

CONCORD CITY COUNCIL
REGULAR MEETING
FEBRUARY 13, 2020

A regular meeting of the City Council for the City of Concord, North Carolina, was held on February 13, 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 (joined the meeting via conference call)
Council Member Jennifer H. Parsley

Others Present:

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

* * * * *

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.

* * * * *

Approval of Minutes:

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Small, and duly carried, to approve the minutes for the meetings of January 7 and January 9, 2020—the vote: all aye.

Unfinished Business:

A. Consider continuing a public hearing to a date certain concerning annexation of four (4) parcels located on the northeast side of the Rocky River Road and Lower Rocky River Road intersection.

Action was taken on this request at the February 11, 2020 Work Session.

Informational Items:

1. Receive an update on the concordnc.gov website update project (Work Session only).

Granite Sky Design Group's project team, Mia Holshouser and Jerod Brown, presented the update to the City Council at the February 11, 2020 Work Session.

Public Hearings:

1. Conduct a public hearing to consider adopting a resolution to abandon 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 unopened, unimproved right-of-way of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd. and the granting of a permanent

public utility easement to the City. This closure was requested by Bonds Family Ltd. Partnership.

A motion was made by Council Member McKenzie, seconded by Mayor Pro-Tem Sweat, 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 Small, seconded by Mayor Pro-Tem Sweat, and duly carried to close the public hearing—the vote: all aye.

A motion was made by Council Member Parsley, seconded by Mayor Pro-Tem Sweat, and duly carried, to adopt the following resolution to abandon the right-of-way of an unopened portion of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd—the vote: all aye.

**A RESOLUTION ORDERING THE CLOSING OF A PORTION OF BELT RD
BETWEEN RUBEN LINKER RD NW AND WEDDINGTON RD**

WHEREAS, on the 9th day of January, 2020, the City Council for the City of Concord directed the City Clerk to publish the Resolution of Intent of the City Council to consider the closing a portion of Belt Rd. between Ruben Linker Rd. NW and Weddington Rd. in the Independent Tribune newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the City Hall at 35 Cabarrus Avenue, West, Concord, N.C., on February 13, 2020.

WHEREAS, the City Council on the 9th day of January, 2020, ordered the City Clerk to notify all persons owning property abutting on that portion of the right-of-way, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the City Council that she sent a letter to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent, and advising the abutting property owners that the question as to closing that portion of the alley would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable street(s) as required by G.S. 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on the 13th day of February 2020; and

WHEREAS, it now appears to be to the satisfaction of the City Council that the closing of said portion of street is not contrary to the public interest and that no individual owning property, either abutting the street or in the vicinity of the street, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE, the area described below is hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the abutting property owner in accordance with the provisions of N.C.G.S. §160A-299;

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.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed street (with provision for reservation of easements to the City of Concord for utility purposes) in accordance with the provision of G.S. 160A-299(c).

The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Cabarrus County a certified copy of this resolution and order.

This the 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

2. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider extending the termination date of an agreement by one year between the City of Concord and 4540 Fortune Ave, LLC for a 3-year / 85% tax based Economic Development Incentive Grant to locate at 4540 Fortune Ave in Concord.

4540 Fortune Ave, LLC completed its speculative class A office/high tech building in 2017, but at this point have not applied for grant payments. General Motors announced on January 23, 2020 that it will open a new technical center focused on performance and racing in the facility. 4540 Fortune Ave, LLC requests to initiate payments with Tax Year (TY) 2020, meaning the grant termination date would need to be extended. Grant payments are made only with proof of taxes paid. Taxes are usually paid the following January (e.g. TY 2020 taxes are paid Jan. 2021). In order to allow for three scheduled payments for TY's 20-22, the termination date would need to be extended beyond the current date of October 12, 2022 to allow more time for the new occupant to pay TY 2022 taxes in January 2023 and for the City to process the final payment.

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

A motion was made by Council Member Parsley, seconded by Council Member McKenzie, and duly carried, to extend the termination date of an agreement by one year between the City of Concord and 4540 Fortune Ave, LLC for a 3-year / 85% tax based Economic Development Incentive Grant to locate at 4540 Fortune Ave pursuant to NC General Statutes Sec. 158-7.1—the vote: all aye.

3. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a 3-year / 85% tax based Economic Development Incentive Grant to Project Bluebird to locate at Aviation Blvd. in Concord, NC.

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Project Bluebird is involved in the aviation industry. The project proposes a \$2.5 million - \$4.4 million investment in personal property. Project Bluebird is expected to create 40 to 70 new jobs with average wages at \$84,000. The total value of the City's 3-year grant is estimated to equal \$28,194.84 - \$48,649.92 depending the project's investment. The City of Concord would collect a 3-year net revenue of \$4,975.56 - \$8,585.28.

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

Cabarrus Economic Development Existing Industry Director, Page Castrodale, explained the NC Department of Revenue will be assessing the value of Project Bluebird as a Public Service Company.

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

A motion was made by Council Member McKenzie, seconded by Council Member Small, and duly carried, to offer a contract for a 3-year / 85% tax based Economic Development Incentive Grant to Project Bluebird to locate at Aviation Blvd. pursuant to NC General Statutes Sec. 158-7.1—the vote: all aye.

4. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a 5-year / 85% tax based Economic Development Incentive Grant to Project Grand to locate at 2321 Concord Pkwy S. in Concord, NC.

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Project Grand is a professional provider of high-end integrated kitchen cabinets, appliance, and customized furnishings including closet systems, vanity suites, and interior doors. Project Grand specializes in R&D, manufacturing, sales, installation, and services of integrated kitchen cabinets and customized furnishings. The Concord location would include a total of 700,000 – 800,000 SF of facilities developed over 5 years on a 60-acre site consisting of an operation center, product display center, intelligent manufacturing center and east coast hub warehouse. Project Grand represents a \$70 million investment in real property and a \$16 million investment in personal property. The Company expects to create 256 jobs with average wages of \$42,542. The total value of the City's 5-year grant is estimated to equal \$803,515 dependent on the actual investment. The City of Concord would collect a 5-year net revenue of \$141,797.

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

Mr. Jim Quick stated he applauds the City Council in granting Economic Development incentives, but he is concerned with the amount of wages Project Grand is proposing.

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

A motion was made by Council Member McKenzie, seconded by Mayor Pro-Tem Sweat, and duly carried, to offer a contract for a 5-year / 85% Economic Development Incentive Grant to Project Grand to locate at 2321 Concord Pkwy S. pursuant to NC General Statutes Sec. 158-7.1—the vote: all aye.

Presentations of Petitions and Requests

1. Consider adopting an ordinance ordering the demolition of the structure located at 1108 Elrond Dr. (PIN# 4670-84-6990) owned by Bradford B. Clinton and wife Lynette D. Clinton.

The structure is located on a single parcel, and prior to a fire in September 2018, had a building tax value of \$360,560 per Cabarrus County land records. Upon inspection, the structure was considered to be dilapidated. Chuck Brock, Code Enforcement Manager, opened the case November 21, 2018. The Finding of Fact and Order to Repair or Demolish was issued on December 31, 2018. The order to repair or demolish said structure was extended numerous times, the last compliance date was January 17, 2020. The order to repair or demolish expired on January 17, 2020. There has been no attempt to come into compliance with this case. No civil penalties have been imposed.

A motion was made by Council Member Parsley, seconded by Mayor Pro-Tem Sweat, and duly carried, to adopt the following ordinance ordering the demolition of the structure located at 1108 Elrond Dr. (PIN# 4670-84-6990) owned by Bradford B. Clinton and wife Lynette D. Clinton—the vote: all aye.

ORD.# 20-06

**ORDINANCE DIRECTING THE HOUSING CODE ENFORCEMENT
OFFICER TO VACATE, CLOSE, DEMOLISH AND REMOVE THE
PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION
AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE
SAME MAY NOT BE OCCUPIED UNTIL REPAIRED**

WHEREAS, the City Council of the City of Concord finds that the property described herein is unfit for human habitation under the City Housing Code, and that all of the provisions of the Housing Code have not been complied with as a condition of the adoption of this ordinance; and

WHEREAS, said dwelling should be vacated, closed, demolished and removed to meet the requirements of the Housing Code as directed by the Housing Code Enforcement Officer, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of said dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with G.S. 160A-443 (5) pursuant to an order issued by the Housing Code Enforcement Officer on January 17, 2020 and the owner having failed to comply with the order;

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

Section 1. The Housing Code Enforcement Officer is hereby authorized and directed to place a sign containing the legend, "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL." on the buildings owned by Bradford B. Clinton and wife Lynette D. Clinton and located at the following address: 1108 Elrond Dr. NW Charlotte, NC 28269.

Section 2: The Housing Code Enforcement Officer is hereby authorized and directed to proceed to vacate, close, demolish and remove the above described dwelling in accordance with his order to the owner thereof dated the 13 day of February, and with the Housing Code and G.S. 160A-443.

Section 3: It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person

to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

Section 4: The total cost of demolition of the above described dwelling, in accordance with this order, shall constitute a lien against subject property.

Section 5: This ordinance shall become effective February 13, 2020.

Adopted this 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

2. Consider authorizing the City Manager to negotiate and execute a water purchase contract with Aqua North Carolina, Inc.

Aqua North Carolina requested emergency water service from the City many months ago to support their water system servicing approximately 70 customers in the Country Acres Neighborhood. The City installed a water meter to temporarily support their water system. Aqua has requested to continue this supplementary water service into the future. Aqua needs a signed water purchase contract as required by the Utilities Commission. Aqua will be required to pay all applicable connection fees and will be billed monthly for their water use.

A motion was made by Council Member Parsley, seconded by Mayor Pro-Tem Sweat, and duly carried, to authorize the City Manager to negotiate and execute a water purchase contract with Aqua North Carolina, Inc—the vote: all aye.

3. Consider authorizing the City Manager to negotiate and execute a contract with EST Building Systems for the replacement of roofing materials at Academy Recreation Center and Logan Recreation Center.

Parks & Recreation has a CIP in place for the installation of air condition in the gymnasiums at Logan, Academy and Hartsell Recreation Centers. Funds for roof replacement associated with this air conditioning project are also included in the CIP. The cost of this work is \$120,750 and includes a 20 year warranty. The Electric Systems Department agreed to convert the electrical service to the Hartsell HVAC units from single phase to three phases. This upgrade in service allows for two (2) 15-ton units to be placed on the ground instead of six (6) five-ton units on the roof of the gymnasium.

A motion was made by Council Member King, seconded by Council Member Small, and duly carried, to authorize the City Manager to negotiate and execute a contract with EST Building Systems for the replacement of roofing systems on Logan and Academy Recreation Centers—the vote: all aye.

4. Consider authorizing the City Manager to negotiate and execute an agreement with Republic Services, Inc, for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge.

The agreement with the Republic Services, Inc. landfill will allow for the disposal of sludge removed from the Coddle Creek WTP. The price for disposal is \$80.00 per ton. It is estimated that approximately 3,866 tons will be removed at a cost of \$309,333.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member McKenzie, and duly carried, to authorize the City Manager to negotiate and execute an agreement

with Republic Services, Inc. for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge—the vote: all aye.

5. Consider authorizing the City Manager to negotiate and execute a contract with Ike's Construction, Inc. for the installation of a HVAC System at Hartsell, Logan, and Academy Recreation Centers and to adopt a capital project ordinance.

The contract will allow for the installation of a new HVAC system at the Logan, Hartsell and Academy Recreation Center gymnasiums. The project was bid under the formal bidding rules and two bids were received on January 30, 2020. The two bids were returned unopened to the bidders and the project was re-advertised as required by NCGS 143-132. Bids were received a second time on February 6, 2020. This time one bid was received, which staff was allowed to open per NCGS 143-132. The lowest responsible bidder was Ike's Construction, Inc in the amount of \$619,600.

A motion was made by Council Member Parsley, seconded by Council Member McKenzie, and duly carried, to authorize the City Manager to negotiate and execute a contract with Ike's Construction, Inc in the amount of \$619,600 for the installation of a new HVAC system at Logan, Hartsell and Academy Recreation Centers and to adopt the following capital project ordinance—the vote: all aye.

ORD. #20-15

**CAPITAL PROJECT ORDINANCE AMENDMENT
Parks & Recreation Projects-HVAC Gymnasiums.**

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 adopted/amended:

SECTION 1. The projects authorized are the projects included for the HVAC Gymnasiums.

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

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
				<u>\$</u>

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

Expenses/Expenditures

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
8300-5811097				
8300-5811097				
8300-5811013	HVAC Gymnasiums	\$528,000	\$740,350	\$212,350
8300-5811013	Northwest Park	\$1,705,031	\$1,492,681	(\$212,350)
	Total			<u>\$0</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 and shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

6. Consider authorizing the City Manager to negotiate and execute a construction contract with Traffic Control Devices, Inc for the construction of the communications cable and conduit for the City's Intelligent Transportation System (ITS) project contingent upon NCDOT's concurrence of award.

The City of Concord has a municipal agreement with NCDOT for the Concord ITS Expansion Project - U-5522. The work included in this project consisted of three phases; equipment purchase, digital message board installation and communication cable and conduit installation. The first two phases are complete and this is the last part of the grant agreement.

Three bids were received on January 30, 2020 and the lowest bid was considered non-responsive due to not having the required NCDOT prequalified bidder status. The next lowest responsive and responsible bidder was Traffic Control Devices, Inc in the amount of \$332,007.85 for the primary bid (NC 73 between Stanley Drive and Odell School Road), alternate 1 (Odell School Road and Harris Road between 73 and Poplar Tent Road) and alternate 4 (NC Hwy 49 between General Services Drive and NC Hwy 601).

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 Traffic Control Devices, Inc in the amount of \$332,007.85 for the communication cable and conduit for the City of Concord's Intelligent Transportation System primary bid, alternate 1, and alternate 4 contingent upon NCDOT's concurrence of award—the vote: all aye.

7. Consider a Preliminary Application from Journey Capital, LLC.

In accordance with City Code Chapter 62, Journey Capital, LLC has submitted a preliminary application to receive water and sewer service on three lots outside the City limits. The property is located at 3133, 3221 and 3233 Roberta Road. Each parcel is approximately .66 acres, zoned MDR and a single family home is being proposed on each.

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

Consent Agenda:

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

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

CONSENT AGENDA ITEM A

The following resolution was adopted approving the depositories for the City of Concord.

R E S O L U T I O N

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

Section 1. Fifth Third, SunTrust, Bank of New York, Regions Bank, BB&T, RBC Bank, Bank of North Carolina, First Citizens, and all other pooling financial institutions (list attached), the *Financial Institutions*, are designated as a depository for the funds of the City, *the Corporation*, and to provide other financial accommodations indicated in this resolution.

Section 2. This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Corporation and certified to the Financial Institution as governing the operation of this Corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

Section 3. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

Section 4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of the resolution are hereby ratified, approved and confirmed.

Section 5. The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Section 6. The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

Section 7. The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution,

personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Section 8. Corporation Agents.

<u>NAME</u>	<u>TITLE</u>
Pam Hinson	Finance Director
Jessica Jones	Deputy Finance Director
Kristin Roe	Accounting Manager

Section 9. This resolution shall be effective as of adopted date.

Adopted this 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM B

The current Concord ABC Board Travel Policy was approved.

CONSENT AGENDA ITEM C

The 2019 Veterans Affairs Supportive Housing (HUD-VASH) Voucher Award from HUD was accepted and the following budget ordinance was adopted.

ORD.# 20-07

AN ORDINANCE TO AMEND 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, 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>		<u>Current</u>	<u>Amended</u>	<u>(Decrease)</u>
<u>Account</u>	<u>Title</u>	<u>Budget</u>	<u>Budget</u>	<u>Increase</u>
210-4703200	CONTR EARNED HAP PAYMENT	\$3,805,448	\$3,844,348	\$38,900
<i>Total Revenue Increase (Decrease)</i>				

Expenditures		Current	Amended	(Decrease)
Account	Title	Budget	Budget	Increase
1500-5471505	VASH	\$0	\$38,900	\$38,900
<i>Total Exp Increase (Decrease)</i>				

Adopted this 13th day of February, 2020.

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 2019 Family Self Sufficiency (FSS) Grant Award from HUD was accepted and the following budget ordinance was adopted.

ORD.# 20-08

**GRANT PROJECT ORDINANCE
2019 FAMILY SELF SUFFICIENCY PROGRAM GRANT**

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 ordained:

SECTION 1. The project authorized is the Family Self Sufficiency Program grant, which is a program to provide supportive services to Public Housing and Housing Choice Voucher Family Self-Sufficiency participants in an effort to achieve economic self-sufficiency.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation of the project within terms of a grant agreement with the U.S. Department of Housing and Urban Development.

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

2019 FSS Grant Revenue 697-4703404	<u>Current</u>	<u>Amended</u>	<u>Increase</u>
	\$0	\$51,491	\$51,491
Total Revenue			\$51,491

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

		Current	<u>Amended</u>	<u>Increase</u>
FICA	9106-5181000	\$0	\$2,672	\$2,672
	9106-5181000			
Retirement-General	9106-5182000	\$0	\$2,533	\$2,533
	9106-5182000			
Group Insurance	9106-5183000	\$0	\$9,706	\$9,706
	9106-5183000			
401K Contribution	9106-5187000	\$0	\$1,223	\$1,223
	9106-5187000			
Administrative Salaries	9106-5411000	\$0	\$35,057	\$35,057
	9106-5411000			
Sundrie-Telephone	9106-5419050	\$0	\$300	\$300

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 G

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 13th day of February 2020.

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 E

The Police Department was authorized to apply for the 2020 COPS Hiring Program grant.

CONSENT AGENDA ITEM F

The maintenance agreements were approved and the offers of dedication were accepted on the following properties: Poplar Pointe Townhomes, LLC; CV NLA II, LP; and White Park, LLC.

CONSENT AGENDA ITEM G

The offer of dedication was accepted on the following plat and easements: Park View Estates, Phase 3, Map 2.

CONSENT AGENDA ITEM H

The offers of infrastructure were accepted in the following subdivisions and sites: Wayforth at Concord and Edenton at Cox Mill Phase 1, Map 2.

CONSENT AGENDA ITEM I

The following ordinance was adopted to amend the FY 2019-2020 budget ordinance for the General Fund, Electric Fund, Water Fund, and Wastewater Fund to appropriate bond proceeds from the issuance of the 2019 Revenue Refunding Bonds to cover the refunding of the 2009B Revenue Bonds.

ORD. # 20-09

AN ORDINANCE TO AMEND 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, 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:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
610-4601000	Bond Proceeds	0	1,628,542	1,628,542
620-4601000	Bond Proceeds	0	1,536,534	1,536,534
640-4601000	Bond Proceeds	0	2,969,887	2,969,887
100-4601000	Bond Proceeds	0	437,038	437,038
610-4406000	Retained Earnings Appr	7,487,881	8,511,385	1,023,504
620-4406000	Retained Earnings Appr	292,727	1,258,406	965,679
640-4406000	Retained Earnings Appr	1,163,702	3,030,215	1,866,513
100-4370000	Fund Balance Appropriated	5,067,866	5,342,535	274,669
610-4361000	Investment Earnings	750,000	825,827	75,827
620-4361000	Investment Earnings	500,000	571,543	71,543
640-4361000	Investment Earnings	271,000	409,281	138,281
100-4361000	Investment Earnings	1,100,000	1,120,349	20,349
Total				11,008,366

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7240-5710000	Bond/Debt Principal	1,483,837	4,191,052	2,707,215
7340-5710000	Bond/Debt Principal	2,068,375	4,622,640	2,554,265
7420-5710000	Bond/Debt Principal	1,930,126	6,867,134	4,937,008
4115-5710000	Bond/Debt Principal	267,663	994,175	726,512
7240-5720000	Bond/Debt Interest	572,921	576,032	3,111
7340-5720000	Bond/Debt Interest	907,116	910,051	2,935
7420-5720000	Bond/Debt Interest	402,410	408,083	5,673
4115-5720000	Bond/Debt Interest	39,903	40,738	835
7240-5800899	Cost of Issuance	0	17,547	17,547
7340-5800899	Cost of Issuance	0	16,556	16,556
7420-5800899	Cost of Issuance	0	32,000	32,000
4115-5800899	Cost of Issuance	0	4,709	4,709
Total				11,008,366

Reason: To appropriate revenue bond proceeds from the 2019 Refunding Revenue Bonds issued to refund the 2009B Revenue Bonds.

Adopted this 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

120

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

CONSENT AGENDA ITEM J

The following ordinances were adopted to amend the Golf project fund and the Golf operating fund to include additional money needed for the bunker project.

ORD.# 20-10

**CAPITAL PROJECT ORDINANCE
Bunker Renovation**

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 and amended is Bunker Renovations.

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

SECTION 3. The following revenues/expenditures are anticipated to be available to the City of Concord for the project:

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
7550-5811402	Bunker Restoration	\$434,985	\$443,740	\$8,755
7550-5811402				
475-4501650	Transfer Golf Fund	\$0	\$8,755	\$8,755
475-4501650				

SECTION 4. 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 5. 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 6. 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 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

ORD.# 20-11

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:

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

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7501-5989000	Transfer to Golf Projects	0	8,755	8,755
7501-5550000	Capital Equipment-Golf	35,200	26,445	(8,755)
Total				0

Reason: To transfer operating funds to the bunker project to cover the additional money needed to complete the project.

Adopted this 13th day of February, 2020.

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 project ordinance was adopted for the Mills at Rocky River Greenway recreation project.

ORD.# 20-12

CAPITAL PROJECT ORDINANCE AMENDMENT Parks & Recreation Projects-Mills at Rocky River

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 adopted/amended:

SECTION 1. The projects authorized are the projects included for the Mills at Rocky River Greenway.

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:

<u>Revenues</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
420-4354100				
420-4354100	Contributions	\$92,511	\$94,211	\$1,700
				<u>\$1,700</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>
8300-5811096				
8300-5811096	Mills at Rocky River Greenway	\$256,625	\$258,325	\$1,700
Total				<u>\$1,700</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 and shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord this 13th day February, 2020.

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

123

The following ordinance was adopted to amend the Transit operating budget to allocate FTA grant funds for the purchase of the Computer Aided Dispatch/Automated Vehicle Location System.

ORD.# 20-13

AN ORDINANCE TO AMEND 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, 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>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
630-4357300	Federal Aid	2,017,575		245,307
630-4357300			2,262,882	
630-4337000	Local Shared	978,180	1,008,844	30,664
630-4337000	Revenue			
630-4501100		725,276	755,940	30,664
	Transfer from General Fund			
	Total			306,635

<u>Expenses/Expenditures</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
7616-5800429				
7616-5800429	Grant Expenditures	194,436	501,071	306,635
	Total			306,635

Reason: To allocate FTA grant funds for the purchase of Computer Aided Dispatch/Automated Vehicle Location system to provide Rider Transit staff and consumers real-time location information.

Adopted this 13th day of February, 2020.

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

The following ordinance was adopted to amend the Transit operating budget to allocated grant funds for the purchase of a digital fare system.

ORD.# 20-14

AN ORDINANCE TO AMEND 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, 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
630-4401330	Federal	2,017,575	2,186,433	168,858
630-4401330				
630-4337000	Local Shared	978,180	999,287	21,107
630-4337000	Revenue			
630-4501100	Transfer from General Fund	725,276	746,383	21,107
Total				211,072

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7616-5800429	Grant Expenditures	194,436	405,508	211,072
7616-5800429				
Total				211,072

Reason: To allocate FTA grant funds for the purchase of a digital fare system in order to allow additional, more flexible options for customers to purchase transit passes and fares. card cost. This digital fare payment system will also allow for the introduction of the concept of fare capping.

Adopted this 13th day of February, 2020.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

A change to the classification/compensation system was approved to include the position of Housing Specialist (Grade 205) with a salary range of \$34,093.08 (minimum), \$45,002.87 (midpoint), and \$56,253.58 (maximum).

CONSENT AGENDA ITEM O

A change to the classification/compensation system was approved to include the position of Deputy Solid Waste and Recycling Director (Grade 114) with a salary range of \$80,333.98 (minimum), \$106,442.54 (midpoint), and \$132,551.08 (maximum).

CONSENT AGENDA ITEM P

The fourth quarter water and wastewater extension report for 2019 was received and accepted.

CONSENT AGENDA ITEM Q

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

CONSENT AGENDA ITEM R

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

CONSENT AGENDA ITEM S

The monthly report of investments as of December 31, 2019 was accepted.

* * * * *

Matters not on the Agenda:

Updates were provided for the following Committees/Boards

- TAC
- MTC
- Concord/Kannapolis Transit Commission

The following had no updates

- Centralina Council of Government (CCOG) – no update
- WSACC
- Public Art Advisory Committee
- Concord Family Enrichment Association
- PTT Committee
- Barber Scotia Task Force Committee

* * * * *

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Parsley, and duly carried, to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(4) to discuss matters relating to the location or expansion of business in the area served by this body; and N.C. General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee—the vote: all aye.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member King, and duly carried, to return to regular session—the vote: all aye.

* * * * *

Upon reconvening in open session, a motion was made by Council Member Small, seconded by Mayor Pro-Tem Sweat, and duly carried, to conduct a public at the March 12, 2020 City Council meeting to consider offering a Downtown Municipal Service District Economic Development Incentive Grant to RCG SE, LLC—the vote: all aye.

The Council also discussed the upcoming proposed City Council retreat.

* * * * *

A motion was made by Council Member McKenzie, seconded by Council Member Parsley, and duly carried, to return to closed session for reasons previously stated—the vote: all aye.

* * * * *

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