



City Council Agenda

Thursday, May 13, 2021

6:00 PM

35 Cabarrus Avenue, W, Concord NC 28025

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

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is held on the Tuesday preceding the regular meeting at 4:00 pm and a second work session is held the third Tuesday each month from 11:00 am to 1:00 pm.

I. Call to Order

II. Pledge of Allegiance and Moment of Silent Prayer:

III. Approval of Minutes:

April 6, April 8, and April 20, 2021 **APPROVED**

IV. Presentations

- 1. Presentation of the Medal of Valor award and Purple Heart award to Ms. Haylee Shuping on behalf of her husband, fallen Police Officer Jason Shuping. Presentation of other awards to citizens, city staff, and police department staff for their contributions following Officer Shuping's tragic death.** The Medal of Valor is the highest commendation bestowed upon a Concord Police Department coworker and is awarded for exceptional bravery at the imminent risk of death or serious bodily injury that goes beyond the call of duty. The Purple Heart is awarded for serious bodily injury or death while confronting a criminal element during the course of police interaction with the public. Officers Jason Shuping and Kaleb Robinson earned both the Medal of Valor and Purple Heart. Officers Kyle Baker and Paul Stackenwaldt earned the Medal of Valor. Officer Shuping was also awarded Coworker of the Month for December 2020 and Coworker of the Year for 2020. Furthermore, a number of citizens and city staff will be awarded a Distinguished Service Award for their contributions following Officer Shuping's line of duty death. Select department coworkers also earned the department's Excellence in Police Service award for their contributions as well.
- 2. Presentation of a Proclamation recognizing May 16 - 22, 2021 as National Public Works Week.** National Public Works Week (NPWW) is a celebration of the tens of thousands of women and men in North America who provide, administer, and maintain the infrastructure collectively known as public works. Instituted as a public education campaign by the American Public Works Association in 1960, NPWW calls attention to the importance of public works in community life and to enhance the prestige of those who serve the public good every day with their dedication. NPWW is observed during the third full week of May.
- 3. Presentation of a Certificate of Appreciation to Bob Pate for over 37 years of loyal and dedicated service to the City of Concord Electric Systems Department.** Bob began his career with the City in the Electric Systems Department in 1984 as a meter reader. Over the course of his career, he spent time working in Metering, Security Control and Data Acquisition (SCADA) and Overhead Construction. In 2009, Bob was appointed Director of the Electric Systems Department and worked in that capacity until his retirement on April 1st. The City appreciates his contributions to Team Concord over the years and wishes him the best in his retirement.
- 4. Presentation of a Retirement Plaque to Marvin Kraus recognizing his 23 years of loyal and dedicated service to the City of Concord Water Resources Department. (Tuesday)** Marvin has been a dedicated and appreciated employee of the City of Concord as a Maintenance Mechanic for many years in the Water Resources Department. He has

been a great asset to both Hillgrove and Coddle Creek Water Treatment Plants. Marvin performed a variety of jobs throughout the water plants where he was highly skilled and specialized in electrical instrumentation. Before Marvin was employed with the City of Concord, he served our country as a Marine for 8 years. Marvin retired effective January 1, 2021.

5. Presentation of a Retirement Plaque to Danny Williamson recognizing his 38 years of loyal and dedicated service to the City of Concord Water Resources Department.

Danny began his career with the City of Concord as a water treatment operator at the Hillgrove Water Treatment Plant. His career took him to WSACC for a short period of time as a lab technician. Danny soon returned to the City of Concord as a maintenance technician at the Hillgrove Water Treatment Plant. During that time, Danny was very involved in the construction process for the City of Concord's newest Water Treatment Plant, Coddle Creek. As the Coddle Creek Water Treatment Plant was completed and brought online in 1995, Danny was promoted to supervisor and operator in responsible charge (ORC) of the Coddle Creek Water Plant. During his tenure as supervisor of the Coddle Creek plant, he was heavily involved with many large projects including conversion of the original plant design to a conventional treatment plant, basin upgrades, technology improvements, and much more. Over his nearly four decades of faithful service to the citizens and water customers of the City of Concord, Danny has represented the City of Concord by serving on many committees including holding the office of Chairman for the NC Waterworks Operators Association - South Piedmont Section. He was also involved in educating many citizen groups through Concord 101, internal staff who have completed Journey Through Concord, and an incredible number of our community youth over the years during civic education events. Danny's retirement was effective October 1, 2020. Danny's great work and dedication will be remembered by all.

6. Presentation of the 2021 Jo Atwater Continuous Core Values Award. The Jo Atwater Continuous Core Values Award is the highest award presented to a City of Concord Coworker. Jo Atwater's life was synonymous with heartfelt service to others in our community and the highest dedication to our organizational core values. Jo worked for the City from 1994 until her passing in 2004. During this time, she became a respected friend and inspirational teammate to all coworkers. This award continues Jo's vibrant spirit and valued legacy by annually recognizing one coworker that best embodies our organizational core values and commitment to serving others in the community.

V. Unfinished Business

VI. New Business

A. Informational Items

B. Departmental Reports

1. Receive a progress update presentation on the George W. Liles Pkwy Small Area Plan. (Tuesday) Staff will present an overview of the George W. Liles Pkwy Small Area Plan and highlight key recommendations for the area. Topics to be presented include a market analysis summary, public input summary, what was heard from key property owners, the vision for the Small Area Plan, key recommendations per the two study areas within the plan, future implementation, the draft plan document and next steps in the planning process. This presentation will also serve as the kick-off to the public open comment period on the George W. Liles Pkwy Small Area draft document which will be released to the public the following week.

C. Recognition of persons requesting to be heard

D. Public Hearings

1. Conduct a public hearing and consider granting a franchise to US Tire Recycling Partners, L.P. for a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility. The City last granted a franchise to US Tire Recycling Partners, L.P. in 2016 and that franchise expires on August 11, 2021. Due to a change in the state laws and regulations, US Tire Recycling Partners, L.P. is now eligible for a franchise for a "life-of-site" permit, defined as 60 years from initial receipt of waste at

the site in 1998. This franchise will expire on August 12, 2058. The granting of this franchise requires two readings of the proposed franchise ordinance at two separate public hearings.

Recommendation: Motion to adopt the first reading of a franchise to be granted to US Tire Recycling Partners, L.P. for a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility. **FIRST READING APPROVED**

2. **Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a Level 2 Infrastructure Grant to Project Spring to develop four small-bay industrial speculative buildings totaling approximately 119,400 SF located at 560 Pitts School Road NW, Concord, NC.** Under the North Carolina General Statutes, City Council may offer incentives in order to stimulate private sector expansion of new facilities. Phase 1 of the proposed Springs Business Park would include Building A (22,950 SF), Building B (27,000 SF), and Building C (22,950 SF). Phase 1 represents an approximate \$9,500,000 investment in real property. Phase 2 would include a fourth building totaling 46,500 SF and represent an approximate \$3,500,000 investment in real property. Required infrastructure improvements include road improvements at Pitts School Road and Weddington Road and an entry road to serve the proposed business park that represent a total estimated cost of \$1,056,967. The City would make a one-time \$159,120 reimbursement payment to the Project to assist with a portion of that infrastructure cost after the infrastructure is installed. The grant amount was calculated based on 85% of new City property taxes generated over three years from the project's total estimated \$13,000,000 investment. See attachments for Project application, grant calculation, and detailed estimated infrastructure costs.

Recommendation: Motion to offer a contract for Level 2 Infrastructure Grant to Project Spring to develop four small-bay industrial speculative buildings totaling approximately 119,400 SF located at 560 Pitts School Road NW, Concord, NC, pursuant to NC General Statutes Sec. 158-7.1. **APPROVED**

3. **Conduct a public hearing and consider adopting an ordinance annexing +/- 4.757 acres, located at 2183 and 2315 Heglar Rd., owned by Randy and Sherry Walter and Niblock Homes LLC.** The request is for a voluntary annexation of +/- 4.757 acres, located at 2183 and 2315 Heglar Rd, for the purpose of developing the properties as single-family detached and part of the Buffalo Ranch PUD (Planned Unit Development) neighborhood.

Recommendation: Motion to adopt an annexation ordinance and set the effective date for May 13th, 2021. **TABLED UNTIL THE JUNE 10, 2021 CITY COUNCIL MEETING**

E. Presentations of Petitions and Requests

1. **Consider adopting a resolution authorizing the sale of 101 Georgia Street.** The City acquired this property on May 17, 2006. All City departments have confirmed that the property is not needed for any purpose. On or about April 7, 2021, the City received an Offer to Purchase the Property from Young Circle Cottages, LLC (owned by Stephanie Reutter) ("Buyer") for \$5,000. The buyer wishes to use the property to construct a driveway access for the neighboring lot. The tax value of the property is \$9,000; however, there is a sewer line crossing the property in such a way as to make it unbuildable for any purpose other than access. An easement for the sewer line will be reserved. The proposed Resolution directs the City Clerk to publish the required notice under NC General Statute 160A-269 and begin the upset bid process. In the event one or more upset bids are received, this matter will be placed back on the Council agenda for approval of the final bid. In the event no upset bids are received, the proposed resolution directs the City Attorney and City staff to take all necessary steps to convey the property.

Recommendation: Motion to adopt a resolution authorizing the sale of 101 Georgia Street, directing the City Clerk to advertise for upset bids and directing the

City Attorney to take all necessary actions to complete the sale in the event no upset bids are received. **APPROVED**

2. **Consider adopting a resolution to sell .81 acres of vacant land located at 39 Woodsdale Place SE (PIN # 5630-08-3942) to Concord Greenway Townhomes, LLC for \$33,000 and the construction of the road connecting Patterson Avenue to Woodsdale Place valued at \$90,000.** The parcel located at 39 Woodsdale Place was acquired by the City for the purpose of extending Patterson Avenue to Woodsdale to provide access for emergency services and garbage to Woodsdale Place, which is very narrow and has a tight intersection at Cabarrus Avenue further making turning movements difficult for large trucks. In October 2020, City Council approved a temporary construction easement to Concord Greenway Townhomes, LLC to construct a temporary access to Woodsdale Place to facilitate the site work for twenty-two townhomes that are approved on Woodsdale Place. Concord Greenway Townhomes is now desiring to acquire the parcel for further townhome development and, as part of the acquisition, will construct the road connecting Patterson to Woodsdale. The offer, if accepted by Council, will fulfill a goal of staff to improve the access to Woodsdale as well as create additional homeownership opportunities adjacent to Downtown. The developer has coordinated with the City's Transportation Department on the road alignment, right-of-way, and the installation of a sidewalk on one side of the road. The estimated value for the road and corresponding improvements is \$90,000. If Council approves accepting the offer, the City Clerk will begin the required upset bid process.

Recommendation: Motion to adopt a resolution to sell .81 acres at 39 Woodsdale Place SE for \$33,000 and the construction of the connecting road with curb and gutter and sidewalk valued at \$90,000 and direct the City Clerk to publish a notice of proposed sale of the property. **APPROVED**

3. **Consider adopting a resolution of intent to schedule a public hearing on the matter of abandoning a portion of a public right of way easement for 2' of an 8' public alley between Spring St. and Market Street.** As part of the 30 Market Street Lansing Melbourne Group (LMG) project, aka Novi Rise, the developer's design team has uncovered the need to move the building two feet from where it was reflected on the initial site plan because of a structural design issue regarding the building and the retaining wall adjacent to the City's alley between 30 Market Street and City Hall. The proposal includes the abandonment of a two-foot portion of the right-of-way easement between 30 Market Street and CESI to accommodate the new proposed building location. The developer has indicated that their design team will ensure that the alley will be an enticing thoroughfare that pulls the user through. Design elements could include fixed lighting on the building, overhead string lighting, and public art. The General Statutes require that the City: 1) post signs in two (2) places along the right-of-way, 2) send copies of the approved resolution of intent to all neighboring owners after adoption, and 3) advertise in the newspaper once a week for four (4) consecutive weeks. The notice requirement would allow the hearing to be conducted at the June 10, 2021 meeting.

Recommendation: Motion to adopt a resolution of intent to set a public hearing for June 10, 2021 on the matter of abandoning a portion of a public right of way easement for 2' of an 8' public alley between Spring St. and Market Street. **APPROVED**

4. **Consider approving a mural to be installed on the ClearWater campus.** ClearWater is the unique initiative spearheaded by the City of Concord in conjunction with several partners, including the Gibson Village Neighborhood Association, to build a hub of creative and artistic activity that will help develop community growth and investment. Over the past few years, staff has received community comments noting the exterior of the buildings does not accurately reflect the creative activities housed inside. Suggestions have been received to use murals to help energize the campus.

The expressed desire would be a mural which could reflect both the arts and the neighborhood's historical significance. Sarah Gay, Coordinator of ClearWater, reached out to area muralist for possible designs to capture the idea. The designs were presented to the resident artist at ClearWater for their thoughts and recommendations. The ClearWater Coordinator worked with the Gibson Village Neighborhood President to solicit input of the proposed selection. A total of over 82 persons viewed with 14 providing positive feedback and 3 provided negative feedback. The design by muralist/artist, Owl, captures the weaving of cultural backgrounds, neighborhood change and the mill heritage with colorful undulating fabric-like geometric shapes. The Public Art Committee also reviewed the design and voted to recommend City Council approve the mural and commission Owl to complete the work. The mural cost will be \$5,000 paid with revenue generated from ClearWater rentals.

Recommendation: Motion to approve a mural to be installed on the ClearWater campus. **APPROVED**

- 5. Consider authorizing the City Manager to negotiate and execute a contract with J.D. Goodrum Company, Inc. for the Obstruction Removal Project at Concord-Padgett Regional Airport.** Bids were opened on March 31, 2021. Only one bid was received so the project was re-advertised in accordance with NC General Statutes. The second bid opening was held on April 8, 2021 and again only one bid was received. J.D. Goodrum Company Inc. submitted the low responsive base bid in the amount of \$387,855. Talbert, Bright and Ellington reviewed the bid and concurred all bid requirements of the specifications were met. This project will be 90% funded using funds from the Federal Aviation Administration (FAA) AIP Grant and the 10% match will come from the North Carolina Department of Transportation Division of Aviation.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with J.D. Goodrum Company Inc. in the amount of \$387,855 for the Obstruction Removal Project at Concord-Padgett Regional Airport. **APPROVED**

- 6. Consider authorizing the City Manager to negotiate and execute a contract with Talbert, Bright and Ellington, Inc (TBE) to perform engineering services for the North Apron Expansion - Work Authorization 1905.** Aviation Department in conjunction with the Federal Aviation Administration is developing a 300' x 300' sq. ft. general apron expansion north of Hendrick Motor Sports hangar. FAA has approved the funding for the Category Exclusion phase, CAT (X). In order to compete in next year's funding cycle for discretionary funds, staff is requesting approval to proceed with the design and bidding for the apron expansion. The project will include a bituminous asphalt pavement, erosion control devices, perimeter security fence relocation and airfield taxiway lighting adjustments. Total cost for engineering services will be \$197,591.40 and will be funded by the NCDOT-AVIATION.

Recommendation: Motion to authorize the City Manager to negotiate and execute contract with TBE - Work Authorization 1905. **APPROVED**

- 7. Consider authorizing the City Manager to negotiate and execute a contract with Wolen, LLC for the Air Traffic Control Tower Equipment Replacement Project at Concord-Padgett Regional Airport.** Bids were opened on April 7, 2021. Only one bid was received so the project was re-advertised in accordance with NC General Statutes. The second bid opening was held on April 15, 2021 and again only one bid was received. Wolen, LLC submitted the low responsive base bid in the amount of \$267,826. Talbert, Bright and Ellington reviewed the bid and concurred all bid requirements of the specifications were met. This project will be 90% funded using funds from the Federal Aviation Administration (FAA) AIP Grant and the 10% match will come from the North Carolina Department of Transportation Division of Aviation.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Wolen, LLC in the amount of \$267,826 for the Air Traffic Control

Tower Equipment Replacement Project at the Concord-Padgett Regional Airport.
APPROVED

- 8. Consider awarding bids for electric equipment and materials for the Union Cemetery Rd. Delivery Station #4 to: Dis-Tran Packaged Substation Engineering, PLLC, Siemens Energy Inc., SPX Transformer Solutions Inc., Virginia Transformer Corporation, S&C Electric Company, ABB Inc., Birmingham Control Systems and VFP Inc.** Electric Systems staff received bids on April 14, 2021 for electric equipment and materials required for the construction of a new delivery point and substation located South of Union Cemetery Road. The bids were arranged into the following nine schedules of equipment: Schedule I – Substation steel and structures- Dis-Tran Packaged Substation Engineering, \$1,066,835; Schedule II - Three 48KV circuit breakers- Siemens Energy, Inc., \$100,350; Schedule III – Six 100KV circuit breakers- Siemens Energy, Inc., \$269,650; Schedule IV – One 84 MVA power transformers, SPX Transformer Solutions Inc., \$823,783 (Lowest responsive bidder when factoring in Total Ownership Cost analysis.); Schedule V - Two 27 MVA Power transformers, Virginia Transformer Corporation, \$1,489,612 (Lowest responsive bidder when factoring in Total Ownership Cost analysis.); Schedule VI – Two 100KV circuit switchers, S&C Electric Company, \$111,506; Schedule VII – Ten 15KV circuit breakers, ABB Inc., \$156,860; Schedule VIII – Relay Panels, Birmingham Control Systems, \$207,947; and Schedule IX – Two Control equipment houses, VFP, Inc., \$156,522. All schedules combined total \$4,383,065. Funding will be from the existing Delivery 4 project account with standing balance of \$15,675,166.

Recommendation: Motion to award bids for electric equipment and materials for the Union Cemetery Rd. Delivery Station #4 to: Dis-Tran Packaged Substation Engineering, PLLC, Siemens Energy Inc., SPX Transformer Solutions Inc., Virginia Transformer Corporation, S&C Electric Company, ABB Inc., Birmingham Control Systems and VFP Inc. **APPROVED**

- 9. Consider authorizing the City Manager to negotiate and execute a contract with Litman Excavating, Inc. for the replacement of the culvert on Duval St. NW.** The Duval St. NW Culvert replacement project consists of the removal of the existing of culvert, the construction of a double-barrel culvert, and associated services that will include roadway pavement reconstruction and other appurtenances. The project was bid under the formal bidding process/ Bids were taken on April 29, 2021 and five (5) bids were received. The lowest responsible bidder was Litman Excavating, Inc. in the amount of \$600,616.50, which is under our budgeted amount.

Recommendation: Motion authorizing the City Manager to negotiate and execute a contract with Litman Excavating, Inc., in the amount of \$600,616.50, for the replacement of the stormwater culverts on Duval St. NW. **APPROVED**

- 10. Consider eliminating the temporary suspension of fare collection and resume collection of fares on Rider Transit.** Staff proposes to eliminate the temporary suspension of fare collection on Rider Transit currently in place due to the COVID-19 pandemic and resuming regular fare collection and operations on July 1, 2021. This action is a part of the current proposed FY22 Rider Transit budget and was approved unanimously by the Concord Kannapolis Transit Commission at their April 21, 2021 meeting.

Recommendation: Motion to resume Rider Transit fare collection on July 1, 2021. **APPROVED**

- 11. Consider awarding the total bid for the City of Concord's annual street preservation program to Ferebee Corporation and approve the attached budget ordinance to appropriate funds from reserve funds.** One of Council's continuing goals is to improve the service levels and delivery of the City's annual street preservation program. Powell Bill receipts and General Fund revenues are being used to fund this work by contracted forces. Formal bids for this work were opened on April

22, 2021 with Ferebee Corporation submitting the lowest total bid in the amount of \$3,824,006.90. Work such as patching, leveling, milling, resurfacing, re-striping, re-marking, and re-installation of permanent raised pavement markings work on approximately 28 lane miles of designated streets and 10,000 Tons of patching on other City infrastructure will be performed. Contract Final Completion date is 180 days from the Notice to Proceed.

Recommendation: Motion to award the total bid and authorize the City manager to negotiate and execute a contract with Ferebee Corporation, in the amount of \$3,824,006.90, for the City of Concord's annual streets preservation program and approve the attached budget ordinance to appropriate funds from reserve funds.

APPROVED

- 12. Consider authorizing the City Manager to negotiate and execute a contract with Hall Contracting for construction of the Coddle Creek Raw Water Supply Improvements.** This project will install a new parallel raw water line to the Coddle Creek Water Treatment Plant. When the plant was built, only one raw water line was installed. This 36" second line will provide much needed backup and redundancy to assure uninterrupted raw water flow to the plant. This project was formally bid with five bids received on April 1, 2021. Hall Contracting was the lowest responsible bidder in the amount of \$3,640,747 and is within the project budget. Hall Contracting has a long history of successful projects with the City of Concord.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Hall Contracting for construction of the Coddle Creek Raw Water Supply Improvements. **APPROVED**

- 13. Consider authorizing the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the settling basin repair and plate settler installation project at the Hillgrove Water Treatment Plant in the amount of \$299,900.** This project will design repairs for existing settling basins at the Hillgrove Water Treatment Plant. In addition, the scope includes design of plate settlers at Hillgrove similar to the recent construction at Coddle Creek. This project will result in decreased turbidity leaving the plant which will allow lower levels of disinfectant ultimately reducing disinfection byproducts in the water system. The consultant will also provide bidding and construction services. HDR was selected after a formal RFQ process and the negotiated fee is within the project budget.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the settling basin repair and plate settler installation project at the Hillgrove Water Treatment Plant in the amount of \$299,900. **APPROVED**

- 14. Consider authorizing the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the granular activated carbon (GAC) contactor project at the Hillgrove Water Treatment Plant in the amount of \$774,900.** This project will design GAC contactors at the Hillgrove Water Treatment Plant. GAC will provide increase defense against taste and odor compounds and offer increase removal of organic materials. HDR was selected after a formal RFQ process and the negotiated fee is within the project budget.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with HDR Engineering Inc. for design and engineering services for the granular activated carbon (GAC) contactor project at the Hillgrove Water Treatment Plant in the amount of \$774,900. **APPROVED**

- 15. Consider adopting an ordinance amending the Concord City Code of Ordinances, Chapter 30, Environment, Article IV.** Staff has been working to develop a comprehensive approach to combating litter within the City. The objectives that have been identified include four main components: physical deployment of staff for litter abatement, enhanced public outreach and communication efforts, measuring outcomes and a review of current litter ordinances/enforcement coordination. After

completing a review of the litter ordinances with the Legal Department, the following revisions are recommended: (1) Placing the litter ordinances in one specific section (Chapter 30 Environment), (2) Include separate language for general littering (Sec. 30-165) and littering from vehicles (Sec. 30-166), (3) Increasing the civil penalty from \$10 - \$150, 3.) Adding a late fee civil penalty of \$100, (4) Include appeal procedures.

Recommendation: Motion to adopt an ordinance amending the Concord City Code of Ordinances, Chapter 30, Environment, Article IV. **APPROVED**

16. Consider adoption of a Title VI Plan and Policy Resolution to prohibit discrimination in programs and services receiving federal financial assistance.

In 1964, Congress enacted the Civil Rights Act which included a section labeled Title VI. This section prohibits discrimination in activity which is financed by federal funds or receives federal financial assistance. It also contains Presidential Executive Order 12898, which addresses environmental justice in minority and low-income populations and Presidential Executive Order 13166, which addresses services to those individuals with limited English proficiency. Discrimination on the basis of gender, age, and disability is prohibited under the related statutes. Currently, the City has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects. CK Rider has a Title VI Plan for Transit but the plan does not cover the City's operation. This plan establishes a policy and procedures for reporting violations and provides guidelines for the City, City Departments, private persons and companies doing business with the City and receiving federal financial assistance to follow. Adoption of this plan will ensure that Concord is in compliance with the Civil Rights provisions.

Recommendation: Motion to adopt the Title VI Plan and Policy Resolution to prohibit discrimination in programs and services receiving federal financial assistance. **APPROVED**

17. Consider making appointments to the Concord United Committee. At the February 11, 2021 City Council meeting, the Council approved the establishment of the Concord United Committee. Applications were received by the City Clerk and reviewed by the selection committee comprised of Mayor Dusch, Council Members Small, McKenzie, and Parsley, and the City Manager. Members shall have three-year appointments following initial appointments. In order to stagger the terms of office, one-third of initial appointments will be for 1 year, one-third of initial appointments will be for 2 years, and the one-third of initial appointments will be for 3 years.

Recommendation: Motion to make appointments to the Concord United Committee. **APPROVED**

ADDITIONAL ITEMS:

18. Consider authorizing the City Manager to negotiate and execute an agreement for the removal and storage of the historic Meadowview School building.

APPROVED

19. Consider amending the 2021 City Council Schedule of Meetings. **APPROVED**

VII. Consent Agenda APPROVED ALL IN ONE MOTION

A. Consider approving a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners on Bruton Smith Blvd and Hwy 29. Conder Flag Company has requested to place banners on City light poles on Bruton Smith Boulevard (between I-85 and Hwy 29) and Hwy 29 (Exit 49 area between Mecklenburg County and the Rocky River) to promote the Coke 600 Memorial Weekend. The City will receive \$15 for each attachment. As required, the North Carolina Department of Transportation has reviewed and approved the banner design. The applicant may install the banners no earlier than May 15, 2021 and must remove the banners no later than June 17, 2021.

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

- B. Consider approving a donation of \$500 from the Mayor's Golf Tournament Fund to Samaritan's Feet.** Samaritan's Feet is a non-profit humanitarian organization based in Charlotte that organizes shoe distributions to underprivileged children within the US, as well as world-wide. Due to COVID pandemic, the event was not held in 2020.

Recommendation: Motion to approve a donation of \$500 from the Mayor's Golf Tournament Fund to Samaritan's Feet and to adopt a budget ordinance appropriating the donation.

- C. Consider establishing the 2021 filing fees for the seats of Mayor and Council Members.** The NC General Statutes gives City Council the authority to establish filing fees. Per the Statutes, "the fee shall not be less than \$5 nor more than one percent of the annual salary". Based upon this formula, the 2021 filing fees will be \$176 for the Mayor's seat and \$102 for each Council Member's seat.

Recommendation: Motion to establish the 2021 filing fees as \$176 for the Mayor's seat and \$102 for the Council Member seats.

- D. Consider authorizing the Chief of Police to enter into the 2021 Regional Law Enforcement Mutual Aid Agreement.** The regional mutual aid agreement is prepared by the Centralina Council of Government for law enforcement agencies across the state. The new agreement begins June 1, 2021 through May 31, 2024.

Recommendation: Motion to authorize the Chief of Police to enter into the 2021 Regional Law Enforcement Mutual Aid Agreement.

- E. Consider approving the updated 2021 Rider Transit Public Transportation Agency Safety Plan (PTASP).** FTA requires that Rider Transit's Public Transportation Agency Safety Plan is reviewed, updated, and approved annually by the Concord Kannapolis Transit Commission, Concord City Council, and the Cabarrus Rowan MPO. There were no substantive changes to this year's plan, only small language updates required by FTA. The updated plan was approved by the CKTC at their April 21, 2021 meeting.

Recommendation: Motion to approve the updated 2021 Rider Transit Public Transportation Agency Safety Plan.

- F. Consider accepting an offer of infrastructure at Wyntree-Bethel Park Subdivision, International Business Park Lot 12, Pendleton Subdivision PH 2, Edenton at Cox Mill PH 1 MP 1 and MP 2, Courtyards at Poplar Tent PH 2, Hallstead Subdivision PH 2, Rocky Mill Manor.** In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptance: 1,875 Linear Feet of Water Line, 9 valves, 5 Fire Hydrants, 1,0179 Linear Feet of Sanitary Sewer Line, 10 Manholes, 14,341 Linear Feet of Roadway.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites: Wyntree-Bethel Park Subdivision, International Business Park Lot 12, Pendleton Subdivision PH 2, Edenton at Cox Mill PH 1 MP 1 and MP 2, Courtyards at Poplar Tent PH 2, Hallstead Subdivision PH 2, Rocky Mill Manor.

- G. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.** In accordance with CDO Article 5, the following final plats and easements are now ready for approval: The Haven at Rocky River Map 4 and Oaklawn Development Phase 1. Various utility easements and public rights-of-ways are offered by the owners.

Recommendation: Motion to accept the offer of dedication on the following plat and easements: The Haven at Rocky River Map 4 and Oaklawn Development Phase 1.

- H. Consider accepting an Offer of Dedication of an access easement and approval of the maintenance agreement.** In accordance with the CDO Article 4, the following access easements and maintenance agreements are now ready for approval: Cabarrus County (PIN 5509-40-5700) 300 Pitts School Road, Cabarrus Propco, LLC, Forestar Real Estate Group, Inc., Cabarrus County (PIN 5620-44-3498) 484 Cabarrus Avenue. Access easements and SCM maintenance agreements are being offered by the owners.
- Recommendation:** Motion to approve the maintenance agreements and accept the offers of dedication on the following properties: Cabarrus County, Cabarrus Propco, LLC. and Forestar Real Estate Group, Inc.
- I. Consider adopting ordinances amending the operating budgets for the General Fund and Internal Service Fund for an additional OPEB contribution.** Staff is recommending additional funding to the OPEB fund based on excess revenues over expenditures in the General Fund from FY20. The City is working aggressively to address the outstanding OPEB liability. Upon approval, the City will contribute an additional \$1,769,686 from the Internal Service Fund. This contribution from the Internal Service Fund will be allocated out to the General Fund through the cost allocation process. The attached budget ordinances adjust the budgets for both the General Fund and the Internal Service Fund to cover this additional OPEB contribution and related cost allocations.
- Recommendation:** Motion to adopt ordinances amending the operating budgets for the General Fund and Internal Service Fund to fund the City's OPEB liability.
- J. Consider adopting a General Fund operating budget amendment, a Streetscape project budget amendment, and a First Concord 2014 LOBS project budget amendment.** The Streetscape project needs an additional contribution of \$1,325,847 to cover anticipated costs. There are remaining funds from the City Hall First Concord 2014 LOBS project fund of \$700,000 that can be moved to the streetscape project. With General Fund revenues coming in higher than projected, the General Fund can cover the remaining \$625,847 of streetscape costs with excess sales tax revenues in the current fiscal year.
- Recommendation:** Motion to adopt a General Fund operating budget amendment, a Streetscape project budget amendment, and a First Concord 2014 LOBS project budget amendment.
- K. Consider adopting a capital project ordinance to amend the Fire Station Projects Fund.** The City closed on a loan in March 2021 for the construction of Fire Station 12. The attached Capital Project Ordinance adjusts the budget for this project to agree to the total amount of the loan and appropriates the additional loan proceeds to cover costs of issuance and costs of construction.
- Recommendation:** Motion to adopt a capital project ordinance to amend the Fire Station Projects Fund to appropriate additional loan proceeds to cover costs of issuance and construction costs.
- L. Receive quarterly report on water and wastewater extension permits issued by the Engineering Department in the first quarter of 2021.** In accordance with City Code Chapter 62, attached is a report outlining the water and wastewater extension permits that were issued between January 1, 2021 and March 31, 2021.
- Recommendation:** Motion to receive the first quarter water and wastewater extension report for 2021.
- M. Consider adopting a resolution on the administration of small underpayments and overpayments of Ad Valorem Taxes.** NC G.S. 105-357(c) authorizes a local government to adopt a resolution that eliminates the need to collect and refund small underpayments of \$1.00 or less. Additionally, NC G.S.105-321(g) authorizes a local government to adopt a resolution directing its tax collector not to mail a refund of an overpayment if the refund is less than \$15.

Recommendation: Motion to adopt resolution on the administration of small underpayments and overpayments of Ad Valorem Taxes.

- N. Consider acceptance of the Tax Office reports for the month of March 2021.** The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

Recommendation: Motion to accept the Tax Office collection reports for the month of March 2021.

- O. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of March 2021.** G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to overpayments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of March 2021.

- P. Receive monthly report on status of investments as of March 31, 2021.** A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

Recommendation: Motion to accept the monthly report on investments.

VIII. Matters not on the agenda

- TAC
- MTC
- Centralina Regional Council
- Concord/Kannapolis Transit Commission
- WSACC
- Public Art Advisory Committee
- Concord Family Enrichment Association
- PTT Committee
- Barber Scotia Community Task Force Committee
- Concord United Committee

IX. General comments by Council of non-business nature

X. Closed Session (if needed)

XI. Adjournment

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