

CONCORD CITY COUNCIL
REGULAR MEETING
JUNE 10, 2021

A regular meeting of the City Council for the City of Concord, North Carolina, was held on June 10, 2021, at 6:00 p.m. in the Council Room of City Hall, with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

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

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Various 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 Dusch followed by the Pledge of Allegiance and a moment of silent prayer.

Approval of Minutes:

A motion was made by Council Member Crawford and seconded by Council Member Sweat to approve the minutes for the meetings of May 11, May 13, and May 25, 2021—the vote: all aye.

Presentations:

1. Mayor Dusch presented a retirement plaque to Marvin Kraus for 23 years of loyal and dedicated service to the City of Concord Water Resources Department at the June 8th Work Session.
2. Mayor Dusch presented a Proclamation recognizing June 19, 2021 as Juneteenth Day.
3. Mayor Dusch presented a proclamation recognizing June 21-27, 2021 as National Pollinator Week.

Unfinished Business:

1. Continue a public hearing, tabled on May 13th, and consider adopting an ordinance annexing +/- 3.366 acres located at 2183 Heglar Rd., owned by Randy and Sherry Walter.

The applicant submitted a voluntary annexation petition for +/- 3.366 acres located at 2183 Heglar Rd. for the purpose of connecting to City utilities and developing single-family detached homes under the RM-1 (Residential Medium Density) zoning district. This

petition was tabled at the regular May Council meeting and has since been amended to exclude the request to annex 2315 Heglar Rd (1.391 acres).

The applicant, William Niblock, spoke in favor of the request.

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

A motion was made by Mayor Pro-Tem King and seconded by Council Member Crawford to adopt the following ordinance annexing property located at 2183 Heglar Road and set the effective date for June 10th, 2021—the vote: all aye.

ORD.# 21-43

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF
CONCORD, NORTH CAROLINA TO INCLUDE +/- 3.366 ACRES LOCATED AT 2183
HEGLAR RD, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by William Niblock, Niblock Homes, on May 13th and June 10th, 2021 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petitions; and

WHEREAS, the City Clerk has certified the sufficiency of the petitions and whereas the request was tabled on May 13th 2021 until a date certain and a public hearing on the question of this annexation was held at Concord City Hall, 35 Cabarrus Avenue West, on June 10th, 2021 after due notice by The Independent Tribune on May 2, 2021; and

WHEREAS, the City Council finds that the petitions meet requirements of G.S. 160A-58.1;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 10th day of June 2021:

2183 Heglar Rd

Beginning at a nail in the centerline of Heglar Road (Variable Public R/W), said nail being a common corner with now or formerly Niblock Homes, LLC (Deed Bk. 14315, Pg. 144), thence with the centerline of Heglar Road (Variable Public R/W), N 07°41'44" E 495.01 feet to a nail, said nail being a common corner with the property of now or formerly Niblock Homes, LLC (Deed Bk. 14315, Pg. 144); thence with the property of now or formerly Niblock Homes, LLC (Deed Bk. 14315, Pg. 144) the following three (3) calls: (1) S 81°34'18" E, passing a ½" rebar on line at 30.01 feet for a total of 299.42 feet to a ½" rebar; (2) S 08°25'42" W 494.97 feet to a ½" rebar; (3) N 81°34'18" W 293.09 feet to the POINT AND PLACE OF BEGINNING and containing 3.366 AC.

SECTION 2. Upon and after the 10th day of June, 2021 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of Concord shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

SECTION 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Concord.

Adopted this 10th day of June 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

Public Hearings:

- 1. Conduct a public hearing pursuant to N.C. General Statute 159-12 to consider public comments relative to the proposed FY 2021-2022 budget for the City of Concord.**

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

The City Manager stated the proposed annual budget was prepared in accordance with North Carolina General Statutes Chapter 159, Article 3, The Local Government Budget and Fiscal Control Act. All funds within the proposed budget are balanced, and all revenues and expenditures are identified for Fiscal Year 2021-2022. He thanked the Assistant City Managers; Finance Director; Budget staff; and all Department Directors for their efforts to provide the proposed budget documents.

The City-wide budget totals \$275,070,238 for all funds, including utilities and special revenue funds. The current tax rate of 48¢ per \$100 of valuation will remain the same. The proposed tax rate continues restricting the 2.5¢ budgeted for use in the Transportation Improvement Fund, 1¢ for Parks & Recreation Projects, and 1¢ designated to Affordable Housing as mandated by City Council.

No rate increases are anticipated for the Stormwater or Wastewater funds, despite a 1.3% increase in our wastewater treatment rates from WSAAC. No changes are recommended in electric rates at this time, but as is the practice, if there is a need to consider a Purchased Power Adjustment, changes would be implemented in the September time frame. A 2% increase in Water rates is proposed to help plan for future growth needs in the system and cover the costs associated with Albemarle's proposed 4% rate increase for the purchased of finished water under our take-or-pay agreement.

The proposed budget includes funds for reasonable performance-based merit increases. An overall average increase of 2% is recommended with merit increases to range from 1% to 3%, depending upon performance. A 1.5% market adjustment will be provided to all employees effective July 12, 2021. This budget includes funding for 1 PT and 27 FT additional staff positions for FY 2021-2022. The City hired its first Diversity, Equity, and Inclusion Coordinator who will partner with the Concord United Committee and develop a plan for providing equitable practices and policies throughout our organization.

The City Council's goal of maintaining a General Fund balance target between 30% and 35% of expenditures will be met.

The Mayor and Council Members each thanked the City Manager and staff for the proposed budget and the services provided to the citizens of Concord.

There were no speakers signed in to speak in favor or in opposition to the request.

Therefore, a motion was made by Council Member Crawford and seconded by Council Member Sweat to close the public hearing—the vote: all aye.

A motion was made by Council Member Parsley and seconded by Council Member Sweat to adopt the following FY 2021-22 budget ordinance and Capital Project Ordinance for the City of Concord—the vote: all aye.

ORD. #21-70

2021-2022 BUDGET ORDINANCE

BE IT ORDAINED by the City Council of the City of Concord, North Carolina, meeting in open session this 10th day of June 2021 that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are adopted.

SECTION I. GENERAL FUND: Revenues totaling \$109,257,712 are hereby approved from the following sources:

Ad Valorem Taxes	\$68,682,889
Sales Taxes	20,516,278
Unrestricted Intergovernmental Revenue	5,974,645
Restricted Intergovernmental Revenue	4,530,516
Licenses, Permits and Fees	2,182,500
Sales & Services Revenue	3,439,684
Other Revenues	838,200
Investment Earnings	0
Transfer from Capital Reserves	3,093,000
TOTAL	\$109,257,712

A total of \$109,257,712 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

Governing Body	\$ 255,984
Public Services – Admin.	139,984
City Manager's Office	841,636
Human Resources	868,867
Wellness Center	223,329
Finance	818,294
Tax	428,514
Legal	472,788
Non-Departmental	7,311,953
Police	27,053,064
Code Enforcement	1,138,879
Communications	2,042,298
Radio Shop	605,240
Fire	28,423,722
Fire – Prevention	1,036,443
Fire – Training	650,824
Emergency Management	204,800
Streets & Traffic	8,895,884
Powell Bill	1,638,619
Traffic Signal Division	1,305,184
Traffic Services	628,067
Solid Waste & Recycling	8,822,094
Cemeteries	744,666
Fleet Services (costs are direct billed)	0
Planning & Neighborhood Development	3,389,586
Transportation Planning	348,820
Economic Development	989,011
Parks & Recreation	9,766,110
Parks & Recreation - Aquatics	213,052

TOTAL \$ 109,257,712

SECTION II. SPECIAL REVENUE FUNDS: Revenues totaling \$9,192,424 are hereby approved comprising Municipal Service District Tax Revenues, Community Development Block Grant Funds and H.O.M.E. Program, Transportation Improvement Fund, \$5 Vehicle Tax – Transit Fund, Housing Assistance Voucher Program, Market Rate Units Fund, and Affordable Housing Revolving Fund.

A total of \$9,192,424 is hereby authorized to be expended from Special Revenue Funds as follows:

Municipal Service District Fund	\$219,613
Housing Assistance Voucher Program Fund	4,976,635
Community Development Block Grant Fund	677,769
H.O.M.E. Consortium Fund	1,447,773
\$5 Vehicle Tax – Transit Fund	390,000
Market Rate Units Fund	66,616
Affordable Housing Revolving Fund	1,414,018
TOTAL	\$9,192,424

SECTION III. STORMWATER FUND: Revenues are hereby approved comprised of \$5,169,875 in operating revenue, \$6,000 in non-operating revenues, and \$1,500,731 in retained earnings appropriated. A total of \$6,676,606 is hereby authorized to be expended from the Stormwater Fund as follows:

Stormwater Operations & Maintenance	\$6,676,606
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SECTION IV. ELECTRIC FUND: Revenues are hereby approved comprised of \$83,484,000 in operating revenues, \$70,000 in non-operating revenues, and \$0 in retained earnings appropriated. A total of \$83,554,000 is hereby authorized to be expended from the Electric Fund as follows:

Electric Administration	\$6,918,694
Purchased Power	49,259,326
Maintenance - Power Lines	9,163,203
Tree Trimming	1,232,719
Electric Construction	15,263,397
Electric Engineering	1,396,040
Utility Locate Services	320,621
TOTAL	\$83,554,000

SECTION V. WATER FUND: Revenues are hereby approved comprised of \$26,166,680 in operating revenue, non-operating revenue of \$58,000, and \$1,549,118 in retained earnings appropriated. A total of \$27,773,798 is hereby authorized to be expended from the Water Fund as follows:

Hillgrove Water Plant	\$3,731,463
Coddle Creek Water Plant	7,325,452
Waterlines - Operation & Maintenance	16,716,883
TOTAL	\$27,773,798

SECTION VI. TRANSIT FUND: Revenues are hereby approved comprised of \$317,766 in operating revenues, restricted intergovernmental revenue of \$4,378,295, and transfer of \$390,000 from the \$5 Vehicle Tax – Transit Fund. A total of \$5,086,061 is hereby authorized to be expended from the Transit Fund as follows:

Transit Farebox/Local Expense	\$964,262
Transit Grant Expense	4,121,799
TOTAL	\$5,086,061

SECTION VII. WASTEWATER FUND: Revenues are hereby approved comprised of operating revenues of \$18,058,000, non-operating revenues of \$2,000, and \$1,080,115 in retained earnings appropriated. A total of \$19,140,115 is hereby authorized to be expended from the Wastewater Fund as follows:

Wastewater Operations & Maintenance	\$19,140,115
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SECTION VIII. GOLF COURSE FUND: Revenues are hereby approved comprised of \$1,916,091 in operating revenues and \$18,273 in other revenues. A total of \$1,934,364 is hereby authorized to be expended from the Golf Course Fund as follows:

Golf Course Operating	\$1,934,364
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SECTION IX. AVIATION FUND: Revenues are hereby approved comprised of \$8,506,511 in operating revenue, \$89,200 in non-operating revenue, \$1,544,738 in restricted intergovernmental revenues, \$49,060 in licenses, and a transfer of \$860,270 from the General Fund. A total of \$11,049,779 is hereby authorized to be expended from the Aviation Fund as follows:

Aviation Operating	\$11,049,779
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SECTION X. PUBLIC HOUSING FUND: Revenues are hereby approved comprised of \$445,000 in operating revenues, \$70,000 in other revenue, a Transfer from Market Rate fund of \$3,320, and HUD contributions of \$887,059. A total of \$1,405,379 is hereby authorized to be expended from the Public Housing Fund as follows:

Public Housing Operations	\$1,405,379
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SECTION XI. DEBT SERVICE (FIRST CONCORD): Revenues are hereby approved comprised of transfers from operating funds in the amount of \$2,358,781. A total of \$2,358,781 is hereby authorized to be expended from First Concord for debt service payments as follows:

2014 LOBS	\$2,358,781
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SECTION XII. ENCUMBRANCES AS OF JUNE 30, 2021: Funds appropriated in the 2020-2021 budget and encumbered at June 30, 2021, shall be authorized as part of the 2021-2022 budget appropriation by adoption of this budget ordinance.

SECTION XIII. EMPLOYEE COMPENSATION: In accordance with the provisions of the current Personnel Policy for the City of Concord, a 3.5% contribution to a 401K program is included for all employees except law enforcement. Law enforcement is funded at 5%, as required. Monies have been set aside in each fund for a 1.5% market adjustment to all employees effective July 1, 2021, as well as merit increase opportunities for co-workers. An overall average merit increase of 2% of salaries is authorized in each fund for FY 22. The range for merit increases will be from 1 to 3%, depending on performance.

SECTION XIV. TAX RATE ESTABLISHED: An Ad Valorem Tax rate of \$0.4800 per \$100 property valuation is hereby established as the official tax rate for the City of Concord for the fiscal year 2021-2022. The adopted tax rate is based on an estimated valuation of \$1 (including motor vehicles) and an estimated 98% collection rate.

A Municipal Service District Tax of \$0.23 per \$100 property valuation (other than personal property of public service corporations) is hereby established for revitalization and other services permitted under N.C. General Statute 160A-536 in the Downtown Municipal Service District created July 1, 1989. The adopted MSD rate reflects an estimated valuation of \$5 with an estimated 98% percent collection rate.

Allocation of the 2021-2022 tax rates will be as follows:

GENERAL FUND	\$ 0.4800
MUNICIPAL SERVICE DISTRICT	\$ 0.2300

SECTION XV. SPECIAL AUTHORIZATION – CITY MANAGER:

- a. The City Manager (or his/her designee if sum is under \$10,000) shall, be authorized to reallocate departmental appropriations among the various objects of expenditures, as he/she believes necessary.
- b. The City Manager shall be authorized to effect interdepartmental transfers in the same fund, not to exceed 10 percent of the appropriated monies for the department whose allocation is reduced.
- c. Interfund transfers, which are already established in the budget document, may be accomplished without recourse to the Council.
- d. The City Manager, by designation of City Council under NC General Statute 159-13, shall be authorized to appropriate and/or transfer up to \$50,000 in Contingency funds. The transfer must be recorded by budget amendment at the next regularly scheduled City Council meeting.

SECTION XVI. RESTRICTIONS – CITY MANAGER:

- a. The interfund transfer of monies, except as noted in Section XV, Paragraph C and D, shall be accomplished with Council authorization only.

SECTION XVII. UTILIZATION OF BUDGET AND BUDGET ORDINANCE: This Ordinance includes the 2021-2022 Annual Operating Budget document, which is on file with the City Clerk and adopted as a part of this Ordinance and is incorporated by reference as if fully re-stated herein. The 2021-2022 Schedule of User Fees, Rates and Charges is also included within the Annual Operating Budget document and is thereby adopted under this ordinance.

This Ordinance shall be the basis of the financial operation of the City of Concord during the 2021-2022 fiscal year. The City Manager shall administer the budget, and he shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The Finance Department shall establish records, which are in consonance with the Budget and the Ordinance and the appropriate statutes of the State of North Carolina.

This Ordinance is approved and adopted this 10th day of June 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

ORD. #21-71

FY21-22 CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the City of Concord, North Carolina, the following project expenditures and anticipated fund revenues are hereby appropriated for the construction of the City's various capital projects and funds for the fiscal year beginning July 1, 2021 and ending June 30, 2022. Specific future capital project detail may be found in the City's Capital Improvement Plan Listing.

SECTION 1. CAPITAL RESERVE PROJECTS

General Fund – Recreation Capital Reserve Fund 280

Future Project Reserves	\$ 1,005,498	
Transfer to Parks & Recreation Projects	\$ 408,520	
From General Fund (1¢)		\$ 1,414,018
	\$ 1,414,018	\$ 1,414,018

General Fund – Capital Reserve Fund 285

Transfer to Capital Projects	\$ 4,712,404	
Transfer to General Fund	\$ 3,093,000	
From Future Project Reserves		\$ 7,805,404
	\$ 7,805,404	\$ 7,805,404

Utility Fund – Capital Reserve Fund 282

Future Water Projects	\$ 1,000,000	
Future Wastewater Projects	\$ 392,000	
Transfer to Electric Projects	\$19,080,276	
Future Electric Projects		\$17,228,598
Transfer from Water Fund		\$ 1,000,000
Transfer from Wastewater Fund		\$ 392,000
Transfer from Electric Fund		\$ 1,851,678
	\$20,472,276	\$20,472,276

SECTION II. GENERAL FUND CAPITAL PROJECTS

Recreation Projects -Fund 420

Caldwell Park Improvements	\$ 1,205,000	
NW Park	\$ 2,137,404	
WW Flowe Park, Phase 1	\$ 460,000	
Clarke Creek Greenway Development	\$ 323,520	
Dave Phillips Activity Center Improvements	\$ 250,000	
From Grant Proceeds		\$ 495,000
From the General Capital Reserve Fund		\$ 3,472,404
From the Parks & Recreation Capital Reserve Fund 408,520		\$
	\$ 4,375,924	\$ 4,375,924

General Projects Fund 430

Fleet Services Facility	\$ 810,100	
West Concord Cemetery Master Plan	\$ 50,000	
David District Substation	\$ 250,000	
Fiber Network	\$ 250,000	
Union StreetScape	\$ 2,896,861	
Transfer from General Fund		\$ 192,300
Transfer from Utility Capital Reserve		\$ 1,167,776
Transfer from General Capital Reserve		\$ 300,000
Transfer from Stormwater		\$ 471,646
Transfer from Electric		\$ 19,500
Transfer from Water		\$ 1,106,859
Transfer from Sewer		\$ 178,130
Transfer from Aviation		\$ 10,650
Financing Proceeds		\$ 810,100
	\$ 4,256,961	\$ 4,256,961

SECTION III. OTHER FUND CAPITAL PROJECTS

Wastewater Projects Fund 421

Coddle Creek Outfall Weyburn Drive	\$ 1,600,000
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311

Coldwater Creek Outfall to Hwy 49	\$ 6,951,000	
Bond Proceeds		\$ 6,951,000
Transfer from Wastewater Fund		\$ 1,600,000
	<u>\$ 8,551,000</u>	<u>\$ 8,551,000</u>

Transportation Projects Fund 423

Lincoln Street Bridge Replacement	\$ 475,000	
Poplar Tent at Harris – Intersection Impv	\$ 1,445,000	
Pedestrian Improvements (Sidewalks)	\$ 500,000	
US 601 at Flowes Store Impv	\$ 1,718,404	
Future Projects	\$ 2,246,363	
Vehicle Licenses \$5 Fee		\$ 390,000
CMAQ Grant		\$ 1,366,722
NCOT Share		\$ 750,000
Transfer from General Fund (2.5¢)		\$ 3,535,045
Grant Proceeds		\$ 343,000
	<u>\$ 6,384,767</u>	<u>\$ 6,384,767</u>

Water Projects Fund 429

5 MGD Water Booster Pump Station	\$ 450,000	
General Service Dr. Parallel Line 12"	\$ 476,000	
Coddle Creek WTP Dewatering Process	\$ 200,000	
Hillgrove WTP Settling Basin Imprv	\$ 3,750,000	
NC Hwy 49 24" Waterline Ext	\$ 7,697,250	
Hillgrove WTP GAC Contactors	\$ 5,000,000	
From Future Project Reserves		\$ 476,000
Bond Proceeds		\$16,447,250
Transfer from Water Fund		\$ 650,000
	<u>\$17,573,250</u>	<u>\$17,573,250</u>

Electric Projects Fund 473

Substation N Copperfield	\$ 4,996,500	
Electric Operations Center	\$17,912,500	
Transfer from Utility Reserve Fund		\$17,912,500
Transfer from Electric Fund		\$ 4,996,500
	<u>\$22,909,000</u>	<u>\$22,909,000</u>

Stormwater Projects Fund 474

Farmwood Boulevard Culvert	\$ 171,000	
Dylan Place Culvert	\$ 1,800,000	
Brookwood Ave Roadway Impv	\$ 480,000	
Mall North Culvert	\$ 136,000	
Transfer from Stormwater Fund		\$ 2,587,000
	<u>\$ 2,587,000</u>	<u>\$</u>
<u>2,587,000</u>		

Golf Projects Fund 475

Clubhouse Renovations	\$ 940,000	
Transfer from General Capital Reserve Fund		\$ 940,000
	<u>\$ 940,000</u>	<u>\$ 940,000</u>

Revolving Housing Projects Fund 370

Future Housing Projects	\$ 1,414,018	
Transfer from General Fund (1¢)		\$ 1,414,018
	<u>\$ 1,414,018</u>	<u>\$ 1,414,018</u>

SECTION IV. SPECIAL AUTHORIZATION – CITY MANAGER

- e. The City Manager (or his/her designee if sum is under \$10,000) shall be authorized to reallocate departmental appropriations among the various objects of expenditures, as he believes necessary.
- f. The City Manager shall be authorized to effect interdepartmental transfers in

the same fund, not to exceed 10 percent of the appropriated monies for the department whose allocation is reduced.

- g. Interfund transfers, which are already established in the capital improvement budget document, may be accomplished without recourse to the Council.
- h. Projects that are complete and inactive for at least one year may be closed without recourse to the Council.

SECTION V. RESTRICTIONS – CITY MANAGER

- b. The interfund transfer of monies, except as noted in Section 4, Paragraph C, shall be accomplished with Council authorization only.
- c. Any unused funds may be reappropriated to other funds with Council authorization only.

SECTION VI. UTILIZATION OF CAPITAL IMPROVEMENTS BUDGET

This ordinance shall be the basis of the financial plan for capital improvement projects for the City of Concord during FY 2021-22. The above revenues/expenditures shall extend from year to year until each individual project is completed and closed.

This Ordinance is approved and adopted this 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

2. Conduct a public hearing for the second reading and consider granting a franchise to US Tire Recycling Partners, L.P. for a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility.

The City last granted a franchise to US Tire Recycling Partners, L.P. in 2016 and that franchise expires on August 11, 2021. Due to a change in the state laws and regulations, US Tire Recycling Partners, L.P. is now eligible for a franchise for a "life-of-site" permit, defined as 60 years from initial receipt of waste at the site in 1998. This franchise will expire on August 12, 2058. The granting of this franchise required two readings of the proposed franchise ordinance at two separate public hearings and this was the second reading.

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

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

A motion to was made by Council Member McKenzie and seconded by Council Member Crawford to adopt the following ordinance upon second reading to grant a franchise to US Tire Recycling Partners, L.P. for a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility—the vote: all aye.

ORD.# 21-32

ORDINANCE GRANTING A FRANCHISE FOR A SCRAP TIRE DISPOSAL FACILITY
TO US TIRE RECYCLING PARTNERS, L. P.

WHEREAS, the Cabarrus County Board of Adjustment approved on January 27, 1988 a request allowing operation of a scrap tire recycling and disposal facility at the present location operated by US Tire Recycling Partners, L. P.; and

WHEREAS, US Tire Recycling Partners, L.P. is currently operating a Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility within the jurisdiction of the City of Concord following annexation of their location on Poplar Tent Road; and

WHEREAS, the City Council for the City of Concord granted a franchise to US Tire Recycling Partners, L.P. on August 11, 2016 and that franchise expires on August 11, 2021; and

WHEREAS, US Tire Recycling Partners, L.P. seeks to obtain a franchise from the City of Concord by a change in state law and regulations; and

WHEREAS, US Tire Recycling Partners, L.P. has vested rights to operate as approved by Cabarrus County; and

WHEREAS, due to a change in the state laws and regulations, US Tire Recycling Partners, L.P. is now eligible for a franchise for a "life-of-site" permit, defined as 60 years from initial receipt of waste at the site in 1998; and

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

SECTION 1. The Scrap Tire Disposal Facility will serve the geographical area and population including the State of North Carolina, State of South Carolina, State of Virginia, State of West Virginia, State of Georgia, State of Tennessee, and State of Florida.

SECTION 2. The waste stream consists of up to approximately 100,000 tons per year scrap tire portions and waste derived from processing scrap rubber vehicle tires.

SECTION 3. The useful life of the scrap tire disposal facility is projected to be up to 50 years to beyond August 11, 2021, depending on the varying annual disposal rates to the scrap tire disposal facility.

SECTION 4. The Scrap Tire Collection & Processing Operation and Scrap Tire Disposal Facility will be permitted and regulated by NC Department. of Environmental Quality (NCDEQ). There are no fees and rates to be charged by the facilities subject to the franchise for waste generated in the jurisdiction of the franchising entity.

SECTION 5. A Facility Plan for the Scrap Tire Disposal Facility was included in the Application for Permit Amendment for the U.S. Tire Scrap Tire Disposal Facility approved by NCDEQ on October 26, 2016 (Document ID No. 26835) and showed the boundaries of the facility, proposed development of the facility site, the boundaries of all waste disposal units, final elevations and capacity of all waste disposal units, the total waste disposal capacity, a description of environmental controls, and a description of any other waste management activities conducted at the facility, including ingress and egress to the facility.

SECTION 6. The U.S. Tire Recycling Facility is consistent with the Cabarrus County Solid Waste Management Plan, the City of Concord Solid Waste Plan, and N.C.G.S. 130A-309.09A, including the provisions for waste reduction, reuse, and recycling.

SECTION 7. US Tire Recycling Partners, L.P. has provided to the City financial security in the amount of \$150,000.00 to cover potential environmental problems, closure of the landfill and any possible financial problems incurred by US Tire Recycling Partners, L.P. using a mechanism satisfactory to both the City and US Tire Recycling Partners, L.P. throughout the life of the landfill. The requirement for financial security will terminate and/or be returned to US Tire Recycling Partners, L.P. either five years after the landfill is closed or when closure is approved by the State of North Carolina, whichever occurs first.

SECTION 8. US Tire Recycling Partners, L.P. will instruct all haulers accessing the Facility to comply with the N.C.G.S. 20.116(g).

SECTION 9. Pursuant to N.C.G.S. 130A-294, US Tire Recycling Partners, L.P. is hereby granted a franchise to operate its current Scrap Tire Processing and Disposal Facility located at 6322 Poplar Tent Road in the City of Concord. This franchise shall have a "life-of-site" term, defined as a maximum of 60 years from initial receipt of waste in 1998, beginning on August 12, 2021 and expiring on August 12, 2058.

SECTION 10. This franchise may not be transferred without the specific approval of the City Council of the City of Concord.

SECTION 11. This Ordinance shall be effective immediately upon adoption at second reading.

Adopted on first reading this 13th day of May 2021.
Adopted on second reading this 10th day of June 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

3. Conduct a public hearing to consider adopting a resolution abandoning 2' of an 8' public right of way easement for an alley between Spring St. SW and Market St. SW.

As part of the 30 Market Street Lansing Melbourne Group (LMG) project, aka Novi Rise, the developer's design team has uncovered the need to move the building two feet from where it was reflected on the initial site plan because of a structural design issue regarding the building and the retaining wall adjacent to the City's alley between 30 Market Street and City Hall.

The proposal includes the abandonment of a two foot portion of the right-of-way easement between 30 Market Street and CESI to accommodate the new proposed building location. The developer indicated that their design team will ensure that the alley will be an enticing thoroughfare that pulls the user through. Design elements could include fixed lighting on the building, overhead string lighting, and public art. The requirements for posting the site and advertising the hearing were met.

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

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

A motion was made by Council Member Parsley and seconded by Council Member Sweat to adopt the following resolution to abandon the right of way of a 2' portion of an 8' wide alley between Spring St. SW and Market St. SW—the vote: all aye.

A RESOLUTION ORDERING THE CLOSING OF A 2' PORTION OF AN 8' WIDE ALLEY BETWEEN SPRING ST SW AND MARKET ST SW

WHEREAS, on the 13th day of May, 2021, 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 an alley between Spring St. SW and Market St. SW 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 June 10, 2021.

WHEREAS, the City Council on the 13th day of May, 2021, 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 10th day of June 2021; 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;

PART OF THE PROPERTY OF:

THE CITY OF CONCORD

A 2' WIDE (STRIP) PORTION OF AN EXISTING 8' WIDE ALLEY CROSSING TRACT 'B' OF MINOR SUBDIVISION PLAT OF THE CITY OF CONCORD PROPERTY (Map Book 67 Page 76) (Deed Book 14774, Page 76) (PIN: 5620-87-7591) (Real ID: 12-031-0004.00)

Lying and being in the City of Concord, No. 12 Township, Cabarrus County, North Carolina, crossing TRACT 'B' OF MINOR SUBDIVISION PLAT OF THE CITY OF CONCORD PROPERTY (Map Book 67 Page 76) (PIN: 5620-87-7591) (Real ID: 12-031-0004.00) as recorded among the Cabarrus County Register of Deeds; and being more particularly described as follows:

A 2' WIDE (STRIP) PORTION OF AN EXISTING 8' WIDE ALLEY

Commencing from an existing BENT IRON FOUND located on the east side Public Right of Way line of Spring Street, SW (a variable width Public Right of Way) (Map Book 67 Page 76) at the common corner of the property of the aforesaid TRACT 'B' and the property of CESI, LLC. (now or formerly) Deed Book 3680 Page 196 (PIN: 5620-87-9426; Real ID: 12-031-0008.00); said BENT IRON FOUND being further described as being the southwest corner of the existing 8' Wide Public Alley, a portion of which is being described herein and also having NC (NAD 83/2011) Grid Coordinates of N: 607,453.31', E: 1,528,809.27' and being located North 09°16'33" West 7,616.38 feet (ground) from NCGS Monument "PENNEY"; thence running a Tie Line of North 53°04'50" West 6.13 feet along the common line of the west side of the aforesaid Alley and the aforesaid TRACT 'B' to a MAGNETIC NAIL SET on said common line, said MAGNETIC NAIL SET being further described as being the POINT OF BEGINNING

(P.O.B.) of the 2' Wide (Strip) Portion of the existing 8' Wide Public Alley being abandoned; thence leaving the Point of Beginning (P.O.B.) and continuing along said common line

1. North 53°04'50" West 2.04 feet to a COMPUTED POINT, said COMPUTED POINT being further described as being as the northwest corner of the aforesaid Alley; thence leaving the east side Public Right of Way line of Spring Street, SW and running along the northern line of said Alley
2. North 48°47'03" East 176.09 feet to a COMPUTED POINT on the common line of the west side Public Right of Way line of Market Street, SW (a variable width Public Right of Way) (Map Book 67 Page 76) and the aforesaid TRACT 'B', said COMPUTED POINT being further described as being as the northeast corner of the aforesaid Alley; thence running along the common line of the east side of said Alley and TRACT 'B'
3. South 40°09'38" East 2.00 feet to a MAGNETIC NAIL SET on said common line; thence leaving said common line and running a NEW LINE through said Alley
4. South 48°47'03" West 175.64 feet to the Point of Beginning and containing 352 square feet or 0.008 acres of land, more or less.

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 the lot within which the portion of the alley to be abandoned falls, such title, for the width of the abutting land owned by them, to extend to the portion of the alley where public right of way is being retained by the City of Concord 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 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

4. Conduct a public hearing and consider adopting an ordinance annexing +/- 16.596 acres at 505 Alfred Brown Jr. Ct. SW., owned by the City of Concord.

The request is for voluntary annexation of +/- 16.596 acres located at 505. Alfred Brown Jr. Ct. SW., in order to develop the property as the new City of Concord Electric Systems Operations Center. The property is within the City's ETJ (Extraterritorial Jurisdiction) and was recently rezoned (5/18/21) by the Planning and Zoning Commission from C-2 (General Commercial) and I-1 (Light Industrial) to I-2 (General Industrial).

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

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

A motion was made by Council Member Crawford and seconded by Council Member Sweat to adopt the following annexation ordinance and set the effective date for June 10th, 2021—the vote: all aye.

ORD.# 21-44

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF
CONCORD, NORTH CAROLINA TO INCLUDE +/- 16.596 ACRES GENERALLY
LOCATED AT 505 ALFRED BROWN JR. CT. SW., CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by, Andrea Cline, City of Concord Electric Systems, on June 10th, 2021 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petitions; and

WHEREAS, the City Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at 35 Cabarrus Avenue, West on June 10th, 2021 after due notice by The Independent Tribune on May 30th, 2021; and

WHEREAS, the City Council finds that the petitions meet requirements of G.S. 160A-58.1;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 10th day of June 2021:

PARCEL#: 5539-26-7994

LYING AND BEING in Township Number 11, City of Concord, Cabarrus County, North Carolina and being 16.596 acres located near U.S. Hwy 601 Bypass (aka Warren Coleman Blvd) and being a PORTION of the same property conveyed to Bill R. Krimminger, on June 30, 1995 in Deed Book 1443, at Page 270 of the Cabarrus County Registry and is further described as follows:

Beginning at a calculated point, said point being located within the right-of-way of U.S. Hwy 601 Bypass (Variable Public R/W), said point being located S 12°47'55" W 92.82 feet from a ½" rebar, said rebar being located on the northern right-of-way of U.S. Hwy 601 Bypass (Variable Public R/W), thence within the right-of-way of U.S. Hwy 601 Bypass (Variable Public R/W), N 87°57'05" E 808.55 feet to a calculated point, said calculated point being located on the common property line with now or formerly Roman Catholic Diocese of Charlotte, NC (Deed Bk. 4256, Pg. 100); thence with the property of now or formerly Roman Catholic Diocese of Charlotte, NC (Deed Bk. 4256, Pg. 100), S 33°25'45" E passing a 5/8" rebar on line at 85.03 feet for a total of 476.99 feet to a 1" pipe, said pipe being a common corner with now or formerly the City of Concord (Deed Bk. 7316, Pg. 303); thence with the property of now or formerly the City of Concord (Deed Bk. 7316, Pg. 303) the following three (3) calls: (1) S 33°35'40" W 437.25 feet to a 1" pipe; (2) S 27°40' 19" W 440.55 feet to a ½" rebar; (3) S 06°39'37" W 83.59 feet (L2) to a ½" rebar, said rebar being located on the eastern right-of-way of Alfred Brown Jr. Court SW (60' Public R/W); thence with the eastern right-of-way of Alfred Brown, Jr. Court SW (60' Public R/W) the following three (3) calls: (1) N 30°37'30" W 1104.47 feet to a ½" rebar; (2) with a curve to the right, having a radius of 350.00 feet, an arc of 174.10 feet and a chord bearing and distance of N 16 degrees 22'31" W 172.31 feet (C1) to a calculated point; (3) N 02°07'30" W, passing a PK nail on line at 0.90 feet, for a total of 90.90 feet (L3 and L4, combined) to the POINT AND PLACE OF BEGINNING and containing 16.596 Acres, as shown on survey, titled, " 16.596 Acres-Alfred Brown Jr. Ct SW," dated September 10, 2019 by NorStar Land Surveying, Inc.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 1443 page 270.

SECTION 2. Upon and after the 10th day of June, 2021 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of Concord shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

SECTION 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Concord.

Adopted this 10th day of June 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

5. Conduct a public hearing and consider adopting an ordinance annexing +/- 0.4009 acres located east of Copperfield Blvd. and west of Amalia St. NE., owned by Copperfield INC.

The request is for voluntary annexation of +/- 0.4009 acres located east of Copperfield Blvd. and west of Amalia St. NE. in order to expand the Charlotte Eye Ear Nose and Throat (CEENTA) parking lot. The property is located within the City's ETJ (Extraterritorial Jurisdiction) and is zoned C-2 (General Commercial).

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

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

A motion was made by Mayor Pro-Tem King and seconded by Council Member Small to adopt the following annexation ordinance and set the effective date for June 10th, 2021—the vote: all aye.

ORD.# 21-45

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CONCORD, NORTH CAROLINA TO INCLUDE +/- .4009 ACRES GENERALLY LOCATED EAST OF COPPERFIELD BLVD. NE. AND WEST OF AMALIA ST. NE., CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by, James H. Craver, on June 10th, 2021 to annex the area described below; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petitions; and

WHEREAS, the City Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at 35 Cabarrus Avenue, West on June 10th, 2021 after due notice by The Independent Tribune on May 30th, 2021; and

WHEREAS, the City Council finds that the petitions meet requirements of G.S. 160A-58.1;

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 10th day of June 2021:

PARCEL#: p/o 5622-64-8709

That certain tract or parcel of land situated, lying and being in the City of Concord, Township No. 4, Cabarrus County, North Carolina and being more particularly described as follows:

BEGINNING at an existing 1/2 inch iron rod on the easterly margin of the right-of-way of Copperfield Boulevard (80' public R/W), said point being a common corner of Lot 22 and Lot 23 as depicted on a plat entitled "Minor Subdivision Plat For Copperfield Inc." recorded in Map Book 60, Page 110 in the Cabarrus County Public Registry; thence running with and along the easterly margin of Copperfield Boulevard with a curve turning to the right having a radius of 810.00 feet and an arc length of 65.05 feet (chord bearing of N 20°59'04" E and a chord length of 65.04 feet) to a new 1/2 inch iron rod; thence turning and running with a new line through aforesaid Lot 23 S 70°57'36" E a distance of 267.01 feet to a new 1/2 inch iron rod on the westerly margin of a private drive known as Amalia Street NE (45' common space including public access and utility easement); thence with and along the westerly margin of Amalia Street NE with a curve turning to the left having a radius of 522.50 feet and an arc length of 65.06 feet (chord bearing of S 17°39'46" W and a chord length of 65.02 feet) to an existing 3/8 inch iron rod being a common corner of aforesaid Lot 22 and Lot 23; thence turning and running with and along the common line between Lot 22 and Lot 23 N 70°57'36" W a distance of 270.78 feet to the POINT OF BEGINNING, having an area of 17,462 square feet or 0.4009 acres of land, more or less, as shown on a plat prepared by R. B. Pharr & Associates, P.A., dated January 14, 2021, bearing Job No. 92428.

SECTION 2. Upon and after the 10th day of June, 2021 the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of Concord shall cause to be recorded in the office of the Register of Deeds of Cabarrus County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

SECTION 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Concord.

Adopted this 10th day of June 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

6. Conduct a public hearing to consider adopting an ordinance amending Articles 1-14 of the Concord Development Ordinance (CDO) relative to changes required by General Statutes 160D.

The NC General Assembly, with assistance from the NC Bar Association, the development community and the University of North Carolina School of Government began working several years ago to consolidate the City and County development statutes to simplify the development laws within the State. The City statutes were contained in Chapter 160A and the County statutes in 153A, and while there were some differences, most of the requirements were identical.

In 2019, the Legislature approved the consolidated statutes (termed 160D) and imposed a requirement that local governments amend their ordinances to reflect compliance by January 21, 2021. Due to the pandemic, the requirement was extended to July 1, 2021.

The changes required by 160D are predominately amending cross references (from 160A to 160D) but the staff has also flagged all internal cross-references, along with removing some items that are no longer applicable. Staff presented the proposed amendments at the May 18, 2021 Planning and Zoning Commission meeting. The Commission unanimously recommended the changes to Council to consider their adoption.

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

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

A motion was made by Council Member McKenzie and seconded by Council Member Crawford to adopt the following Statement of Consistency:

“The amendment is consistent with the 2030 Land Use Plan and is reasonable and in the public interest as the amendment codifies legislation that is intended to simplify and clarify development rules and procedures within the City of Concord.”

A motion was made by Council Member Crawford and seconded by Council Member McKenzie to adopt an ordinance amending Articles 1-14 of the CDO relative to required GS 160D changes and cross-reference/existing practice corrections—the vote: all aye.

Due to the size of Ordinance #21-46, will be attached separately.

Presentations of Petitions and Requests

1. Consider adopting a resolution to sell 524 Allison Street NW to homebuyer, Marquita Macon for \$163,000.

In Fiscal Year 2018/2019, Council took the initiative to allocate funds for the creation of affordable housing throughout the City as a first step to address the growing housing need. To ensure the viability and attractiveness of the homes as well as the neighborhoods, covenants and an affordability clause have been attached to all City built properties via a deed restriction. In June of 2020, Council approved the construction of 524 Allison Street NW. The listed purchase price was \$163,000 and the City received the full asking price.

A motion was made by Council Member Small and seconded by Council Member Sweat to adopt the following resolution to sell 524 Allison Street NW to homebuyer, Marquita Macon for \$163,000—the vote: all aye.

RESOLUTION AUTHORIZING CONSIDERATION of NEGOTIATED OFFER

WHEREAS, the City Council of Concord, North Carolina, pursuant to North Carolina General Statute 157-4.1, resolved to exercise the powers of a Housing Authority by resolution passed on December 15, 1977 and effective March 15, 1978; and

WHEREAS, North Carolina General Statute § 157-9 permits the City, acting as a Housing Authority to sell real property; and

WHEREAS, the City acquired 524 Allison Street NW by North Carolina General Warranty Deed as recorded on June 25, 2010 in Deed Book 9198, Page 226 of the Cabarrus County Registry for the purpose of community redevelopment; and

WHEREAS, 524 Allison Street MW (“Property”) is further described as follows:

Lying and being in the City of Concord, Cabarrus County, North Carolina and being all of Lot Number Two (2) of Exception Plat, as shown on plat recorded on Map Book 83 at Page 51 dated 2/28/2020 of the Cabarrus County Registry; and

WHEREAS, the City caused a home to be built on the Property using General funds; and

WHEREAS, on April 26, 2021 the City received an Offer to Purchase the improved Property from Marquita Macon (“Buyer”) for \$ 163,000.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONCORD, THAT:

1. The City Council intends to accept the offer to Purchase the improved Property from Marquita Macon (“Buyer”) for \$ 163,000.00.
2. The Offeror has submitted one thousand dollars and no cents (\$1,000.00) as a deposit held by the City Clerk; and
3. The final sale shall include the following terms:
 - a. The City will convey 524 Allison Street NW to the Buyer by North Carolina Warranty Deed.
 - b. The City will convey the property subject to any and all existing public utility easements, restrictions, rights-of-way, protective covenants, zoning laws, conditions, and any ordinance of record.
 - c. The closing shall take place on or before June 17, 2021.
4. The City Attorney is directed to take all necessary steps to complete the sale. The City Manager is authorized to execute the necessary instruments to effectuate the sale of 524 Allison Street NW in accordance with this resolution.

Adopted this 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

2. Consider authorizing the Concord ABC Board to retain extra Distribution of Funds.

The Concord ABC Board requested approval to retain working capital funds that exceed the maximum allowed for the purpose of completing a new location on George Liles Blvd. that is scheduled to be complete late September and a new warehouse building.

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem King to authorize the Concord ABC Board to retain extra distribution of funds for completion of a new store location on George Liles Blvd—the vote: all aye.

3. Consider awarding a sole source purchase order in the amount of \$320,877.36 to Reinhausen Manufacturing Inc. for purchase of two (2) On-Load Tap Changers.

On-Load Tap Changers (OLTC) are a built-in mechanical part of a substation main power transformer. OLTC units have a manufacturer defined lifespan and must be upgraded in the 20-25-year timeframe.

The City currently has four (4) substation power transformers that have need of a replacement OLTC due to normal end of life cycle. Staff has been carefully evaluating the four (4) units in question to determine the best options for repair/replace and concluded that an exact replacement from the manufacturer is the only option. The original manufacturer was Westinghouse Inc., which has since been purchased by Reinhausen Manufacturing Inc. Staff devised an implementation plan that will allow for two (2) units to be purchased in June 2021, subsequent to Council approval, and the additional two (2) units to be purchased at a later date.

A motion was made by Council Member McKenzie and seconded by Council Member Parsley to award a sole source purchase order in the amount of \$320,877.36 to Reinhausen Manufacturing Inc. for purchase of two (2) On-Load Tap Changers—the vote: all aye.

4. Consider adopting a resolution to authorize the City Manager and City Attorney to take any necessary steps to comply with the terms of the Memorandum of Agreement (MOA) between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation.

Seventy-six North Carolina counties and eight municipalities are engaged in litigation related to the opioid abuse epidemic. Concord and other local governments now have the opportunity to participate in the settlement of that litigation.

The MOA governs the use of the proceeds of any future national settlement or other resolution with the opioid manufacturers and distributors Cardinal, McKesson, AmerisourceBergen, Johnson and Johnson and Purdue Pharma. While the specific amount of the settlement is not yet known, it is anticipated to be as much as \$850 million for North Carolina as a whole over 18 years. The funds will be used for specific purposes to combat the opioid epidemic and that will likely result in partnerships with the County since most of the types of allowable uses will fall under the County's authority.

A motion was made by Council Member Crawford and seconded by Council Member Sweat to adopt the following resolution authorizing the City Manager and City Attorney to take any necessary steps to comply with the terms or the Memorandum of Agreement between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation—the vote: all aye.

**A RESOLUTION BY THE CITY OF CONCORD
APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE
OF NORTH CAROLINA AND LOCAL GOVERNMENTS ON PROCEEDS RELATING
TO THE SETTLEMENT OF OPIOID LITIGATION**

WHEREAS, as of 2019, the opioid epidemic had taken the lives of more than 16,500 North Carolinians, torn families apart, and ravaged communities from the mountains to the coast; and

WHEREAS, the COVID-19 pandemic has compounded the opioid crisis, increasing levels of drug misuse, addiction, and overdose death; and

WHEREAS, the Centers for Disease Control and Prevention estimates the total "economic burden" of prescription opioid misuse alone in the United States is \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, certain counties and municipalities in North Carolina joined with thousands of local governments across the country to file lawsuit against opioid manufacturers and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of any proceeds from a settlement of national opioid litigation to the State of North Carolina and to individual local governments; and

WHEREAS, Local Governments and the State of North Carolina anticipate a settlement in the national opioid litigation to be forthcoming; and

WHEREAS, by signing onto the MOA, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, once a negotiation is finalized, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to all North Carolinians for local governments, including the City of Concord and its citizens, to sign onto the MOA and demonstrate solidarity in response to the opioid epidemic, and to maximize the share of opioid settlement funds received both in the state and local governments to help abate the harm; and

WHEREAS, the MOA directs substantial resources over multiple years to local governments on the front lines of the opioid epidemic while ensuring that these resources are used in an effective way to address the crisis.

NOW, THEREFORE BE IT RESOLVED, the City of Concord hereby approves the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, and any subsequent settlement funds that may come into North Carolina as a result of the opioid crisis. Furthermore, the City of Concord authorizes the City Manager and City Attorney to take such measures as necessary to comply with the terms of the MOA and receive any settlement funds, including executing any documents related to the allocation of opioid settlement funds and settlement of lawsuits related to this matter. Be it further resolved copies of this resolution and the signed MOA be sent to opioiddocs@ncdoj.gov as well as forwarded to the N.C. League of Municipalities to tcarruthers@nclm.org.

Adopted this the 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

5. Consider authorizing the City Manager to execute a contract with Musco Sports Lighting, LLC (Sourcewell #071619-MSL) for the purchase and installation of Green Generation Light fixtures on the new poles at Hartsell Ballfield Complex (Liles Field and Broome Field) not to exceed \$225,000.

This project includes the installation of light fixtures on the new pre-cast concrete bases and galvanized steel poles at Hartsell Park Ballfield Complex. The poles are being replaced due to safety concerns identified in our pole inspections. The lights will work with

the existing Remote Equipment Controllers. The on field Performance-Light levels are guaranteed for 25 years with the LED solution.

This bid includes Environmental Light Control-Control for neighbors and the environment LED is an intense light source and without the correct glare control the appearance of the facility will be compromised. The LED proposal warranty covers all materials and labor, eliminating maintenance costs for 25 years.

The City maintains 9 facilities with sports lighting and all have Musco lighting. In order to operate efficiently by reducing the amount of staff training and stocking of parts, the City proposes to purchase the light fixtures from Musco Lighting under the sole-source exception #071619-MSL allowed by N.C. Gen. Stat. 143-129 (e) Exceptions (6) when "(iii) Standardization or compatibility is the overriding consideration."

A motion was made by Council Member Parsley and seconded by Council Member Crawford to authorize the City Manager to execute a contract with Musco Sports Lighting, LLC (Sourcewell #071619-MSL) for the purchase and installation of Green Generation Lighting light fixtures on the new poles at Hartsell Ballfield Complex (Liles Field and Broome Field) for a fee not to exceed \$225,000—the vote: all aye.

6. Consider approving a modification to the Interlocal Agreement with Cabarrus County administering the Central Area Plan.

The City entered into an Interlocal Agreement with Cabarrus County administering the Central Area Plan. Under the Agreement, the City agreed not to extend utilities into certain areas east of the then exiting City limits except under certain limited circumstances. Michael Dayton has requested an exception to the Agreement in order to obtain water service for a proposed single-family home at 6550 Hwy 601S (PIN 5547-77-9595-0000).

A motion was made by Council Member Crawford and seconded by Council Member Parsley to approve a modification of the Interlocal Agreement regarding the Central Area Plan to allow the provision of water to 6550 Hwy 601S—the vote: all aye.

7. Consider a Preliminary Application from Meredith Smith.

In accordance with City Code Chapter 62, Meredith Smith has submitted a preliminary application to receive water service outside the City limits. The property is located at 20 Search Drive. The lot size is approximately 1.1 acres, zoned LDR, and developed with a single family house. Sewer service is not available to the parcel. Applicant notes bad water quality from existing well as reason for request.

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

8. Consider making appointments / reappointments to various City of Concord Boards and Commissions and making a reappointment to the CDDC Board of Directors.

A motion was made by Council Member Small and seconded by Council Member Crawford to make the following appointments/reappointments to various Boards and Commissions and to the CDDC Board of Directors—the vote: all aye.

ABC BOARD

Appointment - Brian Hiatt

PLANNING AND ZONING COMMISSION

Reappointment - Eric Williamson to his second term

Reassignments - Charles Grimsley and Maya Jones to regular member status

Appointments - Phil Jones and Brittany Evans as alternates

BOARD OF ADJUSTMENT

Reappointment - James McDonald to his second term

HISTORIC PRESERVATION COMMISSION

Reappointments - Jim Ramseur and Carolyn Coggins to their second terms

Reassignment - Shelby Dry to regular member status

Appointments - James Firth, Ismail Diken, and William Isenhour as regular members and Anna Marshall as an alternate

STORMWATER MANAGEMENT ADVISORY COMMITTEE

Reappointments - Bertram Hinton, Jr. and Don Seitz to their second terms

Appointments - Jonathan Gruber to Group 2 and Emily Burkhart to Group 3

CDDC BOARD OF DIRECTORS

Reappointment - Josh Smith

Consent Agenda:

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

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem King to approve the following consent agenda items—the vote: all aye.

CONSENT AGENDA ITEM A

The Electric Systems Director, Alex Burris, was appointed as Commissioner to the Electricities Non-Power Agencies Board of Commissioners.

CONSENT AGENDA ITEM B

The updated Concord-Padgett Regional Airport New Airline Incentive Program was adopted effective July 1, 2021.

CONSENT AGENDA ITEM C

The City Manager was authorized to accept and execute Federal Aviation Administration Grant Offer 3-27-0015-012-2021 in the amount of \$1,263,524.00 for Airport Improvement Projects at Concord-Padgett Regional Airport.

CONSENT AGENDA ITEM D

The Housing Department was authorized to submit an application for the Capital Fund Emergency Safety & Security Grant.

CONSENT AGENDA ITEM E

The Police Department was authorized to apply for the competitive 2021 COPS Hiring Program grant.

CONSENT AGENDA ITEM F

The Police Department was authorized to apply for the 2021 Patrick Leahy Bulletproof Vest Partnership Grant from the United States Department of Justice: Office of Justice Programs.

CONSENT AGENDA ITEM G

A grant request submission to the Mariam & Robert Hayes Charitable Trust was approved for a grant request of \$36,183.00 to purchase six (6) kilns and four (4) kiln shelving carts to complete the kiln room within ClearWater Arts Center & Studios' Ceramics Center.

CONSENT AGENDA ITEM H

The offers of dedication on the following plat and easements were accepted: Olde

Homestead Ph1 Map2 and Kasen Bluff.

CONSENT AGENDA ITEM I

The maintenance agreements were approved and the offers of dedication were accepted on the following property: Pulte Home Company, LLC.

CONSENT AGENDA ITEM J

The offers of infrastructure were accepted in the following subdivisions and sites: 7-Eleven at Coddle Market Drive, Thunder Roads Common Parcels A, B and C, The Grounds Roadway, Bedford Farms Subdivision Phase 3, Haven at Rocky River Subdivision Phase 1 Map 3, Pendleton Subdivision Phase 1 Map 1 and Map 2, Covenant Classical.

CONSENT AGENDA ITEM K

The City Manager was authorized to execute the Reciprocal Agreement for Water and Sewer Connection & Related Matters Agreement with the City of Kannapolis.

CONSENT AGENDA ITEM L

The American Rescue Plan award from the US Department of Treasury was accepted and the following Capital Project Ordinance was adopted.

ORD. # 21-47

**CAPITAL PROJECT ORDINANCE
American Rescue Plan Fund**

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

SECTION 1. The project authorized is future projects funded by the American Rescue Plan Funds.

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>
330-4357300				
330-4357300	Federal Aid	0	16,255,872	16,255,872
Total				<u>\$16,255,872</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>
3300-5811082				
3300-5811082	Future Projects	0	16,255,872	16,255,872
Total				<u>\$16,255,872</u>

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the project agreement and other agreements executed or to be executed with the various parties

involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 10th day of June, 2021.

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 project ordinance was adopted to amend the CARES funding in the CDBG project fund.

ORD.# 21-48

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the CDBG CARES Grant

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

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

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
310-4357500				
310-4357500	CARES Act Funding	\$400,339	\$1,005,204	\$604,865
Total				\$604,865

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3117-5800100				
3117-5800100	CARES Act Expenditures	\$400,339	\$1,005,204	\$604,865

Total

\$604,865

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 grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this 10th day of June, 2021.

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 N

A \$5,000 donation to the Cabarrus Arts Council was approved and the following budget ordinance was adopted.

ORD.# 21-49

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
100-4370000	Fund Balance Approp	\$12,772,487	\$12,777,487	\$5,000
Total				<u>\$5,000</u>

Expenses/Expenditures

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4190-5470043	Golf Tournaments	\$850	\$5,850	\$5,000
Total				\$5,000

Reason: To appropriate reserves from the Mayor's Golf Tournament to Cabarrus Arts Council for the Students Take Part in the Arts Program.

Adopted this 10th day of June, 2021.

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 O

The following ordinance was adopted to amend the Airport operating budget to adjust to year end actual projections.

ORD.# 21-50

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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>Account</u>	<u>Title</u>	<u>Revenues</u>		<u>(Decrease) Increase</u>
		<u>Current Budget</u>	<u>Amended Budget</u>	
680-4357000	State Aid	2,815,109	1,602,803	(1,212,306)
680-4357200	Federal Aid	2,815,626	1,000,000	(1,815,626)
680-4401330	Parking	194,100	919,100	725,000
680-4401343	Commercial Into Plane Fee	13,260	68,260	55,000
680-4401350	Rental Car	35,000	125,000	90,000
680-4401365	Airline Operating Fees	62,400	172,400	110,000
680-4401380	Ramp Services	30,000	115,000	85,000
680-4401385	Landing Fees	30,000	140,000	110,000
680-4351000	Sale of Fixed Assets	0	7,760	7,760
680-4406000	Retained Earnings Appr	647,927	0	(647,927)
Total				(2,493,099)

<u>Expenses/Expenditures</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4530-5800429	Grant Expenditures	3,027,932	0	(3,027,932)
4530-5186000	Workmens Comp	0	8,950	8,950
4530-5194000	Contract Services	416,088	466,088	50,000
4530-5192000	Legal	15,000	30,000	15,000
4530-5331000	Utilities	370,000	445,000	75,000
4530-5356000	Hangar Repairs	166,000	206,000	40,000
4530-5355000	Maintenance-Fuel Farm	16,000	20,000	4,000
4530-5356000	Maintenance-Airfield	149,500	159,500	10,000
4530-5321000	Telephone	121,331	141,331	20,000
4530-5272000	Jet A Purchases	2,028,188	2,328,188	300,000
4530-5299000	Supplies-Departmental	39,900	51,783	11,883
Total				(2,493,099)

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 P

The following ordinance was adopted to amend the CDBG budget to adjust budget to year end actual projections.

ORD.# 21-51

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the CDBG Grants

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>
310-4334557	310-			
4334557	CDBG 2020	680,540	680,436	(104)
310-4355000				
310-4355000	Program Income	99,734	99,483	(251)
Total				(355)

SECTION 4. The following amounts are appropriated for the project

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3108-5483200				
3108-5483200	Clearwater	209,355	207,746	(1,609)
3109-5121000				
3109-5121000	Regular	62,043	64,299	2,256
3109-5181000				
3109-5181000	FICA	4,591	4,764	173
3109-5182000				
3109-5182000	Retirement-General	4,845	5,021	176
3109-5187000				
3109-5187000	401k Contribution	2,184	2,263	79
3110-5480012				
3110-5480012	PI/Match	44,877	46,235	1,358
3111-5121000				
3111-5121000	Regular	51,743	49,487	(2,256)
3111-5181000				
3111-5181000	FICA	3,931	3,758	(173)
3111-5182000				
3111-5182000	Retirement-General	4,657	4,481	(176)
3111-5187000				
3111-5187000	401k Contribution	1,821	1,742	(79)
3112-5470036				
3112-5470036	Academic Learning Ctr	4,500	4,128	(372)
3112-5483003				
3112-5483003	Hope Haven	10,000	9,664	(336)
3112-5483015				
3112-5483015	Cab Meals on Wheels	8,000	7,233	(767)
3112-5483200				
3112-5483200	Clearwater Artist Studio	220,423	221,898	1,475
3112-5299000				
3112-5299000	Supplies-Departmental	11,196	11,140	(56)
3114-5481002				
3114-5481002	Acquisition of Property	35,483	35,435	(48)
Total				<u><u>(355)</u></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 grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this 10th day of June, 2021.

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 Q

The following ordinance was adopted to amend the Electric operating budget to adjust budget to year end actual projections.

ORD.# 21-52

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, as amended; and

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

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

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
610-4354400	Duke Settlement	0	4,311,440	4,311,440
610-4402400	Late Fees	156,700	106,700	(50,000)
610-4402600	Cut On Fees	150,000	100,000	(50,000)
610-4406000	Retained Earnings Appr	2,220,871	0	(2,220,871)
Total				1,990,569

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7200-5987000	Transfer to Project Fund	0	1,500,000	1,500,000
7200-5182100	Retirement-Excess Pmts	0	28,597	28,597
7200-5121000	Regular	314,875	419,488	104,613
7260-5194000	Contract Services	221,660	321,660	100,000
7240-5186000	Workmen's Comp	0	27,359	27,359
7240-5492000	Bad Debt Expense	0	230,000	230,000
Total				1,990,569

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 R

The following ordinance was adopted to amend the Electric project budget to reallocate

funds remaining from completed projects.

ORD.# 21-53

**CAPITAL PROJECT ORDINANCE
Electric Project-Substation T & Delivery #4**

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 projects authorized and amended are Sub T & Delivery #4.

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/expenditures are anticipated to be available to the City of Concord for the project:

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
			\$37,915,63	
473-4501610			4	
473-4501610	Transfer from Electric	\$36,415,634		\$1,500,000
473-4601000			\$0	
473-4601000	Bond Proceeds	\$1,500,000		(\$1,500,000)
6949-5801068			\$711,835	
6949-5801068	Substation O	\$600,000		\$111,835
6949-5801145			\$4,478,165	
6949-5801145	Del 6 SubP Hwy49/601	\$4,590,000		(\$111,835)
6949-5801151			\$247,367	
6949-5801151	Del 3 Solid St Relay	\$350,000		(\$102,633)
6949-5801152			\$15,675,16	
6949-5801152	Delivery #4 & 100 KV	\$11,479,912	6	\$4,195,254
6949-5801153				
6949-5801153	Lrg Truck/Equip Shed	\$1,300,000	\$130,500	(\$1,169,500)
6949-5801160				
6949-5801160	Delivery #4 Substation	\$4,195,254	\$0	(\$4,195,254)
6949-5801169				
6949-5801169	Substation S	\$4,036,624	\$35,000	(\$4,001,624)
6949-5801171				
6949-5801171	Substation T	\$1,000,000	\$6,273,757	\$5,273,757

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 10th day of June, 2021.

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 S

The following General Fund operating budget amendment was adopted to reclass Powell Bill personnel costs from the Streets department.

ORD.# 21-54

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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

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

Expenses/Expenditures

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4510-5121000	Streets Regular Salaries	\$1,761,033	\$1,323,893	(\$437,140)
4510-5181000	Streets FICA	\$134,047	\$99,784	(\$34,263)
4510-5182000	Streets Retirement	\$177,864	\$131,162	(\$46,702)
4510-5183000	Streets Group Insurance	\$333,624	\$257,028	(\$76,596)
4510-5187000	Streets 401k	\$61,331	\$43,391	(\$17,940)
4511-5121000	Powell Bill Reg Salaries	\$0	\$437,140	\$437,140
4511-5181000	Powell Bill FICA	\$0	\$34,263	\$34,263
4511-5182000	Powell Bill Retirement	\$0	\$46,702	\$46,702
4511-5183000	Powell Bill Group Ins.	\$0	\$76,596	\$76,596
4511-5187000	Powell Bill 401k	\$0	\$17,940	\$17,940
Total				\$0

Reason: To reappropriate salary budget from Streets to Powell Bill.

Adopted this 10th day of June, 2021.

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 T

The following ordinance was adopted to amend the General Fund operating budget to adjust budget to year end actual projections.

ORD.# 21-55

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
100-4323200	Sales Tax Article 40	3,300,000	3,700,000	400,000
100-4323300	Sales Tax Article 42	3,700,000	4,000,000	300,000
100-4323400	Sales Tax Article 44	2,800,000	3,200,000	400,000
100-4311100	Budget Year Property Tax	63,403,876	66,403,876	3,000,000
100-4315000	Fire District Tax	200,000	280,000	80,000
100-4323700	County Fire Sales Tax	25,000	45,000	20,000
100-4325200	Plan Review Fees	200,000	275,000	75,000
100-4326100	Plan Review Fees - Fire	129,000	144,000	15,000
100-4341631	Alarm Ordinance	30,000	100,000	70,000
100-4344200	Athletic Leagues	60,000	88,800	28,800
100-4350050	Street Cuts	40,000	125,000	85,000
100-4352000	ABC Distribution	500,000	750,000	250,000
100-4353100	Insurance Reimbursements	93,020	157,200	64,180
100-4354000	Other Income	24,500	79,500	55,000
100-4351000	Sale of Fixed Assets	320,000	455,430	135,430
100-4357500	CARES Act Funding	0	1,046,977	1,046,977
100-4370000	Appropriated Fund Balance	12,772,488	7,864,168	(4,908,320)
Total				1,117,067

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4190-5216000	Declared Emergency Exp	0	950,736	950,736
4190-5290000	Non Dept Supplies-Misc	6,000	16,239	10,239

4190-5291000	Supplies-Data Processing	0	22,431	22,431
4190-5299000	Non Dept Supplies-Deptml	4,500	20,174	15,674
4190-5299200	Clearwater expenses	5,718	30,718	25,000
4190-5351000	Non Dept Maint-Buildings	25,860	29,277	3,417
4190-5194000	Non Dept Contract Srvcs	22,037	96,417	74,380
4190-5992000	Non Dept Contingency	217,943	188,043	(29,900)
4130-5291000	Finance Supplies Data Pro	4,200	14,200	10,000
4130-5521000	Finance Software-Capital	10,000	0	(10,000)
4310-5540000	Police Vehicles-Capital	1,321,699	1,366,389	44,690
4910-5982000	Transfer to HOME Fund	0	400	400
Total				1,117,067

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 U

The following General Fund and General Capital Reserves amendments were adopted to complete the year end transfer for future projects listed in the City's Capital Improvement Plan.

ORD.# 21-56

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
100-4370000	Fund Bal. Appropriated	\$12,772,488	\$19,772,488	\$7,000,000
Total				\$7,000,000

Expenses/Expenditures

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4190-5981500	Transfer to Cap Reserve	\$0	\$7,000,000	\$7,000,000
Total				\$7,000,000

Reason: To transfer reserves from FYE2020 to the General Capital Reserve to fund capital projects.

Adopted this 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD.# 21-57

CAPITAL RESERVE FUND ORDINANCE

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 18-22 Chapter 159 of the General Statutes of North Carolina, the following Capital Reserve Fund ordinance is hereby adopted/amended:

SECTION 1. The purpose authorized is to accumulate funds for future projects and capital outlay as listed in the City's Capital Improvement Plan. Funds will be accumulated until such time the City Council designates the funds for projects. The General Fund will serve as the funding source for the Capital Reserve Fund upon City Council approval and withdrawals must be approved by City Council through an ordinance.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the fund.

SECTION 3. The following revenues are anticipated to be available/expenditures anticipated to be expended to the City of Concord for this fund & the following amounts are appropriated for the project:

Fund 285 General Capital Reserve Fund

		<u>Budget</u>	<u>Amended Budget</u>	<u>Inc (Dec)</u>
285-4501100	From General			
285-4501100	Fund	\$31,840,813	\$38,840,813	\$7,000,000
8150-5811082				
8150-5811082	Future Projects	\$22,199,233	\$29,199,233	\$7,000,000

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 capital reserve fund 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 capital reserve fund amendments/adoption shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out the purpose of this fund.

SECTION 6. The Finance Director is directed to report on the financial status of this fund 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 10th day of June, 2021.

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 V

The following ordinance was adopted to amend the Golf operating budget to adjust budget to year end actual projections.

ORD.# 21-58

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
650-4401201	Green Fees	\$779,498	\$954,498	\$175,000
650-4401202	Cart Fees	\$357,282	\$507,282	\$150,000
650-4401203	Driving Range	\$112,010	\$142,010	\$30,000
650-4404110	Pro-Shop	\$136,749	\$176,749	\$40,000
650-4354000	Other Income	\$18,273	\$23,273	\$5,000
Total				\$400,000

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase

7501-5210010	RRGC Operating Exo	\$769,886	\$994,886	\$225,000
7501-5194100	RRGC Contract Srvcs	\$905,308	\$1,055,308	\$150,000
7501-5194000	Contract Services	\$277	\$25,277	\$25,000
Total				\$400,000

Reason: To adjust budget to current year end estimates.

Adopted this 10th day of June, 2021.

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 W

The following ordinance was adopted to amend the HOME budget to adjust budget to year end actual projections.

ORD.# 21-59

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the HOME Grants.

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>
320-4334607				
320-4334607	HOME 2020	1,304,995	1,304,705	(290)
Total				(290)

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>

3211-5194000				
3211-5194000	Contract Services	14,828	14,811	(17)
3211-5484100				
3211-5484100	Consortium Admin Exp	48,061	48,049	(12)
3211-5480001				
3211-5480001	Substantial Rehab	58,740	58,700	(40)
3211-5484200				
3211-5484200	Consortium Project Exp	996,746	996,525	(221)
3209-5480012				
3209-5480012	Match/PI Exp	0	24,500	24,500
3210-5480012				
3210-5480012	Match/PI Exp	148,134	123,634	(24,500)
3207-5194000				
3207-5194000	Contract Services	15,380	16,054	674
3207-5183000				
3207-5183000	Group Insurance	5,287	5,152	(135)
3207-5299000				
3207-5299000	Supplies-Departmental	5,000	4,461	(539)
3209-5194000				
3209-5194000	Contract Services	7,408	13,709	6,301
3209-5121000				
3209-5121000	Regular	52,721	46,420	(6,301)
Total				(290)

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 grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this 10th day of June, 2021.

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 X

The following ordinance was adopted to amend the Housing Choice Voucher program budget to adjust budget to year end actual projections.

ORD.# 21-60

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
210-4357500	CARES Act Funding	80,742	139,576	58,834
210-4702200	Other Income	0	572	572
210-4702300	Income Portable	700,000	714,000	14,000
210-4702310	Admin Fee Rev-Portable	35,000	42,000	7,000
210-4703200	Contr Earned Admin Pmt	3,898,815	3,958,899	60,084
<i>Total Revenue Increase (Decrease)</i>				<u>140,490</u>

		<u>Expenses/Expenditures</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
	HAP Portable			
	Housing Assistance Pmt			
1500-5471510	HAP Fam Unification	700,000	714,000	14,000
1501-5471500	Vouch	3,087,346	3,197,846	110,500
1501-5471501	Project Based Vouchers	152,000	134,000	(18,000)
1501-5471502	HAP Portable (Port Out)	248,324	237,324	(11,000)
1501-5471511	HAP/FSS Escrow-	181,880	220,360	38,480
1501-5471900	Vouchers	98,696	105,206	6,510
<i>Total Exp Increase (Decrease)</i>				<u>140,490</u>

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 Y

The following ordinance was adopted to amend the Housing capital fund budget to adjust budget to year end actual projections.

ORD.# 21-61

GRANT PROJECT ORDINANCE
FY 2019 CAPITAL FUND 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 project ordinance is hereby ordained:

SECTION 1. The project authorized and amended is FY2019 Capital Fund Grant.

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 & 4. The following revenues and expenditures/expenses are anticipated to be available to the City of Concord for the project:

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

Expenditures				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
9210-5800250				
9210-5800250	Operations	61,425	26,684	(34,741)
9210-5988000				
9210-5988000	Transfer to Housing	0	34,741	34,741
<i>Total Exp Increase (Decrease)</i>				0

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 10th day of June, 2021.

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 Z

The following ordinance was adopted to amend the Housing Operations budget to adjust budget to year end actual projections.

ORD.# 21-62

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
690-4501400	Transfer from Cap Proj	0	34,741	34,741
690-4351000	Sale of Fixed Assets	0	2,683	2,683
690-4353100	Insurance Reimbursement	0	41,318	41,318
690-4702600	FSS Escrow Forfeitures	0	2,129	2,129
690-4703100	Contrib Op Subsidy Curr	852,199	843,128	(9,071)
690-4701100	Dwelling Rental	480,000	438,000	(42,000)
690-4702200	Other Income	100,000	94,000	(6,000)
Total				23,800

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
1000-5186000	Workers Compensation	0	23,800	23,800
Total				23,800

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 AA

The following ordinances were adopted to amend the Parks and Recreation Capital Reserve fund and the Parks and Recreation Capital Project fund to complete transfers for approved property purchases.

ORD.# 21-63

PARKS & CAPITAL RESERVE FUND ORDINANCE
AMENDED

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 18-22 Chapter 159 of the General Statutes of North Carolina, the following

Capital Reserve Fund ordinance is hereby amended:

SECTION 1. The purpose authorized is to accumulate funds for future capital projects and capital outlay. Funds will be accumulated until such time the City Council designates the funds for projects or capital outlay. These funds may only be designated for projects that are listed in the City's Capital Improvement Plan or capital outlay approved in the City's operating budget ordinance. The General Fund will serve as the funding source for the Capital Reserve Fund upon City Council approval and withdrawals must be approved by City Council through an ordinance.

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 this fund:

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8100-5987000	Transfer to Project	\$90,225	\$279,970	\$189,745
8100-5987000	Fund			
8100-5811082				
8100-5811082	Future Projects	\$1,261,439	\$1,071,694	\$(189,745)

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 capital reserve fund 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 capital reserve fund amendments/adoption shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out the purpose of this fund.

SECTION 6. The Finance Director is directed to report on the financial status of this fund 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 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD.# 21-64

**CAPITAL PROJECT ORDINANCE AMENDMENT
Parks & Recreation Projects-McEachern-Hospital Phase & Hector Henry-Cannon Crossing**

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 McEachern-Hospital Phase Greenway and the Hector Henry-Cannon Crossing 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:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
420-4501280				
420-4501280	Transfer from P&R Reserve	\$313,081	\$502,826	\$189,745
				<u>\$189,745</u>

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

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8300-5811019				
8300-5811019	Hector Henry-Cannon Crossing	\$60,000	\$245,870	\$185,870
8300-5811018				
8300-5811018	McEachern-Hospital Phase	\$877,425	\$881,300	\$3,875
Total				<u>\$189,745</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 10th day June, 2021.

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 BB

The following ordinance was adopted to amend the Revolving Projects Fund budget to adjust budget to year end actual projections.

ORD.# 21-65

CAPITAL PROJECT ORDINANCE AMENDMENT Revolving Fund Projects

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 project authorized is Affordable Housing.

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

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

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
370-4351500				
370-4351500	Affordable Housing Proceeds	0	307,260	307,260
370-4350400				
370-4350400	Rental Income	0	4,340	4,340
				311,600

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

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3700-475000				
3700-475000	Affordable Housing Construction	970,974	1,282,574	311,600
Total				311,600

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 10th day June, 2021.

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 CC

The following ordinance was adopted to amend the Stormwater budget to adjust budget to year end actual projections.

ORD.# 21-66

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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>
600-4351000	Sale of fixed assets	0	36,500	36,500
Total				36,500

<u>Expenses/Expenditures</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
7100-5540000				
7100-5492000	Vehicles	230,000	240,500	10,500
	Bad Debt Expense	0	26,000	26,000
Total				36,500

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 DD

The following ordinance was adopted to amend the Additional Vehicle Tax Fund budget to adjust budget to year end actual projections.

ORD.# 21-67

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
292-4324250	Vehicle license-addl \$5	390,000	440,000	50,000
Total				50,000

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8200-5982500	Transfer to Transit Fund	390,000	440,000	50,000
Total				50,000

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 EE

The following ordinance was adopted to amend the Wastewater budget to adjust budget to year end actual projections.

ORD.# 21-68

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
640-4406000	Retained Earnings Appr	2,131,208	415,090	(1,716,118)
640-4351000	Sale of fixed assets	0	21,600	21,600
640-4402100	Tap Fees	80,000	240,000	160,000
Total				<u>(1,534,518)</u>

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7420-5990001	Approp to Ret Earnings	1,716,118	0	(1,716,118)
7420-5331000	Utilities	7,604,659	7,703,714	99,055
7420-5186000	Workmens Comp	0	37,545	37,545
7420-5492000	Bad Debt Expense	0	45,000	45,000
Total				<u>(1,534,518)</u>

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 FF

The following ordinance was adopted to amend the Water operating budget to adjust budget to year end actual projections.

ORD.# 21-69

AN ORDINANCE TO AMEND FY 2020-2021 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 11th day of June, 2020, adopt a City budget for the fiscal year beginning July 1, 2020 and ending on June 30, 2021, 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
620-4353100	Insurance Reimbursement	0	24,070	24,070
620-4341660	Communication Fees	43,000	121,000	78,000
620-4402100	Fees - Taps	200,000	268,000	68,000
620-4402950	Meter & Accessories	250,000	420,000	170,000
620-4351000	Sale of Fixed Asset	0	42,562	42,562
620-4354000	Other Income	6,000	31,000	25,000
Total				<u>407,632</u>

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7330-5122000	Overtime - Hillgrove	9,500	19,500	10,000
7330-5248000	Supplies-Chemicals	657,319	999,951	342,632
7340-5492000	Bad Debt Expense	0	55,000	55,000
Total				<u>407,632</u>

Reason: Adjust budget to year end actual projections.

Adopted this 10th day of June, 2021.

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 GG

The following resolution was adopted to write-off the FY21 delinquent repayment agreement account in the amount of \$1,169 to collection losses.

CITY OF CONCORD HOUSING DEPARTMENT LOW-RENT PUBLIC HOUSING PROGRAM COLLECTION LOSSES TRANSFER RESOLUTION

WHEREAS, the Housing Director has submitted a list of participant repayment agreements that are unpaid; and

WHEREAS, the Housing Director reports that attempts to collect the amounts have been unsuccessful as of this date; and

WHEREAS, the City Council has determined that the uncollected balance can be transferred to collection losses due to unsuccessful attempts to make collections;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Concord does hereby approve the transfer of delinquent repayment agreement accounts for the Housing Choice Voucher Program to collection losses:

0621 - \$1169

Adopted this 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM HH

The following resolution was adopted to write-off the FY21 delinquent accounts in the amount of \$22,322.23 to collection losses.

**CITY OF CONCORD HOUSING DEPARTMENT LOW-RENT PUBLIC HOUSING
PROGRAM COLLECTION LOSSES TRANSFER RESOLUTION**

WHEREAS, the Housing Director has submitted a list of Resident's accounts who has moved out of their dwelling units leaving a balance due; and

WHEREAS, the Housing Director reports that attempts to collect the amounts have been unsuccessful as of this date; and

WHEREAS, the City Council has determined that the transfer of the delinquent accounts can be transferred to collection losses due to unsuccessful attempts to make collections;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Concord does hereby approve the transfer of delinquent accounts for the Low-Rent Public Housing Program to collections losses:

Tenant#	Net Balance
00055014-5	\$579.00
00055019-3	\$4,622.38
00022003-8	\$256.56
00022016-4	\$1,691.51
00022028-11	\$99.98
00022038-9	\$934.95
00033023-8	\$5,024.19
00033040-14	\$323.41
00033056-8	\$1,149.85
00033057-10	\$410.07
00011003-4	\$6,683.88
00011005-2	\$206.47
00011007-3	\$124.00
00011039-5	\$129.96
00011046-10	\$86.02
	TOTAL- \$22,322.23

Adopted this 10th day of June, 2021.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM II

The transfer of delinquent miscellaneous receivables and delinquent airport receivables to collection losses was approved.

CONSENT AGENDA ITEM JJ

An amendment to Article 8.13, City of Concord Computer Network, Email and Internet Access Policy, in the Personnel Policies and Procedures manual was approved.

CONSENT AGENDA ITEM KK

The addition of the Police Administration Manager (Grade 109) with a salary range of \$53,894.29 (minimum) - \$71,409.92 (midpoint) - \$88,925.59 (maximum) was approved.

CONSENT AGENDA ITEM LL

The addition of the Communications Center Manager (Grade 112) with a salary range of \$70,434.99 (minimum) - \$93,326.34 (midpoint) - \$116,217.71 (maximum) was approved.

CONSENT AGENDA ITEM MM

The addition of the Senior Payroll Technician (Grade 209) with a salary range of \$45,849.28 (minimum) - \$60,750.29 (midpoint) - \$75,651.31 (maximum) was approved.

CONSENT AGENDA ITEM NN

The addition of the Senior Budget Analyst (Grade 110) with a salary range of \$58,744.76 (minimum) - \$77,836.82 (midpoint) - \$96,928.88 (maximum) approved.

CONSENT AGENDA ITEM OO

The 3% adjustment to the Compensation Plan Grade Assignments, effective in the fourth quarter of FY22 was approved.

CONSENT AGENDA ITEM PP

The FY22 Compensation Plan Grade Assignments were adopted.

CONSENT AGENDA ITEM QQ

The Tax Office collection reports for the month of April 2021 were accepted.

CONSENT AGENDA ITEM RR

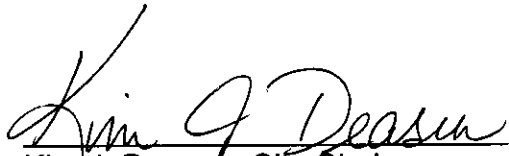
The Tax releases/refunds for the month of April 2021 were approved.

CONSENT AGENDA ITEM SS


The monthly report on status of investments as of April 30, 2021 was received.

A motion was made by Council Member Parsley and seconded by Council Member Sweat 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 industries or other businesses in the area served by this body—the vote: all aye.

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



Kim J. Deason, City Clerk



William C. Dusch, Mayor

CONCORD CITY COUNCIL
SECOND WORK SESSION
JUNE 22, 2021

The City Council for the City of Concord, North Carolina, held a second work session on June 22, 2021, at 11:00 a.m. in the Council Room of City Hall, with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

- Mayor Pro-Tem Terry L. Crawford
- Council Member Andy Langford
- Council Member Ella Mae P. Small
- Council Member JC McKenzie
- Council Member Jennifer H. Parsley

Members Absent:

- Council Member W. Brian King
- Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.

* * * * *

Call to Order:

Mayor Dusch called the meeting to order.

* * * * *

Closed Session:

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Small to enter into closed pursuant to NCGS 143-318.11(a) (4) in order to discuss the location or expansion of industries or other businesses in the area served by this body—the vote: all aye.

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A motion was made by Council Member Parsley and seconded by Council Member McKenzie to reconvene in open session—the vote: all aye.

* * * * *

Upon reconvening in open session, the following items were discussed:

Joint meeting with the City Council and the Planning and Zoning Commission:

Per Council’s previous discussions, a joint meeting with the City Council and the Planning and Zoning Commission has been scheduled.

The Deputy Planning and Neighborhood Development Director, Kevin Ashley, stated the meeting has been scheduled for Thursday, August 5, 2021, from 6:00 p.m. – 7:30 p.m. The meeting will be held at the Cabarrus Center.

He went over the preliminary discussion points for the meeting.

Bond options: