



**CITY COUNCIL
REVISED BUSINESS AGENDA
ACTION AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY
KANNAPOLIS NC
JUNE 24, 2024
6:00 PM**

Please Turn off Cell Phones or Place on Silent Mode.

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

RECOGNITIONS

- A. **RECOGNITIONS** - Kannapolis Police Department 9th Citizens Police Academy
(Terry Spry, Chief of Police)

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

PROCLAMATIONS

- A. Parks & Recreation Month (Darrell Hinnant, Mayor)

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. **RESOLUTION** - Acceptance of Streets for Powell Bill Allocations Fiscal Year 2024-2025 (**APPROVED UNANIMOUS**) (Elizabeth Hassenfritz, Director of Engineering)
- B. **BUDGET AMENDMENT** - FY 24-Year End Administrative Budget Amendment (**APPROVED UNANIMOUS**) (Kristin Jones, Assistant to the City Manager)
- C. **WORK SESSION MINUTES** - June 10, 2024 (**APPROVED UNANIMOUS**) (Bridgette Bell, City Clerk)

BUSINESS AGENDA

- A. **PUBLIC HEARING- TA-2024-02** - Text amendments to Article 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2.D(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage (**2nd Reading**) (**APPROVED UNANIMOUS**) (Richard Smith, Planning Director)

- B. **PUBLIC HEARING - DA-2024-02** - M/I Homes of Charlotte, LLC. (Crestfield) - Conduct a Public Hearing and approve a Resolution approving the Ordinance for the execution of the Development Agreement (**APPROVED UNANIMOUS**) (Richard Smith, Planning Director)
- C. **PUBLIC HEARING** - Opal Street Acceptance to City of Kannapolis Powell Bill Maintenance Schedule (**APPROVED UNANIMOUS**) (Michael Rattler, Director of Transportation & Environmental Services)
- D. **BUDGET AMENDMENT #24-41** - Appropriate Cash Reserves for Watermain Replacement Associated With Opal Street Acceptance (**APPROVED UNANIMOUS**) (Alex Anderson, Director of Water Resources, Kristin Jones, Assistant to the City Manager)
- E. **BUDGET ORDINANCE** - FY 2024-2025 (**APPROVED OPTION 'C' 4-3 VOTE**) (Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager)
- F. **FEE SCHEDULE** - FY 2024-2025 (**APPROVED UNANIMOUS**) (Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager)
- G. **APPOINTMENTS** - Planning and Zoning Commission (**ALL REAPPOINTED**) (Richard Smith, Planning Director)
- H. **APPOINTMENTS** - Board of Adjustment (**ALL REAPPOINTED**) (Richard Smith, Planning Director)
- I. **APPOINTMENTS** - Parks and Recreation Commission (**ALL REAPPOINTED**) (Gary Mills, Parks & Recreation Director)

CITY MANAGER REPORT

CITY COUNCIL COMMENTS

SPEAKERS FROM THE FLOOR

CLOSED SESSION - NCGS 143.318.11 (a) (3) to consult with an Attorney in order to preserve the attorney client privilege; G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area (Mayor Pro tem Wilson)

ADA Notice and Hearing Impaired Provisions

In accordance with requirements of Title II of the Americans w/ Disabilities Act of 1990 ("ADA"), if you require auxiliary aid/service for communication, or a modification of policies/procedures to participate in a program, service/activity of the City, contact Heather James Human Resource Director at 704-920-4233 or email hjames@kannapolisnc.gov as soon as possible, but no later than 48 hours before.



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Terry Spry, Chief of Police
Subject: **RECOGNITIONS** - Kannapolis Police Department 9th Citizens Police Academy

Action Requested by City Council

Presentation Only. No action required

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

Mayor, Members of Council. It's my pleasure to come before you tonight to recognize an outstanding group of individuals who attended and completed the department's Citizen's Police Academy.

The Citizen's Police Academy is designed to foster closer and meaningful relationships between the police department and the citizens we serve. We want these graduates to be ambassadors, not only for our department but for the entire law enforcement profession. As you know, many citizens can only formulate their opinion of their local police department or sheriff's office by what is broadcast by the media. Unfortunately, that's usually when there is a controversial issue or when the actions of an officer may be questionable.

This academy gives students insight into all aspects of our operations that people outside the law enforcement community usually don't get the opportunity to see or experience. It's also a great way to promote the department's commitment to transparency to the community.

I am happy to stand before you this evening and honor a great bunch of people who are the members of our 9th Police Citizen's Academy. As with many of our prior classes, this was a diverse and very committed group of citizens. The academy started on March 7, 2024 and wrapped up the last session on May 23, 2024. I want to commend them for their enthusiasm, interest, and patience during each class. We covered a lot of topic areas and tried to do it in a way to provide them with a real-life perspective of the profession and our department, while at the same time making it fun and interesting. We tried to keep them involved, active, and give them practical hands-on segments to improve the learning experience.

I am proud to present to you the 2024 graduating class of the Kannapolis Police Department's Citizens Police Academy.

Linda Brown
Ryan Brown
Linda Chininga
Alexander Cooke
John Cooke

Stefanie Perez
Joyce Schmit
Pamela Smith
Mark Swenson
William Tadlock

Yolanda Cooke
Quintin Klutz
Donna Morris
Sandra ODell

Patricia Ware
Shane Watkins
Debbie Wilkinson
Jayne Williams

Fiscal Implications

Policy Issues

Legal Issues

Recommendations and Alternate Courses of Action

Presentation Only. No action required.

Attachments

None



Office of the Mayor
KANNAPOLIS, NORTH CAROLINA
PROCLAMATION

PARKS AND RECREATION MONTH OF JULY

WHEREAS, individuals and organized forms of recreation and the creative use of free time have gained growing importance in the lives of all Americans as they find more time for personal pursuits. That's why the National Recreation and Park Association have designated July as Parks and Recreation Month; and

WHEREAS, recreation encompasses a countless number of activities that result in satisfaction and family unity; and

WHEREAS, our parks and natural recreation areas ensure the natural beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, we welcome and encourage children and families to get outdoors and partake in their choice of pleasurable activities by visiting our parks, attending our special events and participating in our programs. Discover the Fun!

NOW THEREFORE BE IT RESOLVED that we, the City of Kannapolis, also proclaim **JULY** as Parks and Recreation month and encourage all citizens to celebrate by participating in their choice of pleasurable activities to find refreshment from their leisure.



IN WITNESS THEREFORE, I have set my hand and caused the Great Seal of the City of Kannapolis be affixed this 24th day of June, 2024.

Milton D. Hinnant



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Elizabeth Hassenfritz, Director of Engineering
Subject: **RESOLUTION** - Acceptance of Streets for Powell Bill Allocations Fiscal Year 2024-2025 (**APPROVED UNANIMOUS**)

Action Requested by City Council

Motion to adopt Resolution adding and deleting City Maintained Paved Streets to the City of Kannapolis Street Maintenance System for Powell Bill Allocations Fiscal Year 2024-2025

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Listed below are the streets to be added to and deleted from the Powell Bill System for Fiscal Year 2024-2025:

Paved streets to be **added to the Powell Bill System for Fiscal Year 2024-2025:**

1. Milestone Avenue - Southern terminal point of existing Milestone Avenue to the terminal point south of Mahogany Oak Avenue - 502 total feet in length;
2. Mahogany Oak Avenue - Milestone Avenue to Kannapolis Parkway - 580 total feet in length;
3. Linetender Drive - Streamside Drive to Catherine Creek Place - 240 total feet in length;
4. Streamside Drive - Linetender Drive to Tailwater Street - 1,714 total feet in length;
5. Stadium Drive - Northern bridge terminal to Moose Road - 2,181 total feet in length.

Paved streets to be **deleted from the Powell Bill System for Fiscal Year 2024-2025:**

1. Dogwood Boulevard - Rogers Lake Road to southern entrance of the proposed shopping center - 1,195 total feet in length.

Fiscal Implications

Additional Powell Bill funds should be adequate for maintenance.

Policy Issues

Streets to be added or deleted to the City Street System must be accepted by City Council by June 30, 2024 for Fiscal Year 2024-2025 Powell Bill funding.

Legal Issues

Streets to be added or deleted to the City Street System must be accepted by City Council by June 30, 2024 for Fiscal Year 2024-2025 Powell Bill funding.

Recommendations and Alternate Courses of Action

- 1. Adopt a Resolution accepting the additions of the referenced streets to the City system for Powell Bill Allocations Fiscal Year 2024-2025 (Recommended).**
2. Take no action to adopt the Resolution accepting the addition of the referenced streets to the City system. If not accepted, no Powell Bill funding would be allocated for these streets.
3. Table to a future meeting.

Attachments

1. 2024 Add Delete Sheet
2. Location Maps of added and deleted streets
3. 2024 Powell Bill Map - signed
4. 2024 Certification Simple - signed
5. Powell Bill Resolution

2024 Powell Bill Streets Added/Deleted List

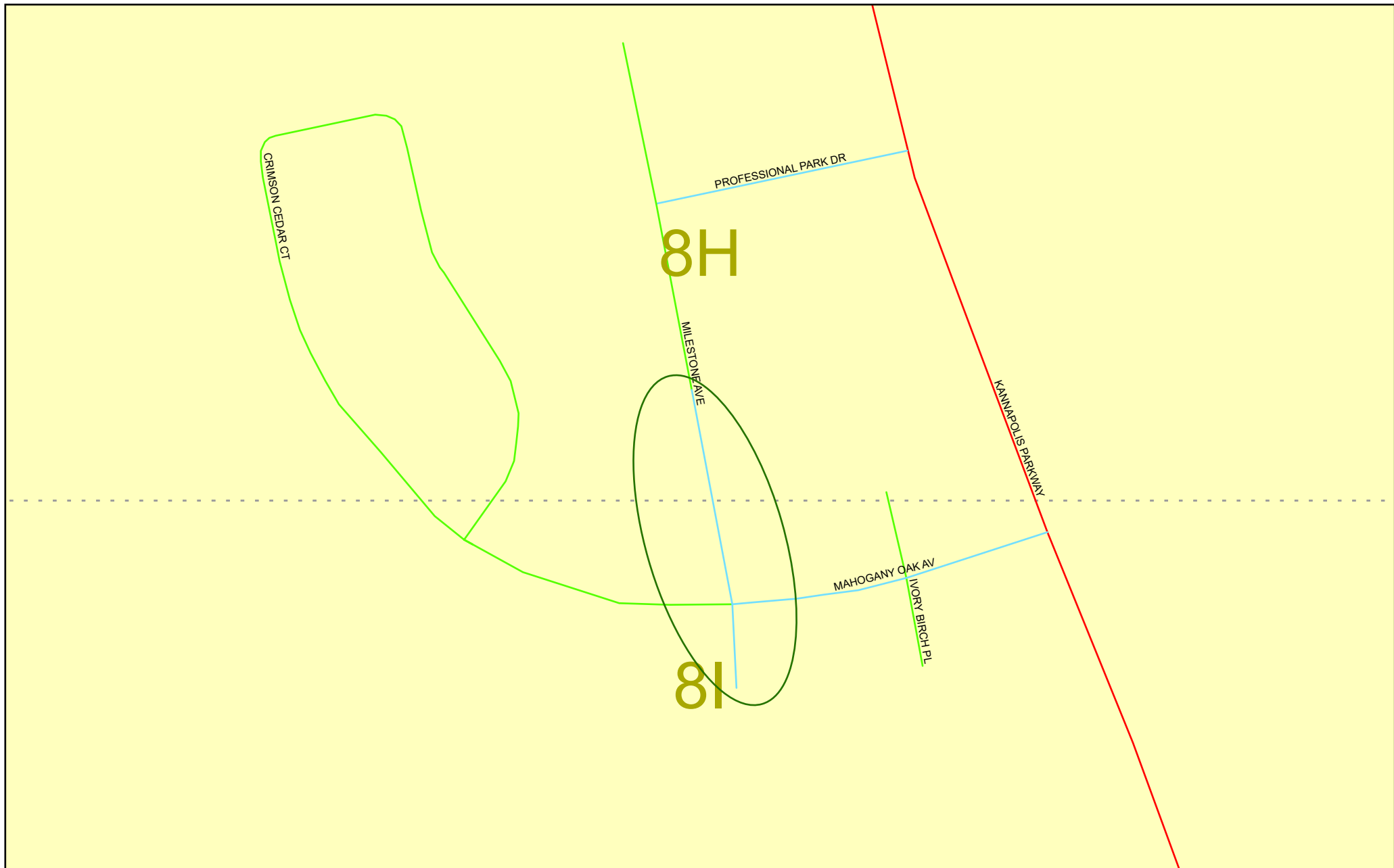
City of Kannapolis

DATE	
From:	To:
7/1/2023	6/30/2024

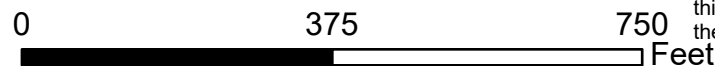
STREET NAME (ADDED)	MILEAGE
MILESTONE AVE	0.09
MAHOGANY OAK AVE	0.11
LINETENDER DR	0.05
STREAMSIDE DR	0.32
STADIUM DR	0.41
TOTAL ADDED	0.98

STREET NAME (DELETED)	MILEAGE
DOGWOOD BLVD	0.23
TOTAL DELETED	0.23

TOTAL STREETS ADDED AND DELETED	MILEAGE
Total Streets Added (+)	0.98
Total Streets Deleted (-)	-0.23
TOTAL CHANGES	0.75



Added:
Milestone Ave



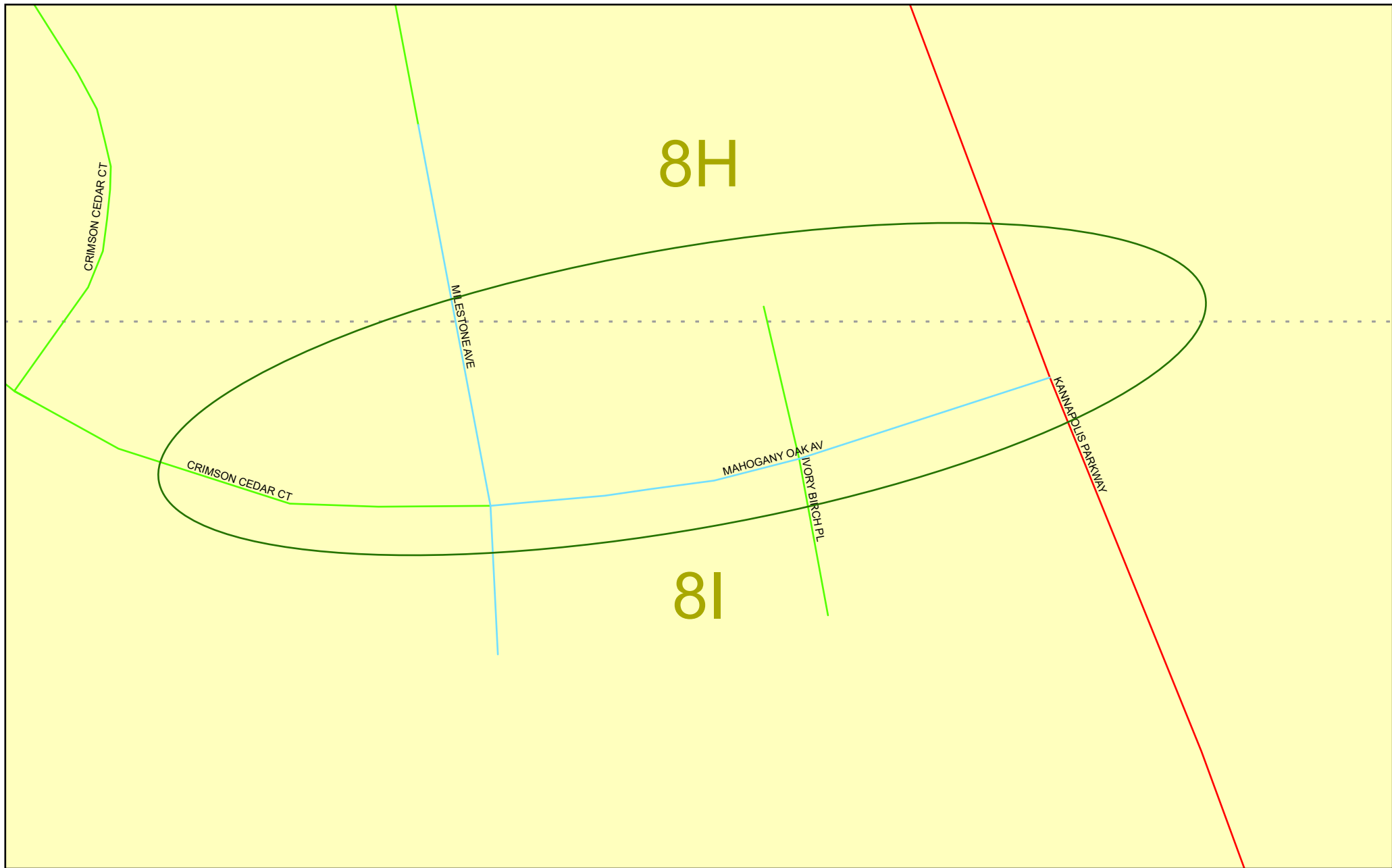
1 inch equals 232 Feet

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



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Added: Mahogany Oak Ln

0 210 420 Feet

1 inch equals 131 Feet

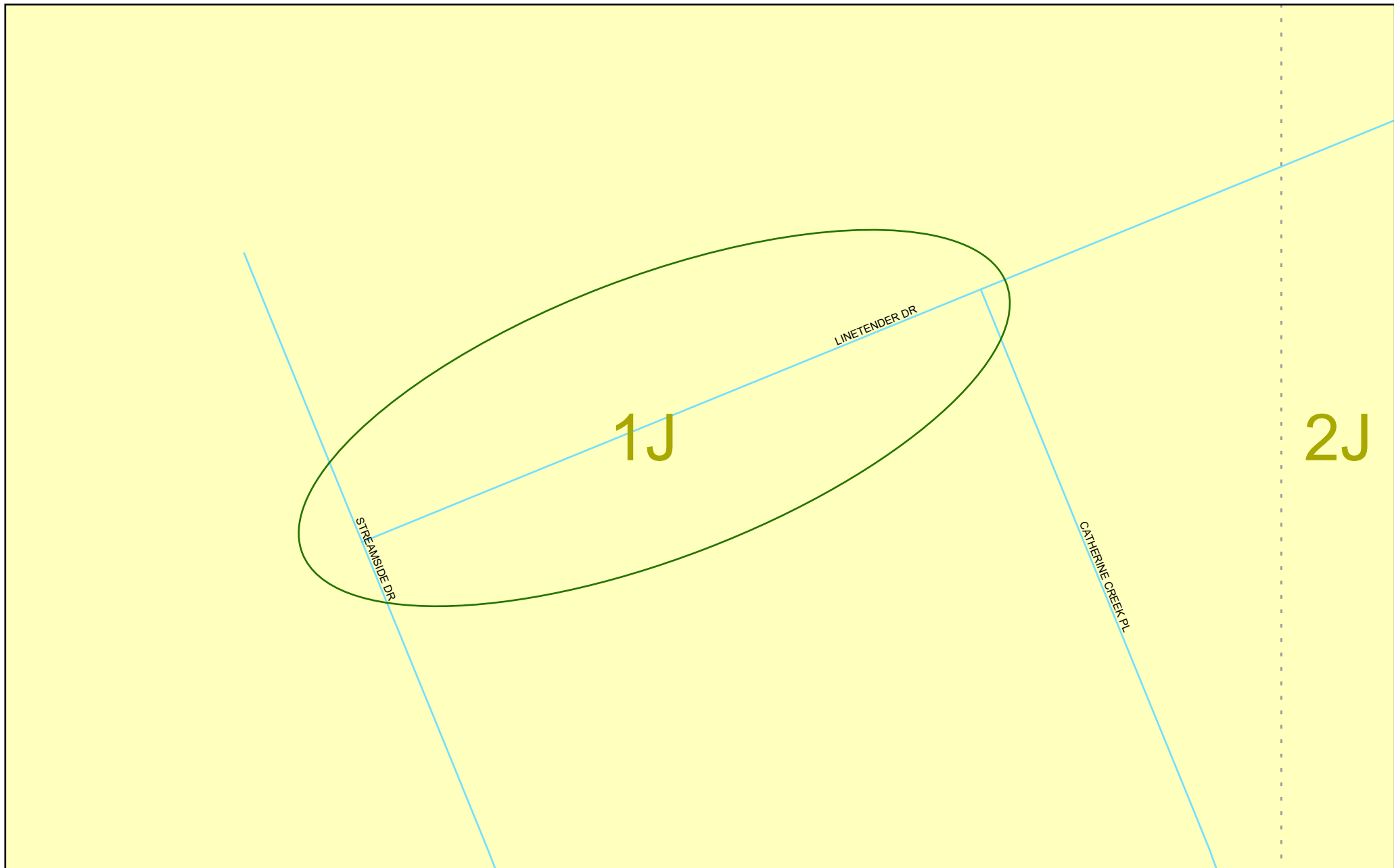


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Added: Linetender Dr

0 100 200 Feet

1 inch equals 64 Feet

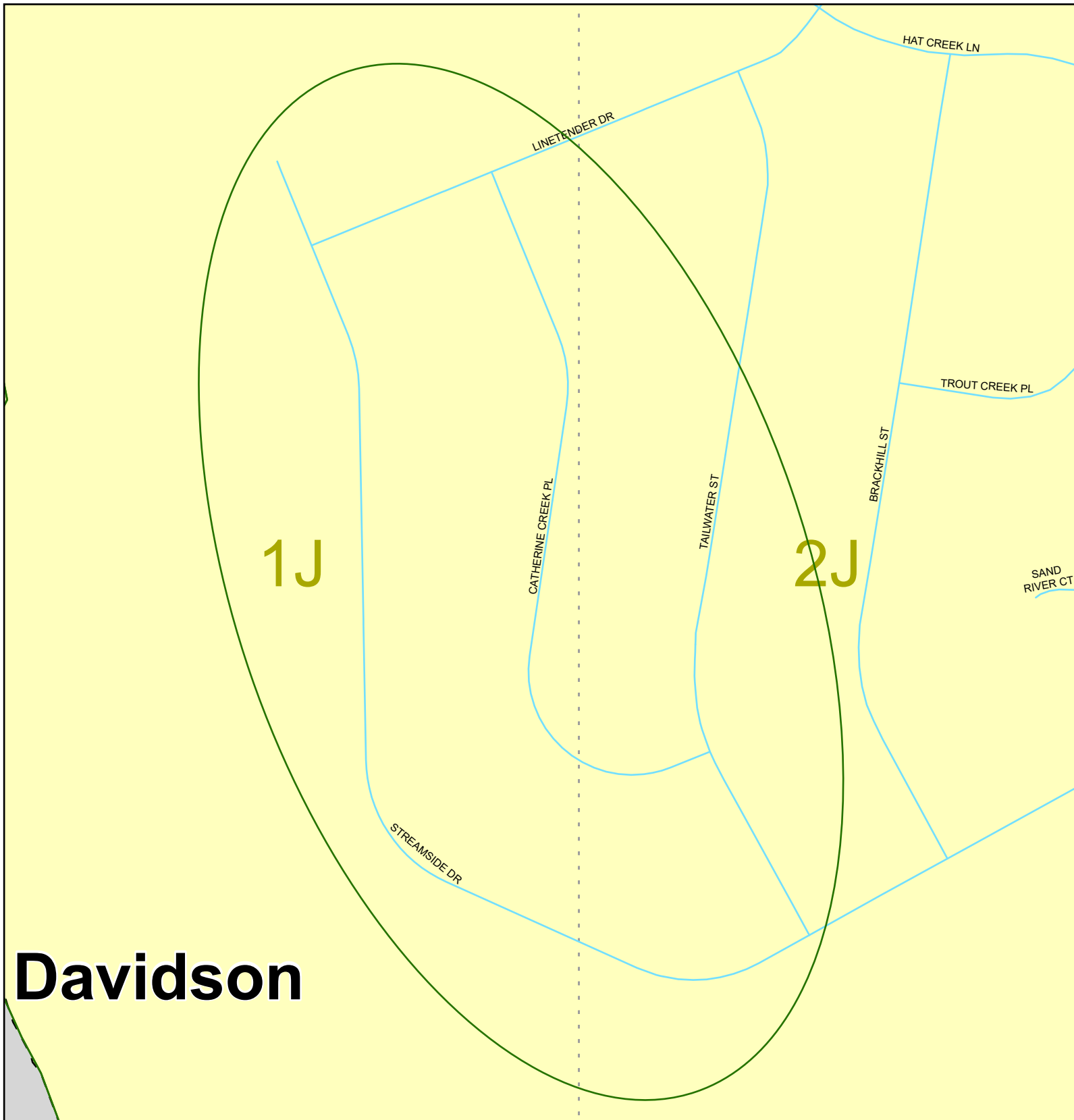
DISCLAIMER: This map is prepared from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data from various federal, state, and local agencies. Maps and associated information must be accepted and used by the recipient with the understanding that the primary information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



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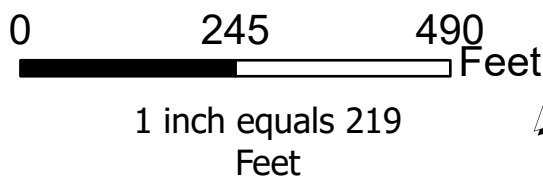




Davidson

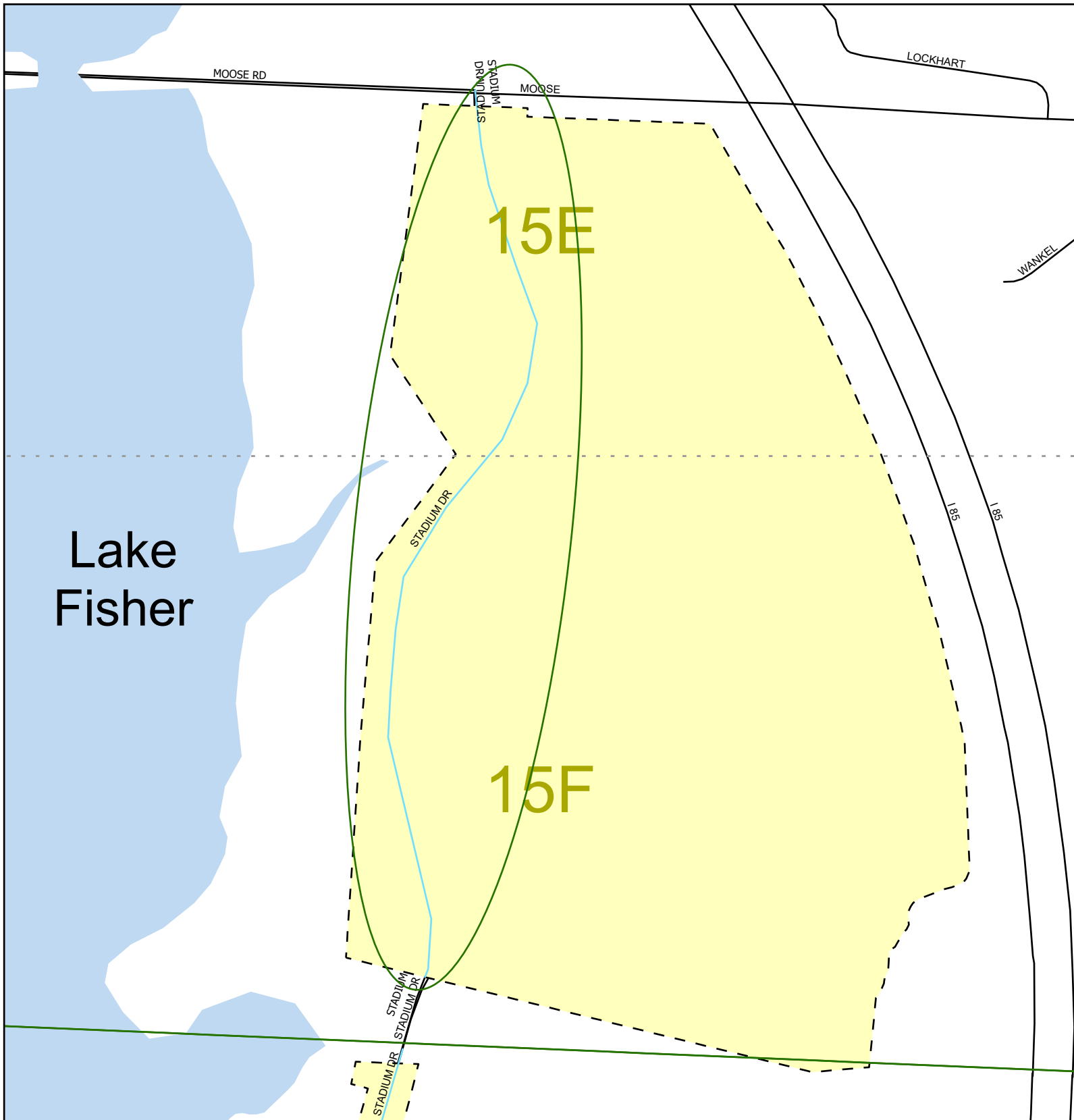
Added:
Streamside Dr

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Added: Stadium Dr

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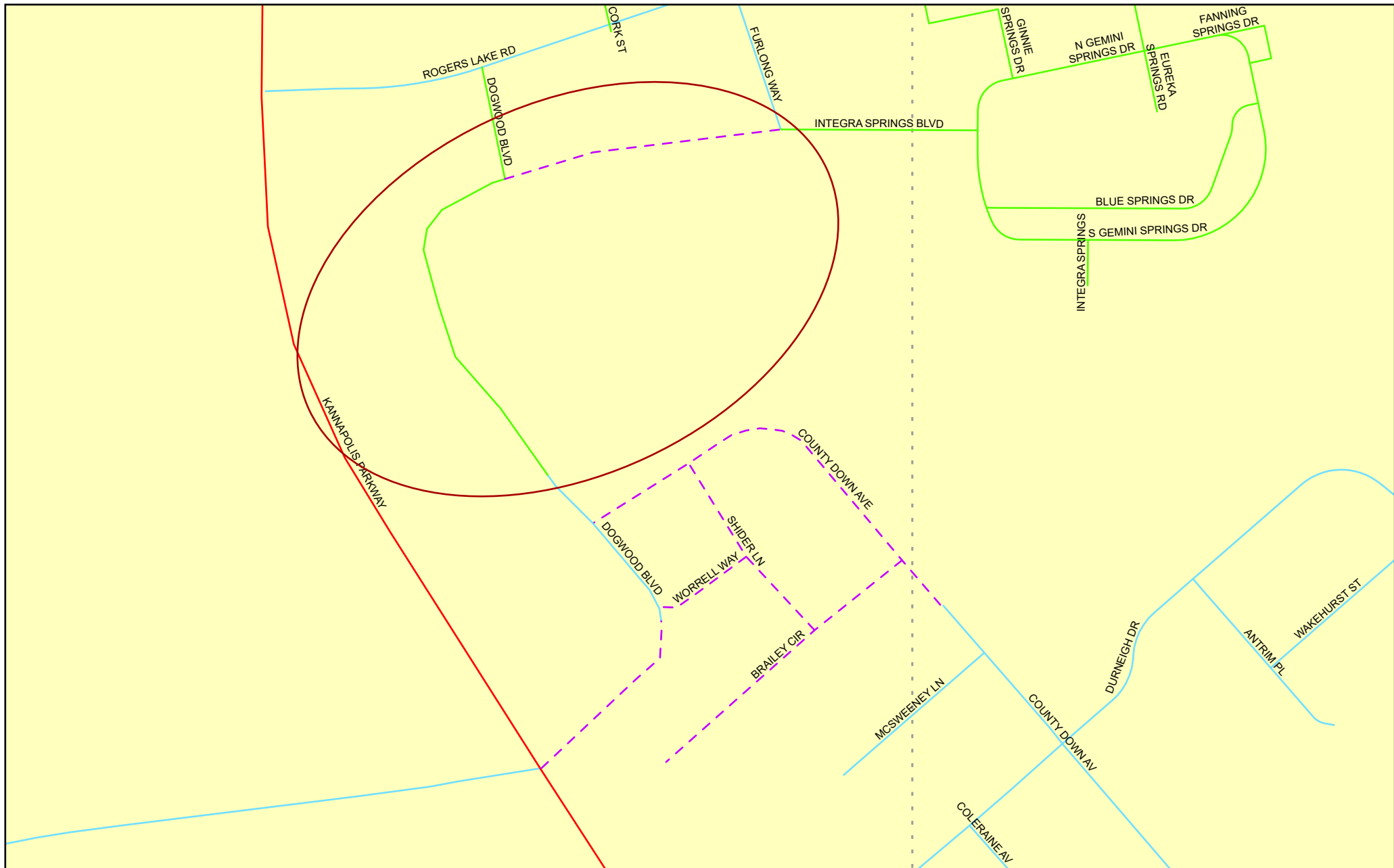


0 340 680 Feet
1 inch equals 300 Feet



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Deleted: Dogwood Blvd

0 500 1,000 Feet

1 inch equals 319 Feet

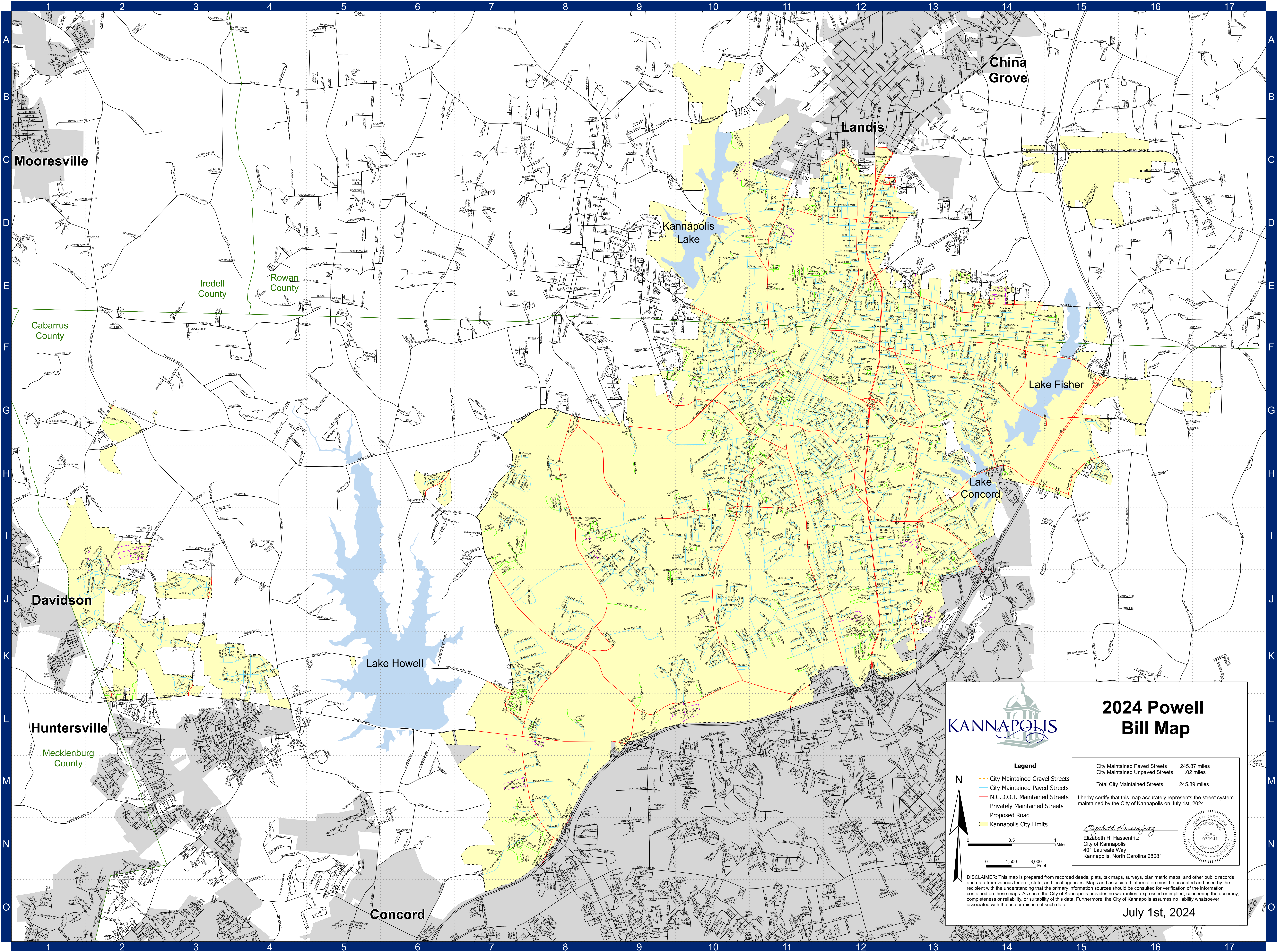
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2024 Powell Bill Map

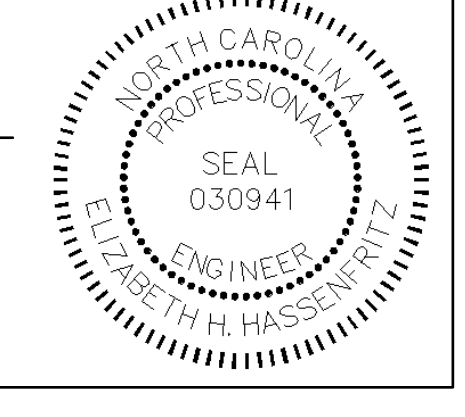
Legend

- City Maintained Gravel Streets
- City Maintained Paved Streets
- N.C.D.O.T. Maintained Streets
- Privately Maintained Streets
- Proposed Road
- Kannapolis City Limits

City Maintained Paved Streets 245.87 miles
City Maintained Unpaved Streets .02 miles
Total City Maintained Streets 245.89 miles

I herby certify that this map accurately represents the street system maintained by the City of Kannapolis on July 1st, 2024

Elizabeth H. Hassenfritz
Elizabeth H. Hassenfritz
City of Kannapolis
401 Laureate Way
Kannapolis, North Carolina 28081



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July 1st, 2024

2024 City of Kannapolis Certified Statement

Paved Cabarrus	196.68	miles
Paved Rowan	49.19	miles
Paved Total	245.87	miles
Unpaved Cabarrus	0.00	miles
Unpaved Rowan	0.02	miles
Unpaved Total	0.02	miles
2024 Total	245.89	miles
Cabarrus (paved & unpavedl)	196.68	miles
Rowan (paved & unpaved)	49.21	miles

2023 Total	245.14	miles
2024 Added roads	0.75	miles
2024 Total	245.89	miles

I hereby certify that this list accurately represents the street system maintained by the City of Kannapolis on July 1st, 2024



June 10, 2024

Elizabeth Hassenfritz

Elizabeth H. Hassenfritz

City of Kannapolis

401 Laureate Way

Kannapolis, NC 28081

**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 and for designation as streets eligible for Powell Bill Allocations beginning for the Fiscal Year 2024-2025:

		<u>Total Length in Feet</u>
Milestone Avenue	Southern terminal point of existing Milestone Avenue to the terminal point south of Mahogany Oak Avenue	502 feet
Mahogany Oak Avenue	Milestone Avenue to Kannapolis Parkway	580 feet
Linetender Drive	Streamside Drive to Catherine Creek Place	240 feet
Streamside Drive	Linetender Drive to Tailwater Street	1,714 feet
Stadium Drive	Northern bridge terminal to Moose Road	2,181 feet

RESOLVED, that the Public Street Schedule for the City of Kannapolis is hereby amended to remove the following street from the Kannapolis Public Street System and for designation as streets eligible for Powell Bill Allocations beginning for the Fiscal Year 2024-2025:

		<u>Total Length in Feet</u>
Dogwood Boulevard	Rogers Lake Road to southern entrance of the Proposed shopping center	1,195 feet

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

Adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor
City of Kannapolis

Attest:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Kristin Jones, Assistant to the City Manager
Subject: **BUDGET AMENDMENT - FY 24-Year End Administrative Budget Amendment (APPROVED UNANIMOUS)**

Action Requested by City Council

Approve Budget Amendment appropriation fund balance for year-end adjustments

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This budget amendment appropriates fund balance for year-end adjustments to personnel and operational accounts in the General Fund, Water and Sewer Fund, Stormwater and Environmental Funds. Many adjustments were needed in the General Fund to account for personnel related increases tied to the cost of living, performance evaluations that occurred throughout the year and the impact of the salary study. Other increases are related to accounts that are over budget, such as annual maintenance in the IT department and various utility accounts city-wide.

In the Enterprise Funds, due to reconciliations with the utility billing software and the City's financial software system, bad debt expenses needed to be recorded and written off. Some of these bad debts go back to 2006. This budget amendment is an effort to clean up these entries.

Fiscal Implications

An appropriation of fund balance is needed to adjust departmental budgets prior to fiscal year-end 2024.

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. **Motion to approve a budget amendment related to year-end fund balance adjustments (Recommended)**
2. Do not approve budget amendment

Attachments

1. YE Adj Revised

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
AND ENDING JUNE 30, 2024
Amendment # 24-43**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 24th day of June 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, is hereby adopted:

Description: This budget amendment appropriates fund balance for year-end adjustments to personnel and operational accounts in the General Fund, Water and Sewer Fund, Stormwater and Environmental Funds. Many adjustments were needed in the General Fund to account for personnel-related increases tied to the cost of living, performance evaluations that occurred throughout the year and the impact of the salary study. Other increases are related to accounts that are over budget, such as annual maintenance in the IT department and various utility accounts city-wide.

In the Enterprise Funds, due to reconciliations with the utility billing software and the City's financial software system, bad debt expenses needed to be recorded and written off. Some of these bad debts go back to 2006. This budget amendment is an effort to clean up these entries.

SECTION I– GENERAL FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 19900-39900	\$2,057,000
Expenditure:	Increase: City Council: Salaries Expenditure: 11000-41000	\$ 5,000
Expenditure:	Increase: City Council: Dues and Subs Expenditure: 11000-46300	\$ 15,000
Expenditure:	Increase: City Management: Salaries Expenditure: 11100-41000	\$ 50,000
Expenditure:	Increase: Human Resources: Salaries Expenditure: 11200-41000	\$ 20,000
Expenditure:	Increase: Legal: Salaries Expenditure: 11300-41000	\$ 20,000
Expenditure:	Increase: Finance: Salaries Expenditure: 11400-41000	\$ 50,000
Expenditure:	Increase: Information Technology: Salaries Expenditure: 11500-41000	\$ 25,000
Expenditure:	Increase: Information Technology: Telephone Expenditure: 11500-45250	\$ 20,000
Expenditure:	Increase: Information Technology: Dues Expenditure: 11500-46300	\$ 20,000

Expenditure:	Increase: Information Technology: Annual Maintenance Expenditure: 11500-48530	\$ 500,000
Expenditure:	Increase: General Services: Salaries: Overtime Expenditure: 11600-41200	\$ 30,000
Expenditure:	Increase: General Services: Water and Sewer Expenditure: 11600-45230	\$ 50,000
Expenditure:	Increase: Police: Admin-Salaries Expenditure: 12010-41000	\$ 10,000
Expenditure:	Increase: Police: Support: Overtime Expenditure: 12030-41200	\$ 50,000
Expenditure:	Increase: Police: Field Ops-Overtime Expenditure: 12035-41200	\$ 150,000
Expenditure:	Increase: Police: Special Ops: Part Time Expenditure: 12070-41100	\$ 40,000
Expenditure:	Increase: Fire: Admin: Salaries Expenditure: 12510-41000	\$ 20,000
Expenditure:	Increase: Fire: Admin Contracted Services Expenditure: 12510-48000	\$ 112,000
Expenditure:	Increase: Fire: Emergency Servies: Salaries Expenditure: 12540-41000	\$ 615,000
Expenditure:	Increase: Fire: Technical Servies: Overtime Expenditure: 12545-41200	\$ 30,000
Expenditure:	Increase: Street Lighting: Electricity Expenditure: 13100-45220	\$ 165,000
Expenditure:	Increase: Signs and Markings: Salaries Expenditure: 13300-41000	\$ 10,000
Expenditure:	Increase: Planning: Salaries Expenditure: 14000-41000	\$ 40,000
Expenditure:	Increase: Debt Issuance Cost Expenditure: 18000-58300	\$ 10,000

SECTION II– WATER AND SEWER FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 39900-39900	\$2,790,000
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Expenditure:	Increase: Water Distribution: Salaries Expenditure: 36100-41000	\$ 500,000
Expenditure:	Increase: Water Treatment: Salaries Expenditure: 36200-41000	\$ 50,000
Expenditure:	Increase: Water Treatment Plant: Sewage Treatment Expenditure: 36400-49020	\$ 400,000
Expenditure:	Increase: Water: Debt Issuance Cost Expenditure: 38000-58300	\$ 70,000
Expenditure:	Increase: Bad Debt Expense: Water Expenditure: 30000-56011	\$ 925,000
Expenditure:	Increase: Bad Debt Expense: Sewer Expenditure: 30000-56012	\$ 845,000

SECTION III– STORMWATER FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 49900-39900	\$ 175,000
Expenditure:	Increase: Stormwater: Bad Debt Expense Expenditure: 40000-56010	\$ 175,000

SECTION IV– ENVIRONMENTAL FUND

Revenue:	Increase: Fund Balance Appropriated Revenue: 59900-39900	\$ 175,000
Expenditure:	Increase: Environmental: Bad Debt Expense Expenditure: 50000-56010	\$ 175,000

This ordinance is approved and adopted on this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**CITY OF KANNAPOLIS
CITY COUNCIL MEETING
WORK SESSION MINUTES
June 10, 2024**

A regular work session meeting of the City Council of the City of Kannapolis was held on Monday, June 10, 2024, at 6:00 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
Darrell Jackson
Dianne Berry
Doug Wilson
Tom Kincaid
Ryan Dayvault

Council Members Absent: None

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant to the City Manager: Kristin Jones

Assistant City Manager: Wilmer Melton

Assistant City Manager: Tina Cline

City Clerk: Bridgette Bell

City Attorney: Walter M. Safrit

Staff Present:	Irene Wong	Annette Privette Keller
	Terry Spry	Tracy Winecoff
	Greg Summitt	David Jordan
	Tony Eury	Brian Roberts
	Suzanne Burgess	Michael Rattler
	Michael Dodge	Kirk Beard
	Gerald Faulkner	

Others Present:	Bob Doty	Larry Ensley
	Angela Hale	Joe Hatley
	Demetra Grigley	Melvin Rape

Lynda Rape Taylor Deaton
Kendal Stavenger Rileigh Upright
Phil Goodman

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 Kincaid offered the Pledge of Allegiance.

COMMUNITY ORGANIZATION AND CITY DEPARTMENT SPOTLIGHT-

Rowan County Tourism Development Authority (James Meacham, Executive Director)

Mr. Meacham began by stating that he, his wife and family have lived in Kannapolis since 2019 and is a wonderful city. They enjoy it and thanked Council for their leadership. Mr. Meacham provided an update on the industry tourism for Rowan County. He stated that the annual visitor spending was around 11.7% with a total annual spending of \$209 million. He always thought it impressive that Kannapolis is straddled by two counties. There are so many partnerships that have worked well in the community over the years such as the YMCA and the Rowan Cabarrus Community College and tourism has become one of those. There is no formal relationship between the Rowan County Tourism and Cabarrus County CVB, but is a well-run organization, very efficient and very focused on visitor spending and growing the economy. They are honored to share Kannapolis in a joint effort to help promote and attract visitors.

Employment is 1,422 jobs with the lodging sector of around \$44 million. Mr. Meacham focus was on three areas:

Marketing- Both digital and social, Branding country wide, Website and overnight stay and play packages, Group Sales

Services and Development – Tourism Partner Programs, Farmers Market & Railwalk Pavilion, Paul E. Fisher Gateway Building, Visitor Information Cener, F&M Bank Trolley Stems and Rowan County Board

Services and Partnerships – City of Kannapolis (title sponsor of Jiggy with the Piggy for the 2nd year), annual sponsorship with the Kannapolis Cannon Ballers, marketing and promotions and ticket giveaways

Mr. Meacham spoke on Destination Development with past projects such as the Railwalk Pavilion and Farmers Market, public art, the F&M Bank Trolley System, City of Salisbury Christmas decorations and public infrastructure. Upcoming projects include the Rowan County Wide

1 Wayfinding, Agritourism Development and the Railwalk Alley Development.

2
3 Council Member Dixon thanked Mr. Meacham for his presentation and on behalf of her family,
4 thanked him for hosting the tourism night at the Cannon Ballers. Unfortunately, Council had a
5 special meeting planned for that night and she was not able to attend the entire event. Mr. Meacham
6 responded that when they first began the event there were about 200 attendees. Over the years it
7 has grown to over 600. They don't want to lose sight of the people who work the front lines and
8 who make a community by welcoming business travelers, leisure travelers, family and friends
9 coming to visit.

10
11 Council Member Dayvault appreciates the fact that Mr. Meacham realizes the county line does not
12 stop at Landis. He has served on this board for so many years and feels that Rowan and Kannapolis
13 are so divided. He is happy to hear that Mr. Meacham lives in Kannapolis and thanked him for
14 investing in our community and wanting to support Kannapolis. He stated that Kannapolis as a
15 city and Rowan County is one of the largest municipalities including the entire population as a
16 city. Mr. Meacham said he has always seen Kannapolis as the largest city in Rowan County with
17 about 48% of the land in Kannapolis. He added we consider Kannapolis as part of the family.

18
19 Mayor Hinnant and Council thanked Mr. Meacham for his presentation.

20
21 **City Department Spotlight - Fire Department (Tracy Winecoff, Fire Chief)**

22 Chief Winecoff gave an overview of the Fire Department functions.

23
24 Personnel: 107 members including Firefighters and Staff personnel.

25 Administrative Staff: Provides guidance and support to sustain the fire departments.

26 Operations: Chief Larry Phillips was the first full-time employee hired in 1987. The first group of
27 paid firefighters (engineers) was hired in 1997.

28
29 Chief Winecoff reported on the Ranks within the Department and their responsibilities. The Fire
30 Department is divided into three divisions: Office of the Fire Chief Administrative Division
31 Operations and Support Emergency Services, Community Risk Reduction.

32
33 Highlights of the department include.

- 34 • ISO Class 1 Department
- 35 • Recently Completed the Department's Strategic Plan and Standard of Cover
- 36 • Pursuing National Accreditation
- 37 • Recently certified in multiple North Carolina Rescue Certifications
- 38 • Founding Member of the Regional Special Operations Task Force

- NC Certified Search and Rescue Team.
- Chosen by NFPA to serve as pilot department for CRR Program- entering 3rd year
- Records Management Software/ Community Connect
- SIMS-U-SHARE Software
- Maintained one of the highest “return of pulse” ratings in the region on CPR responses
- Established the department’s first UAV (Drone Team) 7 FAA certified members

Chief Winecoff said they average around 3,917 calls in the first quarter with an average response time of 4.45 minutes, (the national average is 6 minutes) but further out in the western area has a longer response time of 10 minutes. Area mutual aid departments assist with coverage of these areas as well. He added in comparison to where they are today to where they were 5 to 6 years ago, the department has made great strides. Fire Stations 2 and 3 were replaced, Station 5 is relatively new and currently being remodeled is Stations 1 and 4. All of which has drastically improved the quality of life for firefighters and adds longevity to the fire stations.

Chief Winecoff said they are the only water rescue and land search team in the region. Kannapolis is the host, where members of the Kannapolis Police and Fire along with the assistance of mutual aid partners.

Council Member Dayvault asked who now oversees the school outreach program. Chief Winecoff responded that Kensy Cook is part time and has been with the department about a year. Within 6 months she was able to obtain Fire and Lifesaving Educator I, II and III, a very comprehensive certification program. Kensy works essentially with the youth and Lee Goodman works mainly with the seniors. Captain Barnhardt helps with the business outreach and special events.

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

Mayor Hinnant noted a revised agenda adding Business Agenda “D” Budget Amendment - Appropriating cash reserves for the purchase of a fire engine and authorize the City Manager to execute the contract.

Mayor Pro tem Wilson made a motion to adopt the revised agenda. The motion was seconded by Council Member Dayvault and approved by unanimous vote.

PROCLAMATIONS:

Mayor Hinnant recognized Juneteenth 2024.

CONSENT AGENDA:

Council Member Jackson made a motion to approve the Consent Agenda. Motion was seconded

by Council Member Dixon and approved by unanimous vote.

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

FIRST READING: TA-2024-02 - Text amendments to Article 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2D.(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage.

Motion to continue to June 24, 2024, for second reading and Public Hearing for TA-2024-02.
(Richard Smith, Planning Director)

April 22, 2024 Business Meeting Minutes (Bridgette Bell, City Clerk)

May 09, 2024 Work Session Minutes (Bridgette Bell, City Clerk)

May 13, 2024 Work Session Minutes (Bridgette Bell, City Clerk)

May 20, 2024 Business Meeting Minutes (Bridgette Bell, City Clerk)

April 22, 2024 Closed Session Minutes (Bridgette Bell, City Clerk)

May 09, 2024 Closed Session Minutes (Bridgette Bell, City Clerk)|

May 13, 2024 Closed Session Minutes (Bridgette Bell, City Clerk)

BUSINESS AGENDA:

PUBLIC HEARING - Request to consider withdrawal from dedication a portion of Chestnut Avenue located from the intersections of Laureate Way to Wellness Way and consideration to approve an Order to close a portion of said portion of Chestnut Avenue. (Richard Smith, Planning Director, Walter Safrit, City Attorney) (Copy included as Exhibit A)

At the May 20, 2024, meeting of City Council, a Resolution of Intent was approved to withdraw from dedication a portion of Chestnut Avenue from the intersection with Laureate Way to the intersection with Wellness Way. This closure will allow the City to facilitate a linear park in the existing right-of-way area in conjunction with a proposed development adjacent to the stadium.

Provided there is no evidence given at the Public Hearing that withdrawing from this dedication is not contrary to the public interest, it is recommended that City Council approve the Order to Close.

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

Council Member Dayvault made a motion to approve an Order to withdrawal from dedication a portion of Chestnut Avenue located from the intersections of Laureate Way to Wellness Way and consideration to approve an Order to close a portion of said portion of Chestnut Avenue. Motion

1 was seconded by Mayor Pro tem Wilson and approved by unanimous vote.

2
3 **PUBLIC HEARING - Proposed Budget for FY 2024-2025 (Mike Legg, City Manager,**
4 **Kristen Jones, Assistant to the City Manager) (Copy included as Exhibit B)**

5 City Manager Legg noted that a copy of the recommended budget was presented to City Council
6 on May 20, 2024, and was made available for public inspection at the City of Kannapolis
7 Administration Offices. A Public Hearing on the recommended budget for Fiscal Year 2024-2025
8 has been scheduled for 6:00 P.M. on June 10, 2024. The City Council will be asked to adopt the
9 budget at the June 24, 2024, City Council meeting.

10
11 City Manager Legg presented a brief presentation on the proposed budget for FY2024-2025 (Copy
12 included as Exhibit B)

13
14 There being no questions or comments, Mayor Hinnant opened the public hearing to those in
15 attendance for an opportunity to speak.

16
17 Larry Ensley of 6600 Finger Lake Drive has been a resident of Kannapolis since 1988. He also a
18 member of the Kannapolis Planning & Zoning Commission and a past chairman of the Cabarrus
19 County Planning & Zoning Commission. Three areas of concern they always hear are traffic,
20 schools and loss of green space, particularly trees. Under the new KDO tree preservation is
21 outlined in Articles 5.3J (Tree Preservation). His objective tonight is to strengthen that goal.
22 Currently Kannapolis has a contracted arborist position in the Parks and Recreation Department.
23 He asked that a full time Arborist be hired, same as the City of Charlotte and Concord have done.
24 He strongly suggested that Kannapolis institute a tree canopy preservation program, like one that
25 Charlotte developed in 2011. This program will conserve 15% of greenspace in commercial multi-
26 family and residential sites. The amount of fees depends on zoning, acreage and taxable value.
27 Between 2011 and 2023, 380 sites too many trees had been removed or did not plant enough
28 resulting in \$12.4 million deposited into the conservation fund. Proceeds are used for planting trees
29 or purchasing properties for green areas. He hoped that Council votes favorably on these requests.

30
31 Angela Hale of 627 Peacehaven Road stated she came before the Council a couple of months ago
32 asking that a revenue neutral budget be adopted. When she saw the proposed budget saw a 20%
33 increase. She asked how many received a 20% raise? "Nobody". She feels like this town has done
34 nothing but spend money. We need more fire, police, water, schools, etc., but the overspending
35 has gotten out of control. She does not see why we need a 20% increase in this budget. She said if
36 this budget is passed, she wants each one to think about it. Every person that you know in this
37 town, just from the Kannapolis taxes and water going up, is a minimum of an additional \$150 per
38 month. She owns rental property and will have to go up on their rent and people may have to move.

1 She tries to keep her housing affordable and now she is not going to be able to do so. Things that
2 concern her is water. She lives in Dakota Woods where they have a water main break in Dakota
3 Woods or Suburban Woods every week. Last week, Suburban Woods did not have water for
4 several days. She sees nothing in the budget that talks about replacing the waterlines. It talks about
5 Parks and Recreation, dog parks and this and that. She said these are not things we need. If you
6 get this kind of growth in this town, you need to think about the infrastructure and need to think
7 about people's feelings.

8
9 There being no further speakers, Mayor Hinnant closed the public hearing.

10
11 Following a ten-minute break, the Council resumed its regular session.

12
13 Mayor Pro tem Wilson asked about the American Rescue money, wasn't there about 6 or 7 million
14 dollars left. He asked if that money had been earmarked and it seemed like the funds were going
15 to be used for a parking deck.

16
17 Mr. Legg responded the City received about \$9.3 million from the federal government and about
18 6 months after it was issued, the federal government came up with new rules stating that anything
19 under \$10 million could be a one-time exemption. Essentially to keep it simple, that money can be
20 used for whatever the Council wants, or it could be put into a savings account. Part of the \$25
21 million is available cash in all the departments. Mr. Wilson said he is never going to give up on
22 the dream of a community center and this would be some good seed money.

23
24 Mr. Legg responded that \$65 million is cash on hand. \$16 million was already in the general fund
25 and other funds. \$11 million is in the proposed budget. \$16 million is in the general fund that is
26 available cash above our minimum thresholds that we keep in our savings account for future
27 unknowns. He is an advocate that you just don't hoard money but put it back into the community.
28 There are about 18 items in the budget to do that unless the Council has different priorities.

29
30 Council Member Jackson stated this budget has flexibility and asked about the sewer outfall
31 infrastructure downtown. Mr. Legg responded that is a sewer line on the south side of downtown
32 and is at capacity.

33
34 Mayor Pro tem Wilson asked what is the minimum that the state requires to hold in savings. Mr.
35 Legg responded that the state asked that the city keep a minimum of 8%. The City has a set
36 minimum of 25%.

37
38 Council Member Dixon asked with a revenue neutral budget what are the critical new staffing

1 positions. Mr. Legg stated if you go to true revenue 47 cents, would have to make some significant
2 cuts. There would not be any increases. Everybody knows that certain levels of inflation are things
3 we cannot control. Some of the increases include employee salaries and things that keep our
4 employes happy and want to work here. But 49.5 cents is a base level tax rate and deals with the
5 inflationary increases and basic employee benefits.

6
7 Council Member Dayvault commented on what happened last year with Rowan's revaluation. We
8 need to figure out a way to make Cabarrus and Rowan evaluations all on the same year. Last year,
9 Rowan County residents were hit hard and with no tax reduction, other than the county. It's very
10 hurtful when you are talking that people's income has not gone up and all these issues we are faced
11 with, but the City must move forward in some way, shape or form. We can't just stop operating.

12
13 He has never seen the inflationary pressures that we currently see and impact us at the level we are
14 seeing. He has been on this board for 13 years and things cost more now than he has ever seen. In
15 the past 2 to 3 years, it has gotten worse, but we can't control that as a Council. Utilities are up,
16 insurance is up, rents are up, food bills are up and everything except people's salaries. The Council
17 is responsible for setting the tax rate each year based on the information given and what is needed
18 to move forward and not shut the city down. But we need to look at what projects we can put off
19 and see if these numbers come down in a year or so. When you are faced with housing prices going
20 up on a mill home that would have cost \$150,000, suddenly cost \$375,000. It does not matter
21 where you are, housing has doubled or tripled. He encouraged Council to look at things that can
22 wait and to utilize cash that can be used for other things. The City's number one priority is Public
23 Works, Fire and Police and to be sure those departments are taken care of. In his opinion, the city
24 hall renovations should be put off, the dog park, the school field, open space plan, and the cultural
25 arts and museum. All these things can wait. He feels if some of these things can be put off this
26 year and perhaps by next year, we can get a better deal on some of these things in going forward.
27 He cannot in good faith keep on keeping on knowing we are paying double on what some of these
28 things are worth.

29
30 Council Member Berry asked if the residents at Midlake Road were asked if they wanted
31 sidewalks. She noted that those houses are so close to the road, or did we just assume they wanted
32 sidewalks just because we are doing a park there. Mr. Legg responded if you polled everyone in
33 the Midlake area, probably 90-95% would say absolutely. 5% to 10% or so would say no because
34 they would lose some of their property. We will just have to deal with that issue, when time comes.
35 The area will have to be surveyed, designed, and eventually pay the property owners for taking the
36 property. In most cases, people are willing to sell, and some won't.

37
38 Council Member Berry read a prepared statement:

1 “I cannot, in good faith with a clear conscience vote to approve the Kannapolis FY '25 budget as
2 it has been presented. With the Cabarrus County property re-evaluations, all Kannapolis property
3 owners living in Cabarrus Co will be paying a significantly higher amount in combined additional
4 taxes the end of this year. As a result, these additional taxes will equate to a higher property tax
5 revenue for both Cabarrus County and City of Kannapolis. This puts the city in a better financial
6 position already, with approximately \$10.6m from residents in Cabarrus County and \$1.6m from
7 residents in Rowan County (from 2023 re-evaluations).
8

9 This budget includes \$7m for 'discretionary funding'. This includes 'quality of life' and
10 entertainment items like 'free' concerts (many that cost the city & taxpayers more than \$75,000),
11 Jiggy with the Piggy BBQ Festival, Christmas Parade, etc. The City Council reduced the tax rate
12 by 5%, but this Council can do better than this! We cannot do anything about the County's tax rate,
13 but we sure can set the municipal tax rate. Additionally, I do not want to see this Council expecting
14 citizens to pay higher property taxes *and* raising the Water & Sewer rates all in the same year.
15

16 *Quality of Life* is more than concerts, baseball games, sidewalks or dog parks. It's knowing all of
17 our citizens can make financial ends meet. The economy and rising costs have affected us all.
18 Surely we can dig deeper and figure this out, by prioritizing our citizen's needs over our city's
19 wants. Thank you.”
20

21 Mayor Pro tem Wilson stated for those that live in Rowan County after the revaluation, suddenly
22 homeowner's insurance has gone up. Insurance companies think that your house is worth more.
23 He fully supports what Mrs. Berry has said.
24

25 Mayor Hinnant added when Mr. Legg presented the four different years, FY26, FY27, FY28 and
26 FY29, that does not include the tax year we are working on now. Many of those projects require
27 work in the year 2025, like buying rights of way or creating design work. Creating opportunities
28 to know exactly how that sidewalk is going be built and any issues that may be there. Same thing
29 with Public Operations Center. A 25+ year old building is going to need renovations and money
30 will have to be spent in the year FY25 to do the work in FY26. If we don't follow this
31 recommended budget, when we get to the year FY26, the projects will be behind because you have
32 not spent the money to prepare and purchase the right of way or other things necessary. The result
33 is that it will put off that project for a certain period. That is why Mr. Legg did not put anything in
34 FY25, because FY 25 has some built-in expenses that are a part of this whole plan. That is the
35 reason where the idea of a fixed rate over 5 years makes sense. We as a Council has spent the past
36 9 years with a fixed rate of .63 cents. This process allows us to offer the same guarantee to the
37 citizens that we don't see necessarily a rate change and that the 57.92 should be good for all these
38 years. Mayor Hinnant also added if we start low and then add the projects as they come up. Maybe

1 the project does not cost as much as we thought it would be at the time of the estimate. If that is the
2 case, when we reduce the tax rate.

3
4 If we set a number of 57.92 now, and we decided that Midlake sidewalk does not cost near the
5 money we thought, when you go into FY26, reduce the tax rate. It is a whole lot easier to reduce
6 the rate because the cost was not as expected. Unless you tell Mr. Legg otherwise, all the things
7 listed are the best way to make sure that happens. You can adjust it down anytime you choose to
8 each year, versus going up. For example, if we don't do anything and you cut to 52.5 cents, when
9 you get to FY26, to do all these projects, you are probably going to have to go up 3 cents on the
10 tax rate. It sounds like you are trying to convince the community that it is not there and as a result,
11 it is easier to establish one rate and work off that one rate. If it turns out that we save money for
12 doing a project that is less, we reduce the tax rate. That is the easiest decision for us to reduce the
13 tax rate, but suddenly must increase the tax rate every single year. If you are not interested in doing
14 all the projects listed and willing to cut projects, there is a possibility to lower the number.

15
16 As long as Council is willing to continued doing all these projects and to cut this number back to
17 52.5 and ask for an increase every year after that for the next five years, is ingenious to the citizens.
18 He feels the best thing is to leave at 57.92 and work through each of the projects and try to make
19 it as efficient as possible. Keep the cost down and see how the reduction in cost allows us to cut
20 the rate next year or the year afterwards.

21
22 Mr. Legg stated there are two easy solutions and one hard. The two easy solutions are 57.92 as
23 presented or 52.95. There are consequences for each one. The hard part is that there is some
24 common ground and may take some time.

25
26 There was more general discussion regarding the proposed budget with no action taken.

27
28 **APPOINTMENT - Appoint alternate Staff Liaison to the Technical Coordinating**
29 **Committee (TCC) of the Cabarrus-Rowan Urban Metropolitan Planning Organization for**
30 **the remainder of year 2024. (Richard Smith, Planning Director, Wilmer Melton, Assistant**
31 **City Manager)**

32 Each year, the North Carolina Department of Transportation (NCDOT) requires that the
33 Metropolitan Planning Organization (MPO) supply a list of current Technical Advisory Committee
34 (TAC) and Transportation Coordinating Committee (TCC) representatives along with their
35 alternates. The TAC and TCC appointees must be available to attend regular monthly meetings
36 and participate on regional transportation planning committees.

37 At present, Richard Smith, Planning Director, is serving as the TCC representative and Scott
38 Kaufhold, was appointed to serve as the TCC alternate. With Mr. Kaufhold's retirement, and the

1 promotion of Elizabeth Hassenfritz to Director of Engineering, it is recommended to appoint Ms.
2 Hassenfritz to serve as the TCC alternate.

3
4 Mayor Pro tem Wilson made a motion to appoint Elizabeth Hassenfritz to serve as alternate on the
5 TCC. The motion was seconded by Council Member Dayvault and approved by unanimous vote.

6
7 **BUDGET AMENDMENT - Appropriating cash reserves for the purchase of a fire engine**
8 **and authorize the City Manager to execute the contract. (Eddie Smith, Deputy City**
9 **Manager, Tracy Winecoff, Fire Chief, Kristin Jones, Assistant to the City Manager) (Copy**
10 **included as Exhibit C)**

11 Deputy City Manager Smith stated that the Fire Department has requested the need for an engine
12 replacement. This has been identified as a crucial apparatus replacement since the next apparatus
13 to be replaced is currently 27 years old. The problem with this type of purchase is the
14 extraordinarily long lead time. In most cases, the lead time is around 3–4 years. It appears that this
15 is an industry-wide issue.

16
17 Over the weekend, the Fire Department was made aware of an apparatus that is currently being
18 built by one of the leading manufacturers, Seagrave, which meets the specifications needed by
19 Kannapolis Fire Department. The build-out time for this apparatus is approximately 500 days since
20 it is already in production. To secure this apparatus, the staff is requesting a contract and budget
21 amendment to take place to secure the funding/purchase order. There are other entities interested
22 in the purchase as well and Seagrave representatives have indicated that the first one that executes
23 the contract will secure the apparatus.

24
25 An engine and a ladder have been identified as a need in the City's 5- year financial plan. It was
26 expected that these apparatuses would take up to 3–4 years for delivery, so financing options would
27 be considered at the time of delivery. It is assumed short-term financing would be most appropriate
28 for future capital outlay needs as identified in the five-year plan. There is currently a placeholder
29 of \$3 million for each fiscal year from FY 26-FY 29 to finance short term (estimated debt services
30 \$450,000).

31
32 Staff are proposing to go ahead and enter into the contract with Seagraves based on the necessary
33 budget amendment. This will secure the build-out of this apparatus with a short-term funding
34 option via fund balance. Actual payment for the apparatus won't take effect until delivery (i.e. 500
35 days), so at that time, the City will review funding mechanisms to pay for this. Either funding can
36 be absorbed into the operating budget (as what is anticipated for FY 25 capital outlay, cash reserves
37 or short-term financing as planned). An appropriation of fund balance is needed in the interim to
38 fund this apparatus purchase. At the time of delivery (approximately 500 days), staff will

1 determine the appropriate means for funding (either short term financing or cash reserves).

2
3 Council Member Dayvault made a motion to approve the budget amendment which appropriates
4 cash reserves for the purchase of a fire engine and authorize the City Manager to execute a
5 purchase contract with Seagrave. Motion was seconded by Council Member Dixon and approved
6 by unanimous vote.

7
8 **CITY COUNCIL COMMENTS:**

9 Council Member Dayvault asked to speak. There was no objection.

10
11 Mr. Dayvault previously requested a reduction of the speed limit on Main Street, between Veterans
12 Park and Vance Street. He has not heard anything from the staff and asked for an update. City
13 Manager Legg noted that he will provide an update to Council.

14
15 There being no further business brought before Council, Mayor Pro tem Wilson made a motion to
16 adjourn the meeting. The motion was seconded by Council Member Berry and approved by
17 unanimous vote.

18
19 The meeting adjourned at 8:50PM on Monday, June 10, 2024

20
21
22
23 _____
24 Milton D. Hinnant, Mayor

25 _____
26 Bridgette Bell, MMC, NCCMC
27 City Clerk
28



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: **PUBLIC HEARING- TA-2024-02** - Text amendments to Article 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2.D(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage **(2nd Reading) (APPROVED UNANIMOUS)**

Action Requested by City Council

1. Conduct a Public Hearing
2. Consider Resolution to Adopt a Statement of Consistency for TA-2024-02
3. Consider motion to adopt an Ordinance to Amend text of KDO for TA-2024-02

Required Votes to Pass Required Action

Majority Present at Meeting

Background

On March 19, 2024, the Planning and Zoning Commission recommended approval of multiple text amendments to City Council (TA-2024-01). Subsequently, on April 8, 2024, City Council approved several of the recommended text amendments, except for three of them. City Council requested that the Planning and Zoning Commission further deliberate details regarding two of the three text amendments that were not approved. City Council asked the Planning and Zoning Commission and staff to review more closely the proposed amendments for apiaries and for self-service storage facilities. The Planning Commission reviewed text amendments related to these uses at their May 21, 2024 meeting.

Presently, there are no standards for Apiaries in the Kannapolis Development Ordinance (KDO). The proposed amendments to Article 4, Table 4.3.B(3): Accessory Use/Structure Table; Section 4.3.D(4): Use Specific Standards; and Article 10: Definitions; will add requirements for hives that follow General Statute 106-645 to allow Apiary as a permitted accessory use by right in all zoning districts; add a link for the use specific standards for Apiaries; add specific standards for Apiaries; and add a definition for Apiary. Staff discussed the proposed amendments with some local apiarists who agreed that the proposed amendments are consistent with statutes and sufficient provisions to include in the KDO.

Additionally, the proposed amendments to standards specific to self-service storage (Section 4.2.D(5)f.4) will help better incorporate self-service storage among other uses in both the General Commercial (GC) and Light Industrial (LI) zoning districts. These amendments include enhanced building appearance, increased setbacks and limiting outdoor storage.

After deliberating on the matter further as requested by City Council, the Planning and Zoning

Commission recommended approval of TA-2024-02 to City Council.

Fiscal Implications

None

Policy Issues

The Planning and Zoning Commission recommended approval of TA-2024-02 to City Council at their May 21, 2024 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 amendments to the KDO are attached as Exhibit A and shown per staff recommended edits.

Legal Issues

None

Recommendations and Alternate Courses of Action

The Planning and Zoning Commission recommends approval of the proposed text amendments of the Kannapolis Development Ordinance (KDO), as shown.

The following actions are required to approve TA-2024-02 (Recommended):

1. Consider Resolution to adopt a Statement of Consistency for TA-2024-02
2. Consider motion to adopt an Ordinance to Amend text of KDO for TA-2024-02

Alternate Actions:

1. Take no action on TA-2024-02
2. Table action on TA-2024-02 to a future date

Attachments

1. TA-2024-02 Proposed Text Amendments
2. Public Notice Ad
3. TA-2024-02 Statement of Consistency
4. TA-2024-02 CC Statement of Consistency
5. TA-2024-02 Ordinance to Amend KDO

PROPOSED TEXT AMENDMENTS – APPENDIX A

TA-2024-02

1. Beehives – Amend Accessory Use/Structure Table to add *apiary*. Add definition and use-specific standards for apiaries.

Table 4.3.B(3): Accessory Use/Structure Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; S = Special use; – = Prohibited

ACCESSORY USE/STRUCTURE	AG	RESIDENTIAL							MIXED-USE						NONRESIDENTIAL				PD			LEGACY			USE-SPECIFIC STANDARDS
	AG	R1	R2	R4	R6	R7	R8	R18	MU-ND	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R	C-1	
Animal boarding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4.3.D(3)
Apiary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.3.D(4)
Automated teller machine (ATM)	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	4.3.D(45)

Section 4.3.D. STANDARDS SPECIFIC TO ACCESSORY USES AND STRUCTURES

(4) ~~AUTOMATED TELLER MACHINE (ATM)~~ APIARY

Five (5) or fewer hives shall be allowed in any zoning district.

- The hives shall be placed at ground level or securely attached to an anchor or stand. The hive may also be permanently attached to a roof surface if secured to an anchor or stand.
- The hive shall be removed if the owner no longer maintains the hive or if necessary to protect the health, safety, and welfare of the public. (Source NCGS § 106-645). City staff will consult a trained or knowledgeable beekeeper if it is determined that a hive may need to be removed.
- More than five (5) hives shall be considered agriculture for the purpose of this ordinance.

(5) AUTOMATED TELLER MACHINE (ATM)

ARTICLE 10. DEFINITIONS

Apiary

Bees, comb, hives, appliances, or colonies, wherever they are kept, located, or found.

(Source: NCGS § 106-635)

2. Self-service Storage Uses – Add standards specific to self-service storage.

Section 4.2.D(5)f.

4. Self-Service Storage

- The maximum lot size is three acres.
- Notwithstanding the building height standards in the district where the self-service storage is located, except in the GC District, buildings where storage units are accessed directly from the building's exterior shall have a maximum height of one story. For purposes of this section, one story shall mean and refer to a maximum interior ceiling height of ten feet, which may include a maximum of eight feet with an additional two feet to accommodate a garage-type sliding or roll up door.
- The required setback shall be twenty-five (25) feet when adjacent to areas that are zoned residential.**
- A Type B perimeter buffer yard shall be provided in accordance with Section 5.3.G, Perimeter Buffer Yards, around the perimeter of the self-service storage facility.
- Signs and other advertising mediums are prohibited within the buffer yard.
- The establishment shall have an on-site manager or an electronic security system.

- (g) The sale of personal property and the conduct any type of commercial activity of any kind whatsoever other than leasing of the storage units and incidental sales of storage-related materials (boxes, tape, labels, etc.) is prohibited.
- (h) No portion of any self-service storage shall be used, on a temporary or permanent basis, as a dwelling, except a single dwelling unit for use by an on-site manager or caretaker is allowed as an accessory use.
- (i) The repair, construction, or reconstruction of any boat, engine, motor vehicle on-site is prohibited.
- (j) On-site storage of a propane or gasoline engine or a propane or gasoline storage tank is prohibited. All rental contracts for storage units shall include clauses prohibiting (a) the storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals, and (b) the use of the property for purposes other than dead storage.
- (k) All outdoor lights must be shielded to direct light and glare only onto the lot which the self-service storage is located.
- (l) Building renderings are required to demonstrate that street facing facades present the appearance of an office or retail commercial use.**
- (m) No outdoor storage within the General Commercial (GC) zoning district.**



Order Confirmation

Order# 0000870923

PO Box 27283
Richmond, VA 23261-7283

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep Accnt Rep Ordered By
aboan hdrclifr Pam

Fax: 7049337463
Email: ap@kannapolisnc.gov

Total Amount \$347.04

Payment Amount \$347.04

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

Tear Sheets Proofs Affidavits PO Number:

0 0 1

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000870923-01	CLS Legal	2 X 35 li	\$0.00

Production Method
AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Legal Ads	Legal Notices	2

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

Run Dates 6/14/2024, 6/21/2024

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
NCC Online	C-Legal Ads	Legal Notices	7

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

Run Dates 6/14/2024, 6/15/2024, 6/16/2024, 6/17/2024, 6/18/2024, 6/19/2024, 6/20/2024

TagLine: NOTICEOFPUBLICHEARINGKANNAPOLISCITYCOUNCILMONDAYJUNE242024AT600PMTTEXTAMENDMEN
TTA2024002PUBLICHEARINGTOCONSIDERTEXTAMENDMENTSTO



NOTICE OF PUBLIC HEARING
Kannapolis City Council

Monday June 24, 2024 at 6:00 pm

Text Amendment - TA-2024-002 - Public Hearing to consider text amendments to the Kannapolis Development Ordinance (KDO) to Article 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2.D(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage.

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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at hjames@kannapolisnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: June 14, 21, 2024.



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY WITH REGARD TO
TEXT AMENDMENT TA-2024-02**

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 amendments to **Article 4, Table 4.3.B(3): Accessory Use/Structure Table; Section 4.3.D.: Standards Specific to Accessory Uses and Structures; Article 10: Definitions; and Article 4, Section 4.2.D: Standards Specific to Principal Uses**, is consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on May 21, 2024 for consideration of text amendment Case# TA-2024-02 as submitted by the Planning Department staff and shown on Exhibit A (attached);

NOW, THEREFORE BE IT RESOLVED that the Planning and Zoning Commission finds the text amendment as represented in Case TA-2024-01 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 21st Day of May 2024:

Chris Puckett, Chairman
Planning and Zoning Commission

Attest

Pam Scaggs, Recording Secretary
Planning and Zoning Commission



**RESOLUTION TO ADOPT A STATEMENT OF CONSISTENCY
WITH REGARD TO TEXT AMENDMENT - TA-2024-02**

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 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2.D(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage; and

WHEREAS, the Planning and Zoning Commission, after consideration at its May 21, 2024 meeting, recommended City Council adopt TA 2024-02, as submitted by the Planning Department staff with the required changes; and

WHEREAS, the City Council conducted a Public Hearing on June 24, 2024 for consideration of TA-2024-02 as recommended by the Planning and Zoning Commission,

NOW, THEREFORE BE IT RESOLVED that the City Council finds the text amendments as represented in Case TA-2024-02 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 the Planning and Zoning Commission.

Adopted this the 24th Day of June 2024:

Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



**AN ORDINANCE TO AMEND TEXT OF THE
KANNAPOLIS DEVELOPMENT ORDINANCE
CASE # TA-2024-02**

WHEREAS, per Section 2.3.A(1)d. of the Kannapolis Development Ordinance (“KDO”), the City Council has final authority on zoning text amendments; and

WHEREAS, per Section 2.3.B(1)b. of the KDO, the Planning and Zoning Commission, at its regular meeting on May 21, 2024, recommended City Council approval of a text amendment amending Article 4, Table 4.3.B(d): Accessory Use/Structure Table; Section 4.3.D(4): Standards Specific to Accessory Uses & Structures; and to Article 10: Definitions, regarding Apiaries; and to Article 4, Table 4.2.B(5): Principal Use Table and to Section 4.2.D(5)f.4(b): Standards Specific to Principal Uses regarding Self-service storage; and

WHEREAS, City Council conducted a public hearing on June 24, 2024 to consider amendments to the above-referenced Articles of the KDO; and

WHEREAS, the proposed text amendments are consistent with the *Move Kannapolis Forward 2030 Comprehensive Plan*, as well as state statutes, reasonable, and in the public interest, as detailed in the “Resolution to Adopt a Statement of Consistency” for Case # TA-2024-02;

NOW, THEREFORE, BE IT ORDAINED, by the Kannapolis City Council that the above-referenced Articles of the KDO be amended as follows:

The proposed text amendments to the KDO are attached as Appendix A and shown as additions:

ADOPTED this the 24th Day of June 2024:

Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council

From: Richard Smith, Planning Director

Subject: **PUBLIC HEARING - DA-2024-02 - M/I Homes of Charlotte, LLC. (Crestfield) - Conduct a Public Hearing and approve a Resolution approving the Ordinance for the execution of the Development Agreement (APPROVED UNANIMOUS)**

Action Requested by City Council

1. Conduct a Public Hearing
2. Motion to approve the Resolution adopting the Ordinance approving the execution of the Development Agreement.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

On December 12, 2021, City Council adopted a Wastewater Allocation Policy to "provide for the judicious allocation" of the City's limited wastewater treatment capacity. To do so, City Council adopted a fair and reasonable method for strategic allocation of this resource among qualifying public and private land development interests. The allocation process is administered by issuing permits to projects which meet specified City interests and goals. In the case of private commercial and residential permit recipients, it has become clear that once a permit is awarded, it is necessary to require the developer to guarantee completion of the project, as presented, within a specified time period. In the event of failure to meet these requirements, the allocation could be rescinded and awarded to another qualified party.

The method of acquiring that contractual guarantee would be accomplished by a Development Agreement, a form of which is presented to City Council at its meeting for consideration, public comment, and approval. The project for consideration of the above-described development agreement is approximately 47.96 +/- acres of combined parcels, further identified as Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173 and 142 186, located at 304, 308, 312, 316 and 320 Irish Glen Drive, as well as three unaddressed parcels on West C Street and one unaddressed parcel on Glenn Avenue. The development agreement with M/I Homes of Charlotte, LLC. calls for a 233-unit townhome development. This site was conditionally rezoned by City Council at the April 22, 2024 meeting.

Fiscal Implications

This project is located in an area with existing infrastructure in place.

Policy Issues

A Development Agreement adopted by Ordinance is required for all projects receiving a Wastewater Allocation Permit pursuant to the City Wastewater Allocation Policy.

Legal Issues

A Development Agreement adopted by Ordinance is required for all projects receiving a Wastewater Allocation Permit pursuant to the City Wastewater Allocation Policy.

Recommendations and Alternate Courses of Action

- 1. Motion to approve the Resolution approving the Ordinance (Recommended).**
2. Amend and then approve the Resolution.
3. Table action to a future meeting.
4. Take no action.

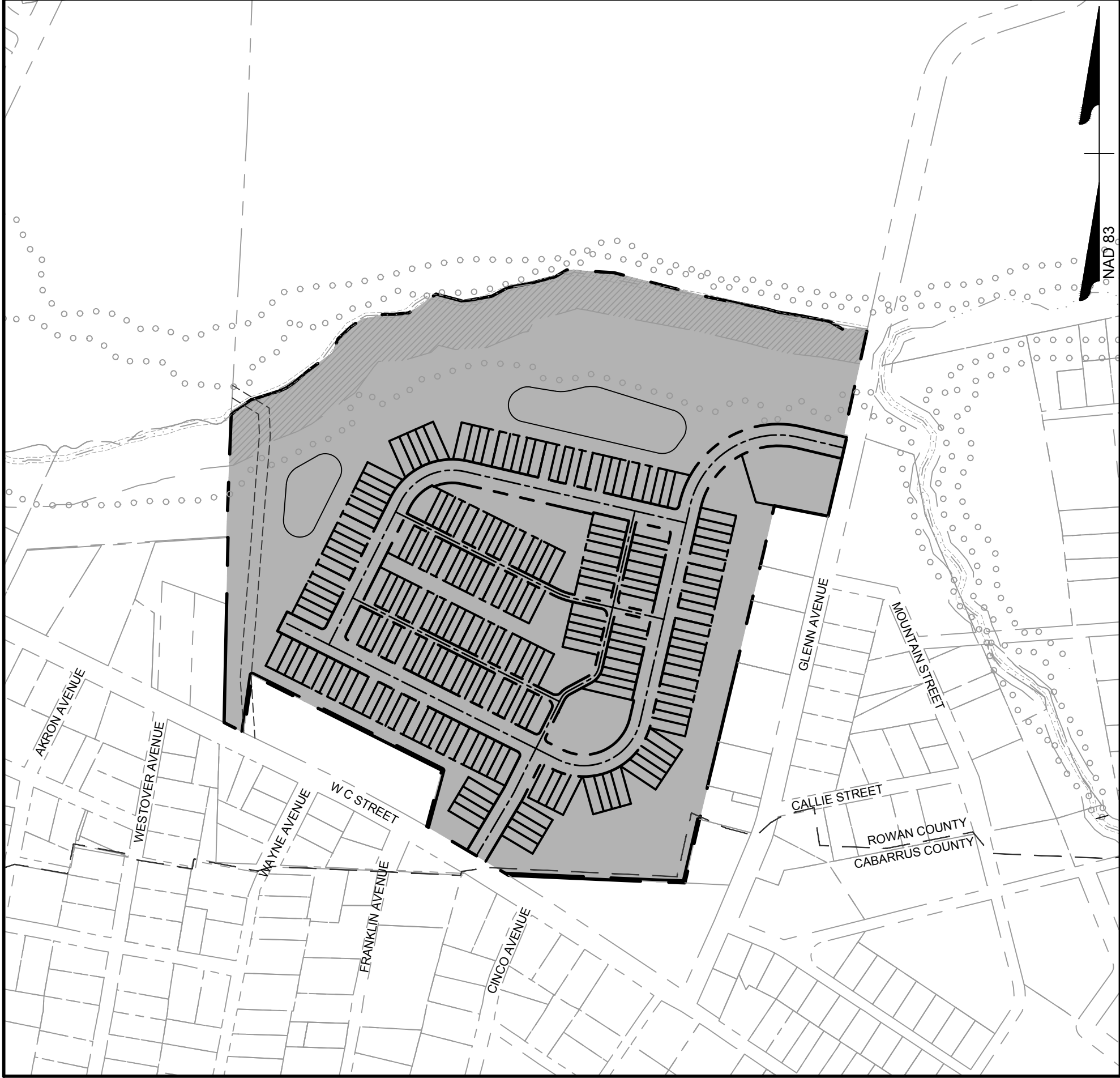
Attachments

1. Site Plan
2. Public Notice Ad
3. Resolution Dev Ag MI Homes of Charlotte LLC
4. Ordinance Adopting Development Agreement between City and MI Homes of Charlotte LLC
5. Crestfield Development Agreement (Sewer Allocation)-318751018-v2

COLEMAN MILLS

REZONING PLAN

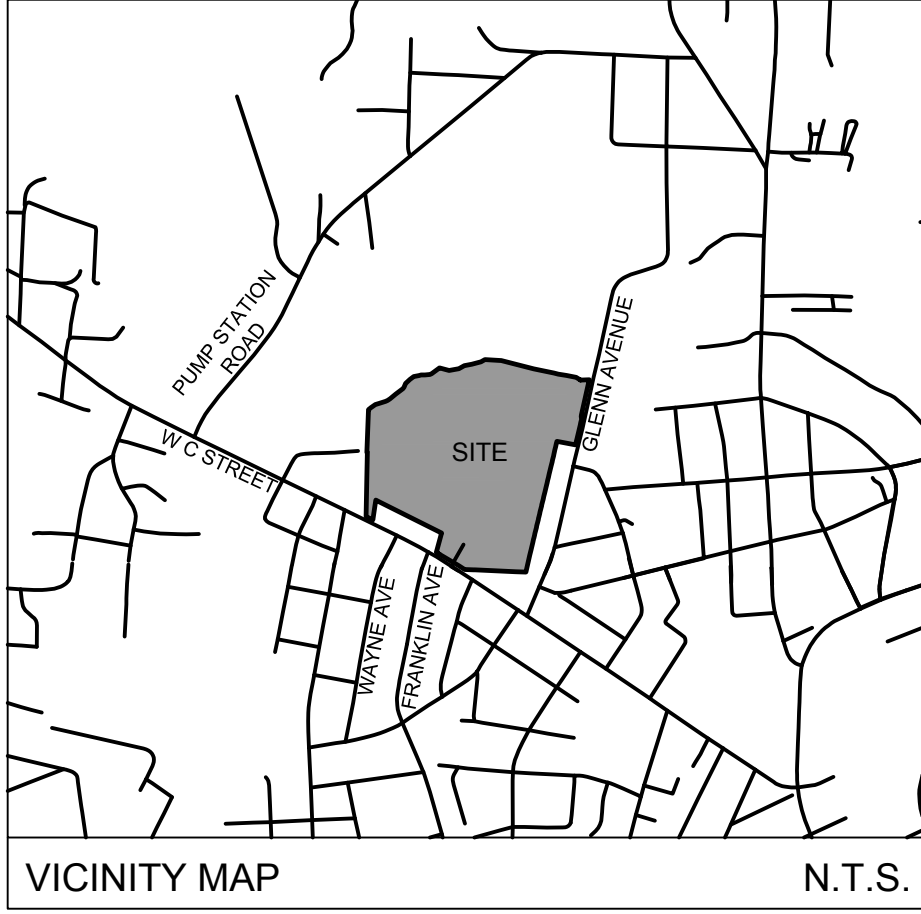
CITY OF KANNAPOLIS, NORTH CAROLINA



VICINITY MAP
SCALE: 1" = 300'

SHEET LIST TABLE

Sheet Number	Sheet Title
RZ-000	COVER
RZ-001	EXISTING CONDITIONS
RZ-002	REZONING SITE PLAN
RZ-003	SITE NOTES



FOR REZONING
ONLY

THIS DRAWING PREPARED AT THE
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TEL 704.602.8600 FAX 704.376.1076 www.timmons.com
North Carolina License No. C-1652



VI HOMES OF CHARLOTTE, LLC
50 77 CENTER DRIVE, SUITE 100
CHARLOTTE NC 28217

REVISION DESCRIPTION

DATE _____

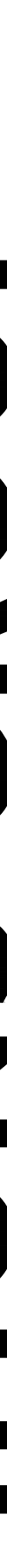
DRAWN BY

DESIGNED BY

CHECKED BY

SCALE

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The logo for the Timmons Group, featuring the company name in a bold, sans-serif font, followed by a graphic of seven circles of increasing size arranged in a diagonal line.

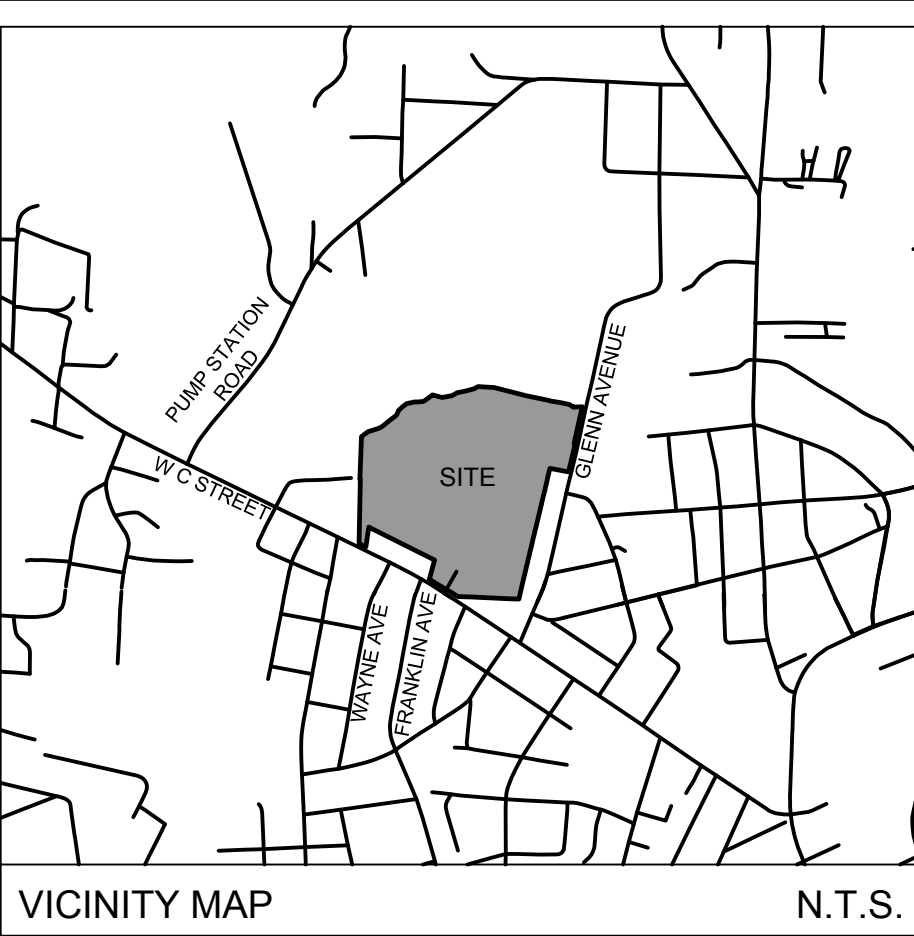
COLEMAN MILLS
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA
COVER

JOB NO.

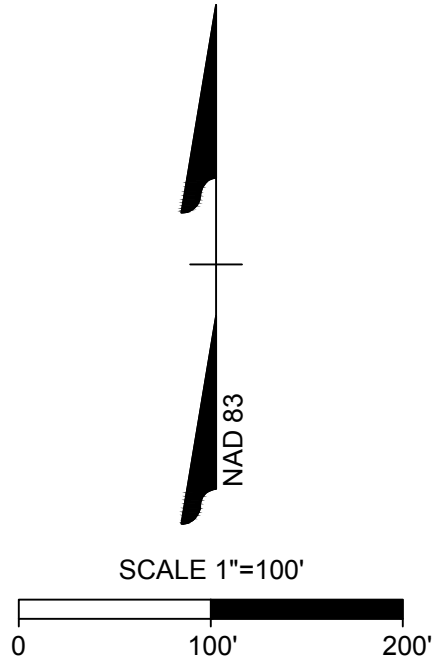
SHEET NO.

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S:\10461956-Irish Glen (MHI)\DWG\Sheet\Rezon\Irish Glen Rezoning - Existing Conditions.dwg | Plotted on 1/12/2024 9:46 AM by Katie Bradley



SEE SHEET RZ-003 FOR ADJACENT
PROPERTY OWNER INFORMATION
TABLE.



TIMMONS GROUP

COLEMAN MILLS
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA
EXISTING CONDITIONS

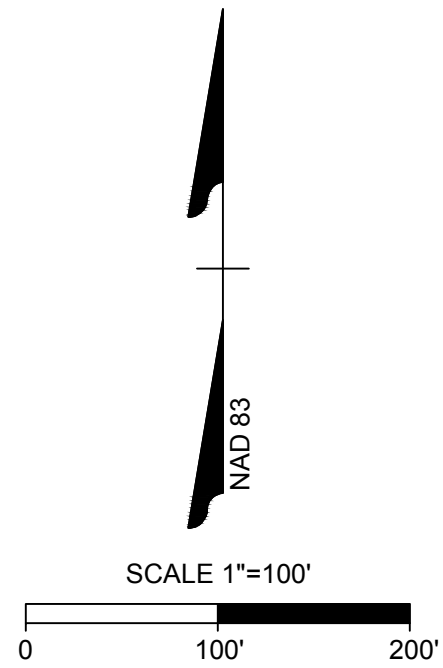
M I HOMES Welcome to Better M/I HOMES OF CHARLOTTE, LLC 5350 77 CENTER DRIVE, SUITE 100 CHARLOTTE, NC 28217	THIS DRAWING PREPARED AT THE CHARLOTTE OFFICE 610 E. Morehead Street, Suite 250 Charlotte, NC 28202 TEL 704.502.8800 • FAX 704.576.6111 • info@timmons.com North Carolina License No. C-1152	
	REVISION DESCRIPTION	DATE
		01/12/2024
DRAWN BY		N. SPINOLA
DESIGNED BY		C. KENNEDY
CHECKED BY		K. BRADLEY
SCALE		AS SHOWN

JOB NO.
61956
SHEET NO.
RZ-001

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PARCEL NUMBERS:	142-186; 142-173; 142-178; 142-178; 142-177; 142-176; 142-175; 142-174; 142-180
EXISTING ZONING:	O-I
PROPOSED ZONING:	R8 (CONDITIONAL)
PROPOSED USE:	SINGLE FAMILY ATTACHED
TOTAL SITE AREA:	47.66± AC
PROJECT AREA TO BE REZONED:	46.77± AC
AREA TO BE RETAINED (NOT REZONED):	0.90± AC
TOTAL PROPOSED UNITS:	233
MAX. DENSITY ALLOWED:	8 DU/AC
DENSITY PROVIDED:	233/46.77 = 4.98 DU/AC
MAX. BUILDING HEIGHT:	3 ¹ / ₂ '
MAX. BUILDING LENGTH:	150'
MIN. LOT WIDTH ALLOWED:	18'
TYPICAL LOT SIZE PROVIDED:	
FRONT LOAD:	24' X 100'
REAR LOAD:	22' X 100'
REQUIRED SETBACKS	
FRONT SETBACK:	10'
FRONT GARAGE SETBACK:	25'
SIDE SETBACK:	5'
REAR SETBACK:	5'
MAX. BLOCK LENGTH ALLOWED:	650'
MAX. BLOCK LENGTH PROVIDED:	780'
MAX. AVERAGE BLOCK LENGTH ALLOWED:	550'
AVERAGE BLOCK LENGTH PROVIDED:	380' (550' MAX.)
MAX. BLOCK PERIMETER ALLOWED:	2,200'
MAX. BLOCK PERIMETER PROVIDED:	1,340' (2,200 MAX.)
MIN. OPEN SPACE REQUIRED:	0.20' 46.77 AC. = 9.35 AC.
OPEN SPACE PROVIDED:	9.35 AC (MIN.)
MIN. REQUIRED CONNECTIVITY RATIO:	1.8
CONNECTIVITY RATIO PROVIDED:	1.8 (16 LINKS/10 NODES)
MIN. REQUIRED OFF-STREET PARKING:	466 (2 SPACES PER UNIT)
OFF-STREET PARKING PROVIDED:	932 (2 DRIVEWAY & 2 GARAGE SPOTS PER LOT)
ON-STREET PARKING PROVIDED:	40 SPACES (MIN)



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 **M/I HOMES**
Welcome to Better

M/I HOMES OF CHARLOTTE, LLC
5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217



<i>N. SPINOLA</i>
DESIGNED BY <i>C. KENNEDY</i>
CHECKED BY <i>K. BRADLEY</i>
SCALE AS SHOWN

COLEMAN MILLS

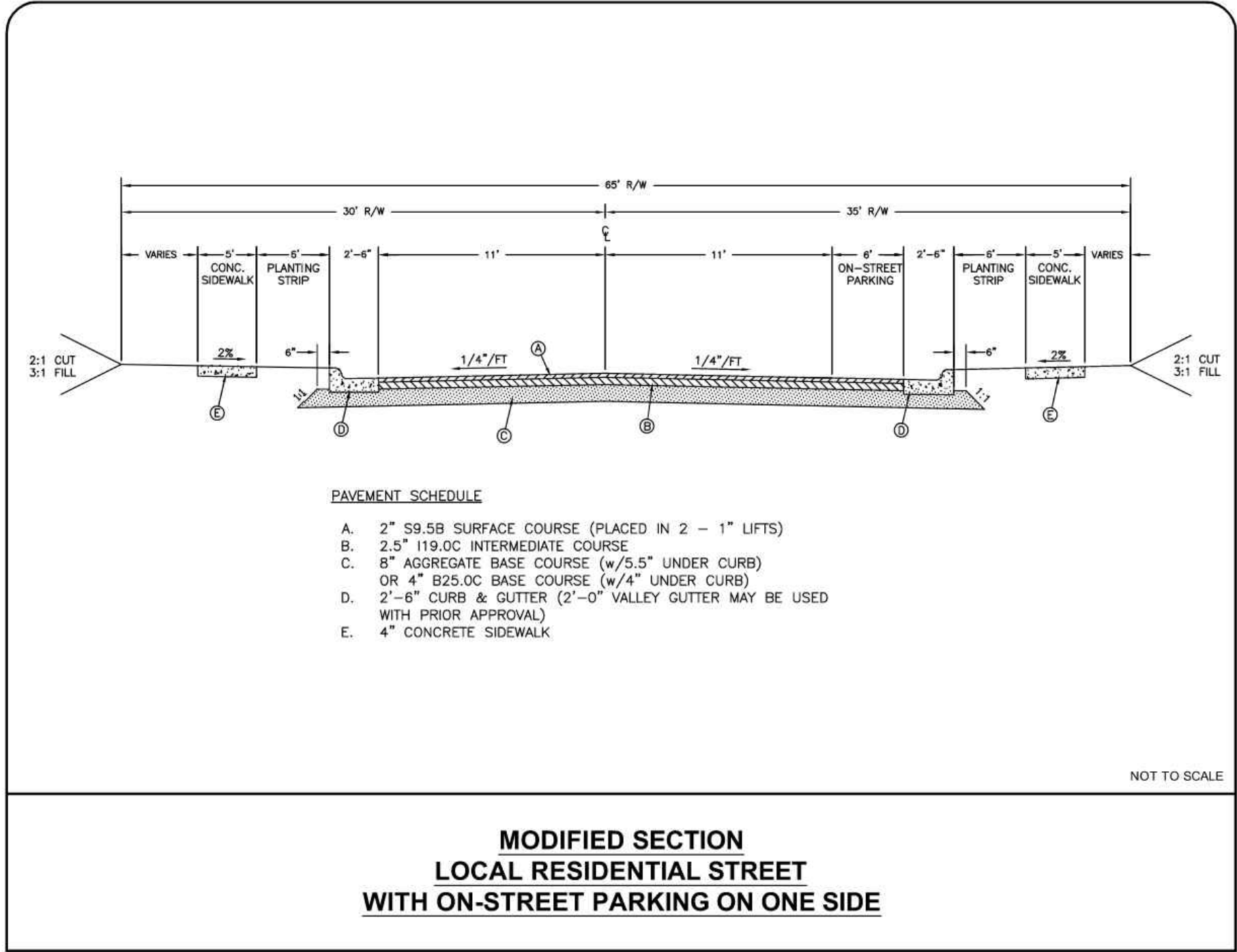
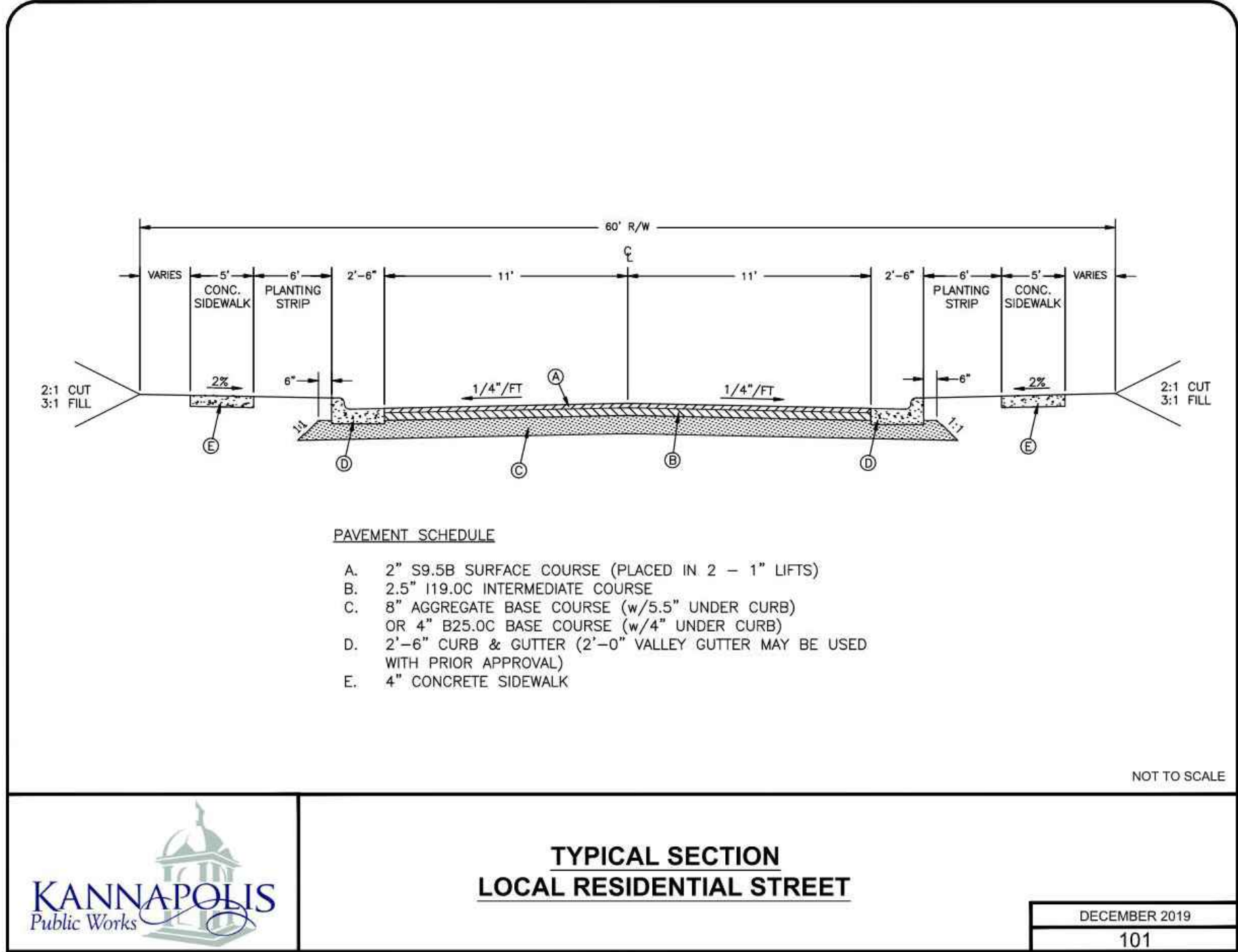
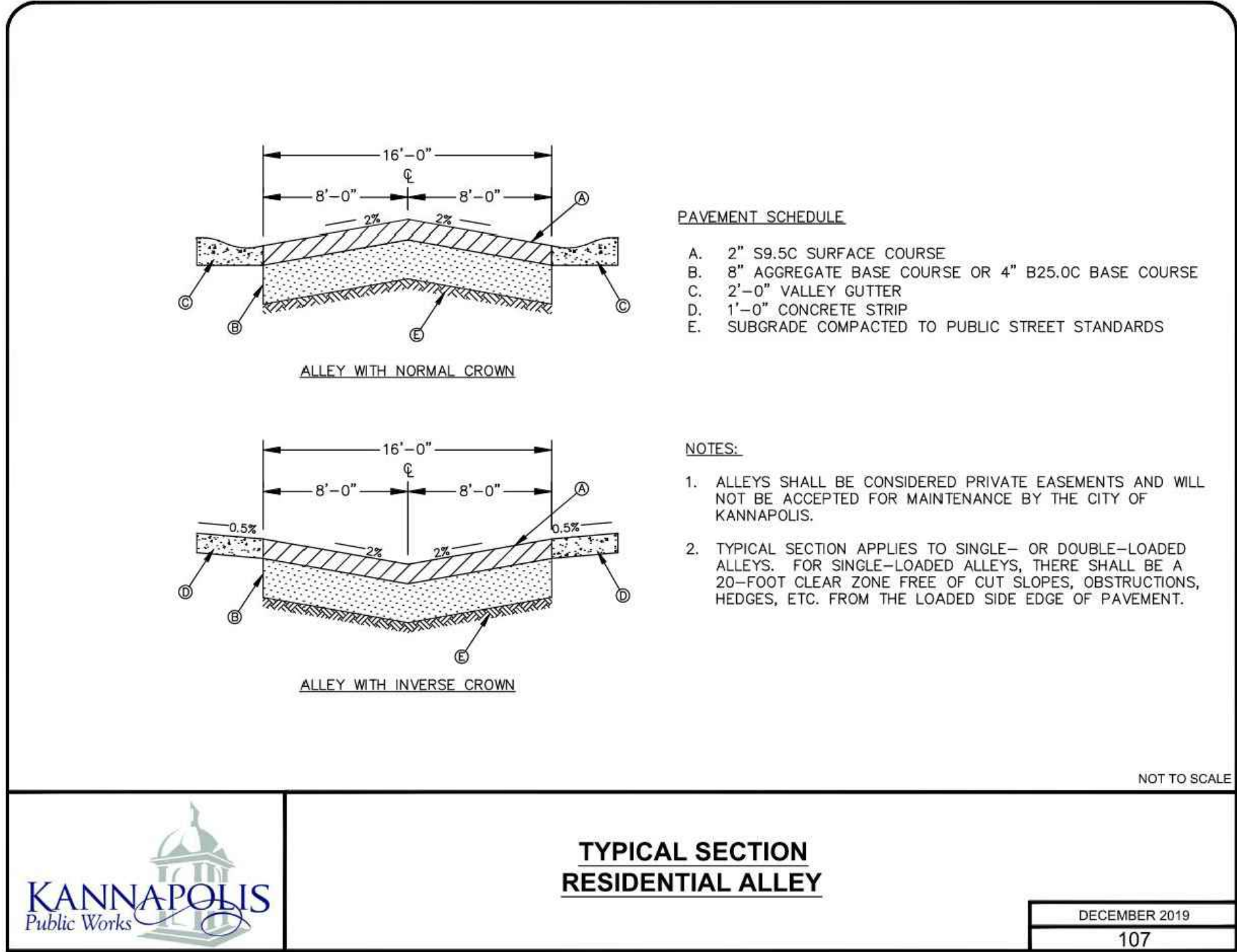
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA

REZONING SITE PLAN

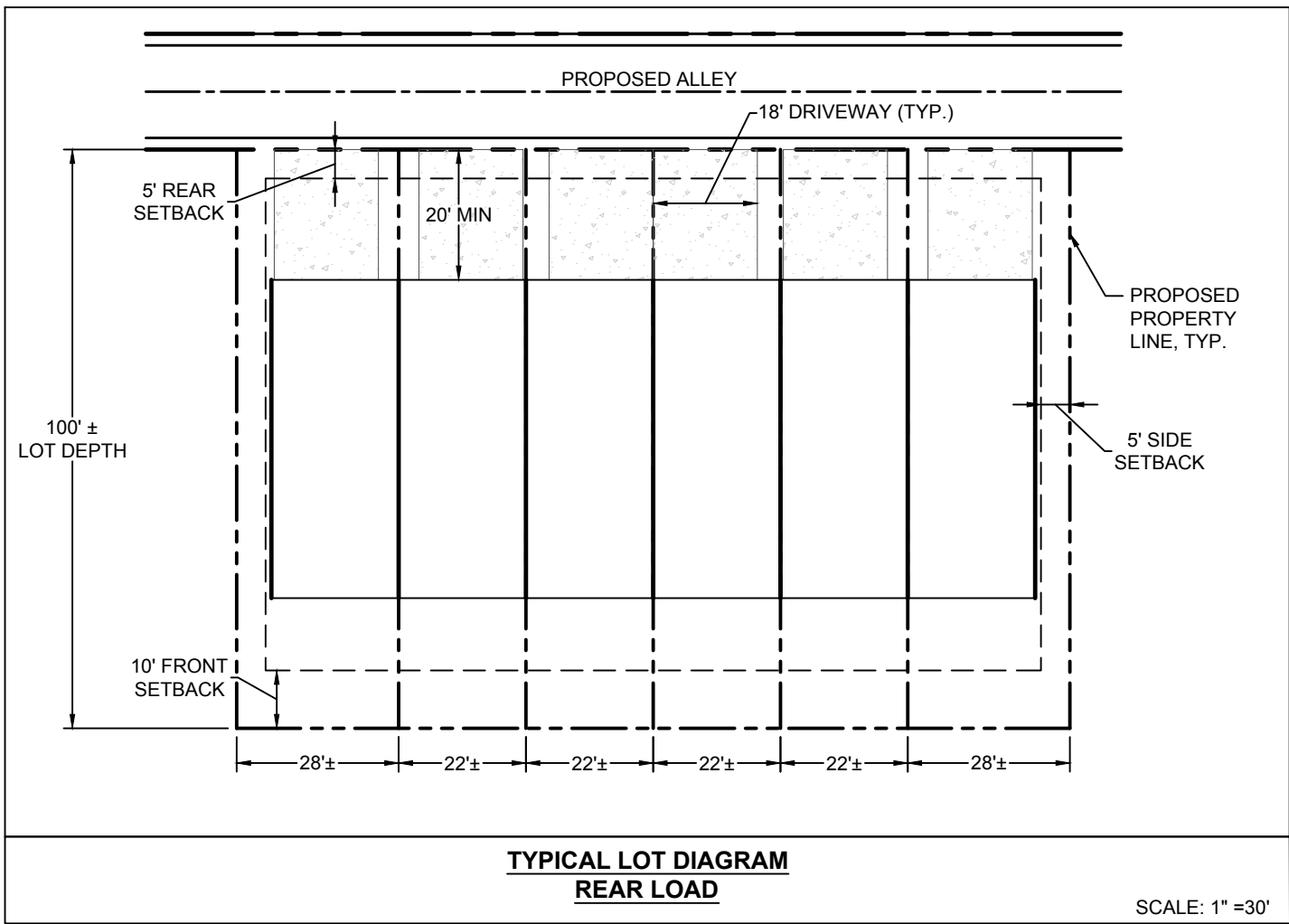
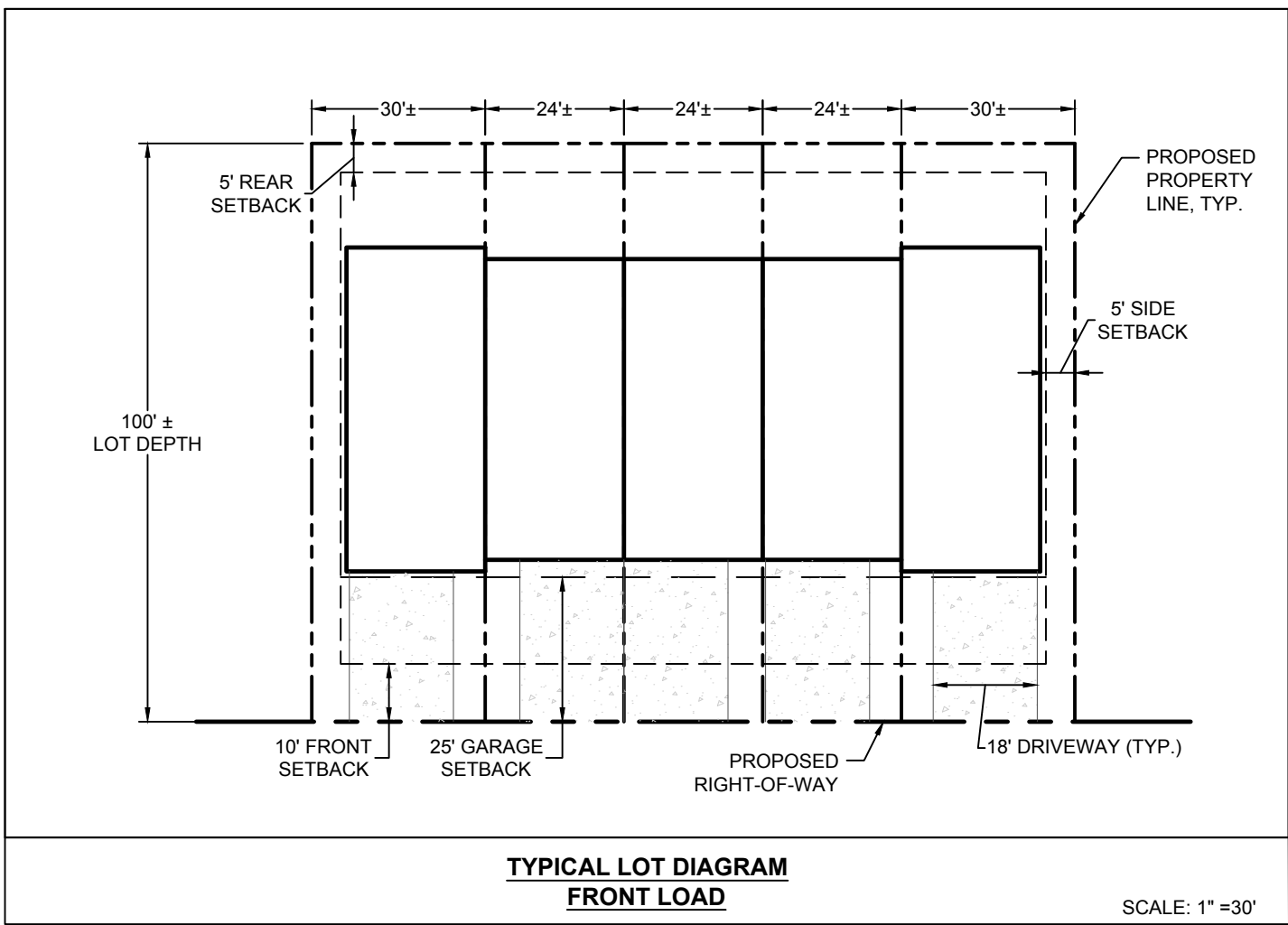
JOB NO.
61956

SHEET NO.
RZ-002

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ID	Parcel(s)	Current Owners	Address	DB & PG	Zoning	Property Use
0	142 173	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 135	O-I	Commercial
0	142 186	NORTH IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 134	O-I	Commercial
0	142 180	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 135	O-I	Commercial
0	142 179	WEST IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1434 / 462	O-I	Commercial
1	142 164	RALPH GUY HENDREN	885 BARNHARDT RD, CHINA GROVE, NC 28023	833 / 915	R8	RESIDENTIAL
2	142 053	RALPH GUY HENDREN	885 BARNHARDT RD, CHINA GROVE, NC 28023	833 / 916	R8	RESIDENTIAL
3	142 05201	WILLIAM L ELLIS	1302 WEST C ST, KANNAPOLIS, NC 28081	1246 / 862	R8	RESIDENTIAL
4	142 052	SCOTTY & JANET BOGGS	1302 W C ST, KANNAPOLIS, NC 28081	1399 / 686	R8	RESIDENTIAL
5	142 121	S & K WOODLAND LLC	3945 BUENA VISTA DR, PASO ROBLES, CA 93446	1207 / 534	R8	RESIDENTIAL
6	04-017-.0013.00	MEMORIAL UNITED METHODIST	1100 WEST C STREET KANNAPOLIS, NC 28081	4676 / 0053	MUN	COMMERCIAL EXEMPT
7	1481139	MEMORIAL UNITED METHODIST	1100 WEST C STREET KANNAPOLIS, NC 28081	970 / 262	R8	COMMERCIAL EXEMPT
8	1481006	EUGENE KINARD	3501 WINSLOW DR, CHARLOTTE, NC 28269	1114 / 51	R8	RESIDENTIAL
9	148100501	EUGENE KINARD	3501 WINSLOW DR, CHARLOTTE, NC 28269	1115 / 277	R8	RESIDENTIAL
10	148100502	DAVID HERRERA	301 GLENN AVE, KANNAPOLIS, NC 28081	1101 / 218	R8	RESIDENTIAL
11	1481004	MICHAEL & SHARON NOBLITT	305 GLENN AVE, KANNAPOLIS, NC 28081	1254 / 592	R8	RESIDENTIAL
12	1481003	CHRISTOPHER & YOLANDA MITCHELL	313 GLENN AVE, KANNAPOLIS, NC 28081	1308 / 248	R8	RESIDENTIAL
13	1481002	JEREMY & MEGAN HOLLOWAY	315 GLENN AVE, KANNAPOLIS, NC 28081	1375 / 493	R8	RESIDENTIAL
14	1481001	BRANDON KERLEY	401 GLENN AVE, KANNAPOLIS, NC 28081	1371 / 33	R8	RESIDENTIAL
15	142 016	NORTH IRISH GLEN OWNER LLC	1213 W MOREHEAD ST STE 150, CHARLOTTE, NC 28208	1411 / 134	O-I	Commercial
16	142 109	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	1022 / 574	R8	COMMERCIAL EXEMPT
17	142 048	SUNNY GLEN	111 HURST FARM RD, SHELBY, NC 28152-0792	1304 / 71	R8	RESIDENTIAL
18	142A030	JAMES & JOANNE MCLAMB	102 WESTOVER AVE, KANNAPOLIS, NC 28081	1121 / 510	R8	RESIDENTIAL
19	142A141	BRITTANY MILLER	99 WESTOVER AVE, KANNAPOLIS, NC 28081	1376 / 466	R8	RESIDENTIAL
20	142A024	JASON ROVEGNO & MICHELE GARBINE	101 WESTOVER AVE, KANNAPOLIS, NC 28081	1266 / 434	R8	RESIDENTIAL
21	142A023	ILSE KOSTAS	103 WESTOVER AVE, KANNAPOLIS, NC 28081	1095 / 186	R8	RESIDENTIAL
22	142A142	JDL HOMES INC	281 BAR LINK RD, MOUNT PLEASANT, NC 28124	1154 / 196	R8	RESIDENTIAL
23	142A114	JASON STEGALL	106 WAYNE AVE, KANNAPOLIS, NC 28081	1426 / 483	R8	RESIDENTIAL
24	142A110	EQUITY TRUST COMPANY & FBO DEAN ADOCOCK	1005 VALLEY ST, KANNAPOLIS, NC 28081	1174 / 568	R8	RESIDENTIAL
25	142A111	OPIE CAMPBELL	1225 W C ST, KANNAPOLIS, NC 28081	1325 / 167	R8	RESIDENTIAL
26	142A020	AMBER WAKEFIELD	4743 RAINBOW DR, KANNAPOLIS, NC 28081	993 / 52	R8	RESIDENTIAL
27	142A112	HARLEY TRITT	18425 STATESVILLE RD, CORNELIUS, NC 28031	1042 / 89	R8	RESIDENTIAL
28	142A113	PAUL ROWE	104 WAYNE AVE, KANNAPOLIS, NC 28081	773 / 901	R8	RESIDENTIAL
29	142A117	RICHARD MCGUIRE PROPERTIES LLC	8845 WRIGHT RD, KANNAPOLIS, NC 28081-8897	1297 / 842	R8	RESIDENTIAL
30	142A019	MY NEST PROPERTIES LLC	9942 CALDWELL DEPOT RD, CORNELIUS, NC 28031	1396 / 52	R8	RESIDENTIAL
31	142A018	DARYL & KATHY ALBRIGHT	711 N ENOCHVILLE AVE, KANNAPOLIS, NC 28081	1195 / 18	R8	RESIDENTIAL
32	142A118	ANJALI WILSON	108 FRANKLIN AVE, KANNAPOLIS, NC 28081	1304 / 663	R8	RESIDENTIAL
33	04-011-.0081.10	KENNETH SOKOLOWSKI	110 FRANKLIN AVE, KANNAPOLIS, NC 28081	3680 / 0085	R8	RESIDENTIAL
34	142 017	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	1242 / 233	R8	RESIDENTIAL
35	04-012-.0001.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MUN	COMMERCIAL
36	04-012-.0002.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MUN	COMMERCIAL
37	04-012-.0003.00	LINDA MOORE	6121 CHISHOLM TR, KANNAPOLIS, NC 28081	11143 / 0054	MUN	COMMERCIAL
38	04-012-.0004.00	EDWARD SELLERS	2505 CHINA GROVE RD CHINA GROVE, NC 28023	6372 / 0021	MUN	COMMERCIAL
39	04-012-.0006.00	EDWARD & LEE ANN SELLERS	2505 CHINA GROVE RD CHINA GROVE, NC 28023	16211 / 0073	R8	RESIDENTIAL
40	04-012-.0008.00	JEREMY BLACKWELDER	1463 BANKS RD FORT MILL, SC 29715	4089 / 0226	R8	RESIDENTIAL
41	04-017-.0012.10	NC RESTORATION LLC	16400 SUTTERS RUN LN HUNTERSVILLE, NC 28078	16594 / 0153	MUN	-
42	04-017-.0002.50	MATTHEW SELMER	3801 ISENHOUR RD KANNAPOLIS, NC 28081	11065 / 0053	R8	RESIDENTIAL
43	1481140	ADAN & TRACY CASKEY	202 GLENN AVE, KANNAPOLIS, NC 28081	1086 / 105	R8	RESIDENTIAL
44	1481008	ALEXANDER MOOSE JR & REGINA FRENCH	340 GLENN AVE, KANNAPOLIS, NC 28081	1386 / 738	R8	RESIDENTIAL
45	1481009	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	R8	COMMERCIAL GOVT
46	148 109	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	R8	RESIDENTIAL
47	142 106	CITY OF KANNAPOLIS	401 LAUREATE WAY, KANNAPOLIS, NC 28081	837 / 571	O-I	COMMERCIAL EXEMPT



- 1. GENERAL PROVISIONS:**
- a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MI HOMES OF CHARLOTTE, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN ATTACHED SINGLE FAMILY HOME COMMUNITY ON APPROXIMATELY 46.77± ACRE SITE LOCATED ALONG GLENN AVENUE AND W C STREET (THE "SITE") IN THE CITY OF KANNAPOLIS, IN ROWAN COUNTY, NC.
- b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF KANNAPOLIS DEVELOPMENT ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES LESS STRINGENT STANDARDS THEN THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE (R8) RESIDENTIAL ZONING CLASSIFICATION.
- c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED BY THE CITY OF KANNAPOLIS AS ALLOWED BY THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING ADMINISTRATIVE AMENDMENT PROCESS OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- d. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** THE TOTAL NUMBER OF PRINCIPAL STRUCTURES TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED TWO HUNDRED THIRTY-THREE (233) UNITS. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE. ACCESSORY STRUCTURES AND BUILDINGS INCLUDE STRUCTURES AND BUILDINGS SUCH AS BUT NOT LIMITED TO: A CLUBHOUSE, CABANA, MAIL KIOSK, DUMPSTER ENCLOSURES, GAZEBOS, TRELLISES, STORAGE BUILDINGS, AND OTHER STRUCTURES ASSOCIATED WITH THE ON-SITE OPEN SPACE.
- 2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:**
- a. THE SITE MAY BE DEVELOPED WITH UP TO TWO HUNDRED THIRTY-THREE (233) SINGLE-FAMILY ATTACHED DWELLING UNITS, AS ALLOWED IN THE (R8) RESIDENTIAL DEVELOPMENT DISTRICT CLASSIFICATION.
- 3. ACCESS AND TRANSPORTATION:**
- a. ACCESS TO THE SITE WILL BE FROM W C STREET AND GLENN AVENUE IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE APPLICANT WILL CONSTRUCT ROAD IMPROVEMENTS AS DESCRIBED IN THE TRAFFIC IMPACT ANALYSIS IF SUFFICIENT EXISTING OFFSITE PUBLIC RIGHT-OF-WAY IS AVAILABLE. NOTHING HEREIN SHALL REQUIRE THE PROPERTY OWNER TO OBTAIN ADDITIONAL OFF-SITE RIGHT-OF-WAY ALONG W C STREET AND GLENN AVENUE. IF SUFFICIENT EXISTING OFFSITE PUBLIC RIGHT-OF-WAY IS NOT AVAILABLE, THE APPLICANT MAY PROVIDE A PAYMENT IN LIEU OF CONSTRUCTING ROAD IMPROVEMENTS AS DESCRIBED IN THE TRAFFIC IMPACT ANALYSIS.
- c. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND THE CITY OF KANNAPOLIS IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- d. THE NEW INTERNAL ROADS WILL BE PUBLIC STREETS DESIGNED AND BUILT TO THE CITY OF KANNAPOLIS RESIDENTIAL STREET STANDARDS AS DEPICTED ON THIS REZONING PLAN.
- e. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN LOT LAYOUTS, UTILITY EASEMENTS, AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT AND THE CITY OF KANNAPOLIS IN ACCORDANCE WITH PUBLISHED STANDARDS.
- 4. ARCHITECTURAL STANDARDS:**
- a. ARCHITECTURAL STANDARDS INCLUDED ON THIS REZONING PLAN SHALL SUPERSEDE ANY ARCHITECTURAL STANDARDS LISTED IN THE CITY OF KANNAPOLIS UNIFIED DEVELOPMENT ORDINANCE.
- b. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL CONSIST OF ONE OR MORE OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, STUCCO, EIFS, DECORATIVE BLOCK, VINYL, AND WOOD.
- c. THIS PLAN TO BE IN ACCORDANCE WITH ALL ARCHITECTURAL REQUIREMENTS FOUND IN THE KANNAPOLIS DEVELOPMENT ORDINANCE.
- 5. STREETScape, BUFFERS, LANDSCAPING, TREE SAVE AND AMENITY AREA:**
- a. STREET TREES WILL BE INSTALLED ALONG THE NEW INTERIOR PUBLIC STREETS WITHIN THE PLANTING STRIP WITHIN THE STREET ROW.
- b. FINAL OPEN SPACE AND TREE PRESERVATION AREAS, PERCENTAGE, TYPE, AND LOCATION SHALL BE DETERMINED DURING CONSTRUCTION DOCUMENT PHASE.
- c. AMENITY AREA MAY INCLUDE POOL, CABANA, AND OTHER AMENITIZED FEATURES. THE SPECIFIC FEATURES AND LAYOUT SHALL BE DETERMINED DURING THE CONSTRUCTION DOCUMENT/PERMITTING PHASE.
- d. ENTRANCE MONUMENTATION MAY BE PLACED WITHIN THE SETBACK BUT NOT THE RIGHT-OF-WAY.
- 6. ENVIRONMENTAL FEATURES**
- a. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS TO THE LOCATION, SIZE AND TYPE OF STORMWATER MANAGEMENT SYSTEMS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- b. STREAM AND WETLANDS SHOWN ON THIS PLAN HAVE BEEN TAKEN FROM REPORT TITLED "DETAILED DELINEATION OF WETLANDS AND WATER OF THE US, IRISH GLENN" BY WETLAND & WATERS, INC. DATED 12/08/2023.
- c. STREAM AND WETLAND BUFFER SIZE AND WIDTHS SHOWN BASED ON CITY OF KANNAPOLIS DEVELOPMENT ORDINANCE.
- 7. UTILITIES**
- a. ALL UTILITIES WITHIN THE SITE WILL BE PLACED UNDERGROUND.
- b. ALL EXISTING STRUCTURES, SEPTIC SYSTEMS AND/OR WELLS SHALL BE FIELD LOCATED PRIOR TO DESIGN. ANY WELLS AND/OR SEPTIC SYSTEMS DISCOVERED DURING THE SITE DEVELOPMENT PROCESS SHALL BE ABANDONED IN ACCORDANCE WITH APPLICABLE NORTH CAROLINA LAWS AND RULES.
- c. WATER DISTRIBUTION SYSTEM AND SANITARY SEWER SYSTEM TO BE DESIGNED AND BUILT PER THE CITY OF KANNAPOLIS REQUIREMENTS AND MINIMUM CONSTRUCTION STANDARDS. SYSTEMS TO BE OWNED AND OPERATED BY CITY OF KANNAPOLIS.
- d. WATER AND SEWER SYSTEM DEVELOPMENT FEES WILL APPLY.
- 8. AMENDMENTS TO THE REZONING PLAN:**
- a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
- 9. BINDING EFFECT OF THE REZONING APPLICATION:**
- a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

FOR REZONING ONLY

THIS DRAWING PREPARED AT THE

CHARLOTTE OFFICE
610 E. Morehead Street, Suite 250 | Charlotte, NC 28202
TEL 704.692.8840 | FAX 704.376.0100 | info@timmons.com
North Carolina License No. C-1152

M I HOMES

5350 77 CENTER DRIVE, SUITE 100
CHARLOTTE, NC 28217

DATE

REVISION DESCRIPTION

01/12/2024

DRAWN BY

N. SPINOLA

DESIGNED BY

C. KENNEDY

CHECKED BY

K. BRADLEY

SCALE

AS SHOWN

COLEMAN MILLS
CITY OF KANNAPOLIS - ROWAN COUNTY - NORTH CAROLINA

JOB NO.

61956

SHEET NO.

RZ-003

TIMMONS GROUP

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Order Confirmation

Order# 0000870859

PO Box 27283
Richmond, VA 23261-7283

Client: CITY OF KANNAPOLIS
Phone: 7049204300

Pavor : CITY OF KANNAPOLIS
Phone: 7049204300

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Account: 3143368
Address: BRIDGETTE BELL
KANNAPOLIS NC 28081

Sales Rep **Accnt Rep** **Ordered By**
aboan hdrclifr Pam

Fax: 7049337463
Email: ap@kannapoliscnc.gov

Total Amount \$472.36

Payment Amount \$472.36

Amount Due \$0.00

Tax Amount: 0.00

Payment Meth: Credit - Debit Card

Tear Sheets

0

Proofs

0

Affidavits

1

PO Number:

<u>Ad Number</u>	<u>Ad Type</u>	<u>Ad Size</u>	<u>Color</u>
0000870859-01	CLS Legal	2 X 49 li	\$0.00

Production Method

AdBooker (liner)

Production Notes

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
CON Independent Trib	C-Legal Ads	Legal Notices	2

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING NOTICE IS GIVEN that the

Run Dates 6/14/2024, 6/21/2024

<u>Product and Zone</u>	<u>Placement</u>	<u>Position</u>	<u># Inserts</u>
NCC Online	C-Legal Ads	Legal Notices	7

Run Schedule Invoice Text: NOTICE OF PUBLIC HEARING NOTICE IS GIVEN that the

Run Dates 6/14/2024, 6/15/2024, 6/16/2024, 6/17/2024, 6/18/2024, 6/19/2024, 6/20/2024

TagLine: NOTICEOFPUBLICHEARINGNOTICEISGIVENTHATTHEKANNAPOLISCITYCOUNCILCITYCOUNCILWILLCON
DUCTAPUBLICHEARINGRELATINGTOTHECITYOFKANNAPOLIS



NOTICE OF PUBLIC HEARING

NOTICE IS GIVEN that the Kannapolis City Council ("City Council") will conduct a public hearing relating to the City of Kannapolis ("City") executing a Development Agreement pursuant to North Carolina General Statutes §160D-1001 et seq with M/I Homes of Charlotte, LLC. (hereinafter, "Developer"). Pursuant to the Agreement, Developer intends to develop a 233-unit townhome development upon approximately 47.96 +/- combined acres and further identified as Rowan County Parcel Identification Numbers 142 174, 142 175, 142 176, 142 177, 142 178, 142 180, 142 179, 142 173 and 142 186, located at 304, 308, 312, 316 and 320 Irish Glen Drive, as well as three unaddressed parcels on West C Street and one unaddressed parcel on Glenn Avenue.

A copy of the proposed Agreement, including attachments, will be available for public inspection at the Office of the City Manager, located in Kannapolis City Hall, 401 Laureate Way, Kannapolis, North Carolina 28081, during regular business hours.

The City Council will accept public input prior to voting on the required Development Agreement Ordinance.

The hearing will be held in the City Council Chambers located at Kannapolis City Hall, 401 Laureate Way, Kannapolis, North Carolina 28081, beginning at or after 6:00 p.m. on June 24, 2024. At the time and place fixed for this public hearing, the City will discuss the terms of the Development Agreement and related documents and the City Council will receive public comment on the Agreement.

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 Heather James, Human Resource Director, by phone at 704-920-4322 or by email at h.james@kannapoliscnc.gov as soon as possible but no later than 48 hours before the scheduled event.

Publish: June 14, 21, 2024.

**CITY OF KANNAPOLIS
RESOLUTION APPROVING AN ORDINANCE
TO ADOPT THE DEVELOPMENT AGREEMENT
BY AND AMONG**

**THE CITY OF KANNAPOLIS,
AND
M/I HOMES OF CHARLOTTE, LLC**

WHEREAS, N.C.G.S. §160D-1001 through §160D-1012 (the “Act”), authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes; and

WHEREAS, the City of Kannapolis (“City”) and M/I Homes of Charlotte, LLC, a Delaware limited liability company (with its successors in interest) (“Developer”), have negotiated an agreement in accord with and under the authority of the cited statutes; and

WHEREAS, a public hearing was held on June 24, 2024, as set forth in N.C.G.S. §160D-1003 providing public review of the Development Agreement, as defined below; and

WHEREAS, the City finds that the Development Agreement is consistent with the Act, the City’s adopted policy guidance, and the Current Regulations, as defined in the Development Agreement, and is reasonable and in the public interest for the reasons set forth in the Development Agreement.

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

1. Pursuant to the authority granted to the City by Article 10 of Chapter 160D of the North Carolina General Statutes, the City hereby adopts the Development Agreement by the attached Ordinance.
2. This Ordinance is effective upon adoption.

Adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor
City of Kannapolis

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

**AN ORDINANCE TO ADOPT THE DEVELOPMENT AGREEMENT
BY AND AMONG**

**THE CITY OF KANNAPOLIS, NORTH CAROLINA
AND
M/I HOMES OF CHARLOTTE, LLC**

WHEREAS, N.C.G.S. §160D-1001 through §160D-1012 (the “Act”), authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes; and

WHEREAS, the City of Kannapolis (“City”) and M/I Homes of Charlotte, LLC, A Delaware limited liability company (“Developer”) have negotiated an agreement in accord with and under the authority of the cited statutes; and

WHEREAS, a public hearing was held on June 24, 2024, as set forth in N.C.G.S. §160D-1003 providing public review of the Development Agreement, as defined below; and

WHEREAS, the City finds that the Development Agreement is consistent with the Act, the City’s adopted policy guidance, and the Current Regulations, as defined in the Development Agreement, and is reasonable and in the public interest for the reasons set forth in the Development Agreement.

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

1. Pursuant to the authority granted to the City by Article 10 of Chapter 160D of the North Carolina General Statutes, the City hereby adopts the Development Agreement by and among the City, the Developer and the Owner, attached hereto (the “Development Agreement”), and authorizes the Manager to execute the Development Agreement.
2. This Ordinance is effective upon adoption.

Adopted this 24th day of June, 2024.

Milton D. Hinnant, Mayor
City of Kannapolis

Bridgette Bell, MMC, NCCMC
City Clerk

**WASTEWATER ALLOCATION
DEVELOPMENT AGREEMENT
BY AND BETWEEN
THE CITY OF KANNAPOLIS, NORTH CAROLINA
AND
M/I HOMES OF CHARLOTTE, LLC**

June 24, 2024

(CRESTFIELD)

WASTEWATER ALLOCATION

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (together with the Exhibits attached hereto, (the “Agreement”) is entered into effective as of the ____ day of June, 2024 (the “Effective Date”), by and between the City of Kannapolis, a municipal corporation of the State of North Carolina (the “City”) and M/I Homes of Charlotte, LLC, a Delaware limited liability company (with its successors in interest, (the “Developer”). The Project will be known as Crestfield. The City and the Developer are sometimes separately referred to in this Agreement as a “Party” or jointly referred to as the “Parties”.

LEGAL FRAMEWORK

The North Carolina General Statutes (“N.C.G.S.” §160D-1001 through §160D-1012), as they exist on the Effective Date of this Agreement (the “Development Agreement Act”), enable cities to enter into binding development agreements with entities intending to develop real property under certain conditions set forth in the Development Agreement Act.

N.C.G.S. 160D-1001(a)(1) provides that “Development projects often occur in multiple phases over several years, requiring a long-term commitment of both public and private resources.”

N.C.G.S. 160D-1001(a)(3) provides that “Because of their scale and duration, such projects often require careful coordination of public capital facilities planning, financing, and construction schedules and phasing of the private development.”

N.C.G.S. 160D-1001(a)(4) provides that “Such projects involve substantial commitments of private capital, which developers are usually unwilling to risk without sufficient assurances that development standards will remain stable through the extended period of development.”

N.C.G.S. 160D-1001(a)(5) provides that “Such developments often permit communities and developers to experiment with different or nontraditional types of development concepts and standards, while still managing impacts on the surrounding areas.”

N.C.G.S. 160D-1001(a)(6) provides that “To better structure and manage development approvals for such developments and ensure their proper integration into local capital facilities programs, local governments need flexibility to negotiate such developments.”

In view of the foregoing, N.C.G.S. §160D-1001 through §160D-1012 expressly authorize local governments and agencies to enter into development agreements with developers pursuant to the procedures and requirements of N.C.G.S. 160D-1001 through 1012, which procedures and requirements include approval of the development agreement by the governing body of the local government by ordinance after a duly noticed public hearing.

N.C.G.S. 160D-1004 provides that “a local government may enter into a development agreement with a developer for the development of property as provided in this Article for developable property of any size,” and that “development agreements shall be of a reasonable term specified in the agreement.”

In addition to any force of law conferred upon this Agreement by North Carolina law related to local governments, the terms of this Agreement are also contractual in nature, are a significant inducement and consideration to enter into this Agreement and may be enforced as contractual terms.

The City's Development Ordinance (the "KDO") or the Unified Development Ordinance ("UDO") if in effect upon the Effective Date and/or the City Wastewater Allocation Policy authorize the use of development agreements and provides additional requirements for such agreements.

RECITALS

- A. Developer and the City desire to enter into this Agreement for the development of certain real property containing approximately 47.96 acres and consisting of nine (9) parcels denoted by Rowan County parcel ID(s) 5614-13-24-2262, 5614-13-13-8574, 5614-13-12-9937, 5614-13-13-9022, 5614-13-13-9034, 5614-13-13-9045, 5614-13-13-9057, 5614-13-13-9068 and 5614-13-13-7182 (collectively hereinafter referred to as the "Property") and more particularly described and depicted on Exhibit B attached hereto.
- B. The purpose of this Agreement is to facilitate the Development (as defined herein) of the Property in a way that best realizes the benefits to the Parties. The Development of the Property requires a major investment by the Developer and substantial commitment of resources to achieve the benefits of the Development for the Parties. The Developer will be unable to make and realize the benefits from such commitments without the assurances of the City as provided by this Agreement.
- C. The Development of the Property is consistent with the City's ordinances and is reasonable and in the public interest for the following reasons, each of which serve as a benefit to the City:
 - 1. Furthering the goals of securing an appropriate use and density on the Property and implementation of the Development Plan (as defined below); and
 - 2. Provision of an efficient, effective, and practical overall plan for addressing the Development of the Property.
- D. The general benefits to be received by the Developer from the Development of the Property include, without limitation:
 - 1. Development rights for two hundred thirty-three (233) single family attached residential lots and associated common area and amenities.
 - 2. Issuance of a Sewer Allocation Permit as set out in Paragraph 9 of this Agreement.
- E. The general benefits to be received by the City from the Development of the Property include, without limitation:
 - 1. Construction by Developer of public infrastructure as described in Exhibit D; and
 - 2. Development of the Property in accordance with the City's Comprehensive Plan.
- F. City staff recommend that this Agreement be approved as a companion item to Zoning Map Amendment #CZ-2024-02.
- G. This Agreement was considered by the Kannapolis Planning Commission at its March 19, 2024, meeting, as part of a public hearing on zoning case #CZ-2024-02.

- H. Pursuant to N.C.G.S. 160D-1005, a public hearing regarding this Agreement was held at the June 24, 2024 meeting of the Kannapolis City Council. The notice of public hearing specified, among other things, the location of the Property subject to this Agreement, the development uses proposed on the Property in accordance with the Development Plan, and a place where a copy of the proposed Agreement could be obtained. The Agreement was available for public inspection on the City's website and at City Hall.
- I. The City Council adopted the following at its meeting, as applicable, on June 24, 2024; (a) a consistency statement pursuant to N.C. Gen. Stat. § 160A-383; and (b) a zoning map change. The City Council adopted an ordinance approving this Agreement ("Ordinance"). A copy of the Ordinance is attached hereto as Exhibit A.

NOW, THEREFORE, in consideration of the premises of this Agreement and the mutual benefits to the Parties, the Parties agree as follows:

AGREEMENT

- 1) The Property. The Property to be developed pursuant to this Agreement is described and depicted on Exhibit B attached hereto.
- 2) Definitions. Capitalized terms in the Agreement shall have the meanings assigned to them below or elsewhere herein:
 - a) "Applicable Law" means all federal, state, and local statutes, ordinances, regulations, and requirements governing the Project, including, without limitation, the Current Regulations.
 - b) "Current Regulations" means all ordinances, resolutions, regulations, and comprehensive plans adopted by the City on or before the Effective Date affecting the Development of the Property and includes, without limitation, laws governing permitted uses of the Property, density, design, and improvements, subject to Section 6 below.
 - c) "Development" shall have the same meaning as it does in KDO Article 10 *Definitions* or UDO Appendix A *Definitions*
 - d) "Zoning Permit" or "Development Permit" means any building permit, site plan approval, subdivision approval, rezoning certification, variance, certificate of occupancy and any other official action of Local Government having the effect of permitting the Development for the use of the Property contemplated in this Agreement.
 - e) "Development Plan" means a type of plan that becomes part of the zoning of a property that establishes the level of development allowed absent further zoning action except as otherwise allowed or required under this Agreement, and which is incorporated into the zoning map change approved as part of Case Number CZ-2024-02, and as set forth on Exhibit C attached hereto.
 - f) "Development Schedule" means the schedule for development as shown in Exhibit D.

- g) “Infrastructure” means major capital or community developments including, but not limited to, transportation, sanitary sewer, solid waste, drainage, and potable water.
 - h) “Local Government” means any municipality or governmental entity of the State of North Carolina established pursuant to Applicable Law which exercises regulatory authority over, and grants Development Permits for land Development or which provides public Infrastructure.
 - i) “Parcel” means any lot of record on which Development may occur in accordance with the Development Plan.
 - j) “Project” means the Development that will occur within and upon the Property pursuant to this Agreement and in accordance with the Development Plan.
 - k) “Property Owner” means (i) any person or entity, other than the City, which shall have acquired any portion of the fee interest in the Property from and after the Effective Date, and (ii) any successor in interest to such person or entity.
- 3) Relationship of the Parties. This Agreement creates a contractual relationship between the Parties. This Agreement shall not be interpreted or construed to create the relationship of master/servant, principal/agent, association, partnership, joint venture, or any other relationship where one Party may be held responsible for acts of the other Party. This Agreement does not impose any partnership obligation or liability upon either Party. Further, this Agreement is not intended to create, nor does it create, a relationship whereby the conduct of Developer constitutes “state action” for any purposes.
- 4) Legislative Act. Any change in the Development Standards established by this Agreement and as set forth on Exhibit C, shall require the approval of City Council, subject to compliance with applicable statutory procedures and consistent with Section 6(a). This Agreement constitutes a legislative act of City Council. City Council adopted this Agreement only after following procedures required by Applicable Law.
- 5) Covenants Running with the Property. The conditions, covenants, and benefits set forth in this Agreement shall run with the Property, and every purchaser, assignee or transferee of an interest in the Property or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be entitled to the benefits of this Agreement for a duration of six (6) years in accordance with the terms of this Agreement. In addition, even after the term of this Agreement shall have expired, the zoning for the Property as described in the Development Plan shall survive and shall apply to future development of the Property, unless the Property is subsequently rezoned.
- 6) Applicable Regulations.

- a) Applicable Law and Development Standards. Except as otherwise provided by this Agreement and in accordance with N.C.G.S. § 160D-1007, Development of the Property, including, without limitation, approval procedures and impact fees applicable thereto, shall be in conformance with the Current Regulations and all other Applicable Law.
 - b) Vested Rights. Pursuant to the authority granted therefor in N.C.G.S. § 160D-1001 through 1012 and subject to the provisions of subparagraph (a) above, all rights and prerogative accorded the Developer by this Agreement, including, without limitation, application of the Current Regulations, shall constitute vested rights for the Development of the Property throughout the term of this Agreement.
 - c) Building Codes and Laws Other Than Land Use Regulations. Developer, notwithstanding any provision which may be construed to the contrary in this Agreement, must comply with any building, housing, electrical, mechanical, plumbing and gas codes subsequently adopted by the City or other governmental entity. This Agreement shall not be construed to supersede or contravene the requirements of any building, housing, electrical, mechanical, plumbing and gas codes subsequently adopted by the City or other governmental entity.
 - d) Updates to City Ordinances. Where any City ordinance, fee structure, resolution, or regulation adopted after the date hereof (a “New Ordinance”), differs from the Current Regulations, Developer may, at any time after adoption of such New Ordinance, request that such New Ordinance, or any portion thereof, be incorporated into the Current Regulations. The Parties recognize that this section shall not apply to any commitments reflected in the Development Plan or this Agreement. Developer shall submit such request in writing to the City, and the City shall review and respond to such request within sixty (60) days. Incorporation of a New Ordinance, or any portion thereof, into the Current Regulations shall be a non-material change to the Agreement.
- 7) Local Development Permits and Other Permits Needed. The Parties anticipate that the following local Development Permits and other regulatory permits will be needed to complete the Development of the Project: Site Plan approval, plat approvals (preliminary or final), street, water, sewer and stormwater construction drawing approval, building permits, certificate of compliance, city water and sewer permits, and stormwater control measure agreements. The failure of this Agreement to address a particular permit, condition, term, or restriction does not relieve the Developer of the necessity of complying with all laws governing permit requirements, conditions, terms, or restrictions.
- 8) Project Development.
- a) Project Development. Developer shall construct the Project substantially in accordance with the provisions of Exhibit C (Development Plan) attached hereto and this Agreement.
 - b) Material Changes. Material changes to the Development Plan or the Development Agreement, which is incorporated into the Development Plan as a text commitment, shall be considered in accordance with the procedures set forth in the KDO and State law.

9) City Obligations.

- a) Developer is seeking the annexation, where applicable, of the Property, approval of Zoning Map Change Case Number CZ-2024-02 and this Development Agreement.
- b) Developer only agrees to the terms of this Agreement if the annexation, where applicable, and Zoning Map Change Case are approved.
- c) The Parties understand that Developer seeks approval of R8-CZ zoning for the Property.
- d) In accordance with the City Wastewater Allocation Policy, Developer shall be issued an Allocation Permit to supply public water and sewer treatment for the Project as provided therein. Developer acknowledges that any subsequent Allocation Permit(s) will be issued upon the Water and Sewer Authority for Rowan County's ("WSACC") completion of the first phase of the expansion project to the Rocky River Regional Wastewater Plant ("RRRWWTP"). Although WSACC's construction of the first phase of expansion of the RRRWWTP has already commenced, the outside completion date of December 2024, is based upon information, projections and estimates available to City on the date of this Agreement.

10) Other Approvals. To the extent that any county or other Local Government, state or federal approvals are required in connection with the Development of the Project, the City shall use reasonable efforts to assist Developer in obtaining such approvals.

11) Developer Obligations.

- a) Developer shall develop the Property in accordance with the Development Plan, Development Schedule and Matrix application.
- b) Developer will dedicate public utilities and facilities to City as required by Ordinance.
- c) Developed has agreed to provide the following amenity or amenities on the Property:
 - (i) Pool and cabana located on open space within the Property.
 - (ii) The front elevations of the interior units of rear load buildings shall not span over 20' without a 1-2 feet bump out on the first and second floor.
 - (iii) Developer acknowledges the existence of the 30-inch watermain and easement located on the west side of the Property.
 - (iv) The HOA covenants will contain or be amended to contain a provision that (i) the City water or sewer meter or related utility infrastructure serving any Unit (collectively, the "City Utility Infrastructure") may be installed within the paved driveway for a Unit, and (ii) In the event City has to remove or excavated portion(s) of any such paved driveway to repair the applicable City Utility Infrastructure, then (a) the Association shall be solely responsible for any restoration of the paved driveway

which is necessitated by the City's actions, and (b) any such Restoration Costs shall be Common Expense for purposes of the Declaration.

12) Default.

- a) Developer Default. Developer must initiate construction of the Project on or before 180 days following issuance of the Allocation Permit (i.e., Council Approval) if no extension of utilities is required. In the event the extension of utilities is required, construction of the Project must be initiated on or before ten (10) months after issuance of the NC Department of Environmental Quality Wastewater Collection System Extension Permit. If the Developer fails to make continuous progress in the period following submission of construction plans for review and issuance of the NC Department of Environmental Quality Wastewater Collection System Extension Permit the Project's sewer allocation may be revoked in the discretion of the City as a material default under this Agreement. This requirement applies to construction for each phase of the Project for which an Allocation Permit is issued. If the Developer commits a material breach of the terms or conditions of this Agreement, City shall serve notice in writing upon the Developer setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and the Developer shall have sixty (60) days to cure such breach, provided that if such breach cannot be cured within sixty (60) days using commercially reasonable efforts, the Developer shall be permitted such time as reasonably necessary to effect such cure so long as the Developer shall use commercially reasonable efforts to diligently prosecute such cure.
- b) City Default. If the City commits a material breach of the terms or conditions of this Agreement, Developer shall serve notice in writing upon the City setting forth with reasonable particularity the nature of the breach and the evidence supporting the finding and determination, and the City shall have sixty (60) days to cure such breach, provided that if such breach cannot be cured within sixty (60) days using commercially reasonable efforts, the City shall be permitted such time as reasonably necessary to effect such cure so long as the City shall use commercially reasonable efforts to diligently prosecute such cure.

13) Remedies.

- a) City Remedies for Developer Default. In the event of a Developer material breach of this Agreement and Developer fails to cure such breach within the above-described 60-day period following notice period, City may exercise any or all of the following remedies (subject to Developer's right of appeal to the Board of Adjustment):
 - i) Refuse to issue certificates of compliance for the Development Project.
 - ii) Rescind any sewer allocation permit.
 - iii) Terminate this Agreement.
- b) Developer Remedies. If the City fails to cure any material breach within a 60-day period following notice, then such breach shall be a "City Default" hereunder, and Developer may be entitled to reimbursement of actual damages suffered by Developer to the extent such amounts have been reasonably documented and such documentation delivered to the City.

14) General Provisions.

- a) Term. The term of this Agreement shall commence only upon the full execution of this Agreement. This Agreement shall terminate six (6) years thereafter (the end of the term of this Agreement, as may be extended from time to time by the Parties or earlier terminated in accordance with the provisions of this Agreement, the “Termination Date”).
- b) Amendment. As required by N.C.G.S. § 160D-1006(e), major modifications or significant changes to this Agreement shall follow the same notice, public hearing, and approval procedures as were followed initially when the Parties formed this Agreement. A major modification or significant change of this agreement shall include any change not agreed to by both Parties hereto. Except as otherwise set forth herein, this Agreement may be amended only by written mutual consent of the Parties or by their successors in interest. Wherever said consent or approval is required, the same shall not be unreasonably withheld. In the event state or federal laws or regulations prevent or preclude compliance with one or more provisions of this Agreement, the pertinent provisions of this Agreement shall be modified or suspended as may be necessary to comply with the state or federal laws or regulations. In such event, compliance with all other provisions of this Agreement shall remain unaffected and unmodified.
- c) Severability. If any word, phrase, sentence, paragraph or provision of this Agreement shall be finally adjudicated to be invalid, void, or illegal, it shall be deleted and in no way affect, impair, or invalidate any other provision hereof.
- d) Merger. This Agreement, coupled with its Exhibits, which are incorporated herein by reference, state the final and complete expression of the Parties’ intentions with respect to the subject matter hereof.
- e) Further Assurances. The Parties hereto shall cooperate with each other to effectuate the provisions of this Agreement and to act reasonably and expeditiously in all obligations under the Agreement. In the event of any legal action instituted by a third Party or other governmental entity or official challenging the validity of any provision of this Agreement, the Parties shall cooperate in defending such action.
- f) Governing Law and Venue. This Agreement shall be construed and enforced in accordance with the substantive laws of the State of North Carolina, without regard to principles of conflicts of laws. The only proper venue and court for litigation related to, arising out of, or connected with this Agreement or the relationships between the Parties established by this Agreement shall be Rowan County Superior Court.
- g) Successors in Interest and Recordation. The burdens of this Agreement are binding upon, and the benefits of this Agreement shall inure to, all assignees or successors in interest of the Parties to this Agreement. The term “Developer” as used herein, shall denote (i) the named Developer herein, and (ii) any successor of Developer hereunder. This Agreement shall be recorded against the Property by Developer within fourteen (14) days after the execution of the Agreement by the Parties. The rights and obligations of Developer contained herein shall run with the land.

- h) Third Parties. Notwithstanding any provision herein to the contrary, this Agreement shall not be binding and shall have no force or effect as to persons or entities not Parties or successors and assigns to this Agreement.
- i) Estoppel. Each Party agrees, from time to time, within thirty (30) days after request of another Party, to deliver to the requesting Party or such Party's designee, an estoppel certificate stating that this Agreement is in full force and effect, the unexpired term of this Agreement, and whether or not, to such Party's knowledge, there are any existing defaults or matter which, with the passage of time, would become defaults under this Agreement. It is understood and agreed that the Party's obligations to furnish such estoppel certificates in a timely fashion is a material inducement for execution of this Agreement.
- j) Representations and Warranties of the Developer. The Developer represents and warrants to the City that:
 - i) It is an entity duly organized, existing, and in good standing under the laws of the State of North Carolina; and
 - ii) It has the full right, power, and authority to enter into this Agreement and to perform its obligations hereunder.
- k) Force Majeure. In addition to specific provisions of this Agreement, no Party shall be responsible for any default, delay or failure to perform if such default, delay or failure to perform is due to causes beyond such Party's reasonable control, including, but not limited to, strikes, lockouts, actions or inactions of governmental authorities, epidemics, pandemic, wars, embargoes, fires, hurricanes, adverse weather, acts of God, interference duly caused by any other Party, or the default of a common carrier. In the event of a default, delay or failure to perform due to causes beyond such Party's reasonable control or due to interference by another Party, any date or times by which the Parties are otherwise scheduled to perform, if any, shall be extended for a period of time equal in duration to the time lost by reason of the cause beyond the reasonable control of such Party. Written notice of such alleged delay shall be given to the other Party within thirty days of the commencement of such delay. An extension of time, if any, for such cause shall be mutually agreed upon in writing by the Parties. The Parties agree that such consent to an extension of time shall not be unreasonably withheld.
- l) Construction of Agreement. Both Parties hereto have been represented by counsel in the negotiation of this Agreement, and neither this Agreement nor any provision hereof shall be construed against a Party hereto because such Party drafted it or caused it to be drafted.
- m) No Waiver. Failure of a Party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such Party to exercise at some future time said right or any other right it may have hereunder. Unless this Agreement is amended by vote of the City Council taken with the same formality as the vote approving this Agreement, no officer, official or agent of the City has the power to amend, modify or alter this Agreement or waive any of its conditions except as set forth herein.

- n) E-Verify Requirements. (A) If this contract is awarded pursuant to North Carolina General Statutes (NCGS) 143-129 – (i) the contractor represents and covenants that the contractor and its subcontractors comply with the requirements of Article 2 of Chapter 64 of the NCGS; (ii) the words “contractor”, “contractor’s subcontractors,” and “comply” as used in this subsection (A) shall have the meanings intended by NCGS 143-129(j); and (iii) the City is relying on this subsection (A) in entering into this contract. (B) If this contract is subject to NCGS 143-133.3, the contractor and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NCGS.
- o) Notices. All notices hereunder shall be given in writing by certified mail, postage prepaid, or by delivery through a nationally recognized overnight carrier, delivery confirmation required, provided that such notices may be delivered via electronic mail if such notice shall also be delivered by one of the other methods described in this section. Delivery shall be deemed effective as of the date of the delivery receipt, or, for notices delivered electronically, on the date such notice was sent via electronic mail without automatic notification of any delivery error. Notices shall be delivered to the following addresses:

To the City: City Manager’s Office
City of Kannapolis
401 Laureate Way
Kannapolis, North Carolina 28081
Email: mlegg@kannapolisnc.gov

With copies to: City Attorney
City of Kannapolis
401 Laureate Way
Kannapolis, North Carolina 28081
Email: wsafrit@kannapolisnc.gov

To the Developer: M/I Homes of Charlotte, LLC
5350 Seventy-Seven Center Drive, Suite 100
Charlotte, NC 28217
Attention: George Schulmeyer
Email: gschulmeyer@mihomes.com

With copies to: M/I Homes of Charlotte, LLC
5350 Seventy-Seven Center Drive, Suite 100
Charlotte, NC 28217
Attention: Legal Department
Email: jheineman@mihomes.com

- p) Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile or scanned copies of executed originals and may further be executed by counterpart signature pages.
- q) Time for Performance. Any reference to “day” or “days” herein shall mean calendar day(s) unless otherwise specified, and any deadline or outside date set forth herein falling on a Saturday, Sunday, or holiday on which banks are closed for business in Kannapolis, North Carolina shall be automatically extended to the following business day.

- r) Conflicting Terms; Conflicting Requirements. In the event of a conflict between the requirements of this Agreement and the requirements of any Exhibits or any of the Related Agreements, the more stringent requirements shall apply.

[Separate Signature Page To Follow]

IN WITNESS WHEREOF, this Development Agreement has been executed by the Parties on the day and year first above written.

CITY OF KANNAPOLIS

By: _____
Michael B. Legg
City Manager

Attest: _____
Bridgette Bell, MMC, NCCMC
City Clerk

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that Bridgette Bell personally came before me this day and acknowledged that she is City Clerk of the City of Kannapolis, a North Carolina municipal corporation, and that by authority duly given and as the act of the City of Kannapolis, the foregoing instrument was signed in its name by Michael B. Legg, City Manager, sealed with its municipal seal and attested by her as its City Clerk.

Witness my hand and notarial seal, this _____ day of _____, 20__.

Notary Public

[SEAL]

My commission expires: _____

M/I Homes of Charlotte, LLC

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that (s)he is _____ of M/I Homes of Charlotte, LLC and that by authority duly given and as the act of the M/I Homes of Charlotte, LLC, the foregoing instrument was signed in its name by _____, _____.

Witness my hand and notarial seal, this _____ day of _____, 2024.

Notary Public

[SEAL]

My commission expires: _____

EXHIBIT A

Ordinance

**AN ORDINANCE ADOPTING THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF KANNAPOLIS AND
M/I HOMES OF CHARLOTTE, LLC**

WHEREAS, N.C.G.S. §160D-1001 through §160D-1012 (the “Act”), authorizes municipalities to enter into development agreements with developers under the terms and conditions stated in the statutes, and

WHEREAS, the City of Kannapolis (“City”) and M/I Homes of Charlotte, LLC (“Developer”) have negotiated an agreement in accord with and under the authority of the cited statutes, and

WHEREAS, a public hearing was held on _____, 2024 as set forth in N.C.G.S. §160D-1003 providing public review of the Development Agreement, as defined below; and

WHEREAS, the City finds that the Development Agreement is consistent with the Act, the City’s adopted policy guidance, and the Current Regulations, as defined in the Development Agreement, and is reasonable and in the public interest for the reasons set forth in the Development Agreement:

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

1. Pursuant to the authority granted to the City by Article 10 of Chapter 160D of the North Carolina General Statutes, the City hereby adopts the Development Agreement by and among the City and the Developer, attached hereto (the “Development Agreement”), and authorizes the Manager to execute the Development Agreement.
2. This Ordinance is effective upon adoption.

Adopted this ____ day of _____, 20__.

Milton D. Hinnant, Mayor

Bridgette Bell, MMC, NCCMC
City Clerk

EXHIBIT B

Property

EXHIBIT C

Development Plan

**[DEVELOPMENT PLAN TO BE INSERTED AFTER
CITY COUNCIL APPROVAL]**

EXHIBIT D

Development Schedule and Public Facilities Schedule/Scope of Work

1. Scope of Work:

Two hundred thirty-three (233) single family attached residential lots and associated common area and amenities.

2. Comply with the requirements of Section VI. “General Conditions” Subsection B, of the City Wastewater Allocation Policy.
3. Development Project is anticipated to be completed on or before December 31, 2030, but such construction shall not be an obligation of Developer.



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council

From: Michael Rattler, Director of Transportation & Environmental Services

Subject: **PUBLIC HEARING - Opal Street Acceptance to City of Kannapolis Powell Bill Maintenance Schedule (APPROVED UNANIMOUS)**

Action Requested by City Council

1. Hold a Public Hearing regarding the Acceptance of Opal Street to the Powell Bill Street Maintenance Schedule
2. Motion to approve Resolution accepting the privately maintained portion of Opal Street as a publicly maintained street and adding it to the Powell Bill maintenance schedule in accordance with our street acceptance policy.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

In accordance with the City's Street Acceptance policy, a petition has been received requesting that the City accept the privately maintained portion of Opal Street into the Powell Bill Maintenance schedule. Opal Street between Bernard and Garnett is currently a privately maintained right-of-way (see attached map).

The project includes ribbon pavement installation with a combination of full depth reclamation and resurfacing. The existing manholes and meter and valve boxes will be reset to the new elevation. Width of asphalt will be 18 ft. (2 lanes). Approximately 900 feet in length.

Fiscal Implications

The fiscal considerations for this item are the costs of upgrades to the street upon acceptance to the Powell Bill Maintenance schedule. The estimated cost is \$180,000. Funding has already been appropriated by City Council for these improvements. Per City Council direction, the property owners adjacent to Opal Street will not be required to participate financially in these upgrades and no assessment of the cost will be applied.

Policy Issues

City Council approval is required for the acceptance of streets to be added to the Powell Bill Maintenance Schedule.

Legal Issues

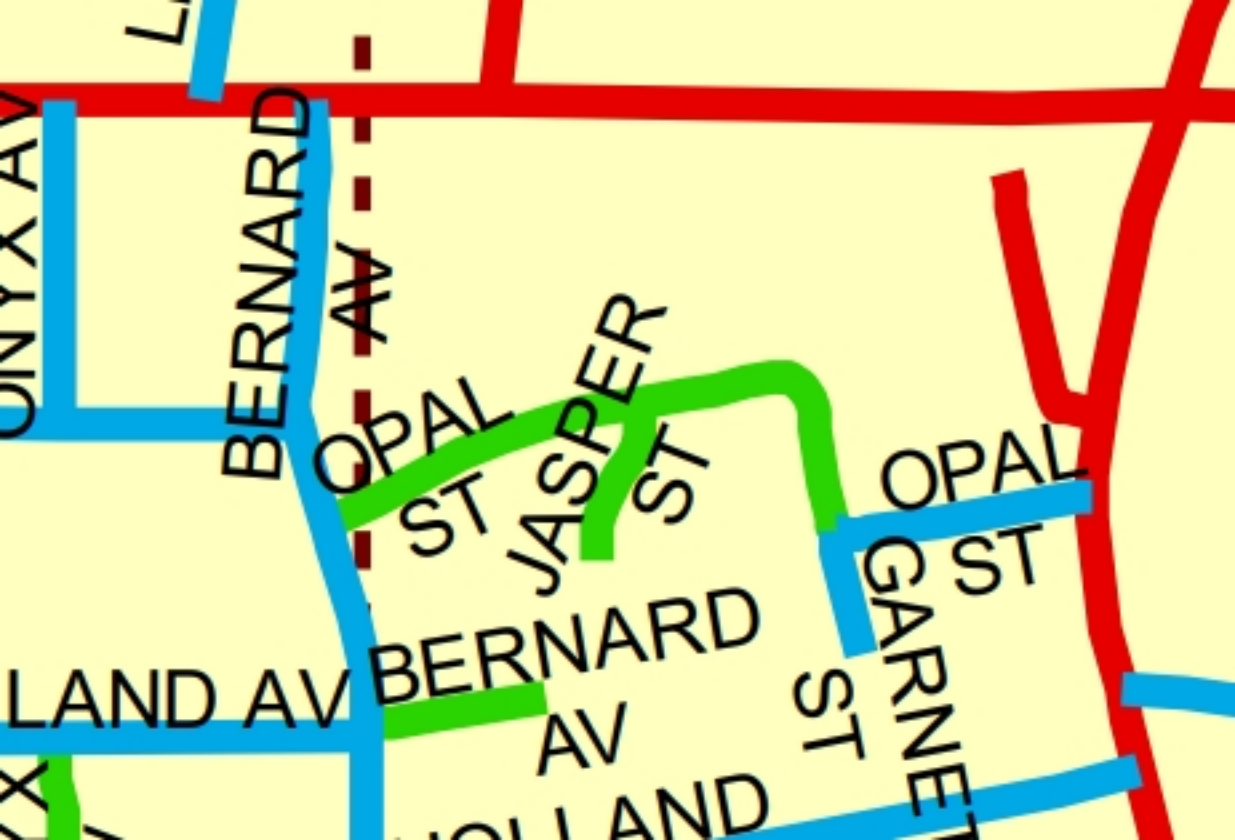
None

Recommendations and Alternate Courses of Action

1. **Approve Resolution accepting Opal Street as a publicly maintained street and adding it to the Powell Bill maintenance schedule (Recommended)**
2. Take no action.
3. Table to a future meeting.

Attachments

1. Opal PVA Powell Bill Map
2. 2024 06-24 Powell Bill Resolution Accepting Opal Street to City Powell Bill and Maintenance Street System (1)



**RESOLUTION
CITY COUNCIL
CITY OF KANNAPOLIS**

BE IT RESOLVED, that the Public Street Schedule for the City of Kannapolis is hereby amended to add the following street to the Kannapolis Public Street System in order to make it eligibility of Powell Bill Allocations beginning for the Fiscal Year 2024-2025.

Addition of the following City Maintained Paved Streets:

Opal Street (Between Bernard Avenue and Garnett Street)

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

Adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council

From: Alex Anderson, Director of Water Resources, Kristin Jones, Assistant to the City Manager

Subject: **BUDGET AMENDMENT #24-41** - Appropriate Cash Reserves for Watermain Replacement Associated With Opal Street Acceptance (**APPROVED UNANIMOUS**)

Action Requested by City Council

Motion to adopt budget amendment #24-41 which appropriates cash reserves to fund watermain replacement in conjunction with Opal Street pavement project.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

This project will replace the existing watermain on Opal Street from Bernard Ave to Concord Lake Road (approximately 1,050 LF) and installation of new water services along Opal Street to the existing houses. The existing watermain has had several leaks over the past few years and is in need of replacement. This replacement is recommended prior to paving. The existing Opal Street residential water service lines are subject to the new lead service line regulations, and replacement is one option to bring the City's owned portion into compliance. This watermain replacement project will also include the installation of two new fire hydrants, which will improve available fire protection for the surrounding property owners.

Staff has prepared a watermain replacement project to facilitate the upgrades to Opal Street prior to the City paving the street. This recommendation to approve the budget amendment is contingent upon the City's acceptance of Opal Street as a public city maintained street and authorization of funding necessary for improvements to the roadway pavement. Staff recommends that this item be approved only if Opal Street is accepted for City maintenance and repaving is funded.

Fiscal Implications

Appropriating Water and Sewer Fund cash reserves in the amount of \$230,000 to fund the watermain replacement in conjunction with Opal Street pavement project is required.

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. **Motion to adopt budget amendment #24-41 which appropriates cash reserves to fund watermain replacement in conjunction with Opal Street pavement project (Recommended)**
2. Take no action.
3. able to a future meeting.

Attachments

1. Opal Street Watermain Estimate
2. Opal Street-Water

OPAL STREET IMPROVEMENTS (PRIVATE SECTION FROM GARNETT STREET TO BERNARD AVE)					AUGUST 2023
PROJECT LENGTH		790 LF			
PROPOSED WIDTH		18 FT			
EXISTING SURFACE		MIX OF ASPHALT/GRAVEL			
PROJECT SCOPE: PATCH EXISTING ROADWAY, OVERLAY WITH LEVELING COURSE AND THEN 1.5" S9.5B					
ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$ 10,000.00	\$ 10,000.00
2	GRADING-MINIMAL DITCH WORK AND SHOULDERS	1	LS	\$ 25,000.00	\$ 25,000.00
3	GEOTEXTILE FOR SOIL STABILIZATION	100	SY	\$ 3.15	\$ 315.00
4	UNDERCURT EXCAVATION	100	CY	\$ 73.50	\$ 7,350.00
5	DRIVEWAY TIE-INS	1	LS	\$ 10,500.00	\$ 10,500.00
6	PAVEMENT REPAIR	100	TN	\$ 262.50	\$ 26,250.00
7	LEVELING COURSE	100	TN	\$ 157.50	\$ 15,750.00
8	1.5" S9.5B SURFACE COURSE	150	TN	\$ 157.50	\$ 23,625.00
9	ADJUST VALVE/MANHOLES	6	EA	\$ 472.50	\$ 2,835.00
10	DRAINAGE ALLOWANCE	1	LS	\$ 20,000.00	\$ 20,000.00
11	INCIDENTAL MILLING (0-1.5")	160	SY	\$ 10.50	\$ 1,680.00
				SUBTOTAL	\$ 143,305.00
				10% CONTINGENCY	\$ 14,330.50
				TOTAL	\$ 157,635.50
				CONSTRUCTION ESTIMATE	\$160,000.00
				CONSTRUCTION ADMINISTRATION 10%	\$16,000.00
				TOTAL PROJECT	\$176,000.00
BUDGET ESTIMATE NOT BASED ON DESIGN				ESTIMATE	\$180,000.00
OPAL STREET IMPROVEMENTS (PRIVATE SECTION FROM GARNETT STREET TO BERNARD AVE)					AUGUST 2023
AND PUBLIC SECTION FROM GARNETT TO CONCORD LAKE ROAD					
INCLUDES OVERLAY OF PUBLIC SECTION					
TOTAL LENGTH 1,050 LF					
WATERLINE REPLACMENT					
ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	EXTENSION
1	6" PVC WATER MAIN	1050	LF	\$ -	\$ -
2	RECONNECT METER	8	EA	\$ -	\$ -
3	FIRE HYDRANT ASSMBLY	2	EA	\$ -	\$ -
4	6" VALVE	2	EA	\$ -	\$ -
5	6" TAPPING SLEEVE AND VALVE	1	EA	\$ -	\$ -
6	12X6 TAPPING SLEEVE AND VALVE	1	EA	\$ -	\$ -
7	ABANDON 2" WATERLINE (JASPER ST)	200	LF	\$ -	\$ -
8	ABANDON 6" WATERLINE(OPAL ST)	1050	LF	\$ -	\$ -
9	TIE TO EXISTING WATER	4	EA	\$ 2,500.00	\$ 10,000.00
10	ABC STONE IN TRENCH BACKFILL	160	TN	\$ 75.00	\$ 12,000.00
11	LEVELING COURSE	40	TN	\$ 157.50	\$ 6,300.00
12	1.5" S9.5B SURFACE COURSE	60	TN	\$ 157.50	\$ 9,450.00
				SUBTOTAL	\$ 37,750.00
				10% CONTINGENCY	\$ 3,775.00
				TOTAL CONSTRUCTION	\$ 41,525.00
				ENGINEERING 15%	\$ 6,228.75
				TOTAL BUDGET	\$ 47,753.75
BUDGET ESTIMATE NOT BASED ON DESIGN				ESTIMATE	\$ 50,000.00
Water	NCDOT Bid Averages (2021)				2024 DOLLARS
		Unit Cost	Unit		
6" Water line		\$ 56.54	LF		\$ 65.45
Reconnect Meter		\$ 1,386.81	EA		\$ 1,605.41
Fire Hydrant		\$ 5,806.40	EA		\$ 6,721.63
6" Water Valve		\$ 1,872.55			\$ 2,167.71
6" TSV		\$ 6,599.93			\$ 7,640.24
6X12 TSV		\$ 8,279.90			\$ 9,585.02
ABANDON 2"		\$ 8.28			\$ 9.59

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2023
AND ENDING JUNE 30, 2024
Amendment # 24-41**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 24th day of June 2024, that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024, is hereby adopted:

Description: This budget amendment budgets the Opal Street acceptance work for watermain replacement.

SECTION I– WATER AND SEWER FUND

Revenue:	Increase: Fund Balance Appropriated	\$230,000
	Revenue: 39900-39900	
Expenditure:	Increase: Distribution: Contracted Services	\$230,000
	Expenditure: 36100-48000	

This ordinance is approved and adopted on this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager
Subject: **BUDGET ORDINANCE - FY 2024-2025 (APPROVED OPTION 'C' 4-3 VOTE)**

Action Requested by City Council

Adopt the Budget Ordinance for FY 2024-2025

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City Manager has given multiple presentations regarding the upcoming fiscal year 2024-2025 proposed budget. A public hearing on the recommended budget for FY 2024-2025 was held on June 10, 2024, in accordance with North Carolina General Statute 159-12 (b).

City Council has two different budget ordinance options to consider.

Ordinance A: Sets the property tax rate at 57.92 cents per \$100 valuation.

Ordinance B: Sets the property tax rate at 52.50 cents per \$100 valuation.

NEW: Ordinance C: Sets the property tax rate at 55.95 cents per \$100 valuation.

Only the General Fund totals differ in each scenario (all other funds remain the same as recommended).

At Monday's meeting, if City Council decides on any budget plan other than the two plan options presented, staff would prefer that Monday's meeting be continued (to a date on or before June 30th) for that decision, so an appropriate budget ordinance can be prepared. If an alternate plan is developed prior to the meeting Monday night, a third budget ordinance could be prepared and presented at the meeting.

As a reminder, the Water and Sewer Fund does have recommended increases as follows: \$1.44/per month on the base sewer rate, \$0.75/1,000 gallons on the volumetric sewer rate and \$0.51/1,000 gallons on the volumetric water rate. These rate increases are necessary a) in order to stay in compliance with our rate covenants related to existing debt coverage, b) to address projected WSACC rate increases, and c) are needed to fund the following debt service projects: Kannapolis Spillway Replacement at \$6.3 million, Downtown Sewer Outfall at \$3.93 million and Salisbury Rowan Utility line at \$4.76 million. Staff has worked with our financial advisors and bond counsel related to these potential debt issuances and proposed rate increases. A more detailed analysis of these rate increases is included in the Fee Schedule agenda item staff report.

Fiscal Implications

The Budget Ordinance hereby establishes the FY 2024-2025 budget for the City's seven annual funds.

Policy Issues

This Budget Ordinance provides a spending plan for the City for the next 12 months.

Legal Issues

Adoption of the Budget Ordinance is required before June 30th of each year.

Recommendations and Alternate Courses of Action

1. **Motion to adopt Budget Ordinance A, which sets the tax rate at 57.92 OR Motion to adopt Budget Ordinance B, which sets the property tax rate at 52.50.**
2. Table to a future meeting (Must be adopted by June 30, 2024).

Attachments

1. Budget Ordinance FY 2025- "A"
2. Budget Ordinance FY 2025- "B"
3. Budget Ordinance FY 2025- "C"

“A”

SETS PROPERTY RATE AT 57.92

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF KANNAPOLIS, NORTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina, meeting in open session this 24th day of June 2024, that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are hereby adopted.

SECTION I – GENERAL FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Ad Valorem taxes	\$ 51,331,962
Sales taxes	16,887,246
Intergovernmental	7,138,972
Other Revenues	9,634,972
Fund Balance Appropriated	<u>-</u>
TOTAL	<u>\$ 84,993,152</u>

SECTION II - WATER AND SEWER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Charges for Services	\$ 25,485,813
Other Revenues	<u>4,258,000</u>
TOTAL	<u>\$ 29,743,813</u>

SECTION III – STORM WATER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Storm Water Fees	\$ 3,400,000
Other Revenues	<u>350,000</u>
TOTAL	<u>\$ 3,750,000</u>

SECTION IV – ENVIRONMENTAL FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

User Fees	\$ 4,200,000
Transfer from General Fund	2,191,690
Other Revenues	265,000
Solid Waste Disposal Tax	<u>44,000</u>
TOTAL	<u>\$ 6,700,690</u>

SECTION V – PUBLIC TRANSIT SYSTEM FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Motor Vehicle Privilege Tax	\$ 433,600
Transfer from the General Fund	<u>1,188,223</u>
TOTAL	<u>\$ 1,621,823</u>

SECTION VI – SEPARATION PAY FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Transfer from General Fund	<u>\$ 600,000</u>
TOTAL	<u>\$ 600,000</u>

SECTION VII – INSURANCE AND RISK FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Health Insurance Premiums	\$ 5,940,204
Retiree Premiums	200,000
Workers Compensation Premiums	<u>620,880</u>
TOTAL	<u>\$ 6,761,084</u>

SECTION VIII - GENERAL FUND: A total of \$84,993,152 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

General Government	\$ 14,428,451
Public Safety	27,334,879
Parks and Recreation	9,608,946
Planning	1,369,115
Public Works, incl. Powell Bill	6,357,494
Other	11,748,411
Contingency	420,000
Debt Service	<u>13,725,856</u>
TOTAL	<u>\$ 84,993,152</u>

SECTION IX - WATER AND SEWER FUND: A total of \$29,743,813 is hereby authorized to be expended from the Water and Sewer Fund as follows:

General Management Services Fee	\$ 1,845,182
Billing and Collections – Water and Sewer	1,703,941
Distribution - Water and Sewer	6,920,889
WSACC – Sewage Treatment	5,869,191
Water Treatment Plant	5,373,362
Debt Service	<u>8,031,248</u>

TOTAL	<u>\$29,743,813</u>
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SECTION X – STORM WATER FUND: A total of \$3,750,000 is hereby authorized to be expended from the Storm Water Fund as follows:

Personnel	\$ 1,511,360
Operations	1,279,853
Debt Service	546,259
General Management Services Fee	<u>412,528</u>

TOTAL	<u>\$ 3,750,000</u>
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SECTION XI – ENVIRONMENTAL FUND: A total of \$6,700,690 is hereby authorized to be expended from the Environmental Fund as follows:

Personnel	\$ 905,220
Operations	<u>5,795,470</u>

TOTAL	<u>\$ 6,700,690</u>
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SECTION XII – PUBLIC TRANSIT SYSTEM FUND: A total of \$1,621,823 is hereby authorized to be expended from the Public Transit System Fund as follows:

Contracted Services	\$ 1,323,923
Capital Outlay	<u>297,900</u>

TOTAL	<u>\$ 1,621,823</u>
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SECTION XIII - SEPARATION PAY FUND: A total of \$600,000 is hereby authorized to be expended from the Separation Pay Fund as follows:

Personnel-Separation Pay	\$ <u>600,000</u>
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TOTAL	<u>\$ 600,000</u>
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SECTION XIV – INSURANCE AND RISK FUND: A total of \$6,761,084 is hereby authorized to be expended from the Insurance and Risk Fund as follows:

Health Insurance Expense	\$ 6,140,204
Workers Compensation Expense	<u>620,880</u>

TOTAL	<u>\$ 6,761,084</u>
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SECTION XV - TAX RATE ESTABLISHED: An Ad Valorem Tax Rate of \$57.92 per \$100 property valuation is hereby established as the official tax rate for the City of Kannapolis for the fiscal year 2024-2025. This rate is based on an estimated valuation of \$8,882,324,940 and an estimated 99.00 percent collection rate, the audited FY 23 collection rate. Allocation of the 2024-2025 tax rate will be

as follows:

GENERAL FUND \$.5792

TOTAL TAX RATE \$.5792

SECTION XIV - SPECIAL AUTHORIZATION - CITY MANAGER OR DESIGNEE:

a The City Manager or designee is hereby authorized to transfer funds within or between funds, or modify revenue and expenditure projections, as contained under the following conditions:

1. The City Manager or designee may transfer amounts between objects of expenditures within a function (i.e. general government, public safety, public works, planning, parks and recreation).
2. The City Manager may transfer amounts between objects of expenditures and revenues without limitation.
3. The City Manager may not transfer any amounts between funds or from any contingency within any fund. Utilization of any contingency appropriation shall be accomplished with City Council approval only.
4. Additional authority is granted to the City Manager or designee to transfer amounts within and between funds for the sole purpose of funding salary and benefit adjustments consistent with the City of Kannapolis Personnel Policy and City of Kannapolis Personnel Ordinance.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the City Manager or designee may adjust budgets to match, including grants that require a City match for which funds are available. If a local match is included, this requires City Council approval.
6. The City Manager or designee can create debt financing amendments from estimated projections upon approval by City Council of the debt financing and adjust as needed upon closing.
7. The City Manager may execute contracts which are not required to be bid or which G.S 143-131 allows as informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The City Manager may reject formal bids for the purchase of apparatus, supplies, materials and equipment when deemed appropriate and in the best interest of the City of Kannapolis pursuant to G.S. 143-129 (a). Formal bids for construction or repair contracts must be awarded by City Council

b. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated in this ordinance when it appears to the City Manager that it would be in the best interest of the City for such expenditure to be withheld. This provision shall not in any way limit or restrict the right of the City Council to direct immediate disbursement of any appropriated funds when City Council is of the opinion that the funds should be expended regardless of the position

taken by the City Manager.

SECTION XVI - SPECIAL AUTHORIZATION – STAFFING AUTHORIZATION:

Funds allocated in this budget ordinance are meant to fund the employment of 453 Full Time positions for fiscal year 2025.

This Ordinance is approved and adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

SETS PROPERTY TAX RATE AT 52.50

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF KANNAPOLIS, NORTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina, meeting in open session this 24th day of June 2024, that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are hereby adopted.

SECTION I – GENERAL FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Ad Valorem taxes	\$ 46,565,884
Sales taxes	16,887,246
Intergovernmental	7,138,972
Other Revenues	9,634,972
Fund Balance Appropriated	<u>-</u>
TOTAL	<u>\$ 80,227,074</u>

SECTION II - WATER AND SEWER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Charges for Services	\$ 25,485,813
Other Revenues	<u>4,258,000</u>
TOTAL	<u>\$ 29,743,813</u>

SECTION III – STORM WATER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Storm Water Fees	\$ 3,400,000
Other Revenues	<u>350,000</u>
TOTAL	<u>\$ 3,750,000</u>

SECTION IV – ENVIRONMENTAL FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

User Fees	\$ 4,200,000
Transfer from General Fund	2,191,690
Other Revenues	265,000
Solid Waste Disposal Tax	<u>44,000</u>
TOTAL	<u>\$ 6,700,690</u>

SECTION V – PUBLIC TRANSIT SYSTEM FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Motor Vehicle Privilege Tax	\$ 433,600
Transfer from the General Fund	<u>1,188,223</u>
TOTAL	<u>\$ 1,621,823</u>

SECTION VI – SEPARATION PAY FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Transfer from General Fund	<u>\$ 600,000</u>
TOTAL	<u>\$ 600,000</u>

SECTION VII – INSURANCE AND RISK FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Health Insurance Premiums	\$ 5,940,204
Retiree Premiums	200,000
Workers Compensation Premiums	<u>620,880</u>
TOTAL	<u>\$ 6,761,084</u>

SECTION VIII - GENERAL FUND: A total of \$80,227,074 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

General Government	\$ 14,388,451
Public Safety	25,958,779
Parks and Recreation	9,217,946
Planning	1,339,115
Public Works, incl. Powell Bill	6,079,494
Other	8,647,433
Contingency	420,000
Debt Service	<u>14,175,856</u>
TOTAL	<u>\$ 80,227,074</u>

SECTION IX - WATER AND SEWER FUND: A total of \$29,743,813 is hereby authorized to be expended from the Water and Sewer Fund as follows:

General Management Services Fee	\$ 1,845,182
Billing and Collections – Water and Sewer	1,703,941
Distribution - Water and Sewer	6,920,889
WSACC – Sewage Treatment	5,869,191
Water Treatment Plant	5,373,362
Debt Service	<u>8,031,248</u>

TOTAL	<u>\$29,743,813</u>
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SECTION X – STORM WATER FUND: A total of \$3,750,000 is hereby authorized to be expended from the Storm Water Fund as follows:

Personnel	\$ 1,511,360
Operations	1,279,853
Debt Service	546,259
General Management Services Fee	<u>412,528</u>

TOTAL	<u>\$ 3,750,000</u>
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SECTION XI – ENVIRONMENTAL FUND: A total of \$6,700,690 is hereby authorized to be expended from the Environmental Fund as follows:

Personnel	\$ 905,220
Operations	<u>5,795,470</u>

TOTAL	<u>\$ 6,700,690</u>
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SECTION XII – PUBLIC TRANSIT SYSTEM FUND: A total of \$1,621,823 is hereby authorized to be expended from the Public Transit System Fund as follows:

Contracted Services	\$ 1,323,923
Capital Outlay	<u>297,900</u>

TOTAL	<u>\$ 1,621,823</u>
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SECTION XIII - SEPARATION PAY FUND: A total of \$600,000 is hereby authorized to be expended from the Separation Pay Fund as follows:

Personnel-Separation Pay	\$ <u>600,000</u>
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TOTAL	<u>\$ 600,000</u>
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SECTION XIV – INSURANCE AND RISK FUND: A total of \$6,761,084 is hereby authorized to be expended from the Insurance and Risk Fund as follows:

Health Insurance Expense	\$ 6,140,204
Workers Compensation Expense	<u>620,880</u>

TOTAL	<u>\$ 6,761,084</u>
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SECTION XV - TAX RATE ESTABLISHED: An Ad Valorem Tax Rate of \$52.50 per \$100 property valuation is hereby established as the official tax rate for the City of Kannapolis for the fiscal year 2024-2025. This rate is based on an estimated valuation of \$8,882,324,940 and an estimated 99.00 percent collection rate, the audited FY 23 collection rate. Allocation of the 2024-2025 tax rate will be as follows:

GENERAL FUND	\$.5250
TOTAL TAX RATE	\$.5250

SECTION XIV - SPECIAL AUTHORIZATION - CITY MANAGER OR DESIGNEE:

a The City Manager or designee is hereby authorized to transfer funds within or between funds, or modify revenue and expenditure projections, as contained under the following conditions:

1. The City Manager or designee may transfer amounts between objects of expenditures within a function (i.e. general government, public safety, public works, planning, parks and recreation).
2. The City Manager may transfer amounts between objects of expenditures and revenues without limitation.
3. The City Manager may not transfer any amounts between funds or from any contingency within any fund. Utilization of any contingency appropriation shall be accomplished with City Council approval only.
4. Additional authority is granted to the City Manager or designee to transfer amounts within and between funds for the sole purpose of funding salary and benefit adjustments consistent with the City of Kannapolis Personnel Policy and City of Kannapolis Personnel Ordinance.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the City Manager or designee may adjust budgets to match, including grants that require a City match for which funds are available. If a local match is included, this requires City Council approval.
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7. The City Manager may execute contracts which are not required to be bid or which G.S 143-131 allows as informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds.

8. The City Manager may reject formal bids for the purchase of apparatus, supplies, materials and equipment when deemed appropriate and in the best interest of the City of Kannapolis pursuant to G.S. 143-129 (a). Formal bids for construction or repair contracts must be awarded by City Council

b. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated in this ordinance when it appears to the City Manager that it would be in the best interest of the City for such expenditure to be withheld. This provision shall not in any way limit or restrict the right of the City Council to direct immediate disbursement of any appropriated funds when City Council is of the opinion that the funds should be expended regardless of the position taken by the City Manager.

SECTION XVI - SPECIAL AUTHORIZATION – STAFFING AUTHORIZATION:

Funds allocated in this budget ordinance are meant to fund the employment of 450 Full Time positions for fiscal year 2025.

This Ordinance is approved and adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk

"C"

SETS PROPERTY TAX RATE AT 55.95

AN ORDINANCE ADOPTING A BUDGET FOR THE CITY OF KANNAPOLIS, NORTH CAROLINA FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025

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Ad Valorem taxes	\$ 49,599,642
Sales taxes	16,887,246
Intergovernmental	7,138,972
Other Revenues	9,634,972
Fund Balance Appropriated	<u>-</u>
TOTAL	<u>\$ 83,260,832</u>

SECTION II - WATER AND SEWER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Charges for Services	\$ 25,485,813
Other Revenues	<u>4,258,000</u>
TOTAL	<u>\$ 29,743,813</u>

SECTION III – STORM WATER FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Storm Water Fees	\$ 3,400,000
Other Revenues	<u>350,000</u>
TOTAL	<u>\$ 3,750,000</u>

SECTION IV – ENVIRONMENTAL FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

User Fees	\$ 4,200,000
Transfer from General Fund	2,191,690
Other Revenues	265,000
Solid Waste Disposal Tax	<u>44,000</u>
TOTAL	<u>\$ 6,700,690</u>

SECTION V – PUBLIC TRANSIT SYSTEM FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

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Transfer from the General Fund	<u>1,188,223</u>
TOTAL	<u>\$ 1,621,823</u>

SECTION VI – SEPARATION PAY FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Transfer from General Fund	<u>\$ 600,000</u>
TOTAL	<u>\$ 600,000</u>

SECTION VII – INSURANCE AND RISK FUND: The City Council does estimate that the following revenues will be available during the fiscal year beginning July 1, 2024 and ending June 30, 2025:

Health Insurance Premiums	\$ 5,940,204
Retiree Premiums	200,000
Workers Compensation Premiums	<u>620,880</u>
TOTAL	<u>\$ 6,761,084</u>

SECTION VIII - GENERAL FUND: A total of \$83,260,832 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

General Government	\$ 14,143,755
Public Safety	25,958,779
Parks and Recreation	9,217,946
Planning	1,339,115
Public Works, incl. Powell Bill	6,079,494
Other	11,925,887
Contingency	420,000
Debt Service	<u>14,175,856</u>
TOTAL	<u>\$ 83,260,832</u>

SECTION IX - WATER AND SEWER FUND: A total of \$29,743,813 is hereby authorized to be expended from the Water and Sewer Fund as follows:

General Management Services Fee	\$ 1,845,182
Billing and Collections – Water and Sewer	1,703,941
Distribution - Water and Sewer	6,920,889
WSACC – Sewage Treatment	5,869,191
Water Treatment Plant	5,373,362
Debt Service	<u>8,031,248</u>
TOTAL	<u>\$29,743,813</u>

SECTION X – STORM WATER FUND: A total of \$3,750,000 is hereby authorized to be expended from the Storm Water Fund as follows:

Personnel	\$ 1,511,360
Operations	1,279,853
Debt Service	546,259
General Management Services Fee	<u>412,528</u>
TOTAL	<u>\$ 3,750,000</u>

SECTION XI – ENVIRONMENTAL FUND: A total of \$6,700,690 is hereby authorized to be expended from the Environmental Fund as follows:

Personnel	\$ 905,220
Operations	<u>5,795,470</u>

TOTAL	<u>\$ 6,700,690</u>
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SECTION XII – PUBLIC TRANSIT SYSTEM FUND: A total of \$1,621,823 is hereby authorized to be expended from the Public Transit System Fund as follows:

Contracted Services	\$ 1,323,923
Capital Outlay	<u>297,900</u>
TOTAL	<u>\$ 1,621,823</u>

SECTION XIII - SEPARATION PAY FUND: A total of \$600,000 is hereby authorized to be expended from the Separation Pay Fund as follows:

Personnel-Separation Pay	\$ <u>600,000</u>
TOTAL	<u>\$ 600,000</u>

SECTION XIV – INSURANCE AND RISK FUND: A total of \$6,761,084 is hereby authorized to be expended from the Insurance and Risk Fund as follows:

Health Insurance Expense	\$ 6,140,204
Workers Compensation Expense	<u>620,880</u>
TOTAL	<u>\$ 6,761,084</u>

SECTION XV - TAX RATE ESTABLISHED: An Ad Valorem Tax Rate of \$55.95 per \$100 property valuation is hereby established as the official tax rate for the City of Kannapolis for the fiscal year 2024-2025. This rate is based on an estimated valuation of \$8,882,324,940 and an estimated 99.00 percent collection rate, the audited FY 23 collection rate. Allocation of the 2024-2025 tax rate will be as follows:

GENERAL FUND	\$.5595
TOTAL TAX RATE	\$.5595

SECTION XIV - SPECIAL AUTHORIZATION - CITY MANAGER OR DESIGNEE:

a The City Manager or designee is hereby authorized to transfer funds within or between funds, or modify revenue and expenditure projections, as contained under the following conditions:

1. The City Manager or designee may transfer amounts between objects of expenditures within a function (i.e. general government, public safety, public works, planning, parks and recreation).
2. The City Manager may transfer amounts between objects of expenditures and revenues without limitation.
3. The City Manager may not transfer any amounts between funds or from any contingency within any fund. Utilization of any contingency appropriation shall be accomplished with City Council approval only.
4. Additional authority is granted to the City Manager or designee to transfer amounts within and between funds for the sole purpose of funding salary and benefit adjustments consistent with the City of Kannapolis Personnel Policy and City of Kannapolis Personnel Ordinance.
5. Upon notification of funding increases or decreases to existing grants or revenues, or the award of grants or revenues, the City Manager or designee may adjust budgets to match, including grants that require a City match for which funds are available. If a local match is included, this requires City Council approval.
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7. The City Manager may execute contracts which are not required to be bid or which G.S 143-131 allows as informal bids so long as the annual budget or appropriate capital project ordinance contains sufficient appropriated but unencumbered funds.
8. The City Manager may reject formal bids for the purchase of apparatus, supplies, materials and equipment when deemed appropriate and in the best interest of the City of Kannapolis pursuant to G.S. 143-129 (a). Formal bids for construction or repair contracts must be awarded by City Council

b. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated in this ordinance when it appears to the City Manager that it would be in the best interest of the City for such expenditure to be withheld. This provision shall not in any way limit or restrict the right of the City Council to direct immediate disbursement of any appropriated funds when City Council is of the opinion that the funds

should be expended regardless of the position taken by the City Manager.

SECTION XVI - SPECIAL AUTHORIZATION – STAFFING AUTHORIZATION:

Funds allocated in this budget ordinance are meant to fund the employment of 448 Full Time positions for fiscal year 2025.

This Ordinance is approved and adopted this 24th day of June 2024.

Milton D. Hinnant, Mayor

ATTEST:

Bridgette Bell, MMC, NCCMC
City Clerk



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Mike Legg, City Manager, Kristin Jones, Assistant to the City Manager
Subject: **FEE SCHEDULE - FY 2024-2025 (APPROVED UNANIMOUS)**

Action Requested by City Council

Adopt the fee schedule for FY2024-2025

Required Votes to Pass Required Action

Majority Present at Meeting

Background

As part of the annual budget process, City Council approves a user fee schedule for the upcoming fiscal year. This fee schedule implements the fees necessary to execute and implement the budget ordinance.

Fiscal Implications

Most of the fees remained unchanged for the upcoming fiscal year. There are a few changes identified and highlighted in the fee schedule attached. A brief summary of the related fee increases are explained below:

1. The Engineering Department provides inspection services for driveways, driveway storm drainage pipe, grading/drainage, sidewalk; and water and sewer. There is no fee for the initial inspection, but staff is proposing a \$50 re-inspection fee.
2. The Parks and Recreation Department provided special event fees for rental of the horseshoe property and also is proposing to increase the fees associated with youth athletics. The proposed fee is \$45 for residents (was \$40) and \$65 for non-residential (was \$60).
3. Other general adjustments were made in the schedule to make the fees more clearly defined.
4. Other increases are in the Environmental Fund related to commercial fees for the new waste hauler. This only impacts commercial customers. No fee increase is proposed for residential customers.
5. The following Water and Sewer fee increases are included in the FY 25 budget.

- An increase of \$1.44/month to the base sewer rate. This rate will go from \$3.80/month to \$5.24/month.

- An increase of \$0.75/1,000 gallons to the volumetric sewer rate. This rate will depend on whether you are inside the city or outside and what tier designation the consumption is. See fee schedule for related charges.

- An increase of \$0.51/1,000 gallons to the volumetric water rate. This rate will depend on whether you are inside the city or outside and what tier designation the consumption is. See fee schedule for related charges.

These fee increases are necessary for three reasons:

- To remain in compliance with our current rate covenants tied to existing debt service obligations
- To provide adequate revenues for the addition of the following proposed debt service: Kannapolis Spillway Replacement (\$6.3 million), Downtown Sewer Outfall (\$3.93 million) and the Salisbury Rowan Utility line (\$4.76 million)
- To meet the \$1.2 million revenue demand for increased WSACC fees for the next phase in sewage treatment capacity. This increase in rates will also better prepare the City long-term for the additional increases related to WSACC sewage treatment (estimated at an additional \$500,000 in FY 27 and on).

The debt service coverage calculation is a core statistic in assessing the financial health of a utility revenue system. The magnitude by which net revenues are sufficient to cover debt service shows the utility system's ability to tolerate business risks or declines in demand while still assuring repayment of debt. With existing debt service obligations, the transfer the Water and Sewer Fund makes to the General Fund for indirect support and proposed new debt service obligations, fee increases are necessary to maintain coverage. Staff has worked with our financial advisors and bond counsel related to these potential debt issuances and proposed rate increases.

Policy Issues

Adopting a Fee Schedule annually is a preferred way of ensuring that all fees are properly charged to residents and non-residents alike. Unlike the tax rate, any fees and charges in the Fee Schedule can be changed at anytime during the budget year (including Water and Sewer rates).

Legal Issues

None.

Recommendations and Alternate Courses of Action

1. **Motion to adopt the Fiscal Year 2024-2025 Fee Schedule (Recommended).**
2. Do not adopt a fee schedule.
3. Defer action to a future meeting.

Attachments

1. FY 25 Proposed Fee Schedule



Proposed Fiscal Year 2025 Fee Schedule

Presented: May 20, 2024

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Admin

Public Records

Fee

Copies of Documents (per sheet)	10 cents
Copies of Ordinances (each)	\$10
Thumb Drive with Data	\$ 5

Legal Notices

Fee

Legal Advertisements & Newspaper Ads.	\$300 or actual cost, Whichever is greater.
Returned Check Fee	\$25.00

HR

Employee Notices

Fee

Wage Garnishment Notice (each)	\$14.35
Employee ID Badge replacement	\$10.00

Police

Police Permits and Services

Fee

Fingerprinting	In-Town Residents	\$15.00
	Out-of-Town Residents	\$25.00
Sound Permits		\$25.00
Pawn Brokers Permits		\$275.00

Transportation

Vehicle license fee	<u>Fee</u> \$30.00 (annually)
Street Closure	\$300

Downtown Parking

	1 st Vehicle	2nd Vehicle	3rd Vehicle
Guaranteed Parking Permit (Vida Deck)	Vida Issued	\$30.00 (monthly)	\$60.00 (monthly)
Non-Guaranteed Parking Permit (Surface Lots Only)	Vida Issued	\$15.00 (monthly)	\$30.00 (monthly)
Lost Permit Replacement Fee	\$5.00 (each)	\$5.00 (each)	\$5.00 (each)

Grace Period: 30 minutes

Non-Peak Rate: Everyday 1am to 4pm: (No partial charges) \$1 / Hr.

Peak Rate: Everyday 4pm to 1am: (No partial charges) \$3 / Hr.

Daily Rate: Starts after 5 hours: \$25

Multi Day Rate: For resident guests: \$10 / Day

“Pass back” Penalty: \$100

Electric Vehicle (EV) Parking

- Fee for power- \$0.10/kWh (per kilowatt-hour).
- Fee for parking - grace period of 30 minutes after the vehicle has fully charged. There is a charge of \$2 for the first hour, after the time expires, a max charge of \$10.
- Transaction Fees - are transferred to the drive at \$0.50 + 5% of the total transaction. (This is a fee paid by the driver, not one that the City won't have to recover).

Engineering

- The Engineering Department provides inspection services for driveways, driveway storm drainage pipe, grading/drainage; sidewalk; and water and sewer. There is no fee for the initial inspection.
- \$50 re-inspection fee

Planning and Zoning

	<u>Fee</u>
Zoning Map Amendment: <i>*plus applicable Legal Ad & Mailed notification fees</i>	\$500.00
Conditional Zoning Map Amendment: <i>*plus applicable Legal Ad & Mailed notification fees</i>	\$600.00
KDO Text Amendment:	\$400.00
Special Use Permit: <i>*plus applicable Mailed notification fees</i>	\$600.00
Variance, Appeal, Nonconformity Adjustment: <i>*plus applicable Mailed notification fees</i>	\$300.00
Mailed Notification Fees:	\$50.00
Grading Permit (<i>without Site Plan</i>): <i>*plus \$25 per additional acre</i>	\$50.00
Driveway Permit:	\$25.00
Zoning Clearance Permit (Fees are for each item separately, even if combined in a single zoning clearance permit application)	
Residential 1F:	\$25.00
Residential 2F:	\$25.00
Multi-family (<i>5 units or less</i>):	\$250.00
Multi-family (<i>more than 5 units & whichever is greater</i>):	\$300.00 or \$.04/SF
Accessory (<i>Residential and Non-Residential</i>)	\$25.00
Non-Residential	\$30.00
Temporary Use	\$50.00
Temporary Construction Trailer	\$50.00
Home Occupation	\$50.00
Signs	\$40.00
Certification Letter	\$25.00
<i>*Zoning, Watershed, Floodplain, demo permits, etc.</i>	
Change of Use permits:	\$30.00
Site Plan Review (Multi-family Residential & Non-Residential): <i>*plus \$100 per additional acre</i>	\$200.00
Subdivision Fees	
Plat Exception:	No Charge
Minor Subdivision Plat Review:	\$50.00

Minor Subdivision Plat Revision:	\$40.00
Preliminary Major Subdivision Plat Review	\$400.00 (<i>plus \$30 per lot</i>)
Preliminary Major Subdivision Revision	\$50.00 (<i>Minor Amendment</i>)
Final Subdivision Plat Review	\$200.00
Final Subdivision Plat Revision	\$40.00

PUBLICATION FEES.

Land Use Plan	\$25.00
Kannapolis Development Ordinance	\$50.00
• Map – Extra Large: (36”X48”)	\$20
• Maps – Large: (24”X36”)	\$15
• Maps - Medium: (18”X24”)	\$10
• Maps – Small: (8.5”X11”)	\$5

** All fees established are due and payable at the time of product delivery or upon initial submittal of any item or items to be reviewed, processed or approved. All fees are non-refundable with the following exception: 75% of processing and notification fees for map amendments listed in Part 1 of this ordinance may be refunded if an application is withdrawn within seven (7) days following a pre-hearing neighborhood meeting.

** There will be a \$25.00 returned check fee for any check received by the City.

Fire

REQUIRED CERTIFICATE OF COMPLIANCE

<u>Certificate of Compliance</u>	<u>Fee</u>
1-1,000 SF	\$20.00
1,001-20,000 SF	\$50.00
20,000-50,000 SF	\$100.00
50,000-70,000 SF	\$200.00
Every 20,000 SF over 70,000 SF is an additional	\$50.00
Certificate of Compliance Re-inspections	\$ 50.00
<u>Plan Review</u>	
Construction	\$50.00+ .025/sf
Up-Fit	\$50.00+ .025/sf
Site Plan	\$50.00
Re-review fee	\$50.00
<i>* applied on third submittal & each re-submittal thereafter</i>	
Hydrant flow test (fee per hydrant)	\$150.00
Temporary Power Inspection	\$50.00
Load Merchandise Inspection	\$50.00

(1) For multi-tenant building, fees are per tenant.

(2) For multiple building owned by the same owner(s), fees are per building as defined by the NC Building Code, Vol. 1.

- (3) Individuals or companies that have not secured permits or Certificates of Compliance prior to beginning work or occupying the structure shall be charged double the listed amount.
- (4) Re-inspections of the sprinkler system, fire alarm system, or building for Certificate of Compliance will result in an additional fee per inspection.

REQUIRED CONSTRUCTION PERMITS

	<u>Permit Fee</u>	<u>Test Fee</u>
Automatic Fire Extinguishing Systems (Ansul/Sprinkler)	\$150.00	\$150.00**
Compressed Gases	\$150.00	\$150.00
Fire Alarm & Detection Systems	\$150.00	\$150.00**
Fire Pumps	\$150.00	\$150.00
Flammable & Combustible liquids	\$150.00	\$150.00
Hazardous Materials	\$150.00	\$150.00
Industrial Ovens	\$150.00	\$150.00
Spraying or Dipping Operations	\$150.00	\$150.00
Standpipe Systems	\$150.00	\$150.00

NOTE: Any system installation prior to plan review and/or a permit being issues will incur a double fee.

Any structure over 70,000 SF x .002 + \$150 **

(DOES NOT INCLUDE HOOD SYSTEM/ANSUL)

REQUIRED OPERATION PERMITS

	<u>Fee</u>
Amusement Buildings	\$150.00
Carnivals and Fairs	\$300.00
Covered Mall Buildings	\$150.00
Exhibits and Trade Shows	\$2,500/yr or \$150.00/event
Explosives (blasting)	\$100/1-day or \$300/90-days
Liquids Use, Dispensing, Storage, Transportation	\$150.00
UGST/AGST Install, Alter, Remove, Abandon	\$250.00/site
Change in Liquid in Tanks	\$150.00
Liquid Dispensing – AGST/UGST to Vehicles	\$150.00
Liquid Dispensing – Tanker to Vehicles	\$150.00
Pyrotechnic Special Effects Material (Fireworks)	\$300.00/day & site
Spraying or Dipping	\$150.00
Tents & Canopies	\$50.00/tent

REQUIRED OTHER CHARGES/FEES

	<u>Fee</u>
Environmental Site Assessment Research	\$25.00 per hour (<i>one hour minimum</i>)
Fire Flow request/Special Request (fee per hydrant)	\$150.00/hydrant
Stand-by firefighters	\$20.00/hr per firefighter
<i>* when required by fire official or requested by occupant</i>	
After Hours Inspection – Special Request	\$35.00/hr (<i>minimum of 2 hours</i>)
After Hour Plan Review – Special Request	\$150.00/submittal

Other inspections by request	\$100.00
Knox/Lock Box Maintenance (Found with incorrect key)	\$100.00
Re-inspections (third visit or additional inspections)	\$50.00
State License Inspection Fee (ABC, State Bar, etc.)	\$100.00
Daycare & Nursing Home License Inspection Fee	\$ 75.00
Group Home License Inspection Fee (annually)	\$75.00
Foster License Inspection Fee (annually)	\$20.00 (<i>second visit \$50.00</i>)
Fire Incident Report Copy(s)	\$1.00 (<i>per report</i>)
Fire Extinguisher Recharge use for class	Current Market Rate per Ext.
Fire Extinguisher Program (Training Class)	\$ 50.00/On-site (Fire Station/City Hall)
Fire Extinguisher Program (Training Class)	\$75.00/Off-site at Requested Business

ANNUAL FIRE INSPECTION PROGRAM

	<u>Fee</u>
First Inspection (initial)	\$0.00
Second Visit Re-inspection	\$0.00
Third Visit Re-inspection	\$50.00
Fourth Visit Re-inspection	\$100.00

Additional Re-inspections will increase at \$50 per inspection until violations are corrected.

HAZARDOUS MATERIALS FEES:

Solids (lbs)	Liquids (gals)	Gases (SCF)	<u>Fee</u>
< 501	< 56	< 201	\$50.00
501 – 5,000	56 – 550	201 - 2000	\$150.00
5,001 – 25,000	551 – 2,750	2,001 – 10,000	\$200.00
25,001 – 50,000	2751 – 5500	10,001 – 20,000	\$250.00
50,001 – 75,000	5501 – 10,000	20,001 – 40,000	\$300.00
>75,000	> 10,000	>40,000	\$300.00
pound ** (<i>plus .01/per gallon//scf in excess of listed amount</i>)			
NOTE: Excluding LPG/Medical gases			
LPG (Excludes LPG used ONLY for heating and cooking)			\$150.00/tank
Medical Gasses			\$150.00/tank
Radioactive Materials any amount			\$125.00

STAND-BY PERSONNEL/EQUIPMENT

	<u>Fee(work hrs.)</u>	<u>Fee(Overtime)</u>
Ladder/Hazmat	\$125.00	\$95.00
Engine/Tanker	\$95.00	
Crash Truck/ Heavy Rescue	\$95.00	
Rescue Units	\$95.00	
Mobile Command Unit/Bus	\$30.00	
USAR	\$28.00	
Light Vehicles (Cars/Pick-ups)	\$17.00	\$27.00

Trailers	\$10.25	
Mules/ATV	\$8.00	
Assistant Chief/Division Chief	\$35.87	\$53.81
Battalion Chief	\$23.39	\$35.08
Fire Captain	\$21.21	\$31.82
Engineer	\$17.45	\$26.18
Firefighter	\$15.07	\$22.61
Risk Reduction Personnel	\$25.49	\$38.24

Based on Stand-by per quarter hour, minimum 2 hours.

HAZMAT SUPPLIES

Item	Rate
Level “A” (enclosed, splash, and vapor protection)	
Large-XLarge	1775.00
2XLarge	1975.00
Level “A” Suits (Flash protection)	
Large – Xlarge	2495.00
XXLarge	2695.00
Level B Suits (Splash protection)	
S- XLarge	170.50
2XL to 4XL	207.00
Tyvek Disposable Coveralls	17.00
Butyl Gloves	76.25 pair
Silver Shield Gloves	10.95 pair
Nitrile Gloves	5.30 pair
Rain fair Latex Nuke Boots (yellow over boots)	6.00 pair
Chem-Tape (for sealing gaps in suits at sleeve, ankle, hood and storm flap)	42.00
Pipettes	1.00 ea
Boom 8 x 10	72.64
Boom 3 x 10	10.77
Boom 3 x 4	6.40
Absorbent	15.00/bag
Absorbent pads 17”x19” (Universal, oil only and Haz-Mat)	.75 ea
Absorbent Pillows 16”	5.07 each
Absorbent Padding Roll (Universal) 30”x150’	105.00 roll
Pail of Acid Neutralizer 40 lb.	132.95
Pail of Base Neutralizer 40 lb.	360.00
Soda Ash 50lb. bag	45.25
55 gallon drums	99.00
Overpack Drum	189.00
20 gallon containment Pool	82.00
66 gallon containment Pool	120.00
100 gallon containment Pool	193.95
150 gallon containment Pool	206.95
Drain seal/inlet guard	78.40
3’x2’ Magnet Drain Cover	95.60

Item	Rate
2'x2' Magnet Drain Cover	63.80
Large Wooden Cone Plug	10.00
Small Wooden Cone Plug	5.00
Plug N Dike	28.00
Flow Stop Football	88.00
Flow Stop Golfball	46.00
Foam Class B (Thuderstorm)	37.00/gallon
Foam Class A	12.75/gallon
Drager CMS Chips	
Acetic Acid 2 -50 ppm	77.95
Acetone 40-600 ppm	81.25
Ammonia 2-50 ppm	55.31
Ammonia 10-150 ppm	55.31
Benzene 10-250 ppm	147.91
Benzene 0.2-10 ppm	144.65
Carbon Dioxide 200-3000ppm	55.52
Carbon Dioxide 1000-25000ppm	55.52
Carbon Monoxide 5-150ppm	53.70
Chlorine 0.2-10 ppm	55.31
Formaldehyde 0.2-5 ppm	75.85
Hydrochloric Acid 1-25 ppm	70.17
Hydrogen Peroxide .2-2 ppm	79.49
Hydrogen Sulfide 2-50 ppm	55.31
Methanol 20-500 ppm	89.20
Nitrogen Dioxide .5-25 ppm	55.24
Nitrous Fumes (NO + NO2) 0.5-15ppm	53.70
Perchloroetheylene 5-500 ppm	64.74
Petroleum Hydrocarbons 100 – 3000ppm	78.53
Petroleum Hydrocarbons 20-500ppm	79.42
Phosgene .05-2.0ppm	89.20
Phosphine 1-25 ppm	66.91
Sulfur Dioxide 0.4-10 ppm	55.24
Trichloroethylene 5 – 100 ppm	64.00
Vinyl Chloride 0.3-10 ppm	70.87
Drager and GasTec Detector Tubes	
Acetaldehyde 100-1000ppm	66.71
Acetic Acid 5-80ppm	62.81
Ammonia 5-700ppm	55.75
Carbon Dioxide 0.5-20% Vol	88.30
Chlorine 0.3 – 5ppm	66.03
Chlorine 50-500ppm	63.97
Chlorobenzene 5-200ppm	63.97
Clan Lab Simultaneous Test Set	75.92

Item	Rate
Cyanogen Chloride .25-5ppm	85.03
Haz-Mat Simultaneous Test Set 1 (inorganic)	127.16
Haz-Mat Simultaneous Test Set 2 (inorganic)	127.16
Haz-Mat Simultaneous Test Set 3 (organic)	127.16
Hydrocyanic Acid 2-150ppm	58.26
Hydrogen Cyanide 0.36-120 ppm	78.51
Hydrogen Flouride .5-90ppm	67.44
Nitrogen Dioxide 0.1-30ppm	80.12
Nitrogen Dioxide 0.5-125 ppm	52.97
Organic Arsenic Qualitative	80.26
Organic Basic Nitrogen Comp 1mg/ m3	85.73
Phenol 0.4-187 ppm	80.97
Phosphoric Acids Esters Up to .05ppm	104.94
Thioether 1mg/ m3	86.08
Vinyl Chloride 0.25-54 ppm	80.26
Decon Pools/Burms	360.00 ea
Chemical Classifiers Strips	10.00 ea
PH Papers	10.00 roll
Chemical Agent Detection Paper/Tape	50.00 ea
35 gallon trash can	30.00
Drum Sampler Tube	7.00 ea
Decon Solution	88.00/gallon
Tarp	57.00 ea
Mercury Spill Kit	24.00 ea
1 lb of 8p nails	3.47
1 lb of 16p nails	4.20
1 lb of 3" deck screws	9.94
4' x 8' 7/16" OSB Sheathing	7.25
4" x 6" x 12' Lumber	22.00
4" x 4" x 16' Lumber	21.00
2" x 4" x 16' Lumber	7.00

Parks

VILLAGE PARK SHELTERS

	<u>½ Day Rental</u>	<u>Full Day Rental</u>
Shelter A		
Resident	\$25	\$40
Non-Resident	\$32	\$55
Shelter B		
Resident	\$45	\$80
Non-Resident	\$55	\$100
Shelter C		

Resident	\$25	\$40
Non-Resident	\$32	\$55
Shelter C- Saturdays - 2 hour rental		
Resident	\$15	
Non-Resident	\$20	
Shelter D		
Resident	\$35	\$60
Non-Resident	\$45	\$80
Shelter E		
Resident	\$25	\$40
Non-Resident	\$32	\$55
Rental of all 4 shelters		
Resident	\$110	\$144
Non-Resident	\$200	\$270

Descriptions of Shelter Areas:

Village Park Shelter A – use by reservation only

Shelters A & C hold approximately 36 people and have 6 picnic tables. These shelters offer power receptacles and grills. They are located close to the splash pad, carousel, train and playground. Cost for a resident to reserve Shelter A is \$25 for a half day (9 – 2:30pm or 3 – 8:30pm). Cost for a full day (9 – 8:30pm) is \$40. Half day reservations may be made on-line; to make a full-day reservation, please call our office at 704-920-4343.

Village Park Shelter B – use by reservation only

Shelter B holds approximately 96 people and has 16 picnic tables. Shelter B offers power receptacles and a grill. This shelter is close to the splash pad, carousel, train and playground. Cost for a resident to reserve Shelter B is \$45 for a half day (9 – 2:30pm or 3 – 8:30pm). Cost for a full day (9 – 8:30pm) is \$80. Half day reservations may be made on-line; to make a full-day reservation, please call our office at 704-920-4343.

Village Park Shelter C – use by reservation only

Shelters A & C hold approximately 36 people and have 6 picnic tables. These shelters offer power receptacles and grills. They are located close to the splash pad, carousel, train and playground. Cost for a resident to reserve Shelter C is \$25 for a half day (9 – 2:30pm or 3 – 8:30pm). Cost for a full day (9 – 8:30pm) is \$40. BIRTHDAY PARTY TIME BLOCKS: On Saturdays, Shelter C may be reserved in 2-hour time blocks. (9:30 – 11:30, 12:00 – 2:00, 2:30 – 4:30, 5:00 – 7:00). Cost for residents to reserve a 2-hour time block is \$15.00. Two Hour time blocks and half day reservations may be made on-line; to make a full-day reservation, please call our office at 704-920-4343.

Village Park Shelter D – use by reservation only

Shelter D holds approximately 60 people and has 10 picnic tables. Shelter D offers power receptacles and a grill. This shelter is close to the splash pad, carousel, train and playground. Cost for a resident to reserve Shelter D is \$35 for a half day (9 – 2:30pm or 3 – 8:30pm). Cost for a full day (9 – 8:30pm) is \$60. Half day reservations may be made on-line; to make a full-day reservation, please call our office at 704-920-4343.

Village Park Shelter E – use by reservation only

Shelter E holds approximately 24 people and has 4 picnic tables. Shelter E offers power receptacles and a grill. This shelter is located adjacent to the playground and close to the splash pad, carousel and train. Cost for a resident to reserve Shelter E is \$25 for a half day (9 – 2:30pm or 3 – 8:30pm). Cost for a full day (9 – 8:30pm)

is \$40. Half day reservations may be made on-line; to make a full-day reservation, please call our office at 704-920-4343.

BAKERS CREEK PARK SHELTERS

	<u>½ Day Rental</u>	<u>Full Day Rental</u>
Shelters 1, 2 &3		
Resident	\$40	\$65
Non-Resident	\$47	\$72
Shelter 4		
Resident	\$25	\$45
Non-Resident	\$32	\$52
Shelter (930 West 8 th Street)	\$50	
<i>Individual Picnic Sites:</i>		
Site A (3 tables, 1 grill, seats 20 - 24)	\$15	\$30
	<u>½ Day Rental</u>	<u>Full Day Rental</u>
Site B (2 tables, 1 grill, seats 12 - 15)	\$10	\$20
Site C (2 tables, 1 grill, seats 12 - 15)	\$10	\$20
Site D (1 table, 1 grill, seats 8-10)	\$5	\$10

Descriptions of Shelter Areas:

Bakers Creek Park Large Picnic Shelters – use by reservation only

Shelters 1 & 2 hold up to 90 people and Shelter 3 holds up to 125 people. These large picnic shelters offer water, lights, receptacles, grills and horseshoe pits.

Bakers Creek Small Shelter Picnic Site (Shelter #4) – use by reservation only

This one covered picnic site is available that holds up to 30 people. Four large picnic tables and a grill are included. No power, water or horseshoe pits are available. Located adjacent to playground.

Mountain Street Park (Bakers Creek Park Expansion) Shelter – use by reservation only

The Expansion Park, located at the corner of **930 West 8th St. and Mountain St.**, offers four picnic tables, a grill, playground, two sand volleyball courts, horseshoe pits and restrooms. Limited parking is available. Good for small groups under 30 people. For use only daily, no half-day rentals.

OTHER FEES

- Excessive Cleaning (see policy): \$30/hr.
- Police Officer: If required, rate will be provided during application submission

HOURS

- Business Hours: 8:00AM – 5:00PM (Mon – Fri)
- After Business Hours: Nights and Weekends
- Holidays: Any designated City holiday

VILLAGE PARK AMPHITHEATER

Refundable Security Deposit: \$500

Resident for-profit:	\$550
Resident non-profit:	\$350
Non-Resident for-profit:	\$1,050
Non-Resident non-profit:	\$800
Staffing (2 staff required):	\$30/per hour (3hr minimum)
Parking:	\$15/per hour per person

EXTRA FEES

Use of Green Room \$200/flat rate

Set-up: \$200

Clean-up: \$300

**each additional hour after 5 hours is \$50/hour*

**Must be reserved through special event process*

SPLASH PAD

\$1.50/per person per day
children 1 year of age and under are free

TRAIN

\$1.50/per person per ride
children 1 year of age and under are free

CAROUSEL

\$1.50/per person per ride
children 12 months of age and under are free

*10% off for the purchase of 10 tickets or more for the train/carousel; or 10% off the purchase of 10 wristbands or more for the splashpad

CAROUSEL/TRAIN PHOTO SHOOTS

\$30/hr. (1 hour minimum)

**Only permitted during non-operational hours for both*

**No earlier than 8 am and not later than 9 pm*

FAST PASS

\$5.00

SENIOR TRIPS

Variable

YOUTH ATHLETICS

\$45 Residential

\$65 Non- Residential

GYM RENTALS (KMS city schools)

- \$30/ per hour Residential
- \$40/per hour Non-Residential

CEMETERY FEES

- Transfer of burial rights within a family: \$25.00

- Transfer of burial rights outside of immediate family members: \$200.00/per plot
- Transfer of vacant plots to the City: No Charge
- Burial Fee (must be paid prior to burial): \$150.00/per plot
- Security deposit to ensure marker (must be paid prior to burial): \$280.00

GEM THEATRE

Movie Tickets:	Before 6pm: \$4.00 (<i>all tickets</i>) After 6pm: Children and Seniors: \$4.00, Adults: \$5.00
Photo Shoots inside theatre	\$30/hr. (1 hour minimum) <i>*Only permitted during non-operational hours</i> <i>*No earlier than 8 am and not later than 6 pm (M-F only)</i>
Special Event Room:	Business Hours: \$40.00 per hour Evenings and Weekends: \$50.00 per hour Refundable Security Deposit: \$250-\$500
Special Events for whole theater: <i>Example: Graduation ceremony/private non-movie event (prior to show times)</i>	\$1,000 minimum <i>includes 5 hours; each additional hour \$200.00</i>
Special Events for whole theater: <i>Example: Private event during a normal show time</i>	\$3,000 minimum <i>includes 5 hours; each additional hour \$200.00</i>
Theater for special movie showings (outside normal hours):	\$240 minimum (\$4.00 per person afterwards) + <i>applicable licensing fees</i>
School Groups for special movie showing:	\$200 minimum (\$2.00 per person afterwards) + <i>applicable licensing fees</i> Group Rate Concessions: \$1.50 small drink \$1.50 small popcorn
Special Message on the Marquee:	\$50.00 (<i>3 hours for one side</i>)
Birthday Party Packages	\$200.00 includes: • Admission, small popcorn, and medium drinks for 15 guests for the current movie showing at one of the already scheduled movie times. • One hour of use of the party room either before or after the movie. • Use of our fountain drink machine in the party room during that time. • Each additional guest is \$7.75 after the first fifteen.

	Parents/Chaperones ratio must be 1:10 for anyone under the age of 18.
Bulk Ticket Pricing: (<i>valid during any showtime</i>)	\$3.50 per child/senior ticket (25 tickets or more) \$4.50 per adult ticket (25 tickets or more)

SWANEE THEATRE

- Rental per hour fee: \$500/hour (all inclusive; tables, chairs, linens) ***
- Prime Time Rental Friday & Saturday per hour pricing: \$800/hour for a minimum of 8 hours ***
 - Sound staff *required*: \$50/hour
 - Bartending staff: \$20/hour (required if bar service is requested)
 - Event staff: \$15/hour (required if room set-up changes during event; i.e. flipping the room during an event)
- Upstairs Meeting Room: \$200/flat rate
- Green Room: \$200/flat rate
- Kitchen: \$100/flat rate
- Use of Outside Catering Company: \$100/flat rate ((other than preferred catering list; must provide health department and insurance information)
- Marquee price: \$50 for 3 hours

*** Deposits/minimum required hours: \$250 for professional events; \$500 for social events; \$150 alcohol fee; 4 hours min for social, 2 hours min for business event except Friday and Saturdays.

	Kannapolis Based Organization (Resident)	Non-Kannapolis Based Organization (Non-Resident)
Softball field without lights	\$10.00 per hour per field	\$15.00 per hour per field
Softball field with lights	\$20.00 per hour per field	\$30.00 per hour per field
*There will also be a \$15.00 per field/per time that fields are lined and dragged.		
Soccer field without lights	\$15.00 per hour per field	\$20.00 per hour per field
Soccer field with lights	\$26.00 per hour per field	\$35.00 per hour per field

Fields available for reservations:			
	Fence distance Field size	Base distance options	Pitching distance options
Bakers Creek Park softball field (1 available)	285 ft	65'	50'
Safrit Park softball fields (2 available) 1415 Bethpage Road	300 ft	60', 65', or 90'	46' or 54'
Safrit Park soccer field (1 available) 1415 Bethpage Road	225 x 360	N/A	N/A

Kannapolis Middle School (baseball field) 1445 Oakwood Avenue	305 ft	90'	mound
Kannapolis Middle School (softball field) 1445 Oakwood Avenue	225 ft	65'	
Kannapolis Middle School (football & soccer field) 1445 Oakwood Avenue			

Rainout Hotline & Program Information number: 704-920-4344
In cases of inclement weather, the Kannapolis Parks and Recreation Department reserves the right to close any athletic field for safety or maintenance concerns. The hotline will be updated at 4:00 p.m. on each questionable day. Please call the number above to see if your games are being played or not.

Rate	Lining	Turf	Additional Fees	Lights	Deposit
\$150/day per field	one free lining then \$15/prep	\$12/bag	\$75 gate, 100% concession	\$15/hr. per field	\$100

Tournament Cancellations:

A tournament that is cancelled after 5:00 PM on Wednesday (non-weather related) will be charged \$100 for the first cancellation, \$100 for a second cancellation and \$100 for a third cancellation. Aside from the \$100 cancellation fee, all remaining tournaments will be removed if the user has canceled a tournament for a third time.

A tournament that is cancelled after 5:00 PM on Wednesday (weather-related) will be credited with the rental fee for a future date. Please note all weather-related cancellation will be subject to approval.

If the tournament is cancelled by the Parks and Recreation department due to weather after it has begun, the following format will be used to determine the amount of credit for future field rentals:

Less than ½ of the tournament has been played, 100% of remaining tournament fees will be credited

More than ½ of the tournament has been played, 50 % of remaining tournament fees will be credited

	Kannapolis Based Organization (Resident)	Non-Kannapolis Based Organization (Non-Resident)
Tennis court	\$3.00 per hour per court	\$5.00 per hour per court
Tennis court lights	\$4.00 per hour	\$4.00 per hour
*Light fee covers all lights at tennis complex.		

Special Event Fees

Police: The Special Events Committee, in consultation with the Kannapolis Police Department, shall determine the number of police officers required to appropriately manage street closures and for internal security, as well as the time when such services shall commence and end. Applicants will be invoiced before the event at the rate of \$35.00 per hour per police officer assigned to the event. These fees are due one (1) week before the event.

Fire and EMS: The Special Events Committee, in consultation with the Kannapolis Fire Department will determine the number of Emergency Medical Personnel required as well as the time when such services shall commence and end. Applicants will be invoiced before the event at the rate of \$35.00 per hour per firefighter/EMS assigned to the event. These fees are due one (1) week before the event.

Street Closure Equipment: The Special Events Committee, in consultation with the Kannapolis Public Works Department, shall determine the need for traffic control equipment to appropriately manage street closures. Applicants will be notified of the recommended controls. The applicant may rent the equipment at the rate of \$175.00 per event. These fees are due one (1) week before the event.

Greenway Event Usage: For events held on a Kannapolis Parks and Recreation maintained Greenway usage must be pre-approved by the Special Events Committee.

Insurance: If an event requires a street or sidewalk closure then Comprehensive General Public Liability Insurance is required: \$1, 000,000 per person per occurrence with a \$2,000,000 aggregate naming the City of Kannapolis as additionally insured. **Certificate should be specifically worded: “The City of Kannapolis, its officers, employees, and agents are additionally insured”. If alcohol is being served at the event, Liquor Liability is required to be included in the Certificate of Insurance. Proof of insurance is required at least 30-days before the event.

Current Special Events Permit Fee Schedule: Fees for special events and neighborhood block parties will utilize the below fee schedule.

Permit fees are non-refundable and are subject to change.

Parade, Walk, or Run:	\$125
Festival/Exhibition Shows:	
Non-Profit without Sales	\$100
For- Profit Organizations	\$200

Neighborhood Block Parties: \$50

Fees are not applicable if the event is contained to private property and requires no City resources.

Special Event Fees for use of Horseshoe Property

Refundable Security Deposit: \$500

Resident for-profit: \$500 per day

Resident non-profit: \$350 per day

Non-Resident for-profit: \$1,050 per day

Non-Resident non-profit: \$800 per day

*Must be reserved through the special event process.

Water and Sewer Fees

WATER RATES	Inside City	Outside City
Individual Water Service: (less than 2 inch) (Note 1)		
• Tier 1 per 1,000 gallons (0-7,000 gals)	\$ 7.31	\$ 8.46
• Tier 2 per 1,000 gallons (over 7,000 gals)	\$ 7.60	\$ 8.81
• Irrigation per 1,000 gallons	\$ 7.60	\$ 8.81
* Base monthly charge (Note 2)	\$ 6.95	\$ 8.15
* monthly rate for unmetered service – residential only (Note 3)	\$ 47.60	\$ 55.65

Private Water Systems (more than one user):

• Tier 1 per 1,000 gallons (0-7,000 gals)	\$ 7.31	\$ 8.46
• Tier 2 per 1,000 gallons (over 7,000 gals)	\$ 7.60	\$ 8.81
• Irrigation per 1,000 gallons	\$ 7.60	\$ 8.81
* base monthly charge per user as determined by number of dwelling units or commercial spaces on site, occupied or vacant	\$ 6.95	\$ 8.15

Commercial Water Service

• Tier 1 per 1,000 gallons (0-7,000 gals)	\$ 7.31	\$ 8.46
• Tier 2 per 1,000 gallons (over 7,000 gals)	\$ 7.31	\$ 8.46
• Irrigation per 1,000 gallons	\$ 7.60	\$ 8.81
*base monthly charge	\$ 6.95	\$ 8.15

Fire Line Service: (incremental charge based on size of line)

monthly service rate (4 inch or less) *no increase	\$ 47.60	\$ 55.65
monthly service rate (6 inch) \$16 increase	\$ 63.60	\$ 71.65
monthly service rate (8 inch) \$24 increase	\$ 71.60	\$ 79.65
monthly service rate (10 inch) \$42 increase	\$ 89.60	\$ 97.65
monthly service rate (12 inch) \$73 increase	\$ 120.60	\$ 128.65

SEWER RATES	Inside City	Outside City
Individual Sewer Service:		
* per 1,000 gallons water used	\$ 7.45	\$ 7.45
* base monthly charge	\$ 5.24	\$ 5.24
* monthly rate for unmetered service – residential only	\$ 46.90	\$ 46.90

Private Sewer Systems (more than one user):

* per 1,000 gallons based on master meter	\$ 7.45	\$ 7.45
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* base monthly charge per user as determined by number of dwelling units or commercial spaces on site, occupied or vacant (Note 2)	\$ 5.24		\$ 5.24
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(Note 1) Water rates for customers with 2 inch meter or larger shall pay inside City rates.

(Note 2) All City customers will pay the base charge in addition to the per 1,000 gallon charge. Master metered customers will pay the base charge times the number of units served in addition to the per 1,000 gallon charge. Residential water customers using metered service for irrigation purposes only, shall not (during periods when level II or higher water restrictions are in effect) be billed a minimum bill for zero (-0-) usage.

(Note 3) Unmetered service is based upon an average bill of 7,000 gallons usage within a given month.

WATER TAP AND CONNECTION FEES	Inside City		Outside City	
Individual Water Tap Fees:				
* 3/4" service (installation by City)	\$ 3,250.00	*	\$ 3,250.00	*
* 1" service (installation by City)	\$ 3,450.00	*	\$ 3,450.00	*
* 1-1/2" service (installation by City)	\$ 3,750.00	*	\$ 3,750.00	*
* 2" service (installation by City)	\$ 4,050.00	*	\$ 4,050.00	*
* Larger than 2" (installation by customer or City)	All Cost Borne By Customer		All Cost Borne By Customer	

Fire Line Service Tap:

* All sizes (installation by the customer)	All Cost Borne By Customer		All Cost Borne By Customer
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Tap on of New Water Main to Existing:

* All sizes (installation by the customer)	All Cost Borne By Customer		All Cost Borne By Customer
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Individual Water connection fees: These fees were derived from meter factors as developed in the American Water Works Association Standards Manual. (See Note A)

Water meter Size

* 3/4" service	\$ 1,350.00		\$ 1,350.00
* 1" service	\$ 3,000.00		\$ 3,000.00
* 1-1/2" service	\$ 6,000.00		\$ 6,000.00
* 2" service	\$ 9,600.00		\$ 9,600.00
* 3" service	\$ 18,000.00		\$ 18,000.00
* 4" service	\$ 30,000.00		\$ 30,000.00

* 6" service	\$ 60,000.00		\$ 60,000.00
* 8" service	\$ 96,000.00		\$ 96,000.00
* 10" service	\$ 138,000.00		\$ 138,000.00

(Note A)

(1) Tap fee and connection fee shall be per lot or per unit to be served. Commercial Customers shall be all cost borne by customer and the tap fee is waived.

(2) Master metered developments shall pay a connection fee for each lot or individual unit served or fee for meter size whichever is greater.

(3) Connection fee due from residential developers shall be paid before issuance of the zoning clearance permit. (Tap fees are waived where developer has installed water systems in accordance with City Ordinance.)

(4) Connection fee is due from commercial and industrial developers before zoning permits can be issued by the City.

(5) Connection fee for residential customers where a tap fee is also due shall be paid before tap is installed by the City.

(6) Residential and commercial developers who have preliminary plats approved by the City before December 18, 2000 shall be exempt from paying the connection fee.

(7) Commercial and industrial developers who are not required to obtain plat approval shall be exempt from paying the connection fee if zoning permits have been issued by the City prior to December 18, 2000. (Manufactured home parks and multi-family apartment complexes are included as commercial developers).

(8) All applicable fees must be paid before receiving City water service.

(9) All new or modified services in NCDOT owned rights-of-way shall be at cost, All Cost Borne By Customer.

SEWER TAP AND CONNECTION FEES	Inside City		Outside City
Individual Sewer Service Tap Fees:			
* 4" service (installation by the City) (includes any size pumped by customer)	\$ 4,250.00		\$ 4,250.00
* 6" or larger or where utility encasement may be required (installation by customer or City)	All Cost Borne By Customer		All Cost Borne By Customer

Tap on of New Sewer Line to Existing:

* All sizes (installation by the customer)	All Cost Borne By Customer		All Cost Borne By Customer
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Individual Sewer Connection Fees: These fees were derived from meter factors as developed in the American Water Works Association Standards Manual. (See Note B)

Water meter Size

* 3/4" service	\$ 1,000.00		\$ 1,000.00
* 1" service	\$ 1,625.00		\$ 1,625.00
* 1-1/2" service	\$ 3,250.00		\$ 3,250.00

* 2" service	\$ 5,200.00		\$ 5,200.00
* 3" service	\$ 9,750.00		\$ 9,750.00
* 4" service	\$ 16,250.00		\$ 16,250.00
* 6" service	\$ 32,500.00		\$ 32,500.00
* 8" service	\$ 52,000.00		\$ 52,000.00
* 10" service	\$ 74,750.00		\$ 74,750.00

(Note B)

(1) Tap fee and connection fee shall be per lot or per unit to be served. Commercial Customers shall be all cost borne by customer and the tap fee is waived.

(2) Master metered developments shall pay a connection fee for each lot or individual unit served or fee for meter size whichever is greater.

(3) Connection fee due from residential developers shall be paid before issuance of the zoning clearance permit. (Tap fees are waived where developer has installed sewer systems in accordance with City Ordinance.)

(4) Connection fee is due from commercial and industrial developers at the time of application for service.

(5) Connection fee for residential customers where a tap fee is also due shall be paid before tap is installed by the City.

(6) Residential and commercial developers who have preliminary plats approved by the City before December 18, 2000 shall be exempt from paying the connection fee.

(7) Commercial and industrial developers who are not required to obtain plat approval shall be exempt from paying the connection fee if zoning permits have been issued by the City prior to December 18, 2000. (Manufactured home parks and multi-family apartment complexes are included as commercial developers).

(8) All applicable fees must be paid before receiving City sewer service.

(9) All new or modified services in NCDOT owned rights-of-way shall be at cost, All Cost Borne By Customer.

SERVICE FEES AND DEPOSITS	Inside City		Outside City
Service Disconnect / Administrative Fee	\$ 30.00		\$ 30.00
Service Deposit (Non-Property Owners)			
* Water or sewer; water and sewer – secured	\$ 75.00		\$ 75.00
* Water or sewer; water and sewer – unsecured	\$ 225.00		\$ 225.00
Returned Payment Item			
* Each	\$ 25.00		\$ 25.00

HYDRANT METER FEES	Inside City		Outside City
Construction Hydrant Meter (refundable)	\$ 750.00		\$ 750.00
Fire Hydrant Use Account (refundable)	\$ 250.00		\$ 250.00
Annual Hydrant Use Permit Fee* Per vehicle	\$ 25.00		\$ 25.00

**NORTHWEST CABARRUS SERVICE AREA
CAPITAL COST RECOVERY FEES**

Water Meter Size	Water	Sewer
* 3/4" service	\$ 450.00	\$ 967.00
* 1" service	\$ 1,125.00	\$ 2,418.00
* 1.5" service	\$ 2,250.00	\$ 4,835.00
* 2" service	\$ 3,600.00	\$ 7,736.00
* 3" service	\$ 6,750.00	\$ 14,505.00
* 4" service	\$ 11,250.00	\$ 24,175.00
* 6" service	\$ 22,500.00	\$ 48,350.00
* 8" service	\$ 36,000.00	\$ 77,360.00
* 10" service	\$ 51,750.00	\$ 111,205.00

*The above fees are in addition to the normal capital cost recovery fees (also known as "connection fees") currently charged by the City of Kannapolis for service connection. In the case of new development, the current fees are due at the time of zoning clearance permit issuance. Conversely, the capital cost recovery fees described above for the Northwest Cabarrus Services Areas shall be paid in full to the City of Kannapolis prior to obtaining individual zoning clearance permits. These fees may be modified by City Council at any time without prior notification.

**WATER & SEWER SYSTEM
ADMINISTRATIVE FEES**

Non-payment administrative service disconnect fee	\$ 30.00
Returned Check Fee	\$ 25.00
Re-connection Fee (after normal business hours)	\$100.00
Physical notification of non-payment bill	\$ 0.00
Unauthorized / illegal connection or re-connection	\$300.00
Locking Devices cut or damaged	\$300.00
Meter Yokes damaged	\$300.00
Tampering, altering, removing, or replacing meter	\$400.00
Water meter bypass	\$300.00
Re-read / No Error	\$ 50.00
Meter Test Fee (<i>1 inch or less</i>)	\$100.00

**WATER & SEWER SYSTEM
ADMINISTRATIVE FEES**

Repeat trip fee (starting with trip #3)	\$ 50.00
Inspection Fee for New or Modified Service (if not installed by City Staff)	\$ 50.00

MUNICIPAL WATER AND SEWER RATES

City of Concord (<i>Water and Sewer Services</i>)	Per Contract
City of Landis (<i>Water and Sewer Services</i>)	Per Contract

WATER AND SEWER SERVICE RELOCATION AND DAMAGE

Any relocation of service and/or apparatus, adjustment of grade or elevation, and/or damage to City equipment or infrastructure shall be performed at cost (All Cost Borne By Customer). This will include the cost of labor, equipment, and materials.

Environmental

Residential Environmental Fees (per occupied dwelling)

Fee

Recycling/ Solid Waste	\$18.10
Additional Trash Bin Fee	\$2.50
Additional Recycle Cart	\$2.50
Garbage Ordinance Violation	\$50.00

Commercial Environmental Fees

Commercial (City Bulk Pick Up)	1X per Wk	2X per Wk	3X per Wk	4X per Wk	5X per Wk
4 Yd	\$113.50	\$227.00	\$340.50	\$454.00	\$567.50
6 Yd	\$143.81	\$287.62	\$431.43	\$575.24	\$719.05
8 Yd	\$175.06	\$350.12	\$525.18	\$700.24	\$875.30
Commercial (Business)	1X per Wk	2X per Wk	3X per Wk	4X per Wk	5X per Wk
4 Yd	\$140.00	\$280.00	\$420.00	\$560.00	\$700.00
6 Yd	\$175.00	\$250.00	\$525.00	\$700.00	\$875.00
8 Yd	\$190.00	\$380.00	\$570.00	\$760.00	\$950.00
Container Size (Recycle)	1X per Wk				
4 Yd	\$140.00				
6 Yd	\$175.00				
8 Yd	\$190.00				

Stormwater

STORMWATER RATE TIER SCHEDULE

<u>Impervious Area Size (per Equivalent Residential Unit)</u>	<u>Fee</u>
Tier 1 – < 1,200 square feet	\$5.75
Tier 2 – 1,200 – 3,250 square feet	\$7.25
Tier 3 - > 3,250 square feet	\$8.75
Commercial – Per 3,250 square feet	\$7.25

Event Space Rentals

- A \$250.00 security deposit is required for all meetings
- A \$500.00 security deposit for all parties, receptions, and banquets
- Events serving alcohol will be assessed a venue service charge of \$150.00

RATES ARE PER HOUR	Professional Events	Social Events	Security Fee <i>Refundable</i>	Other Conditions
Laureate Center – Section I	\$ 100/hr	\$ 125/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable
Laureate Center – Section II	\$ 100/hr	\$ 125/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable
Laureate Center – Section III	\$ 100/hr	\$ 125/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable
Laureate Center – Section I & II	\$ 200/hr	\$ 250/hr	\$ 250 - \$ 500	Event Liability Insurance if applicable
Laureate Center – Section II & III	\$ 200/hr	\$ 250/hr	\$ 250 - \$ 500	Event Liability Insurance if applicable
Laureate Center – Section I, II, & III	\$ 300/hr	\$ 350/hr	\$ 250 - \$ 500	Event Liability Insurance if applicable
Kitchen*	\$100 flat rate			
Council Conference	\$ 50/hr	\$ 60/hr	\$ 250 - \$ 500	
The Gallery*	\$100 flat rate			
Outside Terrace **	\$100 flat rate			
Train Station – Event Room	\$ 75/hr	\$ 100/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable

Village Park Event Room	\$ 75/hr	\$ 100/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable
Village Park Patio	\$ 15/hr	\$ 20/hr	\$ 250 - \$ 500	
Public Works Training Room	\$ 45	n/a	\$ 250 - \$ 500	
Gem Theatre Event Room	\$ 40 /hr	\$ 50/hr	\$250 - \$ 500	Alcohol Deposit if applicable
Veterans Park Gazebo	\$ 50/hr	\$ 75/hr	\$ 250 - \$ 500	Alcohol Deposit if applicable
Dale Earnhardt Plaza	\$ 20/hr	\$ 25/hr	\$ 250 - \$ 500	
West Avenue Reading Room***	\$ 20/hr	\$ 25/hr	\$ 100	
West Avenue Reading Room Terrace	\$ 20/hr	\$ 25/hr	\$ 100	
West Avenue Event Lawn	\$ 25/hr	\$ 30/hr	\$ 100	
West Avenue Platform 1 "L-shaped"***	\$ 25/hr	\$ 30/hr	\$ 100	
West Avenue Platform 2 "3 Decks"	\$ 30/hr	\$ 35/hr	\$ 100	
West Avenue Pergola	\$ 20/hr	\$ 25/hr	\$ 100	
West Avenue Pump House Patio	\$ 25/hr	\$ 30/hr	\$ 100	
West Avenue Putting Green	\$ 20/hr	\$ 25/hr	\$ 100	

* *Kitchen and Gallery areas cannot be rented unless space in the Laureate Center is rented.*

* *A venue service charge of \$150.00 will be assessed for all groups serving alcohol.*

** *Outside terrace / Patio Areas cannot be rented unless inside space is rented.*

*** *West Avenue Platform 1 cannot be rented unless West Avenue Event Lawn is rented.*

*** *West Avenue Reading Room cannot be rented unless West Avenue Reading Room Terrace is rented.*

- *Professional Event Rental Minimum – 2 hours*
- *Social Event Rental Minimum – 4 hours*

• **Professional Events** are considered gatherings where business professionals carry out business related activities. This includes but is not limited to conferences, trainings, meetings, religious services, networking, political party gatherings, and corporate dinners.

• **Social Events** are considered an occasion that involves social interactions and behaviors. This includes but is not limited to galas, weddings, birthdays, class reunions, and fundraising or celebratory banquets.

- Extended Time Rental – 15% discount when any room or combinations of rooms are rented for 12+ hours during a single booking.

- Multi-Space Rentals – 20% discount when all first floor spaces at City Hall and Police Headquarters are rented. (Includes: Laureate Center Sections I, II and III, Kitchen, Council Conference Room, The Gallery, Shell Space and Terrace)
- Permanent Tenant Rate – 20% discount when any room or combinations of rooms are rented monthly for a time span of two (2) or more hours each month and an annual agreement with twelve (12) monthly meetings scheduled.
- Dance Floor: \$450
- Stage: \$50 per 3’x6’ section; (\$450 for complete unit)

Private Use Zones

Private Use Zone ID	Hourly Rate	After Hours Hourly Rate	Annual License Fee
1A	\$10.00	\$15.00	\$181
1B	\$5.00	\$10.00	\$77
1C	\$10.00	\$15.00	\$189
1D	\$5.00	\$10.00	\$77
1E	\$10.00	\$15.00	\$210
1F	\$5.00	\$10.00	\$32
1G	\$10.00	\$15.00	\$308
2A	\$5.00	\$10.00	\$66
2B	\$5.00	\$10.00	\$65
2C	\$5.00	\$10.00	\$86
2D	\$5.00	\$10.00	\$24
2E	\$10.00	\$15.00	\$204
3A	\$5.00	\$10.00	\$12
3B	\$5.00	\$10.00	\$24
3C	\$5.00	\$10.00	\$63
Private Use Zone ID	Hourly Rate	After Hours Hourly Rate	Annual License Fee
3D	\$10.00	\$15.00	\$140
3E	\$5.00	\$10.00	\$68
3F	\$5.00	\$10.00	\$88
3G	\$10.00	\$15.00	\$175
3H	\$5.00	\$10.00	\$59
3I	\$5.00	\$10.00	\$63
3J	\$5.00	\$10.00	\$63
3K	\$5.00	\$10.00	\$99
6B	\$5.00	\$10.00	\$30

6C	\$5.00	\$10.00	\$88
7A	\$20.00	\$25.00	\$425
7B	\$5.00	\$10.00	\$61
7C	\$5.00	\$10.00	\$11
7D	\$10.00	\$15.00	\$263
7E	\$5.00	\$10.00	\$88
8A	NA	NA	\$1,013
Reserved Parking Space (1)	\$5.00	NA	\$162
Reading Room	\$20.00	\$25.00	NA
Event Lawn	\$25.00	\$30.00	NA
Platform 1	\$25.00	\$30.00	NA
Platform 2	\$30.00	\$35.00	NA
Pergola	\$20.00	\$25.00	NA
Pump House Patio	\$25.00	\$30.00	NA
Reading Room Terrace	\$20.00	\$25.00	NA
Putting Green	\$20.00	\$25.00	NA

NOTES:

1. Annual License Fees (except reserved parking) are based on \$0.25 per square foot of space. The actual square footage calculation will be included as part of the license issuance.
2. All hourly rentals require a 50% reservation deposit and refundable security deposit of \$100.
3. Hourly Rates are Monday Through Friday 7:00 AM to 6:00 PM.
All other times will be subject to the After Hours Rate.

*See Private Use Zone Ordinance for map of Zone ID designations



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **APPOINTMENTS - Planning and Zoning Commission (ALL REAPPOINTED)**

Action Requested by City Council

Reappoint current members and appoint new members to the Planning and Zoning Commission.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Planning and Zoning Commission will have four openings due to expiring terms, which include the positions held by Dr. James Litaker, Larry Ensley, Jeff Parker and Extraterritorial Jurisdictional (ETJ) Representative, Robert Severt.

Staff is recommending the reappointment of Dr. James Litaker and Larry Ensley to new three-year appointments. Staff also recommends the appointment of current Board of Adjustment member Ryan French to the Planning and Zoning Commission to fill the expired term vacancy created by the recommended appointment of Jeff Parker to the Board of Adjustment.

Lastly, staff recommends the appointment of current Board of Adjustment ETJ Representative Mike McClain to the Planning and Zoning Commission ETJ representative position, to fill the expired term of Robert Severt. Mr. Severt is no longer available to serve due to a work commitment. This appointment will be contingent upon approval by the Rowan County Board of Commissioners.

If appointed, all four of these appointees would serve three-year terms on the Planning and Zoning Commission.

Fiscal Implications

None

Policy Issues

City Council is responsible for the appointment of all City Board and Commission members. In the case of ETJ

Legal Issues

None

Recommendations and Alternate Courses of Action

- 1. Motion to reappoint current Planning and Zoning Commission members James Litaker and Larry Ensley to new three-year terms; appoint Ryan French to the Planning and Zoning Commission to a new three-year term; and, appoint Mike McClain to the Planning and Zoning Commission ETJ Representative position to a new three-year term, pending approval by Rowan County Board of Commissioners. (Recommended)**
2. Appoint others to these seats.
3. Take no action.
4. Table to a future meeting.

Attachments

1. PZ MEMBER LIST 2023-2024

Kannapolis

Planning and Zoning Commission Members

July 2023- June 2024

<u>Chair</u> Chris Puckett 2770 Keady Mill Loop Kannapolis, NC 28081	(H) 704-933-4035 (C) 704-298-5872 Email: ch2realty@gmail.com Term Expires: 06/30/2026 Term: 3 rd
<u>Vice-Chair</u> Jeff Parker 1630 Eastwood Dr. Kannapolis, NC 28083	(H) 704-933-5518 (C) 704-467-1471 Email: wa1wxl@carolina.rr.com Term Expires: 6/30/2024 Term: 2 nd
Daisy Malit 1295 Midlake Dr. Kannapolis, NC 28083	(C) 704-560-0170 Email: onyougos@gmail.com Term Expires: 6/30/2026 Term: 1 st
James Litaker 1994 Stratton Ct. Kannapolis, NC 28081	(H/C) 704-467-4808 Email: jlitaker55@gmail.com Term Expires: 6/30/2024 Term: 1 st
Jamie Richardson 1500 Light House Ln. Kannapolis, NC 28081	(C) 805-953-5336 Email: jamielerich22@yahoo.com Term Expires: 6/30/2025 Term: Filling unexpired term of Daniel O'Kelly
Larry Ensley 6600 Finger Lake Dr. Concord, NC 28027	(H) 704-782-3725 (C) 980-621-9617 Email: ensley@ctc.net Term Expires: 6/30/2024 Term: 2 nd
Scott Trott 2909 Donegal Dr. Kannapolis, NC 28081	(H) 704-933-3944 (C) 704-743-8404 Email: sbtrott@aol.com Term Expires: 6/30/2025 Term: 4 th
Shelly Stein 911 W B St. Kannapolis, NC 28081	(C) 980-866-1272 Email: kreashelly@gmail.com Term Expires: 6/30/2026 Term: 2 nd
<u>*Rowan ETJ Representative:</u> Robert Severt, Jr. 1310 Cannon Farm Rd. China Grove, NC 28023	(C) 704-200-4340 Email: severts1310@yahoo.com Term Expires: 6/30/2024 Term: 1 st

The Commission meets the third Tuesday of each month, at 6:00 PM., at the Kannapolis City Hall Municipal Building located at 401 Laureate Way, Kannapolis.

***Appointed by Rowan County Commissioners for representation of Extraterritorial Jurisdiction in Rowan County.**



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **APPOINTMENTS - Board of Adjustment (ALL REAPPOINTED)**

Action Requested by City Council

Reappoint current members and to appoint new members to the Board of Adjustment.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The Board of Adjustment will have four vacancies due to one vacated term, one expired term and the vacancies created by the recommended appointments of Ryan French and Mike McClain to the Planning and Zoning Commission.

Staff is recommending the reappointment of Danielle Martini to the Board of Adjustment, but from an alternate member to a regular member to fill the vacated expired term of Cyrus Rattler. Mr. Rattler moved out of the City and as a result is no longer eligible to serve on this board. Staff is also recommending the appointment of Jeff Parker from the Planning and Zoning Commission to the Board of Adjustment to fill the vacancy created by the recommended appointment of Ryan French to the Planning and Zoning Commission.

Appointment of the ETJ Representative for Rowan County will occur once the Rowan County Board of Commissioners have reviewed the interested applicants for this position. Staff will also solicit interest for the open Alternate position created by the recommended appointment of Danielle Martini as a regular Board Member.

Fiscal Implications

None

Policy Issues

City Council is responsible for the appointment of all City Board and Commission members.

Legal Issues

None

Recommendations and Alternate Courses of Action

1. **Motion to appoint Danielle Martini and Jeff Parker to new three-year terms on the Board of Adjustment (Recommended)**
2. Appoint others to those seats.
3. Take no action.
4. Table to a future meeting.

Attachments

1. BOA MEMBER LIST 2023-2024

Kannapolis

Board of Adjustment

July 2023- June 2024

<u>Chair</u> Emily Joshi 700 Evelyn Ave Kannapolis, NC 28083	(C) 843-622-4519 Email: emilyjoshi19@gmail.com Term Expires: 6/30/2026 Term: 2 nd
<u>Vice-Chair</u> Cyrus Rattler 407 Jean Ave. Kannapolis, NC 28083	(H/C) 704-490-0060 Email: cyrus.rattler@gmail.com Term Expires: 6/30/2024 Term: 1 st
Chris Duggins 3548 County Down Ave. Kannapolis, NC 28081	(C) 704-791-0195 Email: chrisduggins7@gmail.com Term Expires: 6/30/2026 Term: 1 st
Holden Sides 803 Sprucewood St. Kannapolis, NC 28081	(H/C) 704-699-2092 Email: sideshb94@yahoo.com Term Expires: 6/30/2026 Term: 1 st
Ryan French 1905 Pennsylvania Ave. Kannapolis, NC 28083	(C) 252-521-7967 Email: RyanLee_French@yahoo.com Term Expires: 06/30/2024 Term: 2 nd
Wilfred W. Bailey, Sr. 3233 Lock Ern Ave. Kannapolis, NC 28081	(C) 704-737-8134 Email: baileywilfred@gmail.com Term Expires: 6/30/2026 Term: 2 nd
<u>*Rowan E.T.J. Representative</u> Mike McClain 2040 Rollingwood Dr. Kannapolis, NC 28081	(H/C) 704-490-2336 Email: mikecmclain73@gmail.com Term Expires: 6/30/2026 Term: 1 st
<u>Alternate:</u> Danielle Martini 404 N East Ave. Kannapolis, NC 28083	(W/C) 704-309-8024 Email: martinixdry@gmail.com Term Expires: June 30, 2024 Term: 1 st

The Board of Adjustment meets the First Tuesday of each month, at 6:00 P.M., at Kannapolis City Hall located at 401 Laureate Way, Kannapolis. ***Appointed by Rowan County Commissioners for representation of Extraterritorial Jurisdiction in Rowan County.**



Kannapolis City Council

City Council Agenda Staff Report

June 24, 2024

To: Mayor and City Council
From: Gary Mills, Parks & Recreation Director
Subject: **APPOINTMENTS - Parks and Recreation Commission (ALL REAPPOINTED)**

Action Requested by City Council

Reappoint current members and appoint new members to the Parks and Recreation Commission.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

There are three vacancies upcoming on the Kannapolis Parks and Recreation Commission. The applications were reviewed at the May 14, 2024 meeting and the June 11, 2024 meeting of the Kannapolis Parks and Recreation Commission; it was recommended that Jeff Ashbaugh and Richard Chaney be reappointed to new three-year terms, and it was also recommended that Troy Dalsing be appointed to a new three-year term. The recommendation was approved unanimously. Applications for review were previously provided by the Kannapolis City Clerk.

Fiscal Implications

None

Policy Issues

None

Legal Issues

None

Recommendations and Alternate Courses of Action

1. Motion to reappoint Jeff Ashbaugh and Richard Chaney, and appoint Troy Dalsing to new three-year terms on the Kannapolis Parks and Recreation Commission.
2. Appoint other persons to these seats.
3. Table the action to a future meeting.

Attachments

1. Parks and Recreation Member List 2022-23
2. Troy Dalsing App

PARKS AND RECREATION ADVISORY COMMISSION 2022-2023

BOARD MEMBERS	DATE APPOINTED	TERM EXPIRES	TERMS SERVED (original appointment date)
Michael Lee Whitney 604 Old Centergrove Road Kannapolis, NC 28083 Home – 704-960-7789 W: 704-938-2886 Email: mwhitney2007@gmail.com	06/10/19	06/30/2025	2nd (6/10/19)
Cindy Griggs 213 Idlewood Drive Kannapolis, N. C. 28083 H-704-932-0378 C-704-239-4734 Email: CSgriggs@gmail.com	06/22/2015	06/30/2024	4th (06/25/12)
Richard Chaney 1101 S. Windsor Drive Kannapolis, NC 28081 H-704-938-5479 C-704-796-8021 Email: popparktown@gmail.com	06/22/2015	06/30/2024	3rd (06/22/15)
Jeff Ashbaugh - Chair 4949 Copper Creek Trail Kannapolis, NC 28081 H-704-932-8430 C-704-975-0471 Email: jashbaugh@benesch.com	06/22/2015	06/30/2024	3rd (06/22/15)
Richard Money 1001 West A Street Kannapolis, NC 28081 H-704-783-7485 C-704-783-7485 Email: richardmoney04@gmail.com	07/27/2020	06/30/2023	2nd (06/26/17)
Olivia Linkel – Vice Chair 320 Courtland Court Kannapolis, NC 28081 H-980-621-8109 C-980-621-8109 Email: thelinkels@yahoo.com	07/27/2020	06/30/2023	2nd (06/26/17)
Eric Purvis 907 Lee Avenue Kannapolis, N.C. 28081 H-704-9381468 W-C-704-773-9582 Email: epurvispi@yahoo.com	06/10/19	06/30/2025	2nd (6/10/19)
EB Lentz 310 Cook Street Kannapolis, NC 28083 C-704-425-5105 eblentzjr@gmail.com	06/21/21	06/30/2025	1 st (6/21/21) 1 yr of unexpired 21-22
Billy “Buddy” Amerson 105 S. East Avenue Kannapolis, NC 28083 H:-704-933-6952; W: 980-622-1248 Email: buddy.amerson@labor.nc.gov	07/27/2020	06/30/2023	1st (7/27/20)
Staff Contact:			
Gary Mills, Director Main: 704-920-4343 Direct: 704-920-4340 Email: gmills1@kannapolisnc.gov		Gabriela Burwell, Administrative Assistant Main: 704-920-4343 Direct: 704-920-4349 Email: gburwell@kannapolisnc.gov	

Name: Troy Dalsing
Address: 702 Church Ave
Kannapolis, NC 28081

Date Applied: 1/15/2022

Daytime Phone: Home- (704) 9709735 Work/Cell- (704) 9564964

Email: troydalsing@icloud.com

County of Residence: Rowan

Current Employer: TTI Industries

Occupation/Professional Background: Engineering Manager / Program Management

Educational Background: BS Mechanical Engineering, Master in Business Administration

Civic Background: Community & Civic Involvement: Note currently active. In the past I have been involved in Boy Scouts of America and Share Charlotte

Other Boards, Commissions, or Committees on which you are currently serving: None

List three people who are not related to you: Joe Fulton, Josh Davis, Kyle Perkinson

Boards/Commissions applied for:

PARKS AND RECREATION COMMISSION (Choice - 1)

Please explain why you want to be a member of this commission. First of all, when I moved to Kannapolis in April of 2018 I was impressed with the overall Park and Recreation offerings and my family quickly began to engage in the community. We utilized the parks, greenways, sports, art classes etc. We quickly became members of the community and felt a great pride in showing off to our friends what Kannapolis had to offer. It is clear to me that all Kannapolis Parks and Recreation has to offer today was created through great management and master planning. The fact that they have achieved National Accreditation further supports my assessment. As I approach retirement, I feel the strong urge to give back to this great community. Since family and I have been so impacted and impressed with Parks and Recreation offerings I choose to give back in this area. I want everyone in Kannapolis to experience what we have. I would like to help guide Kannapolis Parks and Recreation to maintain it's National Accreditation and further the impact on the residents of Kannapolis.

Why do you believe parks and recreation is important to the City of Kannapolis? Parks and recreation is essential to creating the community. It supports the Discover a Health Life motto. It supports and contributes to environmental, physical, and mental health of our community. It builds strong social bonds and a happier/safer community. As Kannapolis continues to grow and change it becomes even more important that we focus on maintaining, growing, and improving what is offered to our residents of all ages.

What are three parks and recreation priorities you believe the City should address? 1)

Considering the growth and changing demographics of Kannapolis the city must assure that the master plan is updated to reflect these changes through public forms and other methodologies. 2) Assure that all residents and therefore areas of the city are equally covered and supported with high quality Park and Recreation opportunities. 3) Assure funding is appropriate to continue to support the existing infrastructure and programs but also for the needed changes determined in the master plan. I do have a few areas I am interested in personally; however I am a strong proponent of making decisions based on data (demographics etc...) and feedback from the community.

Troy Dalsing
Page 2

Other Questions:

Boards/Commissions applied for ratings:

Planning & Zoning - 5

Board of Adjustment - 5

Parks & Recreation Commission - 1

Personnel Advisory Board - 5

Community Improvement Commission - 5

ETJ Seat –

Do you reside within the City limits of Kannapolis? - Yes

Are you within the City's Extraterritorial Jurisdiction? (ETJ - Rowan Only) - No

References:

1. Joe Fulton, Director of Engineering, 9615 Machado Dr. Indian Trail NC 28079, (252) 5602598

2. Josh Davis, Engineering Manager, 3495 Fallowbrook Forest York SC 29745, (847) 9249144

3. Kyle Perkinson, Sales Rep, 5636 Waxhaw Indian Trail Rd Matthews NC 28104, (252) 9167575