

CONCORD CITY COUNCIL
REGULAR MEETING
FEBRUARY 14, 2019

A regular meeting of the City Council for the City of Concord, North Carolina, was held on February 14, 2019, at 6:00 p.m., in the Council Room of City Hall, with Mayor William C. Dusch presiding. Council members were present as follows:

Members Present:

Mayor Pro-Tem Samuel M. Leder
Council Member W. Brian King
Council Member Ella Mae P. Small
Council Member JC McKenzie
Council Member Terry L. Crawford
Council Member Jennifer H. Parsley
Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Public Affairs and Projects Manager, Peter Franzese
Department Directors

* * * * *

Call to Order, Pledge of Allegiance, and Moment of Silent Prayer

The meeting was called to order by Mayor Dusch, followed by the Pledge of Allegiance and a moment of silent prayer.

Approval of Minutes

A motion was made by Council Member Crawford, seconded by Council Member Small, and duly carried, to approve the minutes for the meetings of December 11, and December 13, 2018—the vote: all aye.

Presentations:

1. Mayor Dusch presented a Proclamation recognizing the month of February as Black History Month.
2. Mayor Dusch presented a retirement plaque to Dana Hood for over 11 years of loyal and dedicated service with the City of Concord Finance Department.

Unfinished Business

New Business

Informational Items

1. Ms. Connie Rheinecker with Big Brothers Big Sisters Cabarrus County made a presentation to the Mayor and Council regarding the organization.
2. Presentation of the Independent Auditor's report on the Comprehensive Annual Financial Report for the FY ending June 30, 2018.

G.S. 159-34 requires each unit of local government or public authority to have its accounts audited as soon as possible after the close of each fiscal year by a

certified public accountant or by an accountant certified by the Local Government Commission as qualified to audit local government accounts. A copy of the report is available upon request and also available on the City's website.

Mr. CJ Palmer presented the report to the Mayor and Council. Mr. Palmer stated the City received an unmodified opinion, which is the highest level that can be obtained.

Departmental Reports

Recognition of persons requesting to be heard

Public Hearings

1. **Conduct a public hearing to consider adopting a zoning map amendment for recently annexed property recently annexed property located at 413, 375, 349, and 321 Goodman Rd from Cabarrus County LI (Limited Industrial) to City I-2 (General Industrial).**

A motion was made by Council Member King, seconded by Mayor Pro-Tem Leder, and duly carried, to open the public hearing—the vote: all aye.

The Planning Manager, Starla Rogers, stated the subject property was voluntarily annexed by City Council on November 8, 2018. It is currently four (4) separate parcels. The applicant submitted an application for I-2 (Heavy Industrial), consistent with the zoning staff would have proposed had the rezoning been Administrative.

I-2 (Heavy Industrial) and conditional district variations can be found on 3 sides of the subject property, with County I-1 (Limited Industrial) to the north. The request is to rezone the subject property from County LI (Limited Industrial) to City I-2 (Heavy Industrial). The applicant has stated that the intent is to develop a +/- 600,000sf industrial/warehouse structure. The site plan has already been through the City's DRC committee and access points have been approved by Transportation as well as DOT. The 2030 Land Use Plan (LUP) designates the subject property as Industrial/Employment, for which I-2 is listed as a compatible zoning district.

The Planning and Zoning Commission heard the above referenced petition at their December 18, 2018 public hearing and acted to unanimously approve the request. In accordance with Concord Development Ordinance section 3.2.4.B, "Any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the action to the City Council. The appeal shall be filed by giving notice in writing to the Administrator as designated by the City Manager within fifteen (15) days of the decision of the Planning and Zoning Commission. The City Council shall place the item on the next available City Council agenda."

The Planning and Zoning Commission adopted the following Statement of Consistency:

1. The subject property is approximately 46.73 acres and zoned County LI (Limited Industrial);
2. The subject property is composed of 4 parcels which were voluntarily annexed on November 8th, 2018. One parcel is vacant and the other three parcels contain single-family detached residences;
3. The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-2 (General Industrial) is a corresponding zoning classification for the land use category. Additionally, the request furthers the 2030 Land Use Plan by protecting existing industrial property and allowing the property to develop with a use that would not be negatively impacted by the heavy industrial uses of the quarry and nearby airport;

4. The zoning amendment is reasonable and in the public interest because it is similar to the current Cabarrus County zoning classification and is consistent with the existing developments to the west, south, and southeast. If the subject property does develop as industrial, a minimum of a 50ft wide buffer (or 25ft wide with a 6ft tall berm) shall be required adjacent to any residentially utilized/zoned property to the north, protecting the existing use. Furthermore, the rezoning and future development of the property as industrial is in the public interest as it would provide the prospect of employment opportunities.

Mr. Steve Poplin, an adjacent property owner, (301 Goodman Rd) appeared before the Planning and Zoning Commission in opposition and subsequently submitted an appeal. Mr. Poplin's specific request is for City Council to reverse the adopted I-2 (Heavy Industrial) zoning and place C-2 (General Commercial) on all four parcels. C-2 (General Commercial) would not support the property owner/applicant's proposed use.

She further explained that because the property was annexed into the City limits, a zoning classification must be applied. Standard zoning districts consistent with the Industrial/Employment Land Use Category are B-1 (Neighborhood Business), O-1 (Office Institutional), C-2 (General Commercial), I-1 (Light Industrial), and I-2 (Heavy Industrial).

Proponents for the request were allowed 9 minutes:

Mr. Jay Snover, Legacy Real Estate, spoke in favor of the appeal. He stated he was hired by Mr. Poplin to sell his property. He explained what took place with the sell of Mr. Poplin's property to the Silverman Group.

Mr. Steve Poplin, appellant, spoke in favor of the appeal. He requested the Council rezone the property to General Commercial.

Opponents to the request were allowed 9 minutes:

Ms. Bridget Grant, spoke in favor of the current zoning classification.

With there being no further comments or questions, a motion was made by Council Member Crawford, seconded by Council Member Sweat, and duly carried to close the public hearing.

A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to adopt the following Statement of Zoning Consistency—the vote: all aye.

1. The subject property is approximately 46.73 acres and zoned County LI (Limited Industrial);
2. The subject property is composed of 4 parcels which were voluntarily annexed on November 8th, 2018. One parcel is vacant and the other three parcels contain single-family detached residences;
3. The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-2 (General Industrial) is a corresponding zoning classification for the land use category. Additionally, the request furthers the 2030 Land Use Plan by protecting existing industrial property and allowing the property to develop with a use that would not be negatively impacted by the heavy industrial uses of the quarry and nearby airport;
4. The zoning amendment is reasonable and in the public interest because it is similar to the current Cabarrus County zoning classification and is consistent with the existing developments to the west, south, and southeast. If the subject property does develop as industrial, a minimum of a 50ft wide buffer (or 25ft wide with a 6ft tall berm) shall be required adjacent to any residentially utilized/zoned property to the north, protecting the existing use. Furthermore, the rezoning and future development of the property as

industrial is in the public interest as it would provide the prospect of employment opportunities.

A motion was made by Council Member Parsley, seconded by Council Member McKenzie, and duly carried, to adopt the following ordinance to uphold the zoning map amendment from Cabarrus County LI (Light Industrial) to City of Concord I-2 (General Industrial)—the vote: all aye.

ORD. #19-16

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF CONCORD, NORTH CAROLINA
FOR PROPERTY LOCATED AT 413, 375, 349, AND 321 GOODMAN ROAD

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by the North Carolina General Statutes 160A-364 enacted an Official Zoning Ordinance for the City of Concord, North Carolina and the Area of Extraterritorial Jurisdiction on July 28, 1977; and

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute 160A-364 through 160A-366 and 160A-381 through 160A-392 may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute, Chapter 160A, Art. 19, Session Laws of 1993, Chapter 247, House Bill 575 and Section 3.2.4.B.2 of the Concord Development Ordinance does hereby allow the Planning and Zoning Commission to be final approval authority for zoning changes of land, provided that at least three-fourths of the members present vote in the affirmative, and no appeal of the decision is taken; and

WHEREAS, Section 3.2.4.B.5 of the Concord Development Ordinance specifies that any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the decision to the City Council within fifteen days of the decision of the Planning and Zoning Commission decision by giving written notice to the Administrator; and

WHEREAS, Section 3.2.4.B.2 of the Concord Development Ordinance specifies that a final approval decision shall not be in effect until the fifteen day appeal period expires;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Concord, North Carolina:

SECTION 1. That the P&Z Commission held a duly advertised public hearing on December 18, 2018. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160A-383.

- The subject property is approximately 46.73 acres and zoned County LI (Limited Industrial).
- The subject property is composed of 4 parcels which were voluntarily annexed on November 8th, 2018. One parcel is vacant and the other three parcels contain single-family detached residences.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-2 (General Industrial) is a corresponding zoning classification for the land use category. Additionally, the request furthers the 2030 Land Use Plan by protecting existing industrial property and allowing the property to develop with a use that would not be negatively impacted by the heavy industrial uses of the quarry and nearby airport.

- The zoning amendment is reasonable and in the public interest because it is similar to the current Cabarrus County zoning classification and is consistent with the existing developments to the west, south, and southeast. If the subject does develop as industrial, a minimum of a 50ft wide buffer (or 25ft wide with a 6ft tall berm) shall be required adjacent to any residentially utilized/zoned property to the north, protecting the existing use. Furthermore, the rezoning and future development of the property as industrial is in the public interest as it would provide the prospect of employment opportunities.

The P&Z Commission then voted to **APPROVE** the map amendment by the required supermajority.

SECTION 2. That on December 31, 2018 an aggrieved party filed a notice of appeal within the fifteen (15) day time period specified in the Ordinance.

SECTION 3. That the City Council held a duly advertised public hearing on February 14, 2019. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160A-382(b).

- The subject property is approximately 46.73 acres and zoned County LI (Limited Industrial).
- The subject property is composed of 4 parcels which were voluntarily annexed on November 8th, 2018. One parcel is vacant and the other three parcels contain single-family detached residences.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) as I-2 (General Industrial) is a corresponding zoning classification for the land use category. Additionally, the request furthers the 2030 Land Use Plan by protecting existing industrial property and allowing the property to develop with a use that would not be negatively impacted by the heavy industrial uses of the quarry and nearby airport.
- The zoning amendment is reasonable and in the public interest because it is similar to the current Cabarrus County zoning classification and is consistent with the existing developments to the west, south, and southeast. If the subject does develop as industrial, a minimum of a 50ft wide buffer (or 25ft wide with a 6ft tall berm) shall be required adjacent to any residentially utilized/zoned property to the north, protecting the existing use. Furthermore, the rezoning and future development of the property as industrial is in the public interest as it would provide the prospect of employment opportunities.

The City Council then voted to **APPROVE** the map amendment,

SECTION 4. That the Official Zoning Map is hereby amended by rezoning from Cabarrus County Limited Industrial (LI) to Heavy Industrial (I-2) the area described as follows:

Tract 1, PIN 4690-47-5520:

Being all of that certain tract or parcel of land located in Township #2, Poplar Tent Township, Cabarrus County, North Carolina, and being more particularly described as follows:

BEGINNING at a new 1/2" iron rod set on the northwesterly margin of Interstate 85 (a variable width right-of-way), said point being at the southern corner of the R. B. Andrews, Jr. property as described in Deed Book 352, Page 272 of the Cabarrus County Public Registry;

thence with the margin of Interstate 85, the following seven (7) bearings and distances:
1) S 66°01'34" W - 11.56 feet to an existing concrete monument found;

- 2) with the arc of a circular curve to the left, having a radius of 5900.58 feet, an arc length of 551.28 feet, (Chord: S 63°17'36" W, - 551.08 feet) to a new 1/2" iron rod set;
- 3) S 62°00'31" W - 310.00 feet to an existing concrete monument found;
- 4) with the arc of a circular curve to the left, having a radius of 5919.58 feet, an arc length of 516.47 feet, (Chord: S 54°52'43" W, - 516.30 feet) to a concrete monument found;
- 5) with a compound curve to the left, having a radius of 5919.58 feet, an arc length of 672.06 feet, (Chord: S 49°04'39" W, - 671.70 feet) to a concrete monument found;
- 6) S 44°27'47" E - 18.52 feet to a concrete monument found;
- 7) with the arc of a circular curve to the left, having a radius of 5900.58 feet, an arc length of 373.10 feet, (Chord: S 44°07'07" W, - 373.04 feet) to a new 1/2" iron rod set at a corner of the JMH, LLC property as described in Deed Book 5528, Page 72 of said registry;

thence with the line of JMH, LLC, the following two (2) bearings and distances:

- 1) N 74°27'48" W, passing an existing 1/2" iron rod found at 3.72 feet, a total distance of 598.50 feet to a new 1/2" iron rod set;
- 2) N 40°20'47" W, passing a new 1/2" iron rod set on the southeasterly margin of Goodman Road (a 60-foot public right-of-way) at 234.18 feet, a total distance of 267.00 feet to a new nail set in the center of Goodman Road (a 60-foot public right-of-way);

thence with the center of Goodman Road, the following four (4) bearings and distances:

- 1) N 26°00'31" E - 143.27 feet to a new nail set;
- 2) N 27°14'48" E - 191.64 feet to a new nail set;
- 3) N 28°39'37" E - 242.83 feet to a new nail set;
- 4) N 27°57'27" E - 223.37 feet to a new nail set;

thence turning and running within the right-of-way of Goodman Road, N 49°10'16" E - 20.44 feet to a new nail set at the west corner of the Frank Scotton property as described in Deed Book 601, Page 838 of said registry;

thence with the line of Frank Scotton, S 79°49'55" E - 397.00 feet to an existing 1/2" iron rod found at the west corner of the William Danny Cline property as described in Deed Book 818, Page 363 of said registry;

thence with the line of William Danny Cline, the following two (2) bearings and distances:

- 1) S 80°05'38" E, passing an existing 1/2" iron rod found at 566.96 feet, a total distance of 572.15 feet to a new 1/2" iron rod set;
- 2) N 31°21'15" E - 518.34 feet to a stone found at the common corner of the Nancy A, Smith property as described in Deed Book 10422, Page 344 and Curtis L. Andrews, Jr. property as described in Deed Book 12282, Page 93 of said registry;

thence with the line of Curtis L. Andrews, Jr, the following three (3) bearings and distances:

- 1) N 65°22'02" E - 231.33 feet to a new 1/2" iron rod set;
- 2) N 57°03'22" E - 366.92 feet to a new 1/2" iron rod set;
- 3) S 67°12'17" E, passing an existing 1/2" iron rod found at 619.66 feet, a total distance of 621.68 feet to the POINT AND PLACE OF BEGINNING, containing an area of 1,504,906 sq. ft. or 34.5479 acres, as shown on a survey by R. B. Pharr & Associates, P.A., Job No. 87794, Map File No. W-5511.

Tract 2, PIN 4690-48-9283:

Being all of that certain tract or parcel of land located in Township #2, Poplar Tent Township, Cabarrus County, North Carolina, and being more particularly described as follows:

BEGINNING at a new nail set in the center of Goodman Road, NCSR #1441 (a 60-foot public right-of-way) said nail being in the northeasterly line of the Keith W. Gass property as described in Deed Book 11720, Page 309 of the Cabarrus County Public Registry;

thence with the center of Goodman Road, N 25°53'39" E - 152.96 feet to a new nail set in the southwesterly line of the Steven Greer Poplin property as described in Deed Book 719, Page 292 of said registry; thence with the line of Steven Greer Poplin, the following three (3) bearings and distances: 1) S 80°39'39" E, passing an existing 1/2" iron rod found at 30.57 feet, a total distance of 345.64 feet to a new 1/2" iron rod set; 2) S 74°03'56" E - 407.98 feet to an existing 1/2" iron rod found; 3) N 40°29'15" E - 54.84 feet to a new 1/2" iron rod set in the southwesterly line of the Nancy A. Smith property as described in Deed Book 10422, Page 344 of said registry; thence with the line of Nancy A. Smith, S 49°16'37" E - 235.20 feet to a stone found at a corner of the James F. Bradford property as described in Deed Book 11338, Page 186 of said registry; thence with the line of James F. Bradford, the following two (2) bearings and distances: 1) S 31°21'15" W - 518.34 feet to an existing 1/2" iron rod found; 2) N 80°05'38" W - 572.15 feet to an existing 1/2" iron rod found at the southeast corner of the Frank Scotton property as described in Deed Book 601, Page 838 of said registry; thence with the line of Frank Scotton, the following two (2) bearings and distances: 1) N 30°30'10" E - 210.28 feet to an existing 1/2" iron rod found; 2) N 80°06'10" W - 184.91 feet to an existing 1/2" iron pipe found at the southern corner of the aforementioned Keith W. Gass property as described in Deed Book 11720, Page 309 of said registry; thence with the line of Keith W. Gass, the following two (2) bearings and distances: 1) N 25°50'30" E - 199.99 feet to an existing 1/2" iron rod found; 2) N 64°05'18" W, passing an existing 1/2" iron rod found at 184.03 feet, a total distance of 213.95 feet to the POINT AND PLACE OF BEGINNING, containing an area of 443,372 sq. ft. or 10.1784 acres, as shown on a survey by R. B. Pharr & Associates, P.A., Job No. 87794, Map File No. W-5511.

Tract 3, PIN 4690-48-5046:

Being all of that certain tract or parcel of land located in Township #2, Poplar Tent Township, Cabarrus County, North Carolina, and being more particularly described as follows:

BEGINNING at a new nail set at the northern corner of the James F. Bradford property as described in Deed Book 11338, Page 186 of the Cabarrus County Public Registry, said point being located in the pavement of Goodman Road, NCSR #1441 (an apparent 60-foot public right-of-way); thence N 84°45'03" W - 8.20 feet to a new nail set in the center of Goodman Road; thence with the centerline of Goodman Road, N 28°12'44" E - 271.02 feet to a new nail set in the center of Goodman Road, at the west corner of the Keith W. Gass property as described in Deed Book 11720, Page 309 of said registry; thence with the line of Keith W. Gass, S 63°40'01" E, passing an existing 1/2" iron rod found at 28.94 feet, a total distance of 218.00 feet to an existing 1/2" iron pipe found at a corner of the William Danny Cline Property as described in Deed Book 818, Page 363 of said registry; thence with the line of William Danny Cook, the following two (2) bearings and distances: 1) S 80°06'10" E - 184.91 feet to an existing 1/2" iron rod found; 2) S 30°30'10" W - 210.28 feet to an existing 1/2" iron rod found in the northerly line of the aforementioned James F. Bradford property; thence with the line of James F. Bradford N 79°49'55" W, passing a new 1/2" iron rod set on the southeasterly margin of Goodman Road at 373.43 feet, a total distance of 397.00' to a new nail set in the pavement of Goodman Road, being the POINT AND PLACE OF BEGINNING, containing an area of 87,391 sq. ft. or 2.0062 acres, as shown on a survey by R. B. Pharr & Associates, P.A., Job No. 87794, Map File No. W-5511.

Tract 4, PIN 4690-48-5247:

Being all of that certain tract or parcel of land located in Township #2, Poplar Tent Township, Cabarrus County, North Carolina, and being more particularly described as follows:

BEGINNING at a new nail set in the center of Goodman Road, NCSR #1441 (an apparent 60-foot public right-of-way), said point being at the northwest corner of the Frank Scotton property as described in Deed Book 601, Page 838 of the Cabarrus County Public Registry; thence with the center of Goodman Road, N 27°00'35" E - 198.42 feet to a new nail set at a corner of the William Danny Cline property as described in Deed Book 818, Page 363 of said registry; thence with the line of William Danny Cline, the following two (2) bearings and distances: 1) S 64°05'18" E, passing a 1/2" iron rod found at 29.92 feet, a total distance of 213.95 feet to an existing 1/2" iron rod found; 2) S 25°50'30" W - 199.99 feet to an existing 1/2" iron pipe found in the northern line of the aforementioned Keith W. Gass property; thence with the line of Keith W. Gass, N 63°40'01" W, passing an existing 1/2" iron rod found at 189.06 feet, a total distance of 218.00 feet to the POINT AND PLACE OF BEGINNING, containing an area of 43,021 sq. ft. or 0.9876 acres, as shown on a survey by R. B. Pharr & Associates, P.A., Job No. 87794, Map File No. W-5511.

SECTION 5. That the establishment of this district and subsequent issuance of Zoning Clearance Permits are hereby authorized.

SECTION 6. That the above described property shall be perpetually bound to the uses authorized in the Concord Development Ordinance, as such may be amended from time to time and as provided for under Article 3 of the Concord Development Ordinance.

SECTION 7. That the effective date hereof is the 14th day of February 2019

Adopted this 14th day of February 2019

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim J. Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

Presentations of Petitions and Requests

1. Consider accepting a preliminary application from Lanny D. Simpson.

In accordance with City Code Chapter 62 Lanny D. Simpson has submitted a preliminary application to receive water service outside the City limits. The property is located at 38 Denise Circle, SW. The parcel is developed with a single-family home and is zoned LDR. There is both water and sewer available to this site.

A motion was made by Mayor Pro-Tem Leder, seconded by Council Member Sweat, and duly carried, to accept the preliminary application and have the owner proceed to the final application phase including annexation—the vote: all aye.

2. Consider accepting a preliminary application from Josh Yates.

In accordance with City Code Chapter 62 Josh Yates has submitted a preliminary application to receive water and sewer service outside the City limits. The property is located at 50 Denise Court. The parcel is currently vacant and is zoned LDR. The owner plans on building a single-family home. There is both water and sewer available to this site.

A motion was made by Council Member Small, seconded by Council Member Sweat, and duly carried, to accept the preliminary application and have the owner proceed to the final application phase including annexation—the vote: all aye.

3. Consider making an appointment to the Barber Scotia Property Task Force Committee.

At their July 20, 2017 City Council meeting, the Council formed the Barber Scotia Task Force Committee. A portion of the Committee's Mission Statement states "This Committee is charged with performing a detailed process to develop a plan to recommend to Concord City Council, Barber Scotia College Board of Trustees, and /or other organizations, a plan for preventing this very important property from becoming more of a blight." Appointed members include City Council members, City staff, community leaders, a member of the Barber Scotia Alumni. Former Deputy Police Chief, Betty Stocks, has stated her interest in serving on the Committee.

A motion was made by Council Member King, seconded by Council Member Sweat, and duly carried, to appoint Betty Stocks to the Barber Scotia Property Task Force Committee—the vote: all aye.

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Consent Agenda

The consent agenda items were presented for the Council's consideration.

A motion was made by Council Member Parsley, seconded by Mayor Pro-Tem Leder, and duly carried, to approve the following consent agenda items—the vote: all aye.

CONSENT AGENDA ITEM A

The offer of dedication on the following plats and easements were accepted: Park View Estates, Phase 2, Map 3 and Concord Self Storage 30' Greenway easement.

CONSENT AGENDA ITEM B

The Offer of infrastructure in the following subdivisions and sites was accepted: Monitor Court SW, Old Midland Sewer Ext Phase 1 and Allen Mills Phase 1 Map 4.

CONSENT AGENDA ITEM C

The following resolution was adopted to authorize the designation of a municipal primary and secondary agent to execute and file applications for federal and/or state assistance.

RESOLUTION

BE IT RESOLVED by the City Council for the City of Concord, North Carolina, that the Primary Agent, Assistant EM Coordinator, Ian Crane, and the Secondary Agenda, Finance Director, Pam Hinson, are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the City of Concord for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available.

BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the City of Concord in all dealings with the State of North Carolina

and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and assurances.

BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

This resolution shall be effective as of date of adoption date.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM D

The Housing Department staff were authorized to submit an application for the Lead and Healthy Homes Technical Studies Grant Program 2nd Round, Pre and Full application process.

CONSENT AGENDA ITEM E

The Solid Waste staff were authorized to submit a joint application with Cabarrus County and the City of Kannapolis for the 2019 Community Waste Reduction and Recycling Grant.

CONSENT AGENDA ITEM F

A \$500 donation from the Mayor's Golf Tournament Fund to the Cabarrus County Opportunity School was approved and the following budget ordinance was adopted to appropriate the funds.

ORD.# 19-09

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	Revenues		(Decrease) Increase
		Current Budget	Amended Budget	
100- 4370000	Approp. Fund Balance	8,200,025	8,200,525	500
	Total			500

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4190-5470043	Mayor's Golf Tournament	2,750	3,250	500
Total				500

Reason: To appropriate reserves from the Mayor's Golf Tournament to Cabarrus County Opportunity School in the amount of \$500.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM G

The following budget ordinance was adopted to amend the Aviation budget to appropriate NCDOT grant funds for the upgrade of access control servers for cameras/gates at the Commercial Service Terminal building.

ORD.# 19-10

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

		<u>Revenues</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
680-4357000	State Aid	424,051	491,251	67,200
Total				67,200

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
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4530-				
5800429	Grant Expenditures	61,934	129,134	67,200
Total				67,200

Reason: To appropriate NCDOT grant funds for the upgrade of access control servers for cameras/gates at the Commercial Service Terminal (CST) building.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM H

The following general fund operating budget ordinance was adopted for rental of a training facility.

ORD. # 19-11

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
Total				

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5992000	Contingency	145,854	142,314	(3,540)
4125-5399000	Other Services	7,730	11,270	3,540
Total				0

Reason: To use contingency funds to reserve Cabarrus Arena for Leadership Summit.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM I

The following budget ordinance was adopted for the purchase of Ademero software.

ORD. # 19-12

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		
		Current Budget	Amended Budget	(Decrease) Increase
100-4323100	Local Option Sales – 1%	7,812,500	7,841,600	29,100
Total				29,100

Account	Title	<u>Expenses/Expenditures</u>		
		Current Budget	Amended Budget	(Decrease) Increase
4125-5194000	Contract Services	256,285	285,385	29,100
Total				29,100

Reason: Appropriate funds for the purchase of Ademero software to allow the processing of electronic PANS.

Adopted this 14th day of February 2019.

245

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM J

The following budget ordinance was adopted to amend the Golf Fund operating budget.

ORD. # 19-13

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
650-4354000	Other Income	33,782	39,282	5,500
Total				5,500

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7501-5550000	Equipment-Golf	42,555	48,055	5,500
Total				5,500

Reason: To recognize revenue for landscaping at Embassy Suites and to allocate those revenues to capital outlay for purchase of a tractor.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM K

The following ordinance was adopted to amend the FY 2018/2019 to appropriate insurance reimbursements received.

ORD. # 19-14

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
100-4353100	Insurance Proceeds	0	82,764	82,764
Total				<u>82,764</u>

Account	Title	<u>Expenses/Expenditures</u>		
		Current Budget	Amended Budget	(Decrease) Increase
4550-5362000	Accident Repairs	0	33,099	33,099
4310-5540000	Vehicles – Capital	686,000	720,660	34,660
4510-5358000	Maintenance – Streets	193,184	196,884	3,700
4920-5470013	Streetscape Project	30,750	42,055	11,305
Total				<u>82,764</u>

Reason: To appropriate insurance proceeds for the repair/replacement of vehicle/damaged property.

Adopted this 14th day of February 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM L

The following budget ordinance was adopted to recognize additional CMAQ funding for the regional express service.

ORD. # 19-15

CAPITAL PROJECT ORDINANCE AMENDMENT

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby amended:

SECTION 1. The projects authorized and amended are the projects included for CK Rider Transit System.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the projects within the terms of the plans and specifications for the projects.

SECTION 3. The following revenues are anticipated to be available to the City of Concord for the completion of the projects:

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
630-4338600				
630-4338600	CMAQ Grant	5,061	87,325	82,264
				<u>82,264</u>

SECTION 4. The following amounts are appropriated for the project:

Exp. Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7615-5800429				
7615-5800429	Grant Expenditures	183,568	265,832	82,264
				<u>82,264</u>

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the project agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 6. Within five (5) days after adoption, copies of this capital projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

SECTION 7. The Finance Director is directed to report on the financial status of this project in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 14th day of February 2019.

CITY COUNCIL

CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM M

Veteran's Day was added as an annual paid holiday in the City's Paid Holiday Schedule.

CONSENT AGENDA ITEM N

An addition to the compensation guide to include the following classification was approved: Deputy Director, Buildings and Grounds, Grade 114, with a salary range of \$77,994.16 (minimum) - \$103,342.27 (midpoint) - \$128,690.37 (maximum).

CONSENT AGENDA ITEM O

Delinquent utility accounts deemed to be uncollectible in the amount of \$620,028.16 were approved to be transferred to collection losses.

CONSENT AGENDA ITEM P

The fourth quarter water and wastewater extension report for 2018 was received

CONSENT AGENDA ITEM Q

The monthly report on the status of investments as of December 31, 2018 was received.

CONSENT AGENDA ITEM R


The Tax Office collection reports for the month of December 2018 were accepted.

CONSENT AGENDA ITEM S

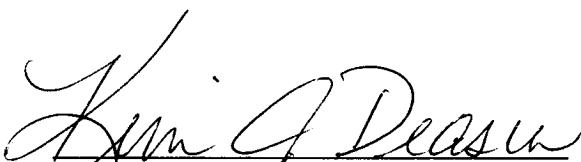
The Tax releases/refunds for the month of December 2018 were approved.

* * * * *

There being no further business to be discussed, a motion was made by Mayor Pro-Tem Leder, seconded by Council Member Crawford, and duly carried, to adjourn—the vote: all aye.



William C. Dusch, Mayor



Kim J. Deason, City Clerk