



City Council Agenda

Thursday, September 08, 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

July 19, August 9, and August 11, 2022. **APPROVED**

IV. Presentations

- 1. Presentation from CALEA Commissioner and Director of the North Carolina Criminal Justice Training and Standards Division, Jeffrey Smythe.** Recognition of the Concord Police Department achieving its Law Enforcement Accreditation from the Commission on the Accreditation of Law Enforcement Agencies (CALEA). Jeffrey Smythe, CALEA Commissioner and Director of the North Carolina Criminal Justice Training and Standards Division, will provide remarks on the police department's performance during its 2-year process culminating in achieving full accreditation.
- 2. Presentation of a Proclamation recognizing September 16-22, 2022 as Constitution Week.**
- 3. Presentation of a Proclamation recognizing October 1, 2022 as International Festival Day in Concord.**
- 4. Presentation of the FY23 Annual Budget Video**

V. Unfinished Business

A. Continue a public hearing for case Z(CD)-07-21 and consider adopting an ordinance amending the official zoning map for +/- 54.8519 acres located northeast corner of International Drive and Highway 73, generally addressed as 4208 and 4515 Davidson Hwy from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial). This case was tabled from the June 9th City Council meeting and was continued to July. At the July meeting, the hearing was continued in order to allow the developer to meet with neighbors to explore a change to the site plan to address the truck access issue. In August, the developer requested an additional continuance until September in order to continue conversations with the neighbors relative to noise issues and to potentially develop a mutually agreed upon mitigation plan. The Planning and Zoning Commission heard the above referenced petition at their April 19th, 2022 public hearing and acted to deny the request. In accordance with Concord Development Ordinance section 3.2.4-B, "The Commission may grant final approval of a zoning map amendment by a vote of at least three-fourths (3/4) of the members of the Commission present and not excused from voting. If the approval is by a vote of less than three-fourths, or if the Commission renders a recommendation of denial, the request shall be forwarded to the City Council for hearing at their next available meeting and the City Council shall have the authority to make a final decision on the zoning map amendment." According to the applicant, an office, warehouse, distribution and light industrial business park are the possible uses for the I-1-CD (Light Industrial Conditional District) area of the development and no specific plans have been provided for the C-2 (General Commercial) portion of the site. Please see attached documents for further detail.

Recommendation: Consider adopting an ordinance amending the official zoning map from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial). **CONTINUED TO THE OCTOBER 13, 2022 MEETING**

VI. New Business

A. Informational Items

1. **Receive the annual update from the Concord United Committee.** The Concord United Committee Co-Chairs will present the annual update to the Mayor and City Council. **UPDATE PRESENTED AND RECEIVED**

B. Departmental Reports

C. Recognition of persons requesting to be heard

D. Public Hearings

1. **Conduct a public hearing for case Z(CD)-03-22 and consider adopting an ordinance amending the official zoning map for +/-7.66 acres located at 4145 Davidson Hwy from C-2 (General Commercial) to RC-CD (Residential Compact - Conditional District) and consider amending the 2030 Land Use Plan to modify the future land use designation of the parcel from Industrial Employment to Urban Neighborhood.** The Planning and Zoning Commission heard the above referenced petition at their August 16, 2022 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map NOT be amended from C-2 (General Commercial) to RC-CD (Residential Compact - Conditional District) and to NOT amend the 2030 Land Use Plan to designate the parcel as Urban Neighborhood. The site was proposed to be a multi-family development with 117 dwelling units and contain a 6,000 sf commercial building; however, after the Planning and Zoning Commission meeting on August 16th, the applicant is seeking to condition the request to 90 units and 4,599 square feet of commercial. The project received sewer allocation on July 19, 2022.

Recommendation: Consider adopting an ordinance amending the official zoning map from C-2 (General Commercial) to RC-CD (Residential Compact - Conditional District) and consider amending the 2030 Land Use Plan to modify the future land use designation of the parcel from Industrial Employment to Urban Neighborhood. **DENIED**

2. **Conduct a public hearing and consider adopting an ordinance annexing +/- 2.029 p/o PIN 5622-65-8770 on Copperfield Blvd. owned by Copperfield, Inc.** The petition is for voluntary annexation petition of +/- 2.029 acres of property as a portion of PIN 5622-65-8770 on Copperfield Blvd. The property is currently zoned General Commercial (C-2) in the City of Concord ETJ. The developer has proposed to build a DairiO on the site, which was allocated sewer on July 19th, 2022.

Recommendation: Consider a motion adopting the annexation ordinance and set the effective date for September 8th, 2022. **APPROVED**

3. **Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Center City Economic Development Incentive Grant to Shelby Company LTD, LLC to locate at 131 - 171 Cabarrus Avenue East, Concord, NC.** Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Shelby Company LTD, LLC proposes to develop an approximately 220,637 SF mixed use development within the geographic boundary of the Center City Economic Development Grant Program. The proposed project includes approximately 212 residential units (1 bedroom and 2 bedroom) in addition to approximately 11,000 SF of commercial space. Shelby Company LTD, LLC's proposed investment represents a total \$55,000,000 - \$60,000,000 investment in real and personal property within Concord's Center City, which is an area that encompasses several older established residential neighborhoods and five major transportation corridors. The total value of the City's one year grant is estimated to equal \$224,400 based on an estimated

investment of \$55,000,000. The actual payment will be based on the actual investment made by the company. The City of Concord would still collect a 1-year net revenue of \$39,600 after the incentive payment. See attached grant analysis for additional details.

Recommendation: Consider offering a contract for a one year / 85% tax based Economic Development Incentive Grant to Shelby Company LTD, LLC to locate at 131 - 171 Cabarrus Avenue East, Concord, NC. **APPROVED**

4. **Conduct a public hearing for case TA-09-22 and consider adopting an ordinance amending the Concord Development Ordinance Section 8.3.5.Q.5. regarding supplementary regulations for Food Trucks** This text amendment is staff initiated. Staff is seeking to clarify the intent of the word "temporary" in the definition of food trucks by requiring that they be removed overnight or from visibility from the right of way. The City was initially reliant on health department regulation of food trucks to require their removal overnight; however, some trailers and other mobile food units do not fall within the scope of these health department regulations. This ordinance change recommends adopting language taken from the City of Asheville regarding the overnight parking. The text amendment also adds the modifier "Zoning" to Center City District and reduces the maximum allowable signage from 32 square feet to 8 square feet. The Planning and Zoning Commission unanimously recommended the text amendment at their August 16th meeting.

Recommendation: Consider adopting an ordinance amending CDO Section 8.3.5.Q.5, Other Regulations Applying to All Food Truck Operations and Statement of Consistency. **CONTINUED TO THE OCTOBER 13, 2022 MEETING**

E. Presentations of Petitions and Requests

1. **Consider adopting a resolution of intent to schedule a public hearing on the matter of closing the right-of-way of an unopened 50 foot right of way of Davidson Dr. NW contained within the property of 48-50 Beechwood Ave NW.** The proposal includes the abandonment of the approximately 50' right-of-way of Davidson Dr. NW. Concord California Associates, LLC is the applicant and the owner of the property. Davidson Dr. NW terminates into the property. The right of way is not used for public ingress/egress and is not maintained by the City. An easement will need to be retained for electric infrastructure on the site but the City would abandon maintenance of the stormwater pipe on the site. 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 October 13, 2022 meeting.

Recommendation: Consider adopting a resolution of intent to set a public hearing for October 13, 2022 on the matter of closing the right-of-way of an unopened 50 foot right of way of Davidson Dr. NW. **APPROVED**

2. **Consider reallocating \$109,582.34 in Community Development Block Grant (CDBG) Coronavirus Aid, Relief and Economic Security Act (CARES Act) funding to select public service agencies and organizations responding to community needs related to COVID-19.** In August of 2020, Council approved \$158,368.08 of CARES funds to Prosperity Unlimited to respond to mortgage needs within Concord. Due to the foreclosure moratorium being extended and the North Carolina Housing Finance Agency (NCHFA) American Rescue Plan backed mortgage assistance, Prosperity has not expended these funds. As the NCHFA funds allow for more assistance with less documentation, Prosperity has requested to return the funds to ensure other community needs can be met. Staff has reached out to agencies who received previous allocations to assess the continued COVID related needs in the area. The following details the proposed funding to the agencies which totals \$109,582.34. 1. Cooperative Christian Ministries, Rental/Utility assistance provided to Concord residents identified as not receiving any other federal or state COVID related assistance. Install an awning to accommodate food distribution at agency food party

which was moved outside due to COVID - \$44,582.34; 2. Opportunity House, Nurse salary - \$30,000.00; and 3. Salvation Army, continued food requests and cleaning/sanitation needs for COVID safety measures - \$35,000.00. If approved, there will be \$48,785.74 remaining to allocate.

Recommendation: Motion to approve reallocating \$109,582.43 in Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding to select public service agencies and organizations responding to community needs related to COVID-19. **APPROVED**

- 3. Consider adopting a resolution for the City of Concord to declare its intentions to issue tax exempt bonds (secured by and payable solely from private development revenues, not City of Concord revenues) in the new amount not to exceed \$20,500,000 to finance the acquisition, rehabilitation and equipping of mixed income units to be known as Coleman Mill Apartments and for related purposes.** In May 2019, Council approved the issuance of a tax-exempt bond in the amount of \$14,000,000 payable solely from private development revenues to finance the acquisition, rehabilitation and equipping of The Coleman-Franklin-Cannon Mill property. The request was amended to \$18,000,000 in October of 2020. Representatives from the development group Sari and Company are continuing to secure tax-exempt financing from North Carolina Housing Finance Agency (NCHFA) to transform the 10.71 acre site, located at 625 Main St. SW, Concord NC, into approximately 152 units of mixed income housing to be known as the Coleman Mill Apartments. The Developer is requesting the bond increase due to the rising construction costs. The amended amount of the bond issuance is not to exceed \$20,500,000. These bonds would be used for acquisition, rehabilitation and equipping of the aforementioned development. These bonds will not be general obligations of the City but will be special obligations secured by and payable solely from the developer's revenues. Pursuant to Section 160A-456 of the NC General Statutes (NCGS), the municipality has all the power of a housing authority under the NC Housing Authorities Law found in Article 1 of Chapter 157 of the NCGS. This empowers the City to issue its notes and bonds in accordance with the law for the purpose of making loans to assist in housing construction or rehabilitation by private sponsors. The City has determined that providing financing for this development is consistent with the policy and purpose of the law. In order to meet tax code section 42, relating to tax exempt bonds, the Developer must include a resolution from the City which declares the intention to issue bond at the requested amount. Although the adoption of this resolution will declare the City's intent to issue bonds, the resolution is not a binding commitment of the City to issue the bonds. If the Council approves the amended bond issuance, the City will designate a Bond Counsel and the developer will be responsible for all fees associated with the transaction.

Recommendation: Motion to adopt a resolution for the City of Concord to declare its intentions to issue tax exempt bonds in the new amount not to exceed \$20,500,000 to finance the acquisition, rehabilitation and equipping of mixed income dwelling units to be known as Coleman Mill Apartments and for related purposes. **APPROVED**

- 4. Consider adopting a resolution authorizing an eminent domain action for property located at 400 Kingsport Dr NE, Concord, NC 28025 and commonly known as Crown Point Apartments.** This property is currently owned by Crown Point 51, LLC. Certain easements, both permanent and temporary, are required by the Water Resources Department in order to construct a stormwater culvert. The total appraised tax value of the property is listed at \$4,494,190. The Engineering department calculated the value of the 0.010 acre temporary and the 0.034 permanent easements to be \$2,074.25. The property owner has not responded to several attempts of contact by the Engineering Department.

Recommendation: Motion to adopt a resolution authorizing an eminent domain action for property located at 400 Kingsport Dr NE, Concord, NC 28025.

APPROVED

- 5. Consider adopting a resolution authorizing an eminent domain action for property located at 120 Country Club Drive, Concord, NC 28025 and commonly known as the Carolina Mall.** This property is currently owned by Carolina Mall, LLC/Georgia, LLC. Certain easements, both permanent and temporary, are required by the Water Resources Department in order to construct a stormwater culvert. The total appraised tax value of the property is listed at \$11,283,670. The Engineering department calculated the value of the 0.085 acre temporary and the 0.032 acre permanent easements to be \$3,601.43. The property owner has not responded to several attempts of contact by the Engineering Department.

Recommendation: Motion to adopt a resolution authorizing an eminent domain action for property located at 120 Country Club Drive, Concord, NC 28025.

APPROVED

- 6. Consider awarding a bid for installation of twelve steel transmission poles to Power Grid Services in the amount of \$982,322.92.** Electric Systems staff received bids on August 18, 2022 from three contractors for the Construction of 100 KV Transmission Line at Substation T and Delivery 4. The low bid was submitted by Power Grid Services in the amount of \$982,322.92. Power Grid Services' bid was determined to be a responsible and responsive bid. Construction is expected to take 120 days and will commence October 3, 2022. Funding is coming from the Delivery 4 project account.

Recommendation: Motion to award a bid for installation of twelve steel transmission poles to Power Grid Services in the amount of \$982,322.92.

APPROVED

- 7. Consider awarding bids for electric equipment and materials for Substation W, located at 1420 Concord Parkway S, to Substation Enterprises; Virginia Transformer Corporation; S&C Electric Company; Siemens Industry, Inc; and Myers Controlled Power, LLC.** Electric Systems staff received bids on August 18, 2022 for electric equipment and materials required for the construction of a new substation located at 1420 Concord Parkway South to feed the future Lilly manufacturing plant. The bids were arranged into the following five schedules of equipment: Schedule I - Substation steel and structures, Substation Enterprises, \$356,718; Schedule II - Two 28 MVA power transformers, Virginia Transformer Corporation, \$1,991,982; Schedule III - Two 100KV circuit switchers, S&C Electric Company, \$141,400; Schedule IV - Two 15KV circuit breakers, Siemens Industry, Inc, \$57,626; and Schedule V - One metalclad switchgear, Myers Controlled Power, LLC, \$913,615. All schedules combined total \$3,461,341. Funding will be derived from the existing Substation W project account. Service contract with Eli Lilly is being completed at this time. Eli Lilly will be invoiced to provide funding for the Substation W project account.

Recommendation: Motion to award bids for electric equipment and materials for Substation W to: Substation Enterprises; Virginia Transformer Corporation; S&C Electric Company; Siemens Industry, Inc; and Myers Controlled Power, LLC.

APPROVED

- 8. Consider authorizing the City Manager to sign a contract with Gillig LLC utilizing the Piedmont Authority for Regional Transportation (PART) consortium contract for the purchase of one (1) new 35' heavy duty hybrid electric diesel replacement bus for the Rider system.** Concord is a member of the PART/Piedmont NC consortium bus procurement contract that was established in 2020 for heavy duty 35' and 40' diesel and hybrid diesel electric buses. Rider Transit is seeking to purchase one (1) heavy-duty 35' hybrid bus using this contract to replace one existing bus that has met its FTA designated useful life. Once the vehicle is delivered, this bus will move

our bus fleet back to a 100% State of Good Repair with none of our buses running in service past their useful life. In August, Rider Transit was awarded a \$713,813 FTA 5339(c) Low or No Emission Discretionary grant specifically for the purpose of securing this replacement hybrid bus, which has a current cost of \$882,932, including registration. The FTA funds will cover 80.85% of the cost of the vehicle. The remaining 19.15% (\$169,119) will be split 50/50 between Concord and Kannapolis (\$84,559.50 each).

Recommendation: Motion to authorize the City Manager to sign a contract with Gillig LLC utilizing with a not to exceed maximum cost of \$882,932. **APPROVED**

- 9. Consider abandoning a portion of public utility easement across property at 4291 Papa Joe Hendrick Blvd (PIN 4599-10-9019).** There is a public utility easement recorded in Plat Book 65 Page 84 to the City of Concord. As this property has developed a portion of this easement is not necessary.

Recommendation: Motion to approve the attached resolution authorizing the Abandonment of Easement. **APPROVED**

- 10. Consider approving the Master Plan and Conceptual Design for the Academy-Gibson Park areas.** Withers Ravenel, out of Raleigh, NC, will present the final master plan for the Academy-Gibson Area Parks and facilities for Council's consideration. This plan provides recommendations for new developments and amenities, renovations to aged buildings and facilities, and greenway and connectivity priorities within the Gibson Village neighborhood. It consists of five (5) sites, totaling approximately 18.36 acres of land broken down as follows: 1-Academy Complex (9.86 acres) including the Academy Recreation Center, McInnis Aquatics Center, Historic Webb Field, McAllister Field, and segments of the Village Greenway; 2-Kerr Street-Cedar Street Properties (2.44 acres) including property from Crowell Drive to the corner of Kerr Street and Cedar Drive; 3-Clearwater Art Studio Open Space (1.42 acres) including the existing open space adjacent to Clearwater along Kerr Street that includes the trailhead of Village Greenway; 4-Academy-Kerr Street (0.49 acres) including four (4) parcels at the corner of Kerr Street and Academy Avenue that feature an old convenience store; and 5-existing Gibson Field (4.16 acres) located at 265 Ballpark Court with parking entrance off of Misenheimer Drive. Currently, these properties function as separate facilities and do not operate as a traditional neighborhood park manner that is open to the public. The purpose behind this plan is to create a well-connected park and open space plan that removes existing barriers and suggests development of new park amenities such as playgrounds, extension of trails and greenways, and other features such as a bicycle pump track, skate park, and sculpture garden. It is intended to create an equitable and cohesive park experience for the Gibson Village community and the City of Concord. This plan lays out a vision for development recommendations focusing on connectivity between all park elements and other destinations within this area, prioritizes renovations and new amenities and features, and considers appropriate phasing for park development over the next 5 to 10 years. City staff secured public input with three separate online surveys, input from stakeholder groups, and with a public workshop in March of 2022. Results from the surveys included 528 participants, 4,136 responses, and 187 comments. Staff will share the results of the public input and recommended strategies and phasing for the park development.

Recommendation: Motion to approve and adopt the master plan for Academy-Gibson Park, Facility & Greenway Development. **APPROVED**

- 11. Continue discussion regarding future funding of non-profits with General Fund monies.** **DISCUSSION HELD**

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

- A. Consider approving a contribution of \$1,500 from the Mayor's Golf Tournament Fund to Big Brothers Big Sisters.** Big Brothers Big Sisters is celebrating 50 years

with the Founder of My Future Youth Health, Wellness, and Leadership Match Activity. The organization has requested the funds to assist with the cost of this activity.

Recommendation: Motion to approve a contribution of \$1,500 from the Mayor's Golf Tournament Fund to Big Brothers Big Sisters and to adopt a budget ordinance appropriating the contribution.

B. Consider terminating the public relations portion of the Nexsen Pruet contract.

The public relations services from Nexsen Pruet have been a great service to the City of Concord in its endeavors over the past few years. However, it does appear that the benefits of the community outreach portion of the Nexsen Pruet engagement have reached their limit and it is being proposed to terminate that portion of the services. The letter allows the City to terminate the services at any time. The litigation portion will remain active.

Recommendation: Motion to terminate the public relations portion of the Nexsen Pruet contract.

C. 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 Bank of America Roval 400 that will be held October 9, 2022. 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 September 21, 2022 and must remove the banners no later than October 14, 2022.

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

D. Consider authorizing the City Manager to negotiate the contract for the acquisition of 0.25 acres along Branchview Drive NE, at 255 Branchview Drive, in the amount of \$28,000 for the future extension of the McEachern Greenway, Hospital Phase.

The parcel under consideration for acquisition (PID# 5621-93-5451) is owned by Susan Machiels, president of JKM Enterprises, Inc. of P.O. Box 165, Concord, NC 28026-0165, and would be developed as part of an extension to the McEachern Greenway. This parcel is 0.25 acres, according to a new survey, and a critical parcel for crossing Three Mile Branch to continue the greenway on the Branchview side. The purchase price is \$28,000. This property is critical for connectivity from the existing end of McEachern Greenway to Miramar with sidewalk connections to Beverly Hills Park, Concord High School, and future connectivity to the hospital. The total cost for acquisition of the 0.25 acres including due diligence is \$33,375.

Recommendation: Motion to authorize the City Manager to negotiate the acquisition of one parcel, totaling 0.25 acres (PIN# 5621-93-5451) from Susan Machiels for future development of McEachern Greenway for \$28,000, and to adopt ordinances to amend the Parks and Recreation Capital Reserve Fund and Recreation Capital Project Fund to complete transfers for approved property purchases including due diligences a total of \$33,375.

E. Consider accepting the property transfer of 1.566 acres along Branchview Drive (NC Highway 3) and Three-Mile Branch at PID# 5621-86-8122 from Cabarrus County for future McEachern Greenway development.

At their July 18, 2022 meeting, the Cabarrus County Board of Commissions approved the transfer of 1.566 acres along Branchview Drive for the development of the McEachern Greenway. The parcel under consideration would be developed as part of the McEachern Greenway and is a critical link in connecting the existing greenway to Miramar. This would add about 1 mile to the existing greenway corridor.

Recommendation: Motion to accept the property transfer of PID # 5621-86-8122 the 1.566-acre property along Branchview Drive and Three-Mile Branch for the future development of McEachern Greenway.

- F. Consider approving the Parks and Recreation Department to apply for 2022 Regional Trail Implementation Grant from Carolina Thread Trail in the amount of \$70,000 to assist with construction funding for the Irish Buffalo Creek Greenway within the Caldwell Park Phase.** This year, Carolina Thread Trail Implementation Grant will be available to assist with funding for trail construction, trail design, and acquisition. The Carolina Thread Trail Implementation Grant has five (5) program objectives; focus on constructing trail in key priority corridors, build the capacity of local communities to develop future trail, greenway and blueway projects, promote collaboration among community partners and neighboring communities, increase public support and awareness of the benefits of trail and land conservation, reach the population including those of differing socio-economic status, age ability and ethnicity. The Irish Buffalo Creek Greenway is identified as a priority corridor and one of the main spines for the Carolina Thread Trail for greenway trail development.

Recommendation: Motion to approve the Parks and Recreation Department to apply for the 2022 Regional Trail Implementation Grant from Carolina Thread Trail for the development of Irish Buffalo Creek Greenway.

- G. Consider accepting North Carolina Department of Transportation - Division of Aviation (NCDOT) FY23 grant award and to adopt a budget ordinance to amend the budget for the Airport capital projects to appropriate NCDOT grant funds received.** Concord-Padgett Regional Airport received notice from the Division of Aviation NCDOT that grant funds in the amount of \$2,760,225 have been allocated under the commercial service appropriation funding for Concord-Padgett Regional Airport in FY23. These grant funds will be used for the purpose of funding improvements to the airport and paying debt service.

Recommendation: Motion to accept the grant award and adopt an ordinance to amend the FY23 Budget Ordinance for the Airport Operations to appropriate NCDOT FY23 grant funds.

- H. Consider authorizing the City Manager to negotiate and execute a contract with Talbert, Bright & Ellington, INC (TBE) for engineering, design and bidding services for the North Apron Access Road.** Currently, there is no vehicle access road to the future north apron and future hangar. This project will construct a new roadway originating from the existing access road that ends at the Hangar H parking lot to the future north apron area. This new roadway will provide access to the future hangar. Design services for this project will include: roadway, stormwater, structures (retaining walls), and pavement markings. The cost for this work authorization is not to exceed \$348,695. The funding for the design and bid will be from NCDOT-State Airport Improvement Program for Commercial Services Airports.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with TBE for design/bid services for the North Apron Access Road and to adopt a budget amendment.

- I. 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's 5600-95-4892, 5600-94-9671, 5600-94-2535, and 5600-94-1265) 4100 Weddington 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: Cabarrus County.

- J. 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: Spring Meadow Phase 4 Map

1, Red Hill Phase 1, 464 Amhurst Street SW, 1.425 ac – Burrage Road, and Red Hill Greenway Dedication. 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: Spring Meadow Phase 4 Map 1, Red Hill Phase 1, 464 Amhurst Street SW, 1.425 ac – Burrage Road, and Red Hill Greenway Dedication.

- K. Consider accepting an offer of infrastructure at Settlers Landing Office Building 2, Union Street Mini Storage, Spring Meadow Subdivision PH 3 MP 1.** 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: 57 LF of 8-inch water line, 575 LF of 6-inch water line, 285 LF of 2-inch water line, 5 valves, 3 fire hydrants, 1006 LF of 8-inch sanitary sewer line and 5 manholes.

Recommendation: Motion to accept the offer of infrastructure acceptance in the following subdivisions and sites, Settlers Landing Office Building 2, Union Street Mini Storage, Spring Meadow Subdivision PH 3 MP 1.

- L. Consider adopting an American Rescue Plan Fund grant project budget amendment.** Previously, budgets were adopted for the UV Lighting project and the Collections area renovation project. The UV Lighting project is complete and came in under budget. The final estimates for the collections area renovation project came in over budget and the savings from the UV Lighting project will be used to cover this overage. The attached project budget ordinance adjusts the budgets for the two projects accordingly.

Recommendation: Motion to adopt an American Rescue Plan Fund grant project budget amendment.

- M. Consider adopting an Aviation Project Fund budget amendment for the North Apron Expansion project at the Concord-Padgett Regional Airport.** This budget amendment is to transfer funds for the North Apron Expansion project to the appropriate accounts for the project to allow tracking of the funds.

Recommendation: Motion to adopt an Aviation Project Fund budget amendment for the North Apron Expansion project at the Concord-Padgett Regional Airport.

- N. Consider amending Article 3.12, Race Pay in the Personnel Policy.** Article 2.12, Race Pay of the Personnel Policy clarifies the procedures for the payment of both non-exempt and exempt employees working eligible events at Charlotte Motor Speedway and the Zmax Dragway that are sanctioned by NASCAR and NHRA respectively.

Recommendation: Motion to amend Article 3.12, Race Pay in the Personnel Policy as proposed.

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

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

- Q. Receive monthly report on status of investments as of July 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.