

CONCORD CITY COUNCIL  
SPECIAL MEETING  
APRIL 21, 2020

The City Council for the City of Concord, North Carolina, held a Special Meeting on April 21, 2020, at 5:00 p.m., with Mayor William C. Dusch presiding.

In order to maintain the safety of City residents, City Council, and staff, this meeting was conducted electronically via Zoom.

Council members were present as follows:

**Members Present:**

Mayor Pro-Tem John A. Sweat, Jr.  
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  
Various Department Directors

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The following items were presented for consideration:

- 1. Consider adopting a resolution ratifying the existence of a state of emergency issued March 19, 2020 at 12:00 p.m., and the need for continuing the state of emergency, pursuant to Sec 26-37 (c) of the City of Concord Code of Ordinances.**

A motion was made by Council Member Crawford, seconded by Council Member Small, and duly carried, to adopt the following resolution ratifying the existence of a state of emergency issued March 19, 2020 at 12:00 p.m.—the vote: all aye.

**RESOLUTION TO RATIFY A DECLARATION OF A STATE OF EMERGENCY**

WHEREAS, on March 19, 2020, the Mayor of the City of Concord declared a State of Emergency due to the potential impacts from the Coronavirus (COVID-19) pandemic ; and

WHEREAS, the City of Concord Code of Ordinances, Section 26-37(c) requires that, "Whenever a state of emergency is declared by the mayor, the city attorney shall prepare a resolution ratifying the existence of a state of emergency and the need for continuing the state of emergency. The city council shall approve or disapprove the resolution within seven days from the date of the original declaration by the mayor and at least every 14 days thereafter unless the state of emergency is terminated sooner." and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONCORD, THAT THE DECLARATION OF A STATE OF EMERGENCY ISSUED BY THE MAYOR ON MARCH 19, 2020 IS HEREBY RATIFIED AND THE NEED FOR A CONTINUING STATE OF EMERGENCY IS FURTHER RATIFIED.

Adopted this 21<sup>st</sup> day of March, 2020.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**2. Consider adopting an ordinance amending Chapter 26, Article II, Emergency Management, of the City of Concord Code of Ordinances.**

The Emergency Management Coordinator explained the proposed amendment.

A motion was made by Council Member McKenzie, seconded by Mayor Pro-Tem Sweat, and duly carried, to adopt the following ordinance amending Chapter 26, Article II, Emergency Management, of the City of Concord Code of Ordinances—the vote: all aye.

ORD. #20-32

**AN ORDINANCE AMENDING CHAPTER 26, ARTICLE II EMERGENCY MANAGEMENT OF THE CITY CODE FOR CONCORD, NORTH CAROLINA**

WHEREAS, The City Council of the City of Concord, North Carolina has adopted a Code of Ordinances relative to the Emergency Management Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina that after due consideration, and in the best interest of the citizens and property of Concord, that:

**Section 1.** Chapter 26, Article II, the following subsections are hereby deleted in their entirety:

- A. Chapter 26, Article II, Section 26-37, Subsection (a)(3)(f),
- B. Chapter 26, Article II, Section 26-37, Subsection (c), the last sentence only “The city council shall approve or disapprove the resolution within seven days from the date of the original declaration by the mayor and at least every 14 days thereafter unless the state of emergency is terminated sooner.”
- C. Chapter 26, Article II, Sec. 26-40, Subsection (o).

**Section 2.** Chapter 26, Article II, Sec. 26-37. - Declaration of state of emergency, Subsection (a) (3) (a) is hereby amended and adopted as follows:

(3) Any or all of the following prohibitions and restrictions may be included in the declaration of a state of emergency when deemed necessary:

a. The prohibition/restriction of movements of people in public places, including any of the following:

- 1. Imposing a curfew.
- 2. Directing and compelling the voluntary or mandatory evacuation of all or part of the population from any stricken or threatened area within the governing body’s jurisdiction.
- 3. Prescribing routes, modes of transportation and destinations in connection with evacuation.
- 4. Controlling the ingress and egress of an emergency area and the movements of people within the area.
- 5. Providing for the closure, within the emergency area, of streets, roads, highways, bridges, public vehicular areas, or other areas ordinarily used for vehicular travel, except to the movement of emergency responders and other persons necessary for recovery from the emergency. In addition to any other notice or dissemination of information, notification of any closure of a road or public vehicular area under the authority of this sub-subdivision shall be given to the Department of Transportation as soon as practicable. The ordinance may designate the Police Chief to exercise the authority granted by this sub-subdivision.

G.S. 166A-19.70(c) and (d) shall apply to this sub-subdivision.

**Section 3.** This Ordinance shall be effective upon adoption.

Adopted this 21<sup>st</sup> day of April 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 approving sub-recipient allocations through the CDBG CARES Act.**

The Planning and Neighborhood Development Director, Steve Osborne, stated the City of Concord received notification on April 2, 2020 in regards to *The Coronavirus Aid, Relief and Economic Security Act* (CARES Act) (Public Law 116-136). The CARES Act allocated supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus. Additionally, the CARES Act provides flexibilities that make it easier to use the funds by granting waivers, removes the spending cap regulated for public service agencies and alternative requirements. Concord was awarded \$400,339 to respond to the growing effects of this historic public health crisis.

Staff worked with the following six agencies, who are meeting immediate needs for Concord residents, to assess their individual COVID-19 related needs totaling \$131,284: Cooperative Christian Ministry - \$18,500; Meals on Wheels - \$40,293; Hope Haven - \$13,400; Opportunity House - \$19,200; Prosperity Unlimited - \$18,500; and Salvation Army - \$21,391.

The City Manager stated staff is requesting approval for the allocation of these funds now and future CARES Act funds.

Council Member Parsley asked how this would be monitored. The Planning and Neighborhood Director stated the agencies would be required to enter into a funding agreement and the agencies will be required to complete separate reporting on the usage of the funds.

Council Member McKenzie asked if the CARES Act funding is in addition to the CDBG funding from HUD. The City Manager stated the CARES Act funding is in addition to the CDBG funding and there are strict requirements for the CARES Act funding.

A motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to approve partial appropriation of Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding in the amount of \$131,284 to select public service agencies as they respond to immediate community needs related to COVID-19—the vote: all aye.

**4. Consider accepting a grant award in the amount of \$2,149,846 from the FAA (CARES Act) and authorize the City Manager to execute the grant agreements.**

The Aviation Director, Dirk Vanderleest, explained the Concord-Padgett Regional Airport had received \$2 million in CARES Act funding. He provided an update on operations at the Airport as well.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member Parsley, and duly carried, to accept a grant award in the amount of \$2,149,846 from the FAA (CARES Act) and authorize the City Manager to execute the grant agreements—the vote: all aye.

**5. Consider approving a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners on Bruton Smith Blvd and Hwy 29 (Exit 49 area).**

The City Manager stated Conder Flag is requesting approval for the placement of race banners should the May races be allowed to proceed as scheduled.

A motion was made by Mayor Pro-Tem Sweat, seconded by Council Member King, and duly carried, to approve a License to Attach Banners to City of Concord Property to Conder Flag Company for the placement of temporary race banners Bruton Smith Blvd and Hwy 29 (Exit 49 area)—the vote: all aye.

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There was no further business. Therefore, a motion was made by Council Member Crawford, seconded by Council Member Small, and duly carried, to adjourn—the vote: all aye.

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William C. Dusch, Mayor

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Kim J. Deason, City Clerk