



City Council Agenda

Thursday, May 12, 2022

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 then held on the Tuesday preceding the regular meeting at 4:00 pm.

I. Call to Order

II. Pledge of Allegiance and Moment of Silent Prayer

III. Approval of Minutes

March 22, April 12, and April 14, 2022. **APPROVED**

IV. Presentations

1. Presentation of a Proclamation recognizing May 15 - 21, 2022 as National Public Works Week. (Work Session) 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.

2. Recognition of the Jay M. Robinson High School Men's Basketball team for winning the 2A Championship.

3. Presentation of the 2022 Jo Atwater Continuous Core Values Award. The Jo Atwater Continuous Core Values Award is the highest award presented to a City of Concord co-worker. 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

C. Recognition of persons requesting to be heard

D. Public Hearings

1. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a three year / 85% tax based Economic Development Incentive Grant to Westwinds Center, LLC and NASCAR Media Group, LLC to locate at 7550 West Winds Blvd. NW, Concord, NC. Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. NASCAR is considering relocating the NASCAR Productions operations from uptown Charlotte to a new technology center. The proposed facility would be adjacent to the existing NASCAR Research and Development Center in Concord's West Winds Business Park and provide a mix of office and broadcast television and video production space. The new facility would be approximately 58,000 SF. NASCAR's proposed investment represents a total \$28,500,000.00 investment in real and personal property. The project expects to bring

125 full time jobs to Cabarrus County from Mecklenburg County with an average wages of \$77,000.00. The total value of the City's three year grant is estimated to equal \$340,986.00 dependent on the actual investment. The City of Concord would still collect a 3-year net revenue of \$60,174.00 after the incentive payments. See attached grant analysis for additional details.

Recommendation: Motion to offer a contract for a three year / 85% tax based Economic Development Incentive Grant to Westwinds Center, LLC and NASCAR Media Group, LLC to locate at 7550 West Winds Blvd. NW, Concord, NC.

APPROVED

- 2. Conduct a public hearing to consider adopting an ordinance amending Articles 7 (Section 7.7.4.E), Article 10 (Section 10.3) and Article 14 (Definitions) of the Concord Development Ordinance (CDO) relative to townhouse (townhome) development requirements.** For the past two years, staff has been amending the CDO based on the recommendations of the 2030 Land Use Plan. One of the major final changes to the CDO is addressing townhome, or single-family attached developments, which pose different service challenges than traditional single-family attached developments. The Planning Technical Committee (which includes Council and Planning Commission members) has guided staff in development of these regulations. The townhome issue was discussed by PTT at two meetings, and it was their consensus that new townhome developments should be required to be rear-load (served by an alley or parking area in the rear). An amendment to mandate rear-load for new townhomes was originally proposed but was never reviewed by Council based upon a concern that the proposal was not compliant with the statutes. Staff reviewed this concern with Legal, and it was determined that the language in the statutes does prohibit the rear-load mandate. Staff proceeded to develop an amendment to allow front-load units in a manner which will address service concerns. The previously drafted rear-load design requirements are proposed to be retained for the instances in which rear-loads are developed. Prior to consideration of the item by Planning Commission, staff provided notice to approximately 300 recipients of the proposed changes via email and no comments were received. The proposed change has also been posted on the City website offering chances to make comment prior to the Council hearing. The Planning Commission unanimously voted to adopt this change at their April meeting.

Recommendation: Motion to adopt an ordinance amending Article 7 (Section 7.7.4.E), Article 10 (Section 10.3) and Article 14 regarding townhouse (townhome) developments. **APPROVED**

- 3. Conduct a public hearing to consider adopting an ordinance amending Article 8, Table 8.1.8 (Use Table) of the Concord Development Ordinance (CDO) to address warehousing/distribution of less than 75,000 square feet and to permit water treatment plants in the Office-Institutional (O-I), Light Commercial (C-1) and Light Industrial (I-1) zoning districts** At the April City Council meeting, the Council amended the sewer allocation policy to allow speculative industrial uses of less than 75,000 square feet to request allocation up to 7,500 gallons per day. This 75,000 sf threshold does not traditionally support large scale distribution. This amendment allows warehouse/distribution less than 75,000 square feet in Light Industrial (I-1) with specific standards (PS), as shown in F in the attached document, but a special use permit would not be required. For warehouse/distribution greater than 75,000 of floor area, a special use permit and compliance with the standards (SS) would still be required. Buildings less than 75,000 sf are usually occupied by small to medium size companies that provide jobs as well as support to larger industries. Additionally, the City is planning an expansion of the Hillgrove Water Treatment plant at 55 Palaside Drive NE. The plant is zoned O-I Office Institutional. While researching the acquisition of an adjacent parcel on Arbor Street (which is zoned C-1 Neighborhood Business), it was discovered that such facilities are not permissible in

either district (nor in I-1). The 1980's Zoning Ordinance, under which the plant was developed, allowed the use in these zoning districts. This corrective change would allow the plant expansions to occur in a conforming manner.

Recommendation: Motion to adopt an ordinance amending Article 8, Table 8.1.8 (Use Table) of the Concord Development Ordinance (CDO) to address warehousing/distribution of less than 75,000 square feet and to permit water treatment plants in the Office-Institutional (O-I), Light Commercial (C-1) and Light Industrial (I-1) zoning districts. **APPROVED**

- 4. Conduct a public hearing to consider adopting an ordinance amending Articles 2 and 3 (Streets and Pedestrian Paths and Driveways) of the Technical Standards Manual (TSM).** Over the past year, the Transportation and Engineering staffs have been working on amending the Technical Standards Manual (TSM) regarding streets/pedestrian paths and driveways. The TSM is a subset of the Concord Development Ordinance (CDO) and amendments require a public hearing. These proposed revisions predominately involve codifying existing practice and modernizing outdated requirements but there are some changes. Additionally, much of the revision involves removing the technical details from the text, and placing them in a separate manual for ease of use. Prior to consideration of the item by Planning Commission, staff provided notice to approximately 300 recipients of the proposed changes via email and no comments were received. The proposed change has also been posted on the City website offering chances to make comment prior to the Council hearing. The Planning Commission unanimously voted to adopt this change at their April meeting, but requested that the staff work on a set of criteria for consideration of the use of "hammerhead" cul-de-sacs, and to bring that back as an amendment in the near future. (note that the complete strike-through document is included in the attached staff report package sent to Planning Commission).

Recommendation: Motion to adopt an ordinance amending Article 2 (Streets and Pedestrian Paths) and Article 2 (Driveways) of the Technical Standards Manual (TSM). **APPROVED**

E. Presentations of Petitions and Requests

- 1. Consider authorizing the City Manager to send a letter of support to the North Carolina Department of Transportation (NCDOT) to abandon a public right-of-way.** The property owner, HGSREI LLC, has petitioned the North Carolina Department of Transportation (NCDOT) to abandon a section of right-of-way of Stowe Ln (SR 2839). The property owner has worked with Fire Department staff on details to maintain emergency access to the property. Other City departments found no issue with the abandonment of the State's right-of-way within the limits of the City of Concord.

Recommendation: Motion to adopt a resolution consenting to the release of a public right of way by the North Carolina Department of Transportation with the requirement that a public utility easement is retained. **APPROVED**

- 2. Consider awarding a contract with Carolina Siteworks Inc. of China Grove, N. Carolina for construction of the Old Charlotte Sidewalk Extension project.** The proposed contract is for the construction of the extension of the sidewalk along the southern side of Old Charlotte Road SW from Warren C Coleman Blvd (HWY 601) to Office Dr. to provide safe pedestrian access along Old Charlotte to the Hartsell Recreation Center. Bids were originally due March 22, 2022 but there was only one bid submitted. Therefore, the bid was rejected without opening and re-advertised. Two bids from interested contractors for the work were received by the Transportation Department on April 5, 2022 with Carolina Siteworks Inc. submitting the certified low quote in the amount of \$546,490.30 and utilizing Alternate A29 in place of item 18. Funding for this project is proposed to come from Community Development Block Grant (CDBG) funds in the amount of \$60,000 and Transportation Project Fund in the

amount of \$486,490.30, which is covered by available Pedestrian Improvement Program (PIP) funds.

Recommendation: Motion to award the base bid and authorize the City manager to negotiate and execute a contract with Carolina Siteworks Inc. of China Grove N. Carolina for construction of the Old Charlotte Sidewalk Extension project.

APPROVED

- 3. Consider awarding the total bid for the City of Concord's annual street preservation program to Blythe Construction Inc. 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 18, 2022 with Blythe Construction Inc. submitting the lowest total bid in the amount of \$3,259,781.37. Work such as patching, leveling, milling, resurfacing, re-striping, re-marking, and re-installation of permanent raised pavement markings work on just under 22 lane miles of designated streets and 5,000 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 to Blythe Construction Inc. in the amount of \$3,259,781.37 for the City of Concord's annual streets preservation program and approve the attached budget ordinance to appropriate funds from reserve funds. **APPROVED**

- 4. Consider recognizing the Hunton Forest Home Owners Association into the City's Partnership for Stronger Neighborhoods program.** Hunton Forest is a relatively new community to Concord. Located off Poplar Tent Rd near International Drive and the Zemosa Acres Farm, the neighborhood is a charming family-friendly community. There is a total of 299 households with multiple style type homes built by Taylor Morrison and Ryan Builders. Hunton Forest houses a diverse community of residents a range of race, age, ethnic backgrounds, and family sizes. Officers for the Association are: President Joseph Marino; Vice President Arnold Woodruff; Treasurer Christopher Simms; and Secretary Takeida Carter. The Association hosts monthly meetings in Fire Station 7 and hold officer elections each February. They have submitted all the required documentation for recognition. By approving their inclusion in the program, the City would have a total of 72 recognized neighborhoods in the Partnership for Stronger Neighborhoods since the program's foundation in 2000.

Recommendation: Motion to approve the acceptance of Hunton Forest as a recognized neighborhood in the Partnership for Stronger Neighborhoods Program.

APPROVED

- 5. Receive an update on the design progress of the J.E. "Jim" Ramseur Park, consider adopting revisions to the park master plan, and authorize the City Manager to negotiate and execute a contract amendment with Woolpert, North Carolina PLLC to complete design development and construction documents for Phase 1 (Park only).** The property at 1252 Cox Mill Road in Concord, which totals approximately 28.6 acres and is adjacent to Cox Mill Elementary School, was purchased by the City in 2020 to serve as the site of Concord's first Community Park in the Northwest. Parks and Recreation selected the firm Woolpert, located out of South Charlotte, through the RFQ process for design of the park. The master plan was originally adopted by Council in August of 2021. This is the fourth amendment to Woolpert's original contract and is intended to advance detailed design for phase 1 only (park) through Design Development and Construction Documents. In addition, this amendment will include a TIA for phases 1 and 2, additional architectural services for pavilion and restroom buildings, and shelters, and allowances to complete geotechnical investigations, wetland delineations, and to progress the design through

the permitting and plan review phase. The following items have been completed to date: 1) Original master plan and community engagement, 2) Surveying, due diligence on pedestrian bridge crossing, and jurisdictional determination for environmental permitting requirements, 3) Building programming and building renderings for the future Recreation Center, 4) Schematic design plans for all phases of the park, 5) alignment and cost options for sewer access to the property, and 6) detailed construction cost estimates for the next 5-10 years with additional inflation considerations. This work is critical to continue the design process once the master plan has been revised, and will accelerate the design and development of the park, with the goal of having the project shovel ready by late Spring/early Summer of 2023.

Recommendation: Receive the update and consider making a motion to adopt the revised Master Plan conceptual map for J.E. "Jim" Ramseur Park, and to authorize the City Manager to negotiate and execute a contract amendment with Woolpert, North Carolina, PLLC in the amount of \$1,189,062 for Design Development, Construction Documents, Plan Review and Permitting, Traffic Impact Analysis, additional cost estimation services, and geotechnical and other environmental site investigations and allowances. **APPROVED**

- 6. Consider authorizing the City Manager to negotiate and execute a contract with Kimley Horn for design services for Clarke Creek Greenway in the Cox Mill area in the amount of \$141,100.** Clarke Creek Greenway, also known as the Cox Mill Loop, is a high priority greenway project for the City of Concord as identified by the Open Space Connectivity Analysis and Parks and Recreation's goal of having 30 miles of developed greenway citywide by the year 2030. It is proposed to extend from Schrader Street NW in the Winding Walk Neighborhood to Cox Mill Road, and will also feature connections to Highland Creek, Allen Mills, the Planned J.E. "Jim" Ramseur Park, Cox Mill Elementary School, Odell Recreation Fields, Christenbury, and Granary Oaks neighborhoods. Overall, this greenway will be over four (4) miles in length and provide tremendous pedestrian connectivity within this area. The City has selected Kimley Horn through an RFQ process as one of our on-call design firms for Greenway and Connectivity projects. The greenway will feature a 10-foot path that may include asphalt trail, boardwalk, and natural surface in some areas. It will most likely be developed in phases depending on funding and acquisition. Partial funding may come through a Congestion Mitigation and Air Quality (CMAQ) grant recently applied to NCDOT through the Cabarrus-Rowan MPO. This initial scope will include survey and mapping to create the initial alignment for the greenway to continue discussions with the neighborhoods. It will also include project management and coordination with TELICS and surveyors that are working on easement boundaries, and pre-planning and due diligence work for future phases of the design. Future addendums to the contract may include Design Development Plans, Construction Drawings, Geotechnical Investigations, FEMA Floodplain permitting and Wetland Delineation, Utility Coordination, and bidding and construction administration.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Kimley Horn in the amount of \$141,100 for professional design services for Clarke Creek Greenway. **APPROVED**

- 7. Consider authorizing the City Manager to negotiate and execute a contract with The Dodd Studio LLC for full design services for Dorton Park in the amount of \$468,128.** City Council adopted the new master plan for the renovation and redevelopment of Dorton Park on September 10, 2020. The existing park, located at 5790 Poplar Tent Road, is approximately 30 acres. Parks and Recreation has selected the firm The Dodd Studio, located out of Fort Mill, SC, through an RFQ process for professional design services for the park. The Dodd Studio was also the consultant that completed the Master Plan for Dorton Park and guided the public input process. The design phase will include Design Development Plans, Construction Documents at 50%, 90% and 100% level, Geotechnical site work and investigations,

architectural services for existing and proposed buildings on the property, and stream restoration and stabilization services for Afton Run Branch. Dorton Park is a proposed GO Bond funded project and will also include a segment of Coddle Creek Greenway.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with The Dodd Studio in the amount of \$468,128 for Full Design services for Dorton Park. **APPROVED**

- 8. Consider authorizing the City Manager to negotiate and execute a contract with Cole Jenest & Stone, Bolten & Menk, Inc. for full design services for Hartsell Park Complex in the amount of \$532,155.** City Council adopted the new master plan for the renovation and redevelopment of Hartsell Park Complex on December 9, 2021. The existing park, with parking areas on Swink Street, Old Charlotte Road, and Sunderland Road, is approximately 22.5 acres and includes the Hartsell Recreation Center, Hartsell Ballfield Complex, and Hartsell neighborhood park. Parks and Recreation has selected the firm Cole Jenest & Stone, Bolten & Menk, Inc., located out of Charlotte, NC, through an RFQ process for professional design services for the park. The original master plan was completed by Viz Design and staff guided the public input process. This design phase will include Schematic Design, Design Development Plans, Construction Documents at 50%, 95%, and 100% level, Geotechnical site work and investigations, architectural services for existing and proposed buildings on the property, cost estimation services, and allowances for surveying and additional mapping. Full turn-key development of Hartsell Park is a proposed GO Bond funded project presented to Council, with a proposed construction budget of approximately \$6.8M.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Cole Jenest & Stone, Bolten & Menk, Inc. in the amount of \$532,155 for Full Design services for Hartsell Park. **APPROVED**

- 9. Consider authorizing the City Manager to negotiate and execute a contract with Blythe Brothers Asphalt Co. LLC in the amount of \$361,311 for the General Aviation Parking Lot improvements at the Concord-Padgett Regional Airport.** Bids were due on April 20, 2022 and only 1 bid was received. The bid was rejected and re-advertised per North Carolina General Statutes. One bid was received and opened on May 2, 2022. Blythe Brothers Asphalt Co. LLC submitted the low responsive base bid in the amount of \$361,311. Talbert, Bright and Ellington reviewed the bids and concurred all bid requirements of the specifications were met. This project will be 100% funded by the North Carolina Department of Transportation Division of Aviation Commercial Service Airport Improvement Program.

Recommendation: Motion to accept the bid and authorize the City Manager to negotiate and execute a contract with Blythe Brothers Asphalt Co. LLC in the amount of \$361,311 for the General Aviation Parking Lot project at the Concord-Padgett Regional Airport and approve the budget amendment. **APPROVED**

- 10. Consider awarding a bid in the amount of \$1,324,965.00 to Service Electric Company for construction of Substation T at 2700 Concord Parkway South.** Substation T Site-work/grading is now complete. Bid specifications for construction of the concrete foundations and all above ground facilities were developed and a formal bid process was held on April 20, 2022. Six construction firms submitted bids, which were evaluated by Staff for adherence to specifications. The lowest bidder, at \$1,324,965.00, was Service Electric Company. Service Electric Company was deemed to be a responsive and responsible bidder. Upon a Notice to Proceed letter, Service Electric Company will have 210 days to perform the work. Substation T remains on schedule for commissioning in March 2023.

Recommendation: Make a motion to award a bid for \$1,324,965.00 to Service Electric Company for construction of Substation T at 2700 Concord Parkway South. **APPROVED**

- 11. Introduce the Bond Order Authorizing the Issuance of \$60,000,000 General Obligation Parks and Recreation Bonds of the City of Concord, North Carolina.** The City Council has determined that it is necessary to pay the capital costs of providing parks and recreation facilities. An application has been filed with the Secretary of the Local Government Commission of North Carolina requesting Commission approval of the General Obligation Parks and Recreation Bonds as required by the Local Government Bond Act, and the City Clerk has notified the City Council that the application has been accepted for submission to the Local Government Commission. The next step in the process is to introduce the bond order.
- Recommendation:** Motion to Introduce the Bond Order Authorizing the Issuance of \$60,000,000 General Obligation Parks and Recreation Bonds of the City of Concord, North Carolina. **APPROVED**
- 12. Consider adopting a resolution setting a public hearing on a General Obligation Bond Order and related matters.** As part of the GO Bond referendum process, the City Council must hold a public hearing. The attached resolution sets the public hearing date of June 9th. A notice of the bond order will be published with a notice of the public hearing in the newspaper on or before June 3rd.
- Recommendation:** Motion to adopt a resolution setting a public hearing on a General Obligation Bond Order and related matters. **APPROVED**
- 13. Consider adopting a resolution authorizing the sale of multiple parcels to WeBuild Concord, Inc for the purpose of development of affordable housing.** In 1977, the then City Board of Aldermen designated the Board as a housing authority pursuant to Chapter 157 of the North Carolina General Statutes. Acting as a housing authority, the City Council has the ability to sell property to WeBuild for a public use such as affordable housing. WeBuild (“buyer”) has offered to purchase 77 Cabarrus Avenue SW; 338 Lincoln Street SW; 11 Powder Street NW, 13 Powder Street NW, 23 Powder Street NW, 26 Powder Street NW, 30 Powder Street NW, 34 Powder Street NW, 69 Powder Street NW, 94 Chestnut Street SW, 327 Howerton Avenue NW, Fenix Drive SW Lot 30, and Swink Street SW Lot 20, for \$588,321.00 for the purpose of developing affordable housing. All City departments have confirmed that the properties are not needed for City use. The properties will all be conveyed with deed restrictions and covenants to assure that they are used exclusively for affordable housing, that they are held in a land trust by WeBuild and that the properties will revert to the City in the event these covenants are breached. The proposed resolution directs the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents to affect the conveyance of the property in accordance with North Carolina General Statutes §157-9.
- Recommendation:** Motion to adopt a resolution authorizing the sale of multiple parcels to WeBuild Concord, Inc for the purpose of development of affordable housing and directing the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents in order to affect the conveyance of the property. **APPROVED**
- 14. Consider adopting a resolution authorizing the sale of part of 250 International Drive NW and the grant of an egress easement to the City of Concord Alcohol Beverage Control Board.** The City acquired this property on October 31, 2000. The Fire Department has confirmed that the property is not needed for the use of Fire Station number 7. The City received an Offer to Purchase the Property from City of Concord Alcohol Beverage Control Board (“Buyer”) for \$71,316.00. The buyer wishes to use the property to construct a driveway access for the neighboring lot located at 230 International Drive NW. The tax value of the property is \$71,316. The buyer is also requesting an egress easement across a portion of 250 International Drive NW as shown on the attached survey. The buyer will contribute thirty percent (30%) of all future maintenance costs for the existing driveway located in the easement area. The proposed Resolution directs the City Manager, City Clerk and City Attorney to take all

necessary steps and to execute the necessary documents to affect the conveyance of the property and easement in accordance with this resolution pursuant to North Carolina General Statutes §160A-273 and -274.

Recommendation: Motion to adopt a resolution authorizing the sale of part of 250 International Drive NW and the grant of an egress easement to the City of Concord Alcohol Beverage Control Board and directing the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents in order to affect the conveyance of the property and easement. **APPROVED**

- 15. Consider authorizing the City Manager to negotiate and execute a contract with Bionomic Services, Inc. for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal.** As water is treated to produce safe drinking water, waste is also generated and stored in lagoons. These lagoons fill up with waste that has to be removed and taken to the landfill. This contract is for the removal of the waste from the lagoons and delivering the waste to the landfill. The project was bid under the informal bidding process, and 2 bids were received. The lowest responsible bidder was Bionomic Services, Inc. in the amount of \$314,404.20.

Recommendation: Motion authorizing the City Manager to negotiate and execute a contract with Bionomic Services, Inc. in the amount of \$314,404.20 for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal. **APPROVED**

- 16. Consider authorizing the City Manager to negotiate and enter into an agreement with Republic Services, Inc, for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge.** For the second year, Republic Services, Inc. is keeping the cost of disposal of the lagoon sludge from the Coddle Creek Water Treatment Plant the same at \$80 per ton. It is estimated, approximately 3,350 tons will be removed at a cost of \$268,000.

Recommendation: Motion to authorize the City Manager to negotiate and enter into an agreement with Republic Services, Inc. for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge at \$80.00 per ton to a maximum of 3,350 tons. **APPROVED**

- 17. Consider approving a modification to the Interlocal Agreement with Cabarrus County administering the Central Area Plan.** The City entered into an Interlocal Agreement with Cabarrus County administering the Central Area Plan. Under the Agreement, the City agreed not to extend utilities into certain areas east of the then existing City limits except under certain limited circumstances. Humberto Perez has requested an exception to the Agreement in order to obtain water service for a proposed single-family home at 3535 Katrina Avenue (PIN 5641-70-7417) .

Recommendation: Motion to approve a modification of the Interlocal Agreement regarding the Central Area Plan to allow the provision of water to 3535 Katrina Avenue. **APPROVED**

VII. Consent Agenda **APPROVED ALL IN ONE MOTION**

- A. Consider adopting a resolution authorizing the conveyance of street and sidewalk easements requested by the City of Kannapolis.** The City acquired 103.44 acres located in Cabarrus and Rowan counties and commonly known as the Lake Fisher property. The City of Kannapolis formerly obtained an easement from Concord for the development and maintenance of Stadium Drive to serve a baseball stadium facility. The baseball stadium has now been replaced by facility at another location, and the City of Kannapolis wishes to redevelop the property located at the end of Stadium Drive. The redevelopment will necessitate certain changes to Stadium Drive and those changes require the new easement requested here. The proposed resolution directs the City Manager, City Clerk and City Attorney to take all necessary steps to convey the easements to the City of Kannapolis pursuant to N.C.G.S. §160A-273 and §160A-274.

Recommendation: Motion to adopt a resolution authorizing conveyance of street and sidewalk easements requested by the City of Kannapolis, and directing the

City Manager, City Clerk and City Attorney to take all necessary steps to convey the easements.

- B. Consider adopting a resolution designating the City Manager, or his appointee, to act as Deputy City Clerk in the absence of the City Clerk.** During times the City Clerk may be out of the office for an extended period of time a Deputy City Clerk should be designated to sign documents and administer the City seal. This resolution gives the City Manager, or his appointee, authority to act as Deputy City Clerk in the Clerk's absence.

Recommendation: Motion to adopt a resolution designating the City Manager, or his appointee, to act as Deputy City Clerk in the absence of the City Clerk.

- C. Consider approving the Rider Transit Title VI Program Plan Update.** Rider Transit is required by FTA to update our Title VI Civil Rights Program Plan every three years. This update contains new socio-economic survey data from our passengers, the addition of the City of Concord DEI Coordinator to the Title VI complaint process, and reference information to the Voiance language translation services program that was established since the last update in 2019. This plan update was approved by the Concord Kannapolis Transit Commission at their April 29, 2022 meeting.

Recommendation: Motion to approve the updated Rider Transit Title VI Program Plan.

- D. Consider authorizing the Concord Police Department to apply for the competitive 2022 Office of Community Oriented Policing Services (COPS) Hiring Program grant.** The Concord Police Department is requesting to apply for the competitive 2022 COPS Hiring Program grant. The department is seeking up to 8 patrol officers. The anticipated start date of the grant, if awarded, is October 1, 2022, which implementation can be delayed until July 1, 2023. The grant lasts three years with a 25% local match for salary and fringe benefits. If the grant is received for all 8 positions, the total salary and benefits amount for the three years would be approximately \$1,785,481. Of this, the grant will reimburse 75% up to \$1,000,000. The City would be responsible for 25% plus any amount over \$1,000,000, which totals \$785,481 over the 36 month period.

Recommendation: Motion to authorize the Concord Police Department to apply for the competitive 2022 Office of Community Oriented Policing Services (COPS) Hiring Program grant.

- E. 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: Rowan-Cabarrus Young Men's Christian Association, (PIN 5601-20-0578) 5325 Langford Ave and 5350 Vining St; M/I Homes of Charlotte, LLC (PIN 4681-82-0317) 345 Odell School Road; M/I Homes of Charlotte, LLC (PIN 5610-65-7205) 2850 Rock Hill Church Road. 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: Rowan-Cabarrus Young Men's Christian Association, M/I Homes of Charlotte, LLC and M/I Homes of Charlotte, LLC.

- F. Consider accepting an offer of infrastructure at Sealand Offices.** 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: 895 LF of 8-inch water line, 10 valves, 3 Fire Hydrants.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites, Sealand Offices.

- G. Consider adopting a budget appropriating a previously approved \$1,500 donation to Run Cabarrus.** A \$1,500 donation to Run Cabarrus to assist with youth

athletic programs was previously approved in November, 2021. A budget ordinance is needed to appropriate the donation.

Recommendation: Motion to adopt a budget ordinance appropriating a previously approved \$1,500 donation to Run Cabarrus.

- H. Consider approving a \$2,500 donation from the Mayor's Golf Tournament Fund to The Officer Jason Shuping Memorial Public Safety Endowed Scholarship for Basic Law Enforcement Training (BLET) Students at Rowan-Cabarrus Community College and to adopt a budget ordinance.** This scholarship, created by Haley Shuping, wife of Officer Shuping, will be used to honor Officer Shuping's legacy by encouraging BLET students to pursue their goal of becoming a law enforcement officer in the community by making the program more financially accessible.

Recommendation: Motion to approve a \$2,500 donation from the Mayor's Golf Tournament Fund to The Officer Jason Shuping Memorial Public Safety Endowed Scholarship for Basic Law Enforcement Training (BLET) Students at Rowan-Cabarrus Community College and to adopt a budget ordinance appropriating the donation.

- I. Consider adopting an ordinance to amend the FY2021/2022 Budget for the Airport Operations to appropriate \$2,603,028 from the Airport Rescue Grant Funding received from the FAA.** The American Rescue Plan Act of 2021 (H.R. 1319, Public Law 117-2), was signed into law by the President on March 11, 2021, and included \$8 billion in funds to be awarded as economic assistance to eligible U.S. airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic. Concord-Padgett Regional Airport received funding in the amount of \$2,603,028 as economic relief. Funds will be used for purposes directly related to the airport, which can include reimbursement of operational and maintenance expenses or debt service payments.

Recommendation: Motion to adopt an ordinance to amend the FY2021/2022 Budget for the Airport Operations to appropriate Airport Rescue Grant Funding received.

- J. Consider adopting ordinances to amend the General Fund operating budget and the General Capital Reserves Fund to complete the year end transfer for future projects listed in the City's Capital Improvement Plan.** Per the City's adopted financial policies, the City Manager has authority to recommend a yearly transfer to the General Capital Reserve fund for future projects listed in the City's Capital Improvement Plan. After careful analysis of our current situation, the City Manager is recommending \$3,000,000 be transferred to the General Capital Reserve Fund. This amount represents surplus earnings from fiscal year ending June 30, 2021.

Recommendation: Motion to adopt amendments to the general fund operating budget ordinance and the general capital reserves fund ordinance to complete the year end transfer for future projects listed in the City's Capital Improvement Plan.

- K. Consider adopting an American Rescue Plan Fund grant project budget amendment and a General Fund Capital Project fund project budget amendment.** At the April regular council meeting, Council approved transferring \$8,000,000 of American Rescue Plan funds to the Fleet Services Building project. The attached budget ordinances appropriate the funding for this additional project.

Recommendation: Motion to adopt an American Rescue Plan Fund grant project budget amendment and a General Fund Capital Project fund project budget amendment.

- L. Consider adopting an ordinance to amend the FY2021/2022 Budget Ordinance for the General Fund to appropriate insurance reimbursements received.** The City of Concord received insurance reimbursements to cover repairs and replacement of damaged vehicles, buildings and property. The attached budget amendment will appropriate these funds to the respective impacted departments.

Recommendation: Motion to adopt an ordinance to amend the FY2021/2022 Budget Ordinance for the General Fund to appropriate insurance reimbursements received.

M. Consider adopting an ordinance to amend the HOME American Rescue Plan fund. The US Department of Housing and Urban Development has awarded Concord \$4,772,338 as part of the American Rescue Plan under the HOME program. This ordinance is to establish the budget for this new fund.

Recommendation: Motion to adopt an ordinance to amend the HOME American Rescue Plan budget to actual projections.

N. Receive quarterly report on water and wastewater extension permits issued by the Engineering Department in the first quarter of 2022. In accordance with City Code Chapter 62, attached is a report outlining the water and wastewater extension permits that were issued between January 1, 2022 and March 31, 2022.

Recommendation: Motion to receive the first quarter water and wastewater extension report for 2022.

O. Consider acceptance of the Tax Office reports for the month of March 2022. 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 2022.

P. Consider approval of Tax Releases/Refunds from the Tax Collection Office for the month of March 2022. 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 2022.

Q. Receive monthly report on status of investments as of March 31, 2022. 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

- **Transportation Advisory Committee (TAC)**
- **Metropolitan Transit Commission (MTC)**
- **Centralina Regional Council**
- **Concord/Kannapolis Transit Commission**
- **Water Sewer Authority of Cabarrus County (WSACC)**
- **Public Art Advisory Committee**
- **WeBuild Concord**
- **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.