the immediate demand for qualified and experienced applicants in the following departments: Water Resources, Transportation, Stormwater and Environmental Services.

These proposed changes adjust internal inequities with implementing this new unit and will provide opportunities for advancement among existing staff.

Proposed amendments to the job classification schedule include:

1. Heavy Equipment Operator

Current pay grade 66
 Move to pay grade 68
 Reclassify to Equipment Operator I

2. Construction Maintenance Technician

Current pay grade 68
 No change to pay grade
 Reclassify to Equipment Operator I

3. Add job class Equipment Operator II to pay grade 70

Fiscal Considerations

Funding for the three new positions is included with funding for the Rapid Response Team (estimated at \$135,000 in personnel and operational costs).

Impact on the salaries of existing personnel is nominal and will be funded by lapsed salaries within the impacted departments.

Policy Issues

Amendments to the position classification plan require Council approval.

Legal Issues

Amendments to the position classification plan require Council approval.

Alternate Courses of Action and Recommendation:

1. **Motion to approve amendments as presented (Recommended).**
2. Table item to a future meeting.

Attachments

None



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: Public Hearing to consider case No. CZ-2022-08 - Conditional rezoning request - Trinity Church Road and Stirewalt Rd

Action Requested by City Council

1. Hold a Public Hearing for Case No. CZ-2022-08
2. Consider a motion to adopt a Statement of Consistency for CZ-2022-08
3. Consider a motion to approve a Resolution to Zone for CZ-2022-08

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant, John "Jack" McKinley, is proposing to rezone approximately 35.5 +/- acres of property located at 6205 Stirewalt Road and 5032 Trinity Church Road, further identified as Cabarrus County Parcel Identification Numbers 46939615960000 and 46939663830000 from Agricultural (AG) zoning district to a Residential 4-Conditional Zoning (R4-CZ) district to allow for a 56-lot single-family detached residential development.

As shown on the subdivision plan, full-movement access is being provided on both Stirewalt Road and Trinity Church Road, both of which are NCDOT maintained. Both of these proposed points of access have received conceptual approval by NCDOT and the City. A Traffic Impact Analysis (TIA) is not warranted for the number of daily/hourly trips provided for this number of lots.

As proposed on the subdivision plan, the minimum lot size is 15,000 square feet, with the largest lot being shown as 39,239 square feet. The minimum lot dimensions are shown as 75'X125' for width and depth minimums, but the overall lot area would be required to meet the 15,000 square foot minimum.

Two detention/water quality ponds are shown on the southern property boundary along with areas set aside for landscaped buffering/berms along both road frontages.

Although the applicant intends to connect to City water and sanitary sewer, information has been provided to staff and was also presented at the neighborhood meeting held on November 2, 2022, regarding alternative individual septic systems. The applicant has indicated that they fully intend to utilize City sewer, but given the timing and uncertainty of wastewater allocation and capacity in the short-term, individual septic systems were being proposed as a possible alternative. Additional concerns brought up at the neighborhood meeting by area residents included the proposed lot size, buffering/screening, well contamination (assuming aforementioned septic alternative) and consistency with the character of surrounding neighborhoods.

Although the applicant is requesting the R4-CZ zoning designation, which allows for a density of up to 4 units per acre, the overall density being requested is 1.56 dwelling units per acre. This density calculation assumes the total acreage divided by the total number of lots and includes common open space, landscaped buffers, and natural areas. Since this request is for conditional rezoning, the requested density of 1.5 units per acre is all that would be permitted if approved. Under the current AG zoning, the maximum density is 1 unit per acre with a 1-acre minimum lot size. All surrounding properties are zoned City of Kannapolis AG or Cabarrus County AO (Agriculture/Open Space).

The subject properties were part of a rezoning petition withdrawn by MI Homes in 2018, which included additional properties along with higher density and smaller lots. The properties were initially zoned AG in 1999 as part of the Coddle Creek Annexation by the City.

The Planning and Zoning Commission denied the rezoning request at their December 13, 2022 meeting.

Fiscal Considerations

None

Policy Issues

Section 2.5.A.(2).c of the KDO states that Amending the Zoning Map is a matter committed to the legislative discretion of the Planning and Zoning Commission or of the City Council, as authorized by this section. In determining whether to adopt or deny the proposed amendment, the Planning and Zoning Commission or the City Council, as applicable, may consider, and weigh the relevance of, whether and to what extent the proposed Zoning Map amendment:

- 1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?** The property is in the “Neighborhood Transition 1” Character Area as designated in the Move Kannapolis Forward 2030 Comprehensive Plan. This Character area’s primary use is listed as single-family detached residential with a desired density not to exceed 3 units per acre. The proposed use(s) is consistent with the goals and objectives of the Plan.
- 2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?** No. The property is currently vacant.
- 3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?** No, the subject property has been zoned AG or equivalent since annexed into the City of Kannapolis in 1999.
- 4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?** Yes, the subject property is located approximately one-half mile west of the intersection of Mooresville Road (NC 3) and Kannapolis Parkway which is anticipated to see more development in the future. The proposed subdivision plan provides for a transition from higher-density development to the east and lower-density development to the west/southwest.
- 5. Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?** Yes, there are no anticipated traffic concerns. There are two proposed points of ingress/egress onto two NCDOT roads.
- 6. Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?** Yes, the proposed development provides a

balance between surrounding low-density single-family residential land uses and the maximum density of 3-units per acre supported in the Comprehensive Plan.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?** There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations. The property is located along the fringe of the Protected Watershed Area for the Coddle Creek Reservoir (WS-II BW) which limits the maximum built-upon area to 12% utilizing the low-density option.

Legal Issues

None

Alternate Courses of Action and Recommendation:

Motion to Approve (2 votes) (Recommended)

1. **Should the City Council choose to approve the request for rezoning as presented in Case #CZ-2022-08, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The City Council finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan, adopted by City Council, which designates this property as being in the "Neighborhood Transition 1" Character Area as designated in the Move Forward 2030 Comprehensive Plan. The Neighborhood Transition 1 Character Area includes areas that have been developed over time into low-density residential neighborhoods. Existing neighborhoods will maintain their character, although there are opportunities to enhance these places with additional connectivity, bicycle and pedestrian amenities, parks and open space, and sidewalks. New master planned communities in this area will be built according to the traditional neighborhood design principles and conserving connected open space. New developments will provide appropriate transitions to existing adjacent developments and homes. Transitions between existing and new developments can incorporate visual screenings through natural buffers and larger sized lots along the boundary of developments and major roadways.*

The proposed use(s) of a single-family residential development is consistent with the goals and objectives of the Plan. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. The Comprehensive Plan also calls for average lot sizes of 15,000 square feet or larger for all new development, with a desired density of up to 3 units per acre.

2. **Should the City Council choose to approve Case #CZ-2022-08, a motion should be made to adopt the Resolution to Zone. (Recommended)**

Motion to Deny (2 votes)

1. **Should the City Council choose to recommend denial of Case #CZ-2022-08, a motion should be made to adopt the following Statement of Consistency:**

Statement of Consistency: *The City Council finds this zoning map amendment as presented in Case #CZ-2022-08 to be inconsistent with the goals and policies of the **Move Kannapolis Forward 2030 Comprehensive Plan**, adopted by City Council, because (state reason(s)) and is unreasonable and not in the public interest because (state reason(s)).*

2. **Should the City Council choose to deny Case #CZ-2022-08, a motion should be made to deny the Resolution to Zone.**

Attachments

1. Kannapolis Notice of Appeal 12-28-22 Signed
2. CZ App
3. Maps
4. Site Plan
5. Neighborhood Mtg Info
6. Public Notice Ad
7. List of Notified Properties
8. CZ-2022-08 CC Notification Ltr
9. Posted Public Notice Signs
10. CZ-2022-08 CC Statement of Consistency
11. CZ-2022-08 CC Resolution to Zone

NOTICE OF APPEAL

APPLICANT CONTACT:

Applicant &

Property Owner:

John F. McKinley and
LaRue Sims Credle, Trustee and Clifton M. Credle, Jr., Trustees of
The LaRue Sims Credle Revocable Living Trust
c/o Jack McKinley
702 Possum Trot Road
Blacksburg, SC 29702
Phone: 980-622-5560
Email: jackmckinley@gmail.com

PROJECT INFORMATION:

Project Address:

6205 Stirewalt Road and 5032 Trinity Church Road
Kannapolis, NC
56 single family detached homes

Rezoning Case:

#CZ-2022-08

Zoning District:

The request was from a City of Kannapolis Agricultural (AG) Zoning
Designation to a City of Kannapolis Residential 4-Units Per Acre
Conditional Zoning (R4-CA) Zoning Designation.

Parcel PIN:

#46939663830000 and #4693961596000

Size of Property:

Two (2) parcels – TOTAL acreage 35.39+/-

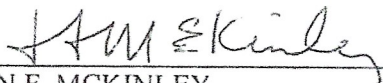
Please take Notice of the Appeal hereby filed by John F. McKinley, individually, and on behalf of LaRue Sims Credle, Trustee and Clifton M. Credle, Jr., Trustees of The LaRue Sims Credle Revocable Living Trust, to the Kannapolis City Council from an adverse decision of the Planning and Zoning Board ("Board") on December 13, 2022.

The Planning and Zoning Board voted to deny that the Project was consistent with the Comprehensive Plan as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. The Board never stated any reasons why the Application and Project were not consistent with the Comprehensive Plan and there are no indications as to the reasoning in the minutes of the hearing as to why the Board voted that the Application was inconsistent with the Comprehensive Plan.

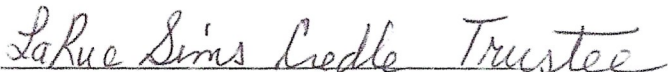
The proposed Resolution from the Planning Staff states that the "proposed uses of a single-family residential development is consistent with the goals and objectives of the Plan. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. The Comprehensive Plan also calls for average lot sizes of 15,000 square feet or larger for all new development, with a desired density of up to 3 units per acre."

In addition to other procedural errors in the hearing, there was no motion or vote on the approval or denial of the Board as to the Application to Rezone the Property.

We hereby certify that all of the information presented by us in this Appeal is accurate to the best of our knowledge, information and belief.


JOHN F. MCKINLEY

DATE: 12/28/22


LARUE SIMS CREDLE, TRUSTEE

DATE: 12/28/22


CLIFTON M. CREDLE, JR., TRUSTEE

DATE: 12/28/22



Conditional Zoning Map Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the size of the parcel, the proposed use or the adequacy of existing infrastructure servicing the location. Submit digitals and 1 hard copy of applications and accompanying documents to the Planning Department at the address above.

CONDITIONAL REZONING REQUEST

Conditional Rezoning – Request for an amendment to the Kannapolis Zoning Map.

Approval authority – Planning and Zoning Commission.

Requested Rezoning Property Address: 6205 Stirewalt Rd and 5032 Trinity Church Rd

Applicant: John Mckinley

Proposed development: 56 single family detached homes

SUBMITTAL CHECKLIST

- ☒ Pre-Application Meeting – send an email to planreviewappointment@kannapolisnc.gov
- ☐ Neighborhood Meeting (if required)
- ☒ Zoning Map Amendment Checklist and Application – Complete with all required signatures
- ☒ Preliminary Major Site Plan
- ☐ PDF format on disc containing all documents rotated and formatted in sequential order based upon cover page
- ☐ Fee: \$925.00 (\$600 Application Fee, \$300 Legal Notices and notification fee, # of property owners notified [see Fee Schedule])

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Table 2.4.F(2) of the Kannapolis Development Ordinance [KDO]).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the 3rd Tuesday at 6:00pm in City Hall Laureate Center. The application and all fees must be paid prior to scheduling the public hearing.

Action by Planning and Zoning Commission: After conducting a public hearing, the Commission may: deny the application; conduct an additional public hearing on the application; or approve the application with conditions.

Scope of Approval: An affirmative vote of three-fourths of the members present and not excused from voting, shall be necessary to approve a conditional rezoning request. The approval of a rezoning does not authorize development activity, but does authorize the application to apply for a final major site plan. Any final decision rendered by the Commission may be appealed within fifteen (15) days to the City Council.

By signing below I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature: John Mckinley

Date: 10/26/22



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

CONDITIONAL ZONING MAP AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: John McKinley

Address: 702 Possum Trot Rd
Blacksburg, Sc 29702

Phone: 980-622-5560

Email: jackmckinley@gmail.com

(Credle's below)
Two property owners (McKinley to left)
Property Owner Contact Information ☒ same as applicant

Name: LaRue Sims Credle Trustee
Clifton M. Credle Jr Trustee

Address: 671 Lakeside Circle, Apt 822
Pompano Beach, FL 33060

Phone: 757-846-8027

Email: cliffc@icloud.com
ccredle@hotmail.com
cliffc@me.com

Project Information

Project Address: 6205 Stirewalt Rd and 5032 Trinity Church Rd, Kannapolis, NC 28081

Parcel: 46939663830000 & 4693961596000 # of parcels: 2 Approx. size of parcels: 35.59±
(attach separate list if necessary)

Current Zoning Designation: AG Requested Zoning Designation: R4 CZ

Reason for map amendment: Develop 56 single family detached homes

Condition(s) proposed by the applicant (attach separate sheet if necessary):

By signing below, it is understood and acknowledged that if the property is conditionally rezoned as requested, the property involved in this request will be perpetually bound to the use(s) authorized and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Zoning Ordinance.

Applicant Signature: John McKinley

Property Owner Signature: LaRue Credle
Cliff Credle

10/26/22

10/26/22 Date

10/26/22 Date

For Staff Use Only:

Filing Fee: _____

Receipt #: _____

Case #: _____

Date Received: _____

I authorize John McKinley, to request a zone change, special exception certificate of approval, and any other permits for the development of my property. PIN: 469339615960000

Credle LaRue Sims 10/24/22
Owner Trustee Date

Credle Clifton M Jr Trustee
Owner Date 10/26/22

Credle La Rue Sims Trustee
Credle Clifton M Jr Trustee
671 Lakeside Cir, Apt 822
Pompano Beach, FL 33060

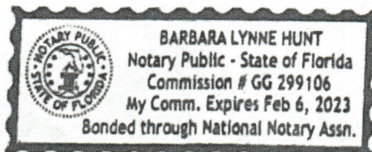
Credle LaRue Sims + Credle Clifton JR personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness by my hand and official seal this day of October 26, 2022.

My Commission expires Feb 6, 2023

Barbara Lynne Hunt

Notary Public

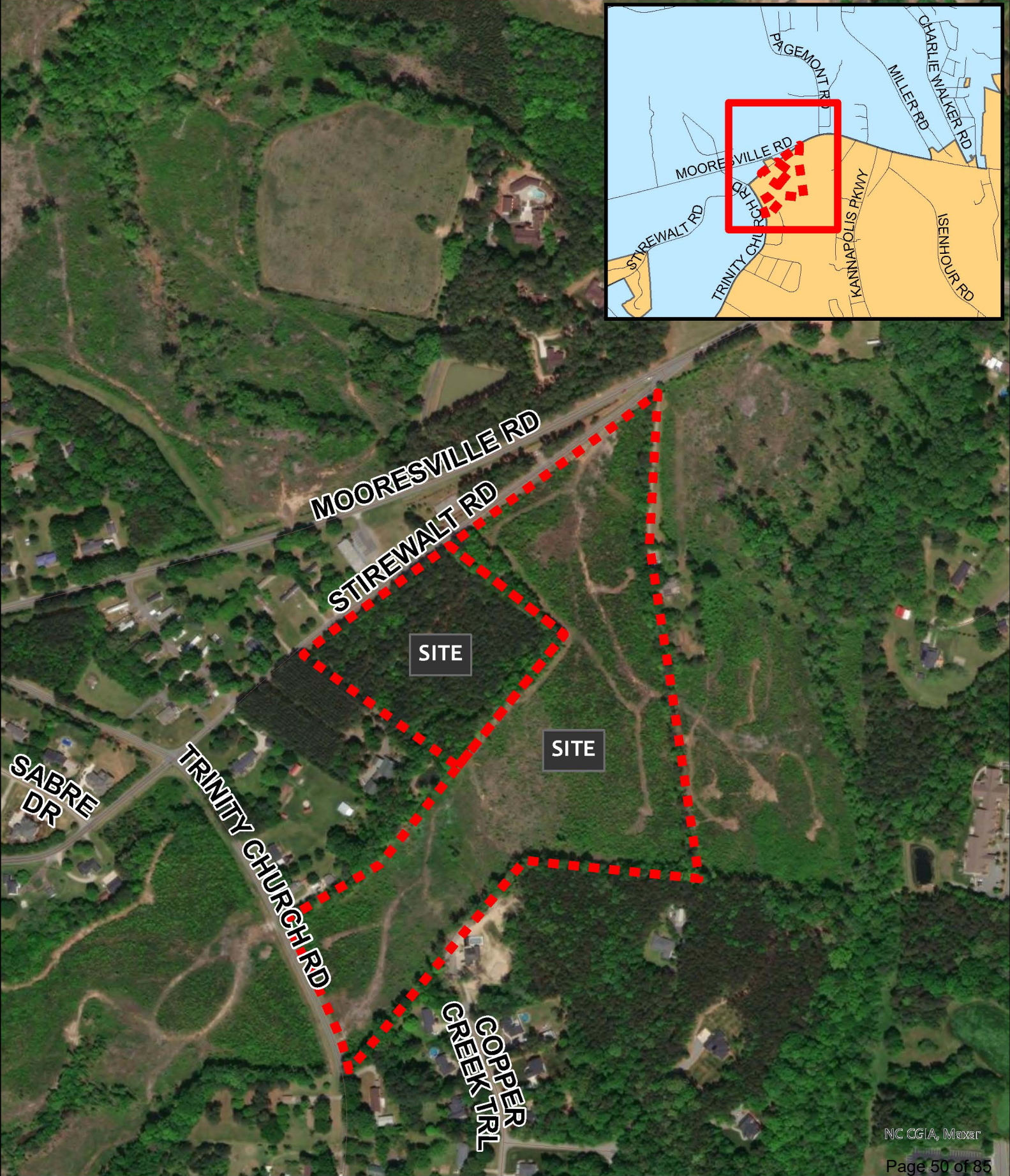




Vicinity Map



Case Number: CZ-2022-08
Applicant: John McKinley
6205 Stirewalt Rd and 5032 Trinity Church Rd





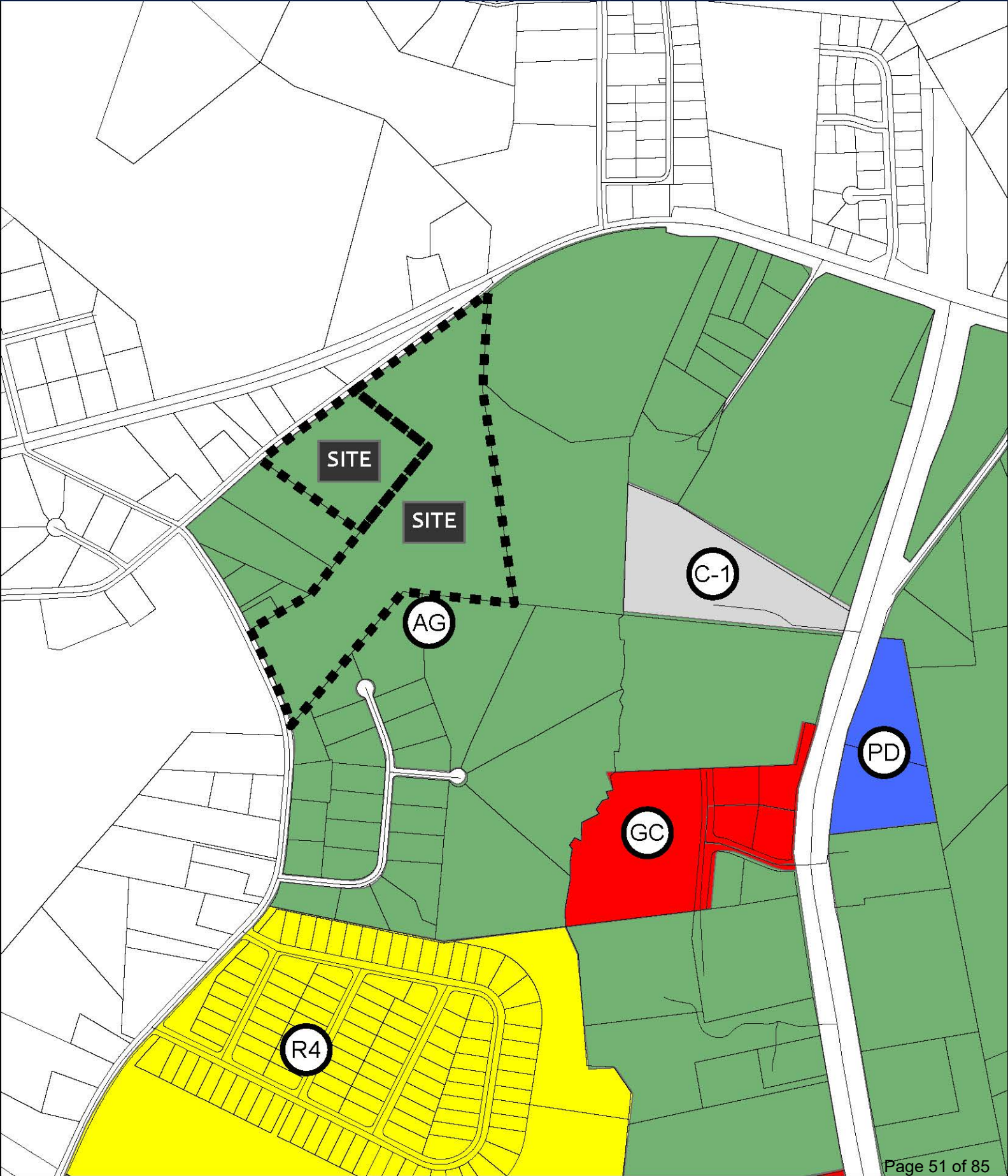
Kannapolis Current Zoning



Case Number: CZ-2022-08

Applicant: John McKinley

6205 Stirewalt Rd and 5032 Trinity Church Rd





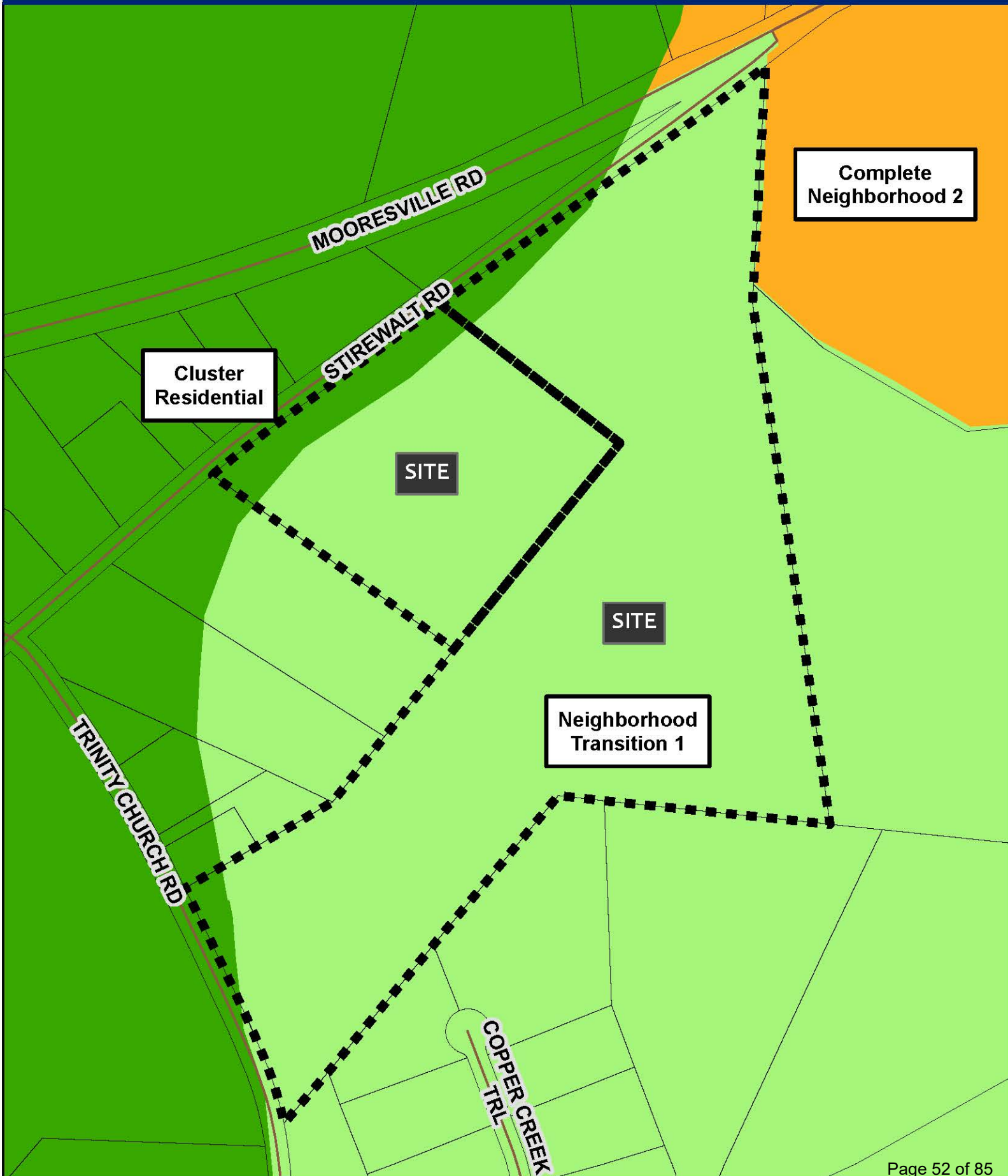
Kannapolis 2030 Future Land Use Map

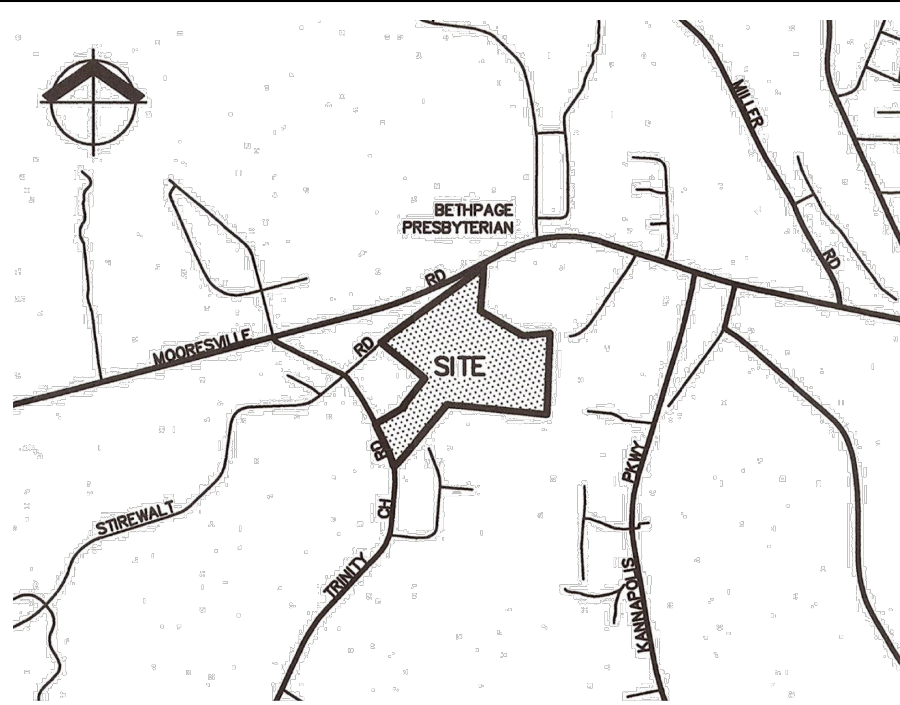


Case Number: CZ-2022-08

Applicant: John McKinley

6205 Stirewalt Rd and 5032 Trinity Church Rd



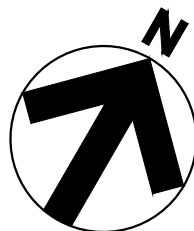
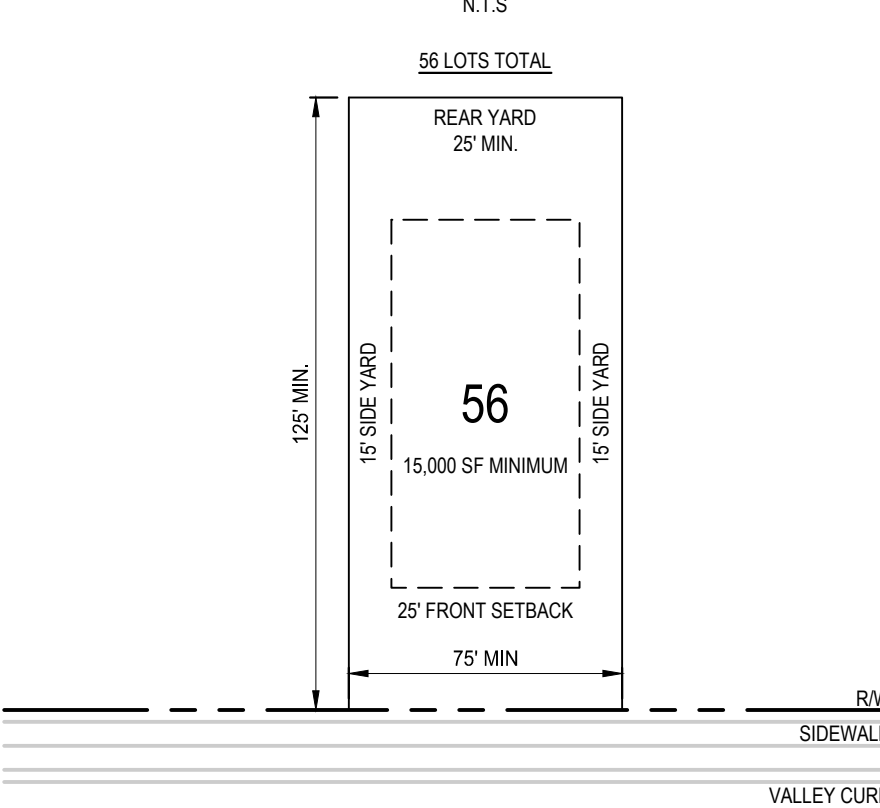


VICINITY MAP
NO SCALE

DEVELOPMENT DATA
LANDS OF MCKINLEY and CREDE

OWNER:	
DEVELOPER INFO:	
CONTACT:	
EMAIL:	
SITE ADDRESS:	6205 STIRWALT RD, and 5032 TRINITY CHURH ROAD, KANNAPOLIS, NC 28081
GROSS SITE AREA:	35.59 ± AC.
P.I.D. No.:	04-049-0001.20, 04-001-0058.00
DEED BOOK / PAGE	-
EXISTING ZONING:	AG
PROPOSED ZONING:	R4 C2 KANNAPOLIS ZONING DISTRICT
EXISTING USE:	MOSTLY OPEN LAND
PROPOSED USE:	SINGLE FAMILY DETACHED HOMES
MAXIMUM # OF LOTS:	3 UNITS PER ACRE
PROPOSED # OF LOTS:	56±
PROPOSED DENSITY:	1.57 DUA
MINIMUM LOT SIZE:	15,000 SF
BUILDING SETBACKS REQUIRED	
FRONT:	25'
SIDE:	15'
REAR:	25'
BUILDING HEIGHT:	35'
PROPOSED STREETS:	KANNAPOLIS RESIDENTIAL 60' R/W

PROPOSED RM-1 ZONING DISTRICT
MINIMUM LOT DIMENSIONS



PRELIMINARY SITE PLAN
TRINITY CHURCH
MCKINLEY - CREDE
KANNAPOLIS, NORTH CAROLINA

DATE	DESCRIPTION	BY

DRAWN	FC
DESIGNED	FC
CHECKED	DC
PROJECT #	220221

SHEET NUMBER

C-100



POB
Engineering
Charlotte, NC 28278
704-564-3824
Frank.Cantrell@pobengineering.com

NORTH CAROLINA COL
P-1888



October 26, 2022

October 20, 2022

Dear Landowners,

Jack McKinley the landowner has made a zone change application to the City of Kannapolis to land adjacent to your property. This property is located just Southeast north of the intersection of Trinity Church Road and Stirewalt Road, parcel identification numbers 46939663830000, and 46933961596000, 6205 Stirewalt Road and 5032 Trinity Church Road, Kannapolis, NC. This property is currently zoned as AG. Mr. Mckinley is proposing to rezone this parcel to R4 Residential District Conditional Zoning.

This development is 35.59 ± acres and will provide a single-family home community.

We invite you to join us on November 2, 2022, from 6:30 pm to 7:30 pm at the Bethpage Presbyterian Church at 6020 Mooresville Rd. Kannapolis, NC 28081 to learn about our proposed development and present any questions you may have.

City of Kannapolis Planning Department staff may also be present for this meeting. We look forward to meeting with you.



Frank Cantrell
POB Engineering, PLLC



TRINITY CHURCH NEIGHBORHOOD MEETING REPORT

Petitioner: John (Jack) McKinley

Property: ± 35.59 acres located off Trinity Church and Stirewalt Road

This Neighborhood Meeting Report is being shared with the City of Kannapolis Planning Department.

PURPOSE OF THE NEIGHBORHOOD MEETING:

To allow the petitioner to share his plan to rezone this property from AG to R4 Residential District Conditional Zoning. And to give the neighborhood the opportunity to voice their opinions and thoughts about the rezoning request.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATES AND EXPLANATIONS OF HOW CONTACTED:

The required Neighborhood Meeting was in person on Wednesday, November 2, 2022. POB Engineering mailed a written notice of the date, time, and details of the Neighborhood Meeting to the adjacent owners, including owners within 200 feet of this property as required by the Ordinance.

DATE, TIME, AND PLACE OF MEETING:

The Neighborhood Meeting required by the Ordinance was in-person on Wednesday, November 2, 2022, from 6:30 PM to 7:30 PM. The meeting was held at Bethpage Presbyterian Church, 6020 Mooresville Road, Kannapolis, North Carolina.

PERSONS IN ATTENDANCE AT MEETING:

POB Engineering documented the list of registered attendees from the Neighborhood Meeting by sign-in sheets. The Petitioner's representatives at the required Neighborhood Meeting were Jack Mckinley petitioner, Ann Pilkington attorney, Michael Berkowitz land appraiser, and Frank Cantrell with POB Engineering. City of Kannapolis representatives present was Richard Smith Director of Planning, Boyd Stanley Assistant Planning Director, and Rayvon Walker Planner.

SUMMARY OF ISSUES DISCUSSED AT MEETING:

I. Overview of Petitioner's Presentation.

Introduction and Overview of Development Plan.

Frank Cantrell welcomed everyone, and introductions were made around the conference table. After briefly introducing the project, he explained why we were having the neighborhood meeting.

Jack Mckinley gave a brief history of himself and his ties to the community and his intent to develop a quality residential community on this site.

Ann Pilkington introduced herself and Michael Berkowitz and then opened up the floor to questions.

II. Summary of Questions/Comments and Responses:

The following summary is in question (Q) answer (A) format

Q: The density of this development was questioned

A: This development is proposing a density of 1.56 dwelling units per acre. It was pointed out that this proposal is almost identical to Trinity Crossing. Kannapolis Planning staff acknowledged that less than 2 units per acre were not viewed as high density.

Several questions were asked about the Sanitary Sewer Service

Q: There was a concern about how sanitary sewer service would be provided.

A: The intent is to use public water and sewer service. It was pointed out that currently The City of Kannapolis does not have available allocation to provide sewer service and may not have any until 2024. It was explained that if needed the developer would explore using individual septic systems for each lot.

Q: Won't the septic systems contaminate our well water?

A: It was pointed out that they were also using a septic system and the newer systems if installed would meet all local and state standards.

Q: Will the homeowner association be responsible to maintain these new septic systems?

A: Each homeowner would be responsible to own and maintain their system.

Q: Will the septic system be for the entire subdivision?

A: No, each home will have its own septic system.

Q: Will the soils support septic systems and have you tested the soils?

A: Soils have not been tested at this stage of development but will be required as part of the approval process to allow or not allow the use of individual lot septic systems.

Q: It was asked if larger lots could be placed around the perimeter.

A: Because of the topography and the lot size provided it will not be possible to provide larger lots around the perimeter. Even though buffering is not required the development team offered to work with adjacent owners to provide buffering.

Q: Will the stormwater ponds become mosquito lagoons?

A: The stormwater pond shown will most likely be a sand filter basin and is designed to not have any standing water.

Q: Can the ponds be located somewhere else?

A: We can shift them around a little, but they are shown at the low point of the property and would have to remain at the locations shown

Q: There were a couple of questions about what traffic improvements the development team would provide primarily along Trinity Church Road.

A: We will meet with NCDOT and Kannapolis to determine what improvements will be required for the development of this project.

Q: What is the front yard setback, will there be enough room to park in the driveway without blocking the sidewalk, so children don't have to play in the street?

A: Homes will have a 25' setback from the road right of way and plenty of space for a pickup without overhang onto the sidewalk, the total distance from the road edge of pavement to the front of the home is approximately 40'.

Q: Will road improvements take place before new homes are started?

A: Road improvements if required will be delayed if possible so that construction traffic will not cause potential damage to new pavement.

Q: Why are roads stubbed out to adjacent parcels?

A: They are to provide connectivity to future neighborhoods it is also a planning requirement. In some cases, if street stubs are not provided the adjacent parcel would be landlocked.

Q: What type of construction materials will be used; we do not want cheap cookie-cutter type homes built.

A: We will work with the Kannapolis planning department to determine the minimum acceptable materials to use and those will be made part of the condition zoning.

Q: Once this zoning is approved will or can the plan change to something else?

A: This will be a conditional rezoning, if the plan changes from this use or what you see presented it will have to start over with a new approval and would be presented to the neighborhood again.

RESULTS OF THE MEETING:

Neighborhood meeting attendees stated their concerns and were vocal about a past development they were not happy with. I feel questions were answered to the satisfaction of the questioners and there were not any unresolved questions at the meeting that needed follow-up. Frank Cantrell did ask for someone in the adjacent communities to put together a list of items that they would like to see happen with the development of this new community and to email it to him.

Sign-in sheet for the attendees is attached to this meeting report.

cc: Boyd Stanley, Assistant Planning Director
Jack McKinley, Petitioner
Frank Cantrell, POB Engineering

**NEIGHBORHOOD MEETING
FOR THE
Credle/McKinley Property Rezoning
Wednesday, November 1, 2022**

Name	Address	Phone Number	Email
Frank Cantrell	POB Engineering	frank.cantrell@pobengineering.com	
Laura + Gray Johnson	6947 Drakestone Rd	704 785-7158	grayjohns49@aol.com
Bob + Kay Doty	6325 Stinewalt RD Kannapolis NC 28081	704-934-2640	BobDoty
Donna + Mike Cox	4926 Trinity Church Rd Kannapolis NC 28081	704-934-2640	donnawcox@yahoo.com rsmusth@kannapolisnc.gov
Richard Smith	City of Kannapolis	704-920-4325	
Cathy + Steve Dierdt	4870 Copper Creek Trail, Kannapolis NC	704-938-8355	CathyDierdtADK@gmail.com
Joe + Kim Hall	4918 Copper Creek Trail		
Tim Allen	4942 Trinity Church Rd Kannapolis NC	704-467-1935	
Keistina Salas	6413 Stinewalt Rd Kannapolis NC 28081	910-315-4557	
Kevin Satrit	6413 Stinewalt Rd Kannapolis NC	704-308-6742	
JEFF ASHBROUGH	4949 Copper Creek Trail Kannapolis NC	704-975-0471	jashbaugh@benesch.com
Josh Poe	4929 Copper Creek Trail Kannapolis NC	980-939-3414	JPoe71089@yahoo.com
Derek Moore	6121 Chisholm Trail Kannapolis NC	919-360-5406	dhmoore44@gmail.com
Catherine Page	3025 Copper Creek Tr Kannapolis NC	704-791-5345	cpagel64@gmail.com
DANIEL DUNN	6008 STINEWALT RD.	704-763-7630	DANIELDUNN@GMAIL.COM
Mickey + Lindsay Kamy	3339 Trinity Church Rd.	704-280-2354	civarrackham18@gmail.com
SAM + LINDA MOORE	6121 CHISHOLM TRAIL	704-933-8318	SMOORE1928@HOTMAIL.COM

**NEIGHBORHOOD MEETING
FOR THE
Credle/McKinley Property Rezoning
Wednesday, November 1, 2022**

[illegible]

Head count 45
On the roster 29



PO Box 27283
Richmond, VA 23261-7283

Order Confirmation

Order# 0000822413

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Payor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Acct Rep** **Ordered By**
aboarj aboan Pam

Fax: 7049337463
Email: ap@kannapolisnc.gov

Total Amount \$487.62
Payment Amount \$487.62

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

Tear Sheets **Proofs** **Affidavits** **PO Number:**
0 0 1

Ad Number **Ad Type** **Ad Size** **Color**
0000822413-01 CLS Liner 2 X 37 li \$0.00

Production Method
AdBooker (liner)

Production Notes

Product and Zone **Placement** **Position** **# Inserts**
CON Independent Trib C-Announcements General-Spec Notice 2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Council

Run Dates 2/ 3/2023, 2/10/2023

Product and Zone **Placement** **Position** **# Inserts**
NCC Online C-Announcements General-Spec Notice 8

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING Kannapolis City Council

Run Dates 2/ 3/2023, 2/ 4/2023, 2/ 5/2023, 2/ 6/2023, 2/ 7/2023, 2/ 8/2023, 2/ 9/2023, 2/10/2023

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYCOUNCILMEETING401LAUREATEWAYKANNAPOLISNCM
ONDAYFEBRUARY132023AT630PMCONDITIONALZONINGMAPAMEND



NOTICE OF PUBLIC HEARING
Kannapolis City Council Meeting
401 Laureate Way, Kannapolis, NC

Monday February 13, 2023 at 6:30 pm

Conditional Zoning Map Amendment - CZ-2022-08 - The Kannapolis City Council will hold a public hearing to consider a request to rezone properties located at 6205 Stirewalt Road and 5032 Trinity Church Road. All interested parties are invited to attend. The request is to rezone from Agricultural (AG) zoning district to R-4 Residential-Conditional Zoning (R4-CZ) to allow for a 56-lot single-family residential development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46939615960000 and 46939663830000.

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.

Publish: February 3, 10, 2023.

AcctName1	MailAddr1	MailCity	MailState	MailZipCod
ANDREW & SAMANTHA RIDDLE	6088 MOORESVILLE RD	KANNAPOLIS	NC	28081
BETHPAGE PRESBYTERIAN CHURCH	6020 MOORESVILLE RD	KANNAPOLIS	NC	28081
DANIEL & KYLE DUNI	6208 STIREWALT RD	KANNAPOLIS	NC	28081
ERNEST & BARBARA BROCK	4937 TRINITY CHURCH RD	KANNAPOLIS	NC	28081
FREDERIC & KATHERINE ROBERTS	6045 STIREWALT RD	KANNAPOLIS	NC	28081
GARY HAMBLIN ESTATE	PO BOX 1262	KANNAPOLIS	NC	28082
GLENN LAMAR BENFIELD TRUSTEE				
DEBRA FABER BENFIELD TRUSTEE	101 ROLLING VIEW DR	NEW LONDON	NC	28127
JAMES & MEREDITH LASSITER	6111 CHISHOLM TRL	KANNAPOLIS	NC	28081
JAMES R JR DOTY & SANDRA CARTER	6325 STIREWALT ROAD	KANNAPOLIS	NC	28081
JOHN & MEENA SMITH TRUSTEE	6292 CHAMAR CIR	KANNAPOLIS	NC	28081
JOHN MCKINLEY	702 POSSUM TROT RD	BLACKSBURG	SC	29702
JOHNNIE HARDEMAN	524 ANNEX ST	KANNAPOLIS	NC	28083
LA RUE SIMS CREDLE TRUSTEE				
CLIFTON M JR CREDLE TRUSTEE	671 LAKESIDE CIR APT 822	POMPANO BEACH	FL	33060
PUBLIC SERVICE CO OF N C INC				
ATTN: ELLEN DIGH	PO BOX 1398	GASTONIA	NC	28053
PURA VIDA INTERNATIONAL LLC	6814 HIGHGROVE PL	CONCORD	NC	28027
ROBERT & BETH ROCHEVOT (LF EST)	5015 COPPER CREEK TRL	KANNAPOLIS	NC	28081
ROBERT & BRIDGET ROSSER	6100 MOORESVILLE RD	KANNAPOLIS	NC	28081
SAMUEL & LINDA MOORE	6121 CHISHOLM TRL	KANNAPOLIS	NC	28081
TIMOTHY ALLEN	6212 MOUNTAIN VINE AVE	KANNAPOLIS	NC	28081
TONY & KIM RIDDLE	6070 MOORESVILLE RD	KANNAPOLIS	NC	28081
WILLIAM & CATHERINE PAGE	5028 COPPER CREEK TRL	KANNAPOLIS	NC	28081



KANNAPOLIS

Planning

February 2, 2023

Dear Property Owner:

Please be advised that the Kannapolis City Council will conduct a Public Hearing on Monday February 13, 2023 at 6:30 PM, for the following case:

CZ-2022-08 – Conditional Zoning Map Amendment – 6205 Stirewalt Road and 5032 Trinity Church Road

The purpose of the Public Hearing is to consider a request to rezone properties located at 6205 Stirewalt Road and 5032 Trinity Church Road from City of Kannapolis Agricultural (AG) zoning district to City of Kannapolis Residential 4-Conditional Zoning (R4-CZ) to allow for a 56-unit single-family residential development. The subject properties are approximately 35.59 +/- combined acres and further identified as Cabarrus County Parcel Identification Numbers 46939615960000 and 46939663830000 (see reverse side of this letter for a map showing the location of this property).

As a nearby property owner, you are being notified of this public hearing in accordance with the requirements of the Kannapolis Development Ordinance. You are invited to attend the public hearing and present testimony, if you desire, to City Council.

If you have any questions about the public hearing or request, please do not hesitate to call the Planning Department at 704.920.4325 or rsmith@kannapolisnc.gov.

Sincerely,



Richard Smith
Planning Director

Enclosure

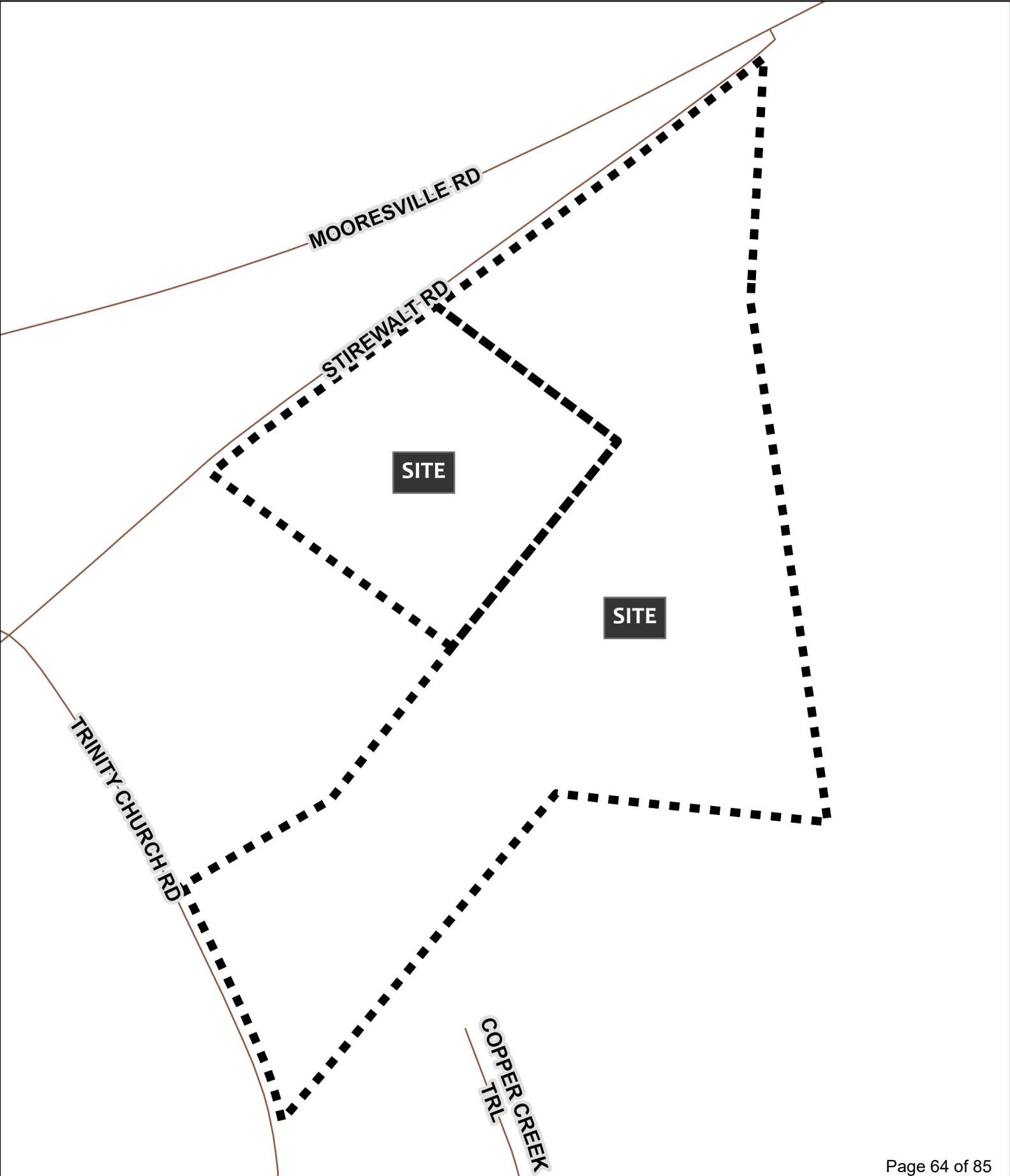
Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the City of Kannapolis, should contact the office of Tina H. Cline, Human Resource Director, by phone at 704-920-4302 or by email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



Conditional Rezoning



Case Number: CZ-2022-08
Applicant: John Mckinley
6205 Stirewatt Rd and 5032 Trinity Church Rd



KANNAPOLIS
CITY COUNCIL



MEETING
PUBLIC HEARING
INFORMATION
CALL 704-920-4350
CASE # CZ-2022-08



CITY COUNCIL

MEETING

**PUBLIC HEARING
INFORMATION**

CALL 704-920-4350

CASE # CZ-2022-08



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO CASE #CZ-2022-08**

WHEREAS, Sections 160D-604 and 160D-605 of the North Carolina General Statutes specify that when adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan and any other officially adopted plan that is applicable and explain why the action taken is reasonable and in the public interest; and

WHEREAS, Section 2.3.B(1).a. of the Kannapolis Development Ordinance delegates final authority to the Planning and Zoning Commission on zoning map amendments subject to an affirmative vote of three-fourths of the Commission members present and not excused from voting, or if there is no appeal of the decision; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on December 13, 2022 and denied the request to rezone; and

WHEREAS, since denial by the Planning and Zoning Commission , then City Council shall have the authority to make a final decision on the requested rezoning; and

WHEREAS, on February 13, 2023 the City Council conducted a public hearing to consider a request to rezone property located at 6205 Stirewalt Road and 5032 Trinity Church Road (Cabarrus County Parcel Identification Number 46939615960000 and 46939663830000) owned by Clifton M Jr & La Rue Sims Credle Trustees and John F. McKinley (respectively) , from Agricultural (AG) Zoning Designation to Residential 4-Conditional Zoning (R4-CZ) Zoning Designation.

NOW, THEREFORE BE IT RESOLVED that the City Council finds this rezoning consistent with the goals and policies of the Move Kannapolis Forward 2030 Comprehensive Plan (2030 Plan), adopted by City Council, which designates this property as being located in the “Neighborhood Transition 1” Character Area as designated in the Move Forward 2030 Comprehensive Plan. The Neighborhood Transition 1 Character Area includes areas that have been developed over time into low-density residential neighborhoods. Existing neighborhoods will maintain their character, although there are opportunities to enhance these places with additional connectivity, bicycle and pedestrian amenities, parks open space, and sidewalks. New master planned communities in this area will be built according to the traditional neighborhood design principles and conserving connected open space. New developments will provide appropriate transitions to existing adjacent developments and homes. Transitions between existing and new developments can incorporate visual screenings through natural buffers and larger sized lots along the boundary of developments and major roadways. The proposed use(s) of a single-family residential development is consistent with the goals and objectives of the Plan. Furthermore, staff finds the request for rezoning reasonable and in the public interest because it will provide development that is suitable for the area. The proposed use is also compatible with the surrounding zoning and is not anticipated to have an adverse effect on the capacity or safety of the surrounding street network, nor anticipated to generate parking problems or any adverse impact on the environment. The Comprehensive Plan also calls for average lot sizes of 15,000 square feet or larger for all new development, with a desired density of up to 3 units per acre.

Adopted this the 13th day of February 2023:

Milton D. Hinnant, Mayor
City of Kannapolis

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



RESOLUTION TO ZONE

Case #CZ-2022-08

(6205 Stirewalt Road and 5032 Trinity Church Road)

From City of Kannapolis Agricultural (AG) Zoning Designation to City of Kannapolis Residential 4-Conditional Zoning (R4-CZ) Zoning Designation

WHEREAS, Section 2.3.B.(1).a of the Kannapolis Development Ordinance (KDO) specifically delegates authority to the Planning and Zoning Commission to take final action on a rezoning application provided, if the application is approved by less than a three quarters majority of voting members or denied, or if the Planning and Zoning Commission's decision is appealed, the City Council shall make the final decision on the application; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on December 13, 2022 and denied the request to rezone; and

WHEREAS, the matter was appealed to City Council for consideration and as a result City Council has the authority to make a final decision on the requested rezoning;

WHEREAS, the request was to rezone property located at 6205 Stirewalt Road and 5032 Trinity Church Road (Cabarrus County Parcel Identification Number 46939615960000 and 46939663830000) owned by Clifton M Jr & La Rue Sims Credle Trustees and John F. McKinley (respectively), from a City of Kannapolis Agricultural (AG) Zoning Designation to a City of Kannapolis Residential 4-Conditional Zoning (R4-CZ) Zoning Designation; and

WHEREAS, the City Council has approved the request for rezoning and found it to be consistent with the City of Kannapolis *Move Kannapolis Forward, 2030 Comprehensive Plan*, reasonable and in the public interest; and

WHEREAS, per Section 2.5.A.(2).c of the Kannapolis Development Ordinance, the City Council makes the following findings in support of and in analysis of the rezoning:

1. Is the proposed rezoning consistent with the Comprehensive Plan and other applicable adopted City plans?

The property is in the "Neighborhood Transition 1" Character Area as designated in the *Move Kannapolis Forward 2030 Comprehensive Plan*. This Character area's primary use is listed as single-family detached residential with a desired density not to exceed 3 units per acre. The proposed use(s) is consistent with the goals and objectives of the Plan.

2. Is the proposed rezoning in conflict with any provision of this Ordinance or the City Code of Ordinances?

No. The property is currently vacant.

3. Does the proposed rezoning correct an error in the existing zoning present at the time it was adopted?

No, the subject property has been zoned AG or equivalent since annexed into the City of Kannapolis in 1999.

4. Does the proposed rezoning allow uses that are compatible with existing and allowed uses on surrounding land and with the stability and character of any adjacent residential neighborhoods?

Yes, the subject property is located approximately one-half mile west of the intersection of Mooresville Road (NC 3) and Kannapolis Parkway which is anticipated to see more development in the future. The proposed

subdivision plan provides for a transition from higher-density development to the east and lower-density development to the west/southwest.

5. **Does the proposed rezoning ensure efficient development within the City, taking into consideration the capacity and safety of the street network, the adequacy of public facilities, the suitability of the land for the uses allowed under the existing zoning, and other relevant considerations?**

Yes, there are no anticipated traffic concerns. There are two proposed points of ingress/egress onto two NCDOT roads.

6. **Does the proposed rezoning result in a logical and orderly development pattern, taking into consideration the size of the subject lands and the zoning and existing and proposed development on surrounding lands?**

Yes, the proposed development provides a balance between surrounding low-density single-family residential land uses and the maximum density of 3-units per acre supported in the Comprehensive Plan.

7. **Does the proposed rezoning result in significant adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment?**

There are no negative environmental impacts, and the development will be required to conform to all applicable local, state, and federal environmental regulations.

The property is located along the fringe of the Protected Watershed Area for the Coddle Creek Reservoir (WS-II BW) which limits the maximum built-upon area to 12% utilizing the low-density option.

NOW, THEREFORE BE IT RESOLVED by the City Council that the above referenced property, as shown on the site plan submitted to the City, be rezoned from Agricultural (AG) to Residential 4-Conditional Zoning (R4-CZ) subject to the following conditions:

1. The permitted uses allowed by this rezoning shall only include the single-family detached residential densities as shown on the conceptual site plan approved with this rezoning.
2. NCDOT driveway permits shall be obtained for both proposed access points.
3. A Final Site Plan, in compliance with all applicable KDO standards, shall be submitted to and approved by City Staff prior to issuance of a Zoning Clearance Permit.
4. Comply with current Land Development Standards Manual.
5. The alternative individual septic/wastewater system shall only be considered if capacity/allocation are not available at the time of development.

Adopted this the 13th day of February 2023:

Milton D. Hinnant, Mayor
City of Kannapolis

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Michael Rattler, Director of Transportation & Environmental Services

Subject: Public Hearing and Consideration of a Special Assessment of Cost Sharing in Reference to Opal Street Acceptance to Powell Bill Schedule

Action Requested by City Council

1. Conduct a Public Hearing
2. Motion to approve a Resolution to proceed with the Special Assessment process

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Special assessment of cost sharing is part of the City of Kannapolis Street Acceptance Policy. In cases when a majority of property owners have petitioned to have the street accepted, the process may continue. With existing streets this petition is sometimes filed when there is a need for improvements to the existing infrastructure. Therefore, the policy identifies a cost sharing process. The property owner may pay at the time of acceptance (25%) or participate in installment payments (50%). A summary of the cost per address is attached. The property owners that did not sign the petition are affected. In this situation the department has had no response from the unsigned property owners. They are required to pay the percentages. This payment may become a special assessment. The special assessment process requires a public hearing on the issue. The special assessment process will follow the requirement of NCGS Article 10, 160A-217.

Fiscal Considerations

None to the existing budget

Policy Issues

The approval of this recommendation is in keeping with the City of Kannapolis Street Acceptance Policy

Legal Issues

Public hearing and Council approval is required in order to proceed with any special assessment to property owners.

Alternate Courses of Action and Recommendation:

1. **Motion to approve a Resolution to proceed with the Special Assessment process (Recommended)**
2. Table action to a future meeting
3. Take no action.

Attachments

1. Opal St Cost Sharing for Special Assessment Agenda ATTACHMENT
2. Opal St engineers estimate ATTACHMENT
3. Opal St Map Location ATTACHMENT
4. Opal Street Acceptance signed petition ATTACHMENT
5. Resolution of Intent to Proceed With the Special Assesment Process in Reference to Opal Street Acceptance ATTACHMENT(003)

Opal Street Cost Sharing									
						25%		50%	
						Total Cost:	\$29,928.25	\$	59,856.50
Engineered Cost estimate to install Asphalt Street:						\$ 119,713.00	Cost per LF:	\$ 22.28	\$ 44.57
Lot #	Physical Address	Owner	Owner Address	Road ft.	% of Rd F	Cost	10 year cd	Signed?	
1	2540 Dale Earnhardt Blvd Kannapolis NC 28083	Bethel Baptist Church	Ministries A NC Corporation Kannapolis NC 28023	509.37	39%	\$ 11,350.95	\$ 22,701.90	Yes	
2	1206 Opal St Kannapolis NC 28083	Bethel Baptist Church	Ministries A NC Corporation Kannapolis NC 28023	501.15	38%	\$ 11,167.77	\$ 22,335.54	Yes	
3	1217 Opal St Kannapolis NC 28083	Nesbit Hazel Lene McCree	1217 Opal St Kannapolis NC 28083	60	5%	\$ 1,337.06	\$ 2,674.11	Yes	
4	1219 Opal St Kannapolis NC 28083	Robinson Luther L	1219 Opal St Kannapolis NC 28083	60	5%	\$ 1,337.06	\$ 2,674.11	Yes	
6	1221 Opal St Kannapolis NC 28083	Shivers Larry D	C/O Albertelli Law Partners Charlotte NC 28217	62.5	5%	\$ 1,392.77	\$ 2,785.54	No	
7	1223 Opal St Kannapolis NC 28083	Shivers Larry D	C/O Albertelli Law Partners Charlotte NC 28217	60	5%	\$ 1,337.06	\$ 2,674.11	No	
8	1225 Opal St Kannapolis NC 28083	Stofford Joel	913 Brighton Dr Kannapolis NC 28081	60	5%	\$ 1,337.06	\$ 2,674.11	No	
						\$ -	\$ -		
				Total:	1313.02	100.00%	\$ 29,259.72	\$	58,519.44

CONTRACT : Opal St

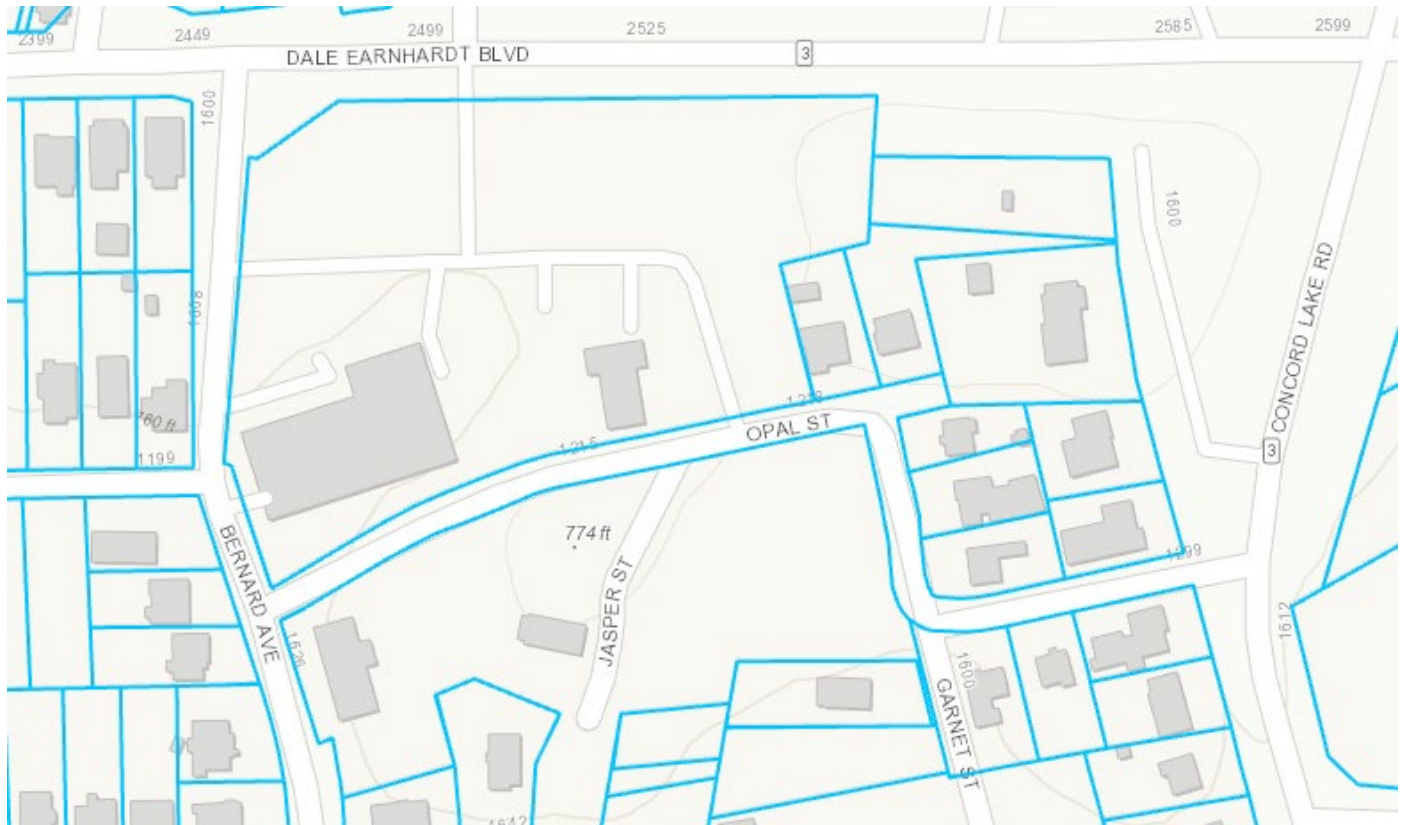
OWNER: CITY OF KANNAPOLIS
401 LAUREATE WAY
KANNAPOLIS, NORTH CAROLINA 28081

DATE: May 9th 2022

Page 1 OF 1

ENGINEERS ESTIMATE					
ITEM NO.	DESCRIPTION	QUANTITY	UNITS	UNIT PRICE	EXTENSION
1	Mobilization	1	LS	\$10,000.00	\$ 10,000.00
2	Comprehensive Grading	1	LS	\$ 25,000.00	\$ 25,000.00
3	6" Aggregate Base Course	525	TON	\$ 50.00	\$ 26,250.00
4	Adjustment of Manholes	3	EA	\$ 500.00	\$ 1,500.00
5	Adjustment of Valve Boxes	3	EA	\$ 400.00	\$ 1,200.00
6	Asphalt Concrete Surface Course, Type S9.5C	140	TON	\$ 120.00	\$ 16,800.00
7	Asphalt Concrete Intermediate Course, Type I19.0C	234	TON	\$ 120.00	\$ 28,080.00
				SUB TOTAL	\$ 108,830.00
				10% CONTINGENCY	\$ 10,883.00
				TOTAL PROJECT BID	\$ 119,713.00

Opal Street



KANNAPOLIS

Transportation &
Environmental
Services

Application for Addition of Streets to the City of Kannapolis Maintenance System

We the undersigned, being the property owners having interest in the streets described below and as shown on a plat recorded in the office of the Register of Deeds of Cabarrus County in Map Book 58, Page 40, do hereby request that the City of Kannapolis accept said streets for public use and maintenance. We hereby agree to dedicate to the City of Kannapolis a permanent right-of-way as standards require for the installation and maintenance of streets and other public utilities.

Street Descriptions: Opal Street Between Garnet St and Bernard Ave

Petitioners:

Name

Address

Signature

Date

<u>S. Bruner Ross</u>	<u>201 Park St China Grove, NC</u>	<u>[Signature]</u>	<u>7/27/22</u>
<u>Antonio D. Johnson</u>	<u>2199 Black Forest Ave Concord, NC</u>	<u>[Signature]</u>	<u>7/27/22</u>
<u>Bernard M. Randolph</u>	<u>5604 Monticello Dr. R/H/V</u>	<u>[Signature]</u>	<u>7-28-22</u>
<u>Edison McCrea</u>	<u>5700 Monticello Dr</u>	<u>Edison McCrea</u>	<u>7/28/22</u>
<u>Alicia J. Broadway</u>	<u>509 S. Little Texas Rd.</u>	<u>[Signature]</u>	<u>7/31/22</u>
<u>LaShanda Gidney</u>	<u>4648 Dunhill Ln</u>	<u>[Signature]</u>	<u>8/1/22</u>
<u>C. Darnell Dixon</u>	<u>170 Austin Park Court Kannapolis, NC 28083</u>	<u>[Signature]</u>	<u>8/03/2022</u>



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Petitioners:

Date

Mr & Mrs. Luther Nelson, 129 Opal Street Luther & Betty Nelson 05-24-2022
Opal Nesbit 129 Opal St. Opal Nesbit 8-11-22.

**A RESOLUTION STATING THE INTENT OF THE
CITY OF KANNAPOLIS TO PROCEED WITH THE SPECIAL ASSESSMENT PROCESS IN
REFERENCE TO COST SHARE OF OPAL STREET ACCEPTANCE**

BE IT RESOLVED by the City Council of the City of Kannapolis:

Section 1. That the City Council of City of Kannapolis affirms to proceed with the Special Assessment process identified in NCGS Article 10, 160A-217 and in reference to Opal Street Acceptance Petition.

Adopted this 13th day of February 2023.

Milton D. Hinnant, Mayor

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council

From: Michael Rattler, Director of Transportation & Environmental Services

Subject: Resolution to Accept a Portion of Opal Street and add to the Powell Bill Schedule

Action Requested by City Council

Motion to approve the Resolution to add a section of Opal Street to the Powell Bill Schedule.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

A petition has been received and process by the department, In accordance the City of Kannapolis Street Policy. More than 51 percent of the property owners have signed the petition. The street meets the minimum criteria for acceptance to the Powell Bill Schedule.

Fiscal Considerations

Required upgrades in the amount of \$119,713 will be funded from the department's resurfacing budget. This amount will be offset by \$29,928.25 to \$59,856.50 from the property owners contribution through the special assessment process previously discussed in accordance with our Street Acceptance Policy.

Policy Issues

The approval of this recommendation is in keeping with the City of Kannapolis Street Acceptance Policy.

Legal Issues

Council approval is required to add streets to the Powell Bill

Alternate Courses of Action and Recommendation:

1. **Motion to approve a Resolution to Accept the Addition of Opal Street to the Powell Bill schedule (Recommended)**
2. Motion to table item to a future meeting.
3. Take no action

Attachments

1. Opal St engineers estimate ATTACHMENT
2. Opal St Map Location ATTACHMENT
3. Opal Street Acceptance signed petition ATTACHMENT (002)
4. Powell Bill Resolution accepting Opal Street

CONTRACT : Opal St

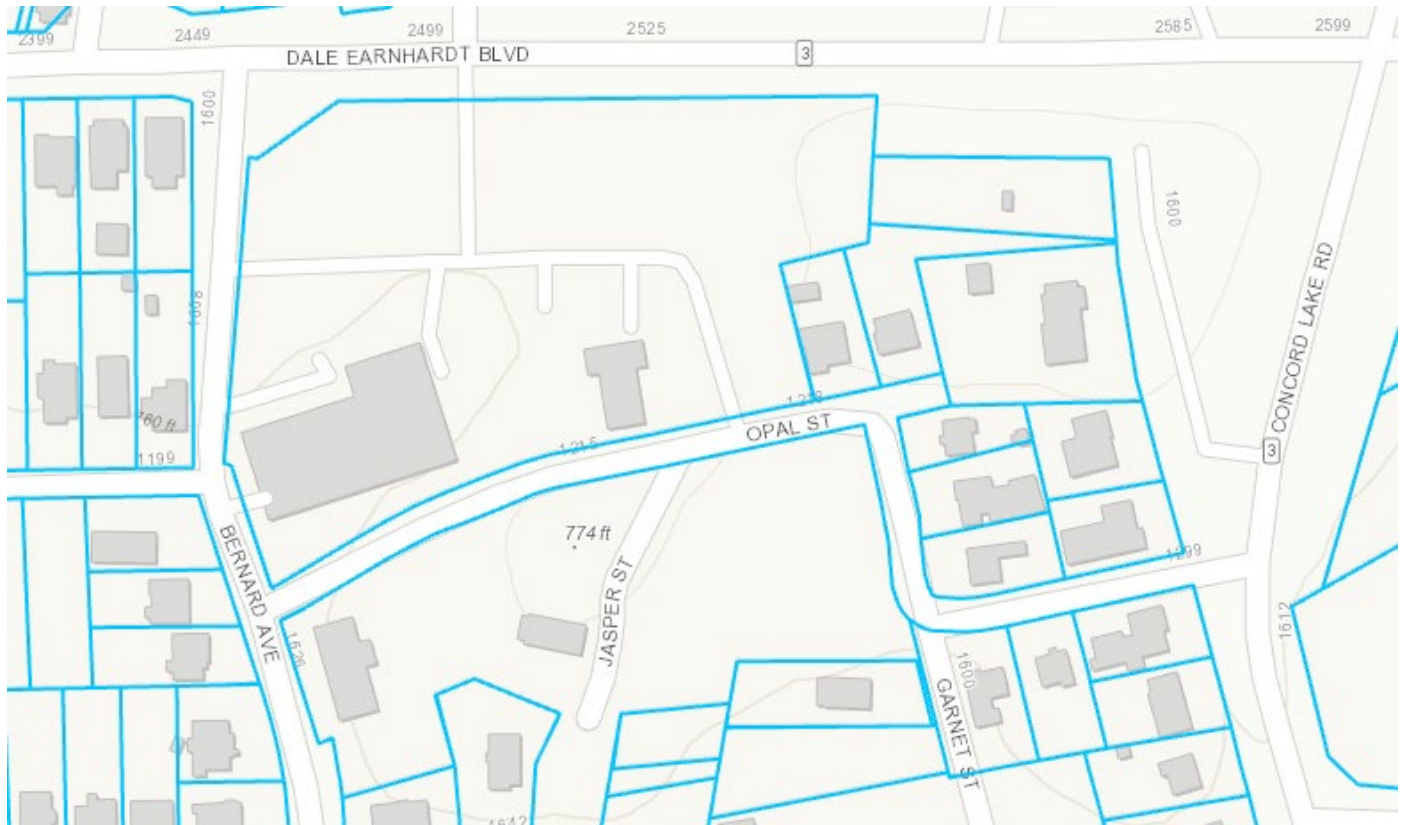
OWNER: CITY OF KANNAPOLIS
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Opal Street



KANNAPOLIS

Transportation &
Environmental
Services

Application for Addition of Streets to the City of Kannapolis Maintenance System

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Petitioners:

Date

Mr & Mrs. Luther Nelson, 129 Opal Street Luther & Betty Nelson 05-24-2022
Opal Nesbit 129 Opal St. Opal Nesbit 8-11-22.

**RESOLUTION
CITY COUNCIL
CITY OF KANNAPOLIS**

RESOLVED, that the Public Street Schedule for the City of Kannapolis is hereby amended to add the following streets to the Kannapolis Public Street System in order for eligibility of Powell Bill Allocations beginning for the Fiscal Year 2023-2024.

Addition of the following City Maintained Paved Streets:

Opal Street – End of existing maintenance of Opal Street to Bernard Avenue (748 feet)

FURTHER RESOLVED, that this Resolution shall be effective from its date of adoption.

Adopted this 13th day of February 2023

Milton D. Hinnant, Mayor

ATTEST

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis

Meeting Agenda Staff Report

To: Mayor and City Council
From: Gary Mills
Subject: Dixie Youth Facility Improvement Update

Action Requested by City Council

Presentation only. No action required

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

Since taking over the former Dixie Youth facility on Pleasant Ave, the Parks and Recreation Department has been making improvements over the past 18 months. The presentation will share some of the changes thus far as well as discuss further proposed/needed changes.

Fiscal Considerations

None.

Policy Issues

None.

Legal Issues

None.

Alternate Courses of Action and Recommendation:

Attachments

None