

CONCORD CITY COUNCIL
REGULAR MEETING
JANUARY 9, 2020

A regular meeting of the City Council for the City of Concord, North Carolina, was held on January 9, 2020, at 6:00 p.m., in the Council Room of City Hall, with Mayor Pro-Tem Sweat presiding a portion of the meeting and Mayor, William C. Dusch presiding the remainder of the meeting. Council members were present as follows:

Members Present:

Council Member Andy Langford
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

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Department Directors

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

The meeting was called to order by Mayor Pro-Tem Sweat followed by the Pledge of Allegiance and a moment of silent prayer.

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Approval of Minutes:

A motion was made by Council Member Small, seconded by Council Member Crawford, and duly carried, to approve the minutes for the meetings of December 10 and December 12, 2019—the vote: all aye.

Presentations:

Mayor Pro-Tem Sweat presented a Proclamation recognizing January 20, 2020 as Martin Luther King, Jr. Day.

Informational Items:

1. Receive a presentation regarding the Affordable Housing Market Study conducted by The Institute of Building Technology and Safety on the state of housing within Concord.

Claire Collins, Development Director, Government Solutions with The Institute of Building Technology and Safety, presented the Affordable Housing Market Study to the City Council.

2. Receive a presentation of the Transportation Department's Pavement Evaluation by Data Transfer Solutions, LLC.

The Mayor and City Council received a presentation from DTS at the December 10, 2019 Work Session.

Public Hearings:

1. Conduct a public hearing to consider adopting an ordinance amending Articles 8 and 9 of the Concord Development Ordinance (CDO) relative to conservation subdivision district standards and permissible uses.

With the adoption of the Concord 2030 Land Use Plan in March 2018, there are numerous recommendations for future development which may only be achieved with revisions of the CDO. Furthermore, the CDO has not had a major wholesale revision since 2007, and it is necessary to modernize numerous provisions. The City retained Tindale-Oliver to prepare most of the revisions, with staff preparing some also. The revisions will be coming for Council's review and adoption in different phases.

One of the recommendations of the Plan is to develop a set of development standards in the Conservation Residential District, which is one of the Community Character Areas as shown on the 2030 Growth Concept Map. This area is generally geographically defined as the area between NC 49, Flowes Store Road, Rocky River Road and Pine Grove Church Road. This amendment creates a special purpose site-plan controlled district (CS) which is intended to allow for the appropriate development given the rural nature of the area. The district requires greater open space than conventional zoning and sets forth mechanisms to preserve open space in perpetuity.

At the December meeting, the Planning Commission reviewed the proposed ordinance and unanimously recommended minor changes to clarify tree cover requirements and stormwater issues (per comments by the Arborist and Engineering). The executive summary reviewed by Planning Commission is attached and details the particulars of the ordinance.

Additionally, staff discovered a formatting issue which created some errors in Table 8.1.8 (permitted uses) that was approved by Council in December. The formatting removed several cross-references, removed multifamily from one zoning district and erroneously added single-family attached to incorrect districts.

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

There were no speakers in favor or opposition to the request. Therefore, a motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried to close the public hearing—the vote: all aye.

A motion was made by Council Member Crawford, seconded by Council Member King, and duly carried, to adopt the following ordinance amending Articles 8 and 9 of the CDO relative to creating of the Conservation Subdivision (CS) district and to clarify permitted uses—the vote: all aye.

INSERT ORDINANCE WHEN PRINTING MINUTES – IN PDF FORMAT DUE TO FORMATTING ISSUES

2. Conduct a public hearing and consider adopting an ordinance amending the official zoning map for +/- 40.84 acres located south of Eva Drive and North of Poplar Tent Rd from Residential Medium Density (RM-2) and General Commercial (C-2) to Residential Compact Conditional District (RC-CD).

The subject property consists of four (4) entire parcels and portions of three (3) additional parcels, totaling +/- 40.84 acres. The subject property has two points of frontage on the south side of Eva Dr. NW and is north of Poplar Tent Rd. A portion of the property is currently owned by the Frye family who owns the bowling alley/skating rink tract fronting on Poplar Tent Rd. Also, a portion of the subject property owned by the Frye family is zoned General Commercial (C-2) and could be developed with general commercial uses by right.

The applicant has proposed to rezone the property to RC-CD (Residential Compact Conditional District) in order to develop a single-family detached residential neighborhood. This project is considered infill as it would be developed between already established single-family lots and the commercial property to the south.

The 2030 LUP designates the subject property as Suburban Neighborhood, and Commercial. Although RC (Residential Compact) is considered a corresponding zoning district to the Commercial land use category, it is not a corresponding zoning classification to the Suburban Neighborhood land use category. If the zoning map amendment is approved, an amendment to the 2030 Land Use Plan will be required, in accordance with the North Carolina General Statutes, to create conformity between the zoning district and land use category. Staff recommended the Land Use category of Urban Neighborhood as it is corresponding to the proposed zoning classifications and allows for a transition between the lower density/larger lot single-family detached to the north and the existing commercial and approved (yet not constructed) multi-family developments directly to the south.

The Planning and Zoning Commission heard the above referenced case at their December 17, 2019 public hearing and acted to forward the petition to City Council with a recommendation of approval with conditions by simple majority (4-2). Additionally, the Planning and Zoning Commission voted to recommend that City Council modify the 2030 Land Use Plan to correspond with the proposed zoning classification in accordance with staff's recommended land use category of Urban Neighborhood.

A motion was made by Council Member Parsley, seconded by Council Member McKenzie, and duly carried, to open the public hearing—the vote: all aye.

Senior Planner, Kristin Fausel, explained the request. She stated the site plan submitted by the developer depicts a maximum of 120 lots at 2.94 dwelling units per acre (du/a) with a minimum lot size of 5,100 sf. The minimum lot size for RC (Residential Compact) is 5,000 sf and the maximum density is 15 du/a. The design of the subdivision includes a stub street to an undeveloped parcel to the east. The required open space for the proposed zoning classification at the current density level is 10% or 4.08 acres. Approximately 30.06% or 12.28 acres is provided, with 1.32 acres of active common open space, and 10.96 acres of passive open space. A dog park is proposed, as well as an amenity center with an outdoor fire pit with seating, bocce' ball, shuffle board, and indoor seating areas. A walking trail along the stream linking the proposed dog park and amenity center is also proposed. The applicant also provided elevation renderings for the proposed homes and the amenity center.

William Niblock, developer and applicant, spoke in favor of the request. He explained the proposed development. He confirmed that the development will be age restrictive based on the Federal Housing for Older Persons Act (HOPA) established in 1995. Therefore, a traffic impact study will not be required. He explained HOPA and the City Attorney stated 80% of the development is required to be age 55 or older and it is deed restrictive.

Herman Lynch, 224 Edgewater Drive, stated that he supports the development but he has concerns about the intersection of Poplar Tent Road and Eva Dr. He asked if NCDOT is planning on installing left turn lanes at that intersection. The Transportation Director stated the NCDOT project is still on their schedule.

Wyatt Michael, 2845 Eva Dr, spoke in opposition to the request. He stated his property is family owned land that has been in his family for 50 years. He is concerned with disturbing the wildlife in this area.

With there being no further speakers, a motion was made by Council Member King, seconded by Council Member Small, and duly carried, to close the public hearing—the vote: all aye.

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

- The subject property is approximately 40.84 acres and is currently vacant of development.
- The subject property was involuntarily annexed effective December 31, 1995.
- The proposed zoning amendment would be consistent with the Commercial Land Use category. However, the overall request for rezoning is inconsistent with the 2030 Land

Use Plan (LUP) as RC (Residential Compact) is not considered a corresponding zoning district to the Suburban Neighborhood land use category and the proposed development cannot occur without the subject parcels located within the Suburban Neighborhood land use category. The request does meet the intent for the Suburban Neighborhood land use category in accordance with Land Use Plan Policy Guidance 1.6, as the request is for smaller lot infill development which could provide a new variety of housing in the area. It also furthers the Land Use Plan's intent by setting aside open space in excess of the minimum.

- The zoning amendment is reasonable and in the public interest as it demonstrates compatibility with several aspects of the 2030 Land Use Plan such as maximizing open space and providing a variety of housing type in the area. Furthermore, the proposal would allow for a transition between the lower density/larger lot single-family detached to the north and the commercial and approved multi-family developments directly to the south.

A motion was made by Council Member Crawford, seconded by Council Member King, and duly carried, to approve the map amendment subject to the following conditions—the vote: all aye

1. Compliance with the "Cumberland" site plan dated 12-05-19.
2. Compliance with the "Cumberland" residential elevations.
3. Compliance with the open space/amenity detail sheet dated 12-12-19.
4. Compliance with the rezoning application dated 10-14-19.
5. Site density not to exceed 2.94 dwelling units per acre and minimum lot size of 5,100 square feet.
6. Development will not exceed 120 single-family dwellings and minimum lot size of 5,100 square feet.
7. Minimum front setbacks are 24' unless garages are recessed four feet from the front plane of the house.
8. Open space areas, as depicted on the plan, will be preserved and maintained by the HOA.
9. Preliminary subdivision approval and technical site plan shall be required.
10. Install a six (6) foot tall vinyl privacy fence, finished side outward, inside of the 8' wide perimeter buffer along the rear property lines of lots 68 & 69. Required landscaping will be on the outside of the fence.
11. Petitioner shall file deed restrictions in compliance with the requirements of the Housing for Older Persons Act of 1995, as well as provide a copy of said deed restrictions to the City of Concord Planning Department prior to final plat approval.

A motion was made by Council Member McKenzie, seconded by Council Member Parsley, and duly carried, to approve the Land Use Plan Amendment from Suburban Neighborhood and Commercial to Urban Neighborhood and to adopt the following ordinance—the vote: all aye.

ORD. #20-05

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CONCORD, NORTH CAROLINA FOR PROPERTY LOCATED AT SOUTH SIDE OF EVA DRIVE, BETWEEN THE INTERSECTIONS OF LUCKY DRIVE NW AND EVA DRIVE NW, AND TIFFANY ST NW AND EVA DRIVE NW.

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 17, 2019. At the close of the public hearing on December 17, 2019, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160A-383.

- The subject property is approximately 40.84 acres and is currently vacant of development.
- The subject property was involuntarily annexed effective December 31, 1995.
- The proposed zoning amendment is consistent with the Commercial Land Use category. However, the overall request for rezoning is inconsistent with the 2030 Land Use Plan (LUP) as RC (Residential Compact) is not considered a corresponding zoning district to the Suburban Neighborhood land use category, and the proposed development cannot occur without the subject parcels located within the Suburban Neighborhood land use category. The request does meet the intent for the Suburban Neighborhood land use category in accordance with Land Use Plan Policy Guidance 1.6, as the request is for smaller lot infill development which could provide a new variety of housing in the area. It also furthers the Land Use Plan's intent by setting aside open space in excess of the minimum.
- The zoning amendment is reasonable and in the public interest as it demonstrates compatibility with several aspects of the 2030 Land Use Plan such as maximizing open space and providing a variety of housing type in the area. Furthermore, the proposal would allow for a transition between the lower density/larger lot single-family detached to the north and the commercial and approved multi-family developments directly to the south.

The P&Z Commission then voted to forward the zoning map amendment to City Council with a recommendation of approval by simple majority (4-2) from Residential Medium Density (RM-2) and General Commercial (C-2) to Residential Compact Conditional District (RC-CD) with the following conditions:

1. Compliance with the "Cumberland" site plan dated 12-05-19.
2. Compliance with the "Cumberland" residential elevations.
3. Compliance with the open space/amenity detail sheet dated 12-12-19.
4. Compliance with the rezoning application dated 10-14-19.
5. Site density not to exceed 2.94 dwelling units per acre and minimum lot size of 5,100 square feet.
6. Development will not exceed 120 single-family dwellings and minimum lot size of 5,100 square feet.
7. Minimum front setbacks are 24' unless garages are recessed four feet from the front plane of the house.
8. Open space areas, as depicted on the plan, will be preserved and maintained by the HOA.

9. Preliminary subdivision approval and technical site plan shall be required.

The P&Z Commission also voted to forward the request to City Council recommending approval of a Land Use Amendment from Suburban Neighborhood and Commercial to Urban Neighborhood.

SECTION 2. That the City Council held a duly advertised public hearing on January 9, 2020. 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 40.84 acres and is currently vacant of development.
- The subject property was involuntarily annexed effective December 31, 1995.
- The proposed zoning amendment would be consistent with the Commercial Land Use category. However, the overall request for rezoning is inconsistent with the 2030 Land Use Plan (LUP) as RC (Residential Compact) is not considered a corresponding zoning district to the Suburban Neighborhood land use category and the proposed development cannot occur without the subject parcels located within the Suburban Neighborhood land use category. The request does meet the intent for the Suburban Neighborhood land use category in accordance with Land Use Plan Policy Guidance 1.6, as the request is for smaller lot infill development which could provide a new variety of housing in the area. It also furthers the Land Use Plan's intent by setting aside open space in excess of the minimum.
- The zoning amendment is reasonable and in the public interest as it demonstrates compatibility with several aspects of the 2030 Land Use Plan such as maximizing open space and providing a variety of housing type in the area. Furthermore, the proposal would allow for a transition between the lower density/larger lot single-family detached to the north and the commercial and approved multi-family developments directly to the south.

The City Council then voted to **APPROVE** the map amendment subject to the following conditions, which have been offered by the petitioner and/or mutually agreed upon during the course of the hearing:

12. Compliance with the "Cumberland" site plan dated 12-05-19.
13. Compliance with the "Cumberland" residential elevations.
14. Compliance with the open space/amenity detail sheet dated 12-12-19.
15. Compliance with the rezoning application dated 10-14-19.
16. Site density not to exceed 2.94 dwelling units per acre and minimum lot size of 5,100 square feet.
17. Development will not exceed 120 single-family dwellings and minimum lot size of 5,100 square feet.
18. Minimum front setbacks are 24' unless garages are recessed four feet from the front plane of the house.
19. Open space areas, as depicted on the plan, will be preserved and maintained by the HOA.
20. Preliminary subdivision approval and technical site plan shall be required.
21. Install a six (6) foot tall vinyl privacy fence, finished side outward, inside of the 8' wide perimeter buffer along the rear property lines of lots 68 & 69. Required landscaping will be on the outside of the fence.
22. Petitioner shall file deed restrictions in compliance with the requirements of the Housing for Older Persons Act of 1995, as well as provide a copy of said deed restrictions to the City of Concord Planning Department prior to final plat approval.

The City Council then voted to **APPROVE** the Land Use Plan Amendment from Suburban Neighborhood and Commercial to Urban Neighborhood.

SECTION 3: That the Official Zoning Map is hereby amended by rezoning from Residential Medium Density (RM-2) and General Commercial (C-2) to Residential Compact – Conditional District (RC-CD) the area described as follows:

Lying and being in the City of Concord, No. 2 Township, Cabarrus County, North Carolina, lying on the south of, but not adjoining, Eva Drive, N.W., adjoining the property of Andrew Wehrli (PIN #5611-40-6598), Universal House of Prayer (PIN #5611-50-1440), Kimberly L. Simpson (PIN #5611-50-2387), Fidel Reyes & Margarita Rodriguez (PIN #5611-50-3398), Kenneth Y. Stroupe (PIN #5611-50-6377), Robert A. Dorman, Jr. (PIN 5611-50-9347), Pamela T. Lindley (PIN #5611-60-0345), Frye's Roller Rink, Inc. (PIN #5611-60-1263), Kenneth Richard Kepley, Sr. (PIN #5611-60-3268), Dakota Joseph Carpenter (PIN #5611-60-5252), Adriana Lopez (PIN ##561 1 -60-7127), Katelyn A Evans (PIN #5611-60-8138), Lotha B. Hartsell (PIN #56-70-1105), Bev-Mar Property Management, LLC (PIN #5610-79-2915), Timothy N. Tallent (PIN #5610-79-3693), Joy Sherrill Milam (PIN #5610-79-2139), David Calvert (PIN #5610-79-0136), Southwood Realty Company (PIN #5610-49-7334), Lots Nos. 10, 11, 12, 13, and 14 of Beavers Cove Subdivision, Map Book 37, Page 27, Joseph Kobylarz (PIN #5611-40-2370), Grace B. Flynt, et. al. (PIN #5611-40-5418), and Zion Moriah Church (PIN # 5611-40-6362), and being the a part of the property of Sandra S. Frye, Trustee of The Frye Family Revocable Trust [(Book 12214, Page 286, PIN #5611-40-7451) and (Book 12214, Page 289, PIN #5610-59-2206)], Nell D. Frye Family Limited Partnership (Book 1543, Page 234, PIN #5611-40-9400, Part of PIN #5610-59-5810, Part of PIN #5610-69-6571, and Part of PIN #5610-59-6252), and Skateland-Kannapolis, Inc. (Book 616, Page 830, PIN #5611-60-9156), and being more particularly described as follows:

BEGINNING at a #4 rebar set on the southern edge of the right-of-way of Eva Drive, N.W., the northeastern corner of Wehrli and the northwestern corner of Sandra S. Frye, Trustee (PIN #5611-40-7451) and runs five (5) courses and distances with the southern edge of the right-of-way of Eva Drive, N.W., as follows: (1) S. 74-40-15 E. 59.84 feet to an existing $\frac{3}{4}$ " pipe, common corner of Sandra S. Frey Trustee (PIN #5611-40-7451) and Nell D. Frye Family Limited Partnership (PIN #5611-40-9400); thence (2) S. 83-33-31 E. 97.67 feet to a computed point; thence (3) S. 86-18-56 E. 50.01 feet to a computed point; thence (4) S. 87-33-07 E. 50.04 feet to a computed point; thence (5) S. 88-43-26 E. 51.32 feet to an existing iron found in wood post, the northwestern corner of Universal House of Prayer; thence two (2) courses and distances with the line of Universal House of Prayer, as follows (1) S. 04-47-18 W. 527.33 feet to a #5 rebar found; and thence (2) S. 85-19-51 E. 200.10 feet to an existing $\frac{1}{2}$ " iron, the southeastern corner of Universal House of Prayer and the southwestern corner of Simpson; thence with the line of Simpson, S. 85-55-30 E. 99.91 feet to a #5 found, the southeastern corner of Simpson and the southwestern corner of Reyes; thence with the line of Reyes and Stroupe, S. 85-48-44 E. 550.02 feet to a found angle iron, the southeastern corner of Stroupe and the southwestern corner of Dorman; thence with the line of Dorman, S. 85-40-21 E. 98.24 feet to an existing $\frac{1}{2}$ " iron, the southeastern corner of Dorman and the southwestern corner of Lindley; thence with the line of Lindley, S. 86-24-18 E. 99.73 feet to an existing $\frac{1}{2}$ " iron, the southeastern corner of Lindley and the southwestern corner of Frye's Roller Rink, Inc.; thence S. 84-57-44 E. 120.30 feet to an existing $\frac{1}{2}$ " iron, corner of Kepley; thence with the line of Kepley, Carpenter, Lopez and Evans, S. 71-44-49 E. 29.58 feet to an existing $\frac{1}{2}$ " bent iron pipe; thence S. 73-44-04 E. 614.78 feet to an existing 1" square iron, corner of Evans and PIN #5611-60-9156; thence, N. 06-15-06 E. 437.56 feet to an existing $\frac{1}{2}$ iron found on the southern edge of the right-of-way of Eva Drive, N.W., corner of corner of Evans and PIN #5611-60-9156; thence with the southern edge of the right-of-way of Eva Drive, N.W., S. 85-01-12 E. 150.95 feet to an existing iron pipe found on the southern edge of said right-of-way, corner of Hartsell; thence with the line of Hartsell, two (2) courses and distances as follows: (1) S. 04-16-34 W. 438.52 feet to an existing $\frac{1}{2}$ " pipe, a corner; and thence (2) S. 85-36-09 E. 155.56 feet to an existing 1" square iron, corner of Hartsell, Bev-Mar Property, and Tallent; thence with the line of Tallent, S. 07-55-37 E. 390.07 feet to a #4 rebar set, a corner of Tallent in the line of Milam; thence with the line of Milam, S. 80-20-23 W. 103.79 feet to an existing #4 rebar, corner of Milam and Calvert; thence two (2) courses and distances with Calvert, as follows: (1) S. 79-54-39 W. 175.07 feet to a found axle, a corner; and thence (2) S. 08-46-58 E. 103.59 feet to a #4 rebar set in the line of Nell D. Frye Family Limited Partnership (PIN #5610-69-6571), a new corner; thence following the southern boundary line of a sanitary sewer right-of-way, seven (7) new courses and distances through the property of Nell D. Frye Family Limited Partnership (PIN #5610-69-6571 and 5610-59-6252), as follows: thence (1) S. 89-14-59 W. 38.53 feet to a #4 rebar set; thence (2) N. 74-33-46 W. 286.88 feet to a #4 rebar set; thence (3) N. 83-57-51 W. 199.96 feet to a #4 rebar set; thence (4) N. 78-55-51 W. 252.20 feet to a #4 rebar set; (5) thence N. 79-59-34 W. 421.98 feet to a #4 rebar set; (6) thence

S. 85-03-09 W. 234.32 feet to a #4 rebar set; and (7) N. 76-53-16 W. 262.14 feet to a #4 rebar set, a new corner with Sandra S. Frye, Trustee (PIN #5610-59-2206); thence a new line through PIN #5610-59-2206 with the southern boundary of the sanitary sewer right of way, N. 76-53-16 W. 59.13 feet to a #4 rebar set; thence with the line of PIN #5610-59-2206 and leaving the boundary of the sanitary sewer right-of-way, N. 86-47-46 W. 67.48 feet to an existing 1/2" bent pipe, corner of Southwood Realty Company; thence N. 86-47-46 W. 628.94 feet to an existing axle, a corner of Southwood Realty Company; thence with the line of Southwood Realty Company, N. 24-43-09 W. 120.12 feet to a #5 rebar found, a corner of Lot No. 10 of Beavers Cove Subdivision (Map Book 37, Page 27); thence four (4) courses and distances with the line of Beavers Cove Subdivision (Map Book 37, Page 27), as follows: thence (1) N. 29-10-17 W. 155.77 feet to a #5 rebar found; thence (2) N. 29-10-17 W. 136.73 feet to a #5 rebar found; thence (3) N. 29-10-17 W. 94.41 feet to a #5 rebar found; and thence (4) N. 29-10-17 W. 123.83 feet to a #4 rebar set, a corner of Kobylarz; thence with the line of Kobylarz, S. 88-13-21 E. 172.37 feet to an existing #5 rebar, corner of Kobylarz and Flynt; thence with the line of Flynt, S. 88-04-31 E. 198.00 feet to an existing 1/2" iron found, corner of Zion Moriah Church; thence with the line of Zion Moriah Church, S. 86-50-35 E. 140.17 feet to an existing 1/2" pipe, corner of Zion Moriah Church, PIN # 5611-40-7451, and PIN #5610-59-5810; thence with the line of Zion Moriah Church and Wehrl, N. 04-55-52 E. 548.63 feet to the point of BEGINNING, containing 40.837 acres, more or less, as shown on that boundary survey prepared for Niblock Homes, LLC, by Mark S. Pence, PLS, dated September 13th, 2019, and signed and sealed on October 8, 2019.

SECTION 4. That the establishment of this district and subsequent issuance of Zoning Clearance Permits are hereby authorized.

SECTION 5. 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 6. That the effective date hereof is the 9th day of January, 2020

Adopted this 9th day of January, 2020

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

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Mayor Pro-Tem Sweat called for a 10-minute recess. Mayor Dusch entered the meeting and presided over the remainder of the meeting.

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3. Conduct a public hearing and consider adopting the 2020 Revision of the City of Concord Comprehensive Transportation Plan.

The City of Concord Comprehensive Transportation Plan (CTP) is the City's long-range transportation document for local roadway improvements. The CTP Map shows existing and future alignments of thoroughfares and collector streets along with pedestrian, bicycle and greenway facilities in the City while it's associated Street Appendix shows schedules consisting of existing cross sections and rights-of-way, future cross sections, and future rights-of-way. The CTP is a coordinated sub-set of the Cabarrus-Rowan MPO Comprehensive Transportation Plan (CRMPO-CTP). The Cabarrus-Rowan MPO is the designated planning agency for all transportation projects in Cabarrus and Rowan counties and the CRMPO-CTP is a financially unconstrained view of the future roadway

network in Cabarrus and Rowan counties. As planning documents from adjoining jurisdictions, the state, and the MPO change, roadway networks expand, development occurs, and land use changes, the current City of Concord CTP is evaluated annually by staff to reflect changes to street classifications and future roadway, pedestrian, bicycle and greenway alignments. Public comment is also essential in providing a complete and comprehensive CTP and this public hearing is an opportunity for developers and citizens to formally participate in the process. An up-to-date CTP is a tool that the public and City staff uses in planning for infrastructure needs and requirements. The 2020 Revision of the CTP Map, upon adoption by City Council, will be recorded at the Cabarrus County Register of Deeds.

A motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to open the public hearing—the vote: all aye.

There were no speakers in favor or opposition to the request. Therefore, a motion was made by Council Member King, seconded by Council Member Crawford, and duly carried, to close the public hearing—the vote: all aye.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Parsley, and duly carried, to adopt the 2020 Revision of the City of Concord Comprehensive Transportation Plan—the vote: all aye.

Presentations of Petitions and Requests

1. Consider approving the priority scoring criteria for sidewalk construction projects under the City of Concord's Pedestrian Improvement Program (PIP).

The City of Concord Pedestrian Improvement Program Policy was established in 2004 to provide a process for making annual recommendations to Council for sidewalk projects which is fair to the whole community and identify where the greatest sidewalk needs exist. In 2019, City Council approved increasing the allocation from \$150,000 to \$500,000 for sidewalk construction.

The 2019-20 priority list was presented to the Mayor and City Council for their consideration.

A motion was made by Council Member McKenzie, seconded by Council Member Crawford, and duly carried, to approve the priority scoring criteria for sidewalk construction projects under the City of Concord's Pedestrian Improvement Program (PIP)—the vote: all aye.

2. Consider authorizing the City Manager to negotiate and execute a construction contract with Performance Managed Construction Inc. for the construction of the South Union Street Sidewalk project contingent upon NCDOT's concurrence of award and to adopt a capital project amendment ordinance.

The City of Concord has a municipal agreement with NCDOT for the South Union Street Sidewalk Extension - EB-5903. Work consists of constructing sidewalk along South Union Street between Tulip Ave. SW and Cumberland Ct. SW. Three bids were received on December 12, 2019 and the lowest responsive and responsible bidder was Performance Managed Construction, Inc. in the amount of \$879,280.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Sweat, and duly carried, to authorize the City Manager to negotiate and execute a contract with Performance Managed Construction Inc. in the amount of \$879,280 for the construction of the South Union Street Sidewalk project contingent upon NCDOT's concurrence of award and to adopt the following capital project amendment ordinance—the vote: all aye.

ORD.# 20-02

CAPITAL PROJECT ORDINANCE PIP-Sidewalks

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

project ordinance is hereby ordained:

SECTION 1. The project authorized is the Union Street Sidewalk Project.

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 project:

| <u>Revenues</u> | | | | |
|-----------------|--------------|-----------------------|-----------------------|----------------------------|
| <u>Account</u> | <u>Title</u> | <u>Current Budget</u> | <u>Amended Budget</u> | <u>(Decrease) Increase</u> |
| 423-4338600 | | | | |
| 423-4338600 | CMAQ | 4,939,099 | 5,311,907 | 372,808 |
| | | | | <u>372,808</u> |

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

| <u>Expenses/Expenditures</u> | | | | |
|------------------------------|---------------------|-----------------------|-----------------------|----------------------------|
| <u>Account</u> | <u>Title</u> | <u>Current Budget</u> | <u>Amended Budget</u> | <u>(Decrease) Increase</u> |
| 8600 - 5811258 | Union Street | | | |
| 8600 - 5811258 | Sidewalks | 410,000 | 879,280 | 510,780 |
| 8600 - 5811073 | | | | |
| 8600 - 5811073 | Street Improvements | 1,355,409 | 1,217,437 | (137,972) |
| | | | | <u>372,808</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 grant 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 adopted, copies of this grant project amendment 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 9th day of January, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

3. Consider authorizing the City Manager to negotiate and execute a contract with Passio Technologies, Inc. for a CAD/AVL system, automated passenger counters, and on-board WiFi for Rider Transit.

Rider Transit released two RFP's in October 2019; one for a Computer Aided Dispatch/Automatic Vehicle Location system and automated passenger counters, and one for on-board WiFi. The addition of automated passenger counters will provide precise ridership data on a stop-level basis at 98 percent accuracy. Dedicated on-board WiFi will provide a higher-capacity, more reliable network for customers.

Five proposals were received for CAD/AVL/APCs and seven proposals for on-board WiFi. After scoring each proposal, staff selected finalists to conduct product demonstrations. Passio Technologies, Inc. was selected as the most responsive, responsible, and best value to the City for both RFPs. Total cost over five years will not exceed \$306,633.78. Eighty percent (\$245,307.02) of the project will be paid for using FTA grant funding that has already been allocated to Rider Transit. The remaining twenty percent (\$61,326.76) will be split evenly by the City of Concord (\$30,663.38) and City of Kannapolis (\$30,663.38).

A motion was made by Council Member Parsley, seconded by Council Member Crawford, and duly carried, to authorize the City Manager to negotiate and execute a contract with Passio Technologies, Inc. for a CAD/AVL system, automated passenger counters, and on-board WiFi for Rider Transit—the vote: all aye.

4. Consider authorizing the City Manager to negotiate and execute a contract with Delerrok, Inc. for a digital fare payment system and authorizing Rider Transit staff to amend the Fees, Rates and Charges Schedule to include fare capping and new TouchPass smart card cost of \$2.00.

Rider Transit released an RFP in October 2019 for a digital fare payment system to allow additional, more flexible options for customers to purchase transit passes and fares. New options will include mobile ticketing (phone) and smart card technology platforms for payment. The digital fare payment system will also allow for the introduction of the concept of fare capping. Six proposals were received.

After scoring each proposal, staff selected finalists to conduct product demonstrations. Delerrok, Inc. was selected as the most responsive, responsible, and best value to the City. Total cost over five years will not exceed \$211,073. Eighty percent (\$168,858.40) of the project will be paid for using FTA grant funding that has already been allocated to Rider Transit. The remaining twenty percent (\$42,214.60) will be split evenly by the City of Concord (\$21,107.30) and City of Kannapolis (\$21,107.30).

A motion was made by Council Member Small, seconded by Mayor Pro-Tem Sweat, and duly carried, to authorize the City Manager to negotiate and execute a contract with Delerrok, Inc. for a digital fare payment system and to adopt the following ordinance amending the Fees, Rates and Charges Schedule to include fare capping and new TouchPass smart card cost of \$2.00—the vote: all aye.

ORD.# 20-03

AN ORDINANCE AMENDING FY 2019-2020 APPROVED FEES, RATES AND CHARGES SCHEDULE AS ADOPTED IN THE FY 2019-2020 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 13th day of June, 2019 adopt a City budget for the fiscal year beginning July 1, 2019 and ending on June 30, 2020 as amended; and

WHEREAS, the City desires to amend the ordinance as it relates to the Schedule of Fees, Rates and Charges;

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 fees, rates and charges are hereby amended by adding the following:

**UPDATE THE FOLLOWING SECTION: TRANSIT SYSTEM-Concord/Kannapolis
Rider**

Local Service:

Touch Pass Smart Card \$2.00
Fare Capping (Digital Fare Payment System Users) \$40 for each 31 day period.

This Ordinance amendment shall be effective February 1st, 2020.

Adopted this 9th day of January 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

5. Consider adopting a resolution of intent to schedule a public hearing on the matter of closing the right-of-way of an unopened portion of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd.

The proposal includes the abandonment of the right-of-way and the granting of a permanent public utility easement to the City. The NC General Statutes require that the City post signs in two (2) places along the right-of-way, send copies of the approved resolution of intent to all neighboring owners after adoption, and advertise in the newspaper once a week for four (4) consecutive weeks.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Parsley, and duly carried, to adopt the following resolution of intent to set a public hearing for February 13, 2020 on the matter of closing the right-of-way of an unopened portion of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd—the vote: all aye.

RESOLUTION OF INTENT

WHEREAS, G.S. 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closure of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd.

NOW, THEREFORE, BE IT RESOLVED by the City Council that:

(1) A meeting will be held at 6:00 p.m. on the 13th day of February, 2020 at the City Hall Council Chambers to consider a resolution on the closure of Belt Rd. the area described as follows:

Lying and being in the City of Concord, No. 2 Township, Cabarrus County, North Carolina, on the east side of Ruben Linker Road (variable public right-of-way), and on the north side of (but not adjoining) Weddington Road (variable public right-of-way), adjoining the property of The Bonds Family Limited Partnership ["Bonds Partnership" (Book 13350, Page 137)], and being known as Belt Road [unopened 40' public right-of-way (containing 0.482 acre)], and being more particularly described as follows:

BEGINNING at a ½" rebar on the east side of Ruben Linker Road, N.W., the northwestern corner of that 0.861 acre tract as identified on that Exemption Plat entitled 1.154 AC-WEDDINGTON ROAD [see Map Book 79, Page 35, Cabarrus County Registry (the Plat)], and run thence with the southern right-of-way line of Belt Road, and with the northern line of said 0.861 acre tract, N. 85-21-18 E. [passing on line calculated points at 35.40 feet (a corner of an existing Electrical Easement recorded in Book 7566, Page 46, Cabarrus County Registry) and at 305.35 feet] 310.47 feet to a 5/8" rebar, a corner of said 0.861 acre tract, and that 0.293 acre tract, as identified on the Plat; thence with the northern line of the 0.293 acre tract, 151.03 feet to a 5/8" rebar, the northeastern corner of the 0.293 acre tract in the terminus of Belt Road; thence with the terminus of Belt Road, N. 49-55-02 E. 68.99 feet to a computed point in the line of the Bonds Partnership

property; thence two (2) courses and distances with the line of the Bonds Partnership property, and with the northern line of Belt Road, as follow (1) S. 85-21-18 W. 481.51 feet to a computed point; and thence (2) with a curve to the right, at a radius of 223.73 feet, an arc distance of 115.31 feet, said arc being subtended by a chord having a chord bearing of S. 80-08-47 W., a chord distance of 114.04 feet to a computed point on the northeast side of Ruben Linker Road; thence with the northeast side of Ruben Linker Road, and with a curve to the right, at a radius of 2030.00 feet, an arc distance of 101.11 feet, said arc being subtended by a chord having a chord bearing of S. 51-57-15 E., a chord distance of 101.10 feet to the point of BEGINNING, containing 0.482 acre, as shown on that Lot Survey entitled 1.636 AC_WEDDINGTON ROAD, by R. Scott Dyer, PLS, October 31, 2018.

(2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in The Independent Tribune or other newspaper of general circulation in the area.

(3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.

(4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted this 9th day of January, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, Clerk

6. Consider re-allocating \$30,000 of HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive SW to 353 Cozart Avenue SW.

A total of thirteen new build homes have been completed since establishing a relationship with Habitat Cabarrus in early 2013. Habitat Cabarrus greatly values this partnership as it allows both organizations to expand our reach, working together toward the common goal of rebuilding neighborhoods/communities and promoting stability through home ownership.

In November of 2018, Council voted to allocate \$30,000 for the construction of a new home at 330 Broad Drive SW, a lot Habitat previously owned. After soil testing was complete, the area was found to be unbuildable. In light of the lot issues, Habitat stopped construction efforts at 330 Broad Drive SW and searched their inventory for a viable parcel still within the Logan Community. Habitat has requested to re-allocate the already committed funds from 330 Broad Drive SW to the buildable lot at 353 Cozart Avenue SW.

A motion was made by Council Member Small, seconded by Council Member Parsley, and duly carried, to approve the re-allocation of \$30,000 in HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive SW to 353 Cozart Avenue SW—the vote: all aye.

7. Consider a motion to approve the purchase of five (5) properties located at 515 Gibson Drive NW, 175 Eudy Drive NW, 480 Harris Street NW, 80 Saint Mary Avenue NW and 56 Saint Mary Avenue NW, from Alex Hamilton in the amount of \$140,000 using Community Development Block Grant (CDBG) and City Affordable Housing funds.

The Planning and Neighborhood Services Director, Steve Osborne, respectfully requested this request be withdrawn from consideration.

A motion was made by Council Member Crawford, seconded by Council Member King, and duly carried, to withdraw this request from the agenda—the vote: all aye.

8. Consider authorizing the City Manager to negotiate and execute a contract with Hazen and Sawyer to conduct an update to the City's water master plan.

This master plan update includes updates to the hydraulic model, field tests to confirm model data, and a re-calibration of the model based upon recent developments and current development trends. This project will also include a future demand component that will assist the City as we continue to grow as well as develop recommendations to assist in the CIP process.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Parsley, and duly carried, to authorize the City Manager to negotiate and execute a contract with Hazen and Sawyer in the amount of \$195,000 to conduct an update to the City's water master plan—the vote: all aye.

9. Consider the approval of the Water Economic Development rider and adopting an ordinance to amend the FY19-20 Fees, Rates, and Charges Schedule to include the addition of an Economic Development Rider for large water users.

This change would add an Economic Development Rider for new industrial water users. This Rider would only be available at the option and approval by the City Manager to new industrial water customers with an average daily use of over 500,000 gallons per day. This Rider would provide a 20% rate savings in the first year of operation. The reduction would then be reduced by 5% each year with a 0% reduction after 4 years. If approved, the changes would be effective February 1, 2020.

A motion was made by Council Member McKenzie, seconded by Council Member Parsley, and duly carried, to approve the Water Economic Development Rider and adopt the following ordinance to amend the FY19-20 Fees, Rates, and Charges Schedule to include the addition of an Economic Development Rider for large water users—the vote: all aye.

ORD.# 20-04

AN ORDINANCE AMENDING FY 2019-2020 APPROVED FEES, RATES AND CHARGES SCHEDULE AS ADOPTED IN THE FY 2019-2020 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 13th day of June, 2019, adopt a City budget for the fiscal year beginning July 1st, 2019 and ending on June 30th, 2020, as amended; and

WHEREAS, the City desires to amend the ordinance as it relates to the Schedule of Fees, Rates and Charges;

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 fees, rates and charges are hereby amended by adding the following:

UPDATE THE FOLLOWING SECTION: WATER & WASTEWATER UTILITIES

Economic Development Rider - Water

Availability:

This rider is available only at the option and approval of the City Manager to Industrial water users receiving service from the City who average greater than 500,000 gallons per day of water usage.

Application of Credit:

Beginning with the Operational Date, a credit based on the percentages below will be applied to the total bill for water use, calculated on the applicable rate schedule.

| | |
|--------------|-----|
| Months 01-12 | 20% |
| Months 13-24 | 15% |
| Months 25-36 | 10% |

Months 37-48 5%
After month 48 0%

This Ordinance amendment shall be effective February 1st. 2020.

Adopted this 9th day of January 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

10. Consider authorizing the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc. for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal.

The project was bid under the formal bidding process, bids were received on December 19, 2019 and one bid was received. The one bid was returned unopened to the bidder and the project was re-advertised as required by NCGS 143-132. Bids were received a second time on December 30, 2019 and two bids were received. Per NCGS 143-132, staff was allowed to accept the bids. The lowest responsible bidder was Bio-Nomic Services, Inc. in the amount of \$307,824.

A motion was made by Council Member McKenzie, seconded by Council Member Small, and duly carried, to authorize the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc in the amount of \$307,824 for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal—the vote: all aye.

11. Consider adopting a resolution for the abandonment of an easement across property at 337 Broad Street (PIN 5620-93-9784).

There is a 30-foot sanitary sewer easement granted in Deed Book 266 page 508 and shown on Plat Book 16 Page 67. The sewer line located in said easement is no longer in use. The current owner of the parcel has plans to build a single family residence and request the easement be abandoned. Water Resources agrees with the abandonment.

A motion was made by Council Member King, seconded by Council Member Parsley, and duly carried, to adopt the following resolution authorizing the abandonment of easement across property at 337 Broad Street (PIN 5620-93-9784)—the vote: all aye.

RESOLUTION RELEASING EASEMENT

WHEREAS, a 30' sanitary sewer easement was granted in Deed Book 266 Page 508 and shown on Plat Book 16 Page 67 in the Cabarrus County Registry and a portion of that easement is depicted on Exhibits A; and

WHEREAS, the property owners request abandonment of a portion of the easement because the location conflicts with proposed development plans and the existing sewer line is no longer in use; and

WHEREAS, the release of the portion of said easement would not be contrary to the public interest;

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

- 1. That the portion of the utility easement recorded in Deed Book 266 Page 508 and more particularly shown on Exhibits "A" is hereby ordered abandoned, and all rights and interest of the City are released.

2. The City's property rights in the released portion easement shall be conveyed by the City Attorney and other necessary staff or the Mayor to the property owners of record.

3. The City Attorney and other City staff are hereby directed to take all necessary steps to enforce this resolution.

Adopted this 9th day of January 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

12. Consider approving criteria to determine the use of the design-build method for project delivery.

NCGS 143-128.1A allows for the use of design-build contracts. The statute requires that a governmental entity establish criteria that is to be used to determine if the design-build method is appropriate for a particular project. The statute also outlines, at a minimum, what criteria should be included.

A motion was made by Council Member McKenzie, seconded by Council Member Crawford, and duly carried, to approve criteria for determining the use of the design-build method for project delivery—the vote: all aye.

13. Consider accepting a preliminary application from Tayshaun Devon Hall Medical Care Trust.

In accordance with City Code Chapter 62, Tayshaun Devon Hall Medical Care Trust has submitted a preliminary application to receive water service outside the City limits. The property is located at 417 Piney Church Road. The parcel is .9 acres, zoned LDR and a new home is being proposed. There is no sewer requested or available to this parcel.

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

14. Consider appointing one (1) City Council Member to the Public Art Advisory Committee.

The Public Art Advisory Committee is tasked to facilitate delegated City funded art projects, identify potential project areas within Center City, and to make recommendations on potential (if any) zoning / development regulations as it relates to public art and encourage privately funded “public” art projects.

A motion was made by Council Member McKenzie, seconded by Council Member King, and duly carried, to appoint Council Member Langford to the Public Art Advisory Committee—the vote: all aye.

Additional item:

15. Consider a \$5,000 donation from the Mayor’s Golf Tournament Fund to the Sam Leder Scholarship Program.

A motion was made by Council Member Parsley, seconded by Mayor Pro-Tem Sweat, and duly carried, to approve a \$5,000 donation from the Mayor’s Golf Tournament Fund to the Sam Leder Scholarship Program—the vote: all aye.

Consent Agenda:

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

A motion was made by Council Member McKenzie, seconded by Council Member King, and duly carried, to approve the following consent agenda items—the vote: all aye.

CONSENT AGENDA ITEM A

The Other Post-Employment Benefit Funding Policy was approved.

CONSENT AGENDA ITEM B

The Housing Department was authorized to submit an application for the Family Unification Program grant.

CONSENT AGENDA ITEM C

The maintenance agreement was approved and the offer of dedication was accepted on the following property: Derita Concord NC, LLC.

CONSENT AGENDA ITEM D

The offer of dedication was accepted on the following plat and easements: Wayforth Phase 3.

CONSENT AGENDA ITEM E

The offers of infrastructure were accepted in the following subdivisions and sites: Hunton Forest Ph 2 Map 4, Kensley Subdivision, Settlers Landing Offices, The Mills Ph 2C Map 1, and Griffin International Spec Building.

CONSENT AGENDA ITEM F

The transfer of the following delinquent utility accounts was approved to be transferred to collection losses: Electric \$519,111.95; Water \$114,680.73; Wastewater \$85,220.84; Stormwater \$35,271.84; and Environmental Services \$2,177.79.

CONSENT AGENDA ITEM G

A change to the classification/compensation system was approved to include the position of Code Enforcement Supervisor, (Grade 210), with a salary range of \$47,106.89 (minimum) - \$62,416.64 (midpoint) - \$77,726.39 (maximum).

CONSENT AGENDA ITEM H

A change to the classification/compensation system was approved to include the position of Water Resources Project Manager, (Grade 109), with a salary range of \$50,800.53 (minimum) - \$67,310.70 (midpoint) - \$83,820.89 (maximum).

CONSENT AGENDA ITEM I

The semiannual debt status report for the City of Concord was accepted.

CONSENT AGENDA ITEM J

The Tax Office collection reports for the month of November 2019 were accepted.

CONSENT AGENDA ITEM K

The Tax releases/refunds for the month of November 2019 were approved.

CONSENT AGENDA ITEM L

The monthly report of investments as of November 30, 2019 was accepted.

* * * * *

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk

