

**accept a bid to purchase from LEL International.**

The Buildings and Grounds Director, Susan Sessler, stated this generator currently supplies back up power to City Hall and the Police Department and will be replaced with a new generator, thereby creating the surplus. Southeastern Consulting Engineers, Inc. developed a request for proposals to purchase the generator. Bids were received and opened on June 17, 2021. The highest responsive bid was received from LEL International out of Duncan, South Carolina, in the amount of \$65,300.

**Consider authorizing the City Manager to negotiate and execute an addendum to the contract with MetCon Inc. for design build services for the Electric Operations Center.**

The Electric Systems Director, Alex Burris, stated MetCon, Inc. is currently under contract for pre-construction services related to the design and construction of the Electric Operations Center. Due to the volatility of the steel market and expected rising cost, MetCon has submitted a price for materials related to the pre-engineered buildings for the equipment sheds. By approving this purchase, we are locking in the price and saving an estimated \$79,210.06.

**Consider adopting a project ordinance for an additional \$1.9 million in funding for the implementation of the AMI metering project and authorize the City Manager to negotiate an increase to the overall contract amount with Nexgrid for continued AMI services.**

The Water Resources Director, Jeff Corley, stated the additional funding will allow for the purchase of additional communications modules to complete the project deployment as well as remediation activities. He stated, if approved, retained earnings will be used for the additional funding.

**Consent Agenda:**

A motion was made by Council Member Parsley and seconded by Council Member Crawford to remove Consent Agenda Items A-D and place them on the regular agenda for consideration at the July 8<sup>th</sup> Council Meeting—the vote: all aye.

\* \* \* \* \*

Mayor Pro-Tem King provided a letter to the Mayor and Council resigning as Mayor Pro-Tem effective immediately.

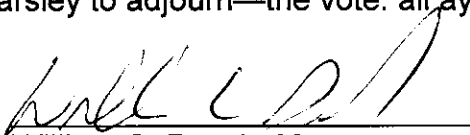
Mayor Dusch stated, per the adopted Mayor Pro-Tem rotation schedule, Council Member Crawford is the next person in line to be considered for Mayor Pro-Tem.

Therefore, a motion was made by Mayor Pro-Tem King and seconded by Council Member Small to appoint Council Member Crawford as Mayor Pro-Tem for the remainder of CY2021—the vote: all aye.

\* \* \* \* \*

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

  
Kim J. Deason, City Clerk

  
William C. Dusch, Mayor

CONCORD CITY COUNCIL  
REGULAR MEETING  
JULY 8, 2021

A regular meeting of the City Council for the City of Concord, North Carolina, was held on July 8, 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 Terry L. Crawford  
Council Member Andy Langford  
Council Member Ella Mae P. Small  
Council Member W. Brian King  
Council Member JC McKenzie  
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

\* \* \* \* \*

**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 Langford and seconded by Council Member Small to approve the minutes for the meetings of June 8 and June 10, 2021—the vote: all aye.

**Presentations:**

1. Mayor Dusch presented a retirement plaque to Sergeant Skip Hinson for over 28 years of service with the City of Concord Police Department.
2. Mayor Dusch presented a Certificate of Appreciation to Dr. Lee Gray recognizing 9 years of service to the City of Concord Historic Preservation Commission.

**Unfinished Business:**

1. Presentation of the 2020 Community Health Needs Assessment.

Marcella Beam, Chief Community Health Officer and Healthy Cabarrus Executive Director for the Cabarrus Health Alliance, presented the 2020 Community Health Needs Assessment at the Tuesday, July 6th, City Council Work Session.

**Public Hearings:**

1. Conduct a public hearing to consider amending Section 8.8.4 of the Concord Development Ordinance (CDO) and Section 58-256 (c) of the City Code of Ordinances to clarify the use of recreational vehicles as residences.

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Crawford to open the public hearing—the vote: all aye.

The proposed amendment quantifies the use of RV, travel trailers and campers on individual developed parcels and for security purposes. Planning staff worked with Legal and Code Enforcement to draft minimum requirements based on recent enforcement actions.

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 King to close the public hearing—the vote: all aye.

Discussion was held as to whether or not to allow persons to reside in a RV, travel trailer or camper during the construction phase of a new residence.

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to table the request until the August 12, 2021 City Council—the vote: all aye.

**2. Conduct a public hearing to consider adopting an ordinance amending Chapters 1, 3, 4, 5, and Appendix A of the Historic Handbook relative to "160D and Minor" text changes.**

The Historic Preservation Commission has proposed to modify the Historic Handbook comply with 160D, update The Secretary of the Interior's Standards for Rehabilitation, clarify contradicting language in Chapter 5, Section 8, and update references and other clerical changes.

A motion was made by Mayor Pro-Tem Crawford 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 Mayor Pro-Crawford to close the public hearing—the vote: all aye.

A motion to was made by Council Member King and seconded by Council Member Sweat to adopt the following ordinance amending the Historic Handbook Chapters 1, 3, 4, 5, and Appendix A relative to "160D and Minor" text changes—the vote: all aye.

ORD.# 21-75

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND HISTORIC HANDBOOK OF THE CITY OF CONCORD, NORTH CAROLINA**

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

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute §§160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951, may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute 160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951 does hereby recognize a need to amend the text of certain articles of the City of Concord Development Ordinance.

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

**SECTION 1:** That the Table of Contents, Chapters 1, 3, 4, and 5, and Appendix A of the Historic Handbook incorporated into the Concord Development Ordinance by reference (CDO Article 9.8), be repealed and adopted in the form of the attached document.

**SECTION 2:** That all remaining Articles and Sections of this Ordinance be renumbered to include the newly created Articles and Sections.

**SECTION 3:** That this Ordinance be effective immediately upon adoption.

Adopted in this July 8<sup>th</sup>, 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 amending the 2030 Land Use Plan's Future Land Use Map and the text of Section 4.3.2 for a parcel located on the north side of Concord Parkway generally between George W. Liles Parkway and Rock Hill Church Road.**

The subject property is approximately 385 acres and is the northernmost property ownership of the Bootsmead LLC property, which was formerly known as the Philip Morris land. Article 1 of the Concord Development Ordinance (CDO) allows the Council to initiate amendments and to consider updates to the Land Use Plan (LUP). Council has requested that this amendment be initiated in order to change the subject property's future land use designation from Mixed Use Activity Center (MUAC) to Industrial Employment (IE).

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

Mr. Lewis Stevens stated he was a real estate agent for the owner of the property and requested the Council table the request.

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

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member McKenzie to adopt the following statement of consistency—the vote: all aye.

- A correction to the Land Use Plan due to an inconsistency with the underlying zoning;
- A boundary change of particular land use resulting from a small area plan study or district plan;
- A change in projections or assumptions from those on which the Land Use Plan is based; and
- A change in the policies, objectives, principles, or standards governing the physical development of the City or any other geographic areas addressed by the Land Use Plan.

A motion was made by Council Member McKenzie and seconded by Council Member

Parsley to adopt the following ordinance amending the LUP's Future Land Use Map and the corresponding text contained in Section 4.3.2—the vote: all aye.

ORD.# 21-76

AN ORDINANCE AMENDING THE 2030 LAND USE PLAN OF THE CITY OF CONCORD, NORTH CAROLINA

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

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute §§160A-364 through §160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951 may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute 160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951 does hereby recognize a need to amend the text of certain articles of the City of Concord Development Ordinance.

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

**SECTION 1:** That the 2030 Land Use Plan “Map 5-1, Future Land Use Categories” be amended to reflect the change illustrated in Exhibit A.

**SECTION 2:** That the 2030 Land Use Plan “Section 4.3.2, Central Concord Character Area” be amended as illustated in Exhibit B.

**SECTION 2:** That this Ordinance be effective immediately upon adoption.

Adopted in this July 8<sup>th</sup>, 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

**Presentations of Petitions and Requests**

- 1. Consider awarding a bid to Holden Building in the amount of \$1,259,999 to complete the entire renovation of the Ceramics Center at ClearWater Arts Center & Studios located at 223 Crowell Drive NW using CDBG funds.

The Studios' purpose is to consciously and intentionally build a hub of creative, artistic activity that will help develop community growth, by inducting artists, and an art-centric set of spaces open and available for access and use, into this neighborhood. The proposed renovation will provide one (1) shared studio, a manager office, large classroom, glazing room, glaze mixing room, and a kiln room. A drawing of the proposed work is enclosed along with the bid tabulation sheet. The cost estimate for the project was \$934,005, but with COVID related price issues, the lowest responsible bid was \$1,259,999 from Holden

Building. Ten (10) Construction companies requested bid documents with seven (7) submitting Prequalification for Single Prime Contractors Forms to show capacity before they were able to submit a bid. Ken Griffin, architect for this project, did confirm capacity of Holden Builders.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Sweat to award a bid to Holden Building in the amount of \$1,259,999 to complete the entire renovations of the Ceramics Center at ClearWater Arts Center & Studios located at 223 Crowell Drive NW using CDBG funds—the vote: all aye.

**2. Consider renaming a section of Roberta Church Rd to Elmwood Place SW.**

With NCDOT's completed construction of George W. Liles Pkwy, there is a short dead-end section of Roberta Church Rd which NCDOT realigned to connect to Concord Pkwy S. This realigned section of roadway needs to be assigned a new street name for safety and emergency-response reasons. There is already a separate section of Roberta Church Rd located off of Roberta Rd near Stough Rd which can potentially be confused with this particular street section. The name "Elmwood" was randomly selected by the Planning Department staff. Cabarrus County Planning Department has indicated that the name would be acceptable as a street name since it is not used anywhere else in the county. There are two single-family residential homes and one business for which staff would need to assign new addresses. Planning Department staff will give guidance to the property owners concerning the address change process. The Sign Shop in the Transportation Department would need to replace one green street blade at Concord Pkwy S and one at Oakview Dr. SW, making the cost very minimal.

Council Member King proposed a new name of Dwight Morrison Road for the street. He stated Mr. Morrison owns two of the three homes located on the street.

A motion was made by Council Member Parsley and seconded by Council Member McKenzie to table the request until the August 12, 2021 meeting in order to allow staff time to check with Cabarrus County on the new proposed street name—the vote: all aye.

**3. Consider approving a salary increase as requested by the Concord ABC Board Members.**

The Concord ABC Board Members have requested an increase in salary of \$75 per meeting. The last increase was approved in November 2016. The current rate is \$250 for the Chairman and \$200 for Members

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to approve a salary increase of \$75 per meeting for the Concord ABC Board Members—the vote: all aye.

**4. Consider approving Neighborhood Matching Grant awards distribution request for FY21-22 applicants.**

The review committee determined the following twelve projects best meet the criteria for funding: 1) Hidden Pond Seating Project - Request \$1,705 matching grant funds to support the Pond Seating Project; 2) Winding Walk Pet Stations and Benches Project - Request \$3,000 matching grant funds to support the installations of neighborhood pet stations to help keep the Winding Walk community clean and prevent soil and waterway contamination, and the spread of parasites and diseases; 3) Covington Playground Hip Shade Project - Request \$3,000 matching grant funds to support the installation of a new hip shade over their existing playground equipment; 4) Hampden Village Playground Expansion Project - Request \$3,000 in matching grant funds to support Hampden Village in their playground expansion project; 5) Residents of Historic Concord DogiPots Project - Request \$970 in matching grant funds to support the installation of DogiPot stations outside of public right-of-way areas on South Union Street. The stations will be installed and maintained by neighborhood volunteers and dues from the Residents of Historic Concord will help cover future material costs; 6) Christenbury Sidewalk Lighting Safety Project - Request \$3,000 matching grant funds to support the purchase and installation of 28 LEFD accent lights to complete the Sidewalk Lighting Safety Project; 7) Lanstone

Heritage Tree Planting Project - Request \$2,450 in matching grant funds to support the Heritage Tree Planting project; 8) Hidden Pond Front Entrance Beautification Project - Request \$3,000 in matching grant funds to work with landscaper to reduce the size of the beds in their front entrance and upgrade their shrubbery by adding new low maintenance plants; 9) Highland Creek Entry Renovation Project - Request \$3,000 in matching grant funds for the Entry Renovation project at Highland Creek; 10) Ramsgate Barrier Fencing Project - Request \$2,900 in matching grant funds to support the Barrier Fencing project in the Ramsgate neighborhood; 11) Moss Creek Decorative Street Posts Project - Request \$2,850 in matching grant funds to support the replacement of existing steel street posts in Moss Creek Village with black decorative street posts; and 12) Bedford Farms Nature Walking Trail Project - Request \$2,825 in matching grant funds to support the Bedford Farms Nature Walking Trail.

There were four projects not recommended for funding.

A motion was made by Council Member Small and seconded by Council Member Langford to approve the recommended Neighborhood Matching Grant awards distribution request for FY21-22 applicants—the vote: all aye.

**5. Consider declaring as surplus and authorize the sale of a Cummins 1250kW enclosed diesel generator with base tank (Serial #: K050851161, Year 2005) and accept a bid to purchase from LEL International.**

The generator currently supplies back up power to City Hall and the Police Department and will be replaced with a new generator, thereby creating the surplus. The new generator will have sound attenuation and will operate more efficiently. Southeastern Consulting Engineers, Inc. developed a request for proposals to purchase the generator. Bids were received and opened on June 17, 2021. The highest responsive bid was received from LEL International out of Duncan, South Carolina, in the amount of \$65,300.

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to declare the generator as surplus and accept a bid to purchase from LEL International in the amount of \$65,300—the vote: all aye.

**6. Consider authorizing the City Manager to negotiate and execute an addendum to the contract with MetCon Inc. for design build services for the Electric Operations Center.**

MetCon, Inc. is currently under contract for pre-construction services related to the design and construction of the Electric Operations Center. Due to the volatility of the steel market and expected rising cost, MetCon has submitted a price for materials related to the pre-engineered buildings for the equipment sheds. By approving this purchase, we are locking in the price and saving an estimated \$79,210.06.

A motion was made by Council Member Parsley and seconded by Mayor Pro-Tem Crawford to authorize the City Manager to negotiate and execute an addendum to the contract with MetCon Inc. for pre-engineered building material in the amount of \$673,384—the vote: all aye.

**7. Consider adopting a project ordinance for an additional \$1.9 million in funding for the implementation of the AMI metering project and authorize the City Manager to negotiate an increase to the overall contract amount with Nexgrid for continued AMI services.**

This additional funding will allow for the purchase of additional communications modules to complete the project deployment as well as remediation activities. Funds will be assigned from retained earnings. Nexgrid is the provider of the AMI communications modules. Council previously approved additional funds last year for NEXGEN, who is the contractor assisting in the installation process.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member McKenzie to adopt the following project ordinance and budget ordinance for an additional \$1.9 million in funding for the implementation of the AMI metering project and authorize the

City Manager to negotiate an increase to the overall contract amount with Nexgrid for continued AMI services—the vote: all aye.

ORD.# 21-77

## AN ORDINANCE TO AMEND FY 2021-2022 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 10<sup>th</sup> day of June, 2021, adopt a City budget for the fiscal year beginning July 1, 2021 and ending on June 30, 2022, 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	
620-4406000	Retained Earnings Appr	1,549,118	3,449,118	1,900,000
	<b>Total</b>			<b>1,900,000</b>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7340-5987000	Transfer to Project Fund	1,556,859	3,456,859	1,900,000
	<b>Total</b>			<b>1,900,000</b>

Reason: Appropriate retained earnings to cover additional funds needed for AMI project.

Adopted this 8th day of July, 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.# 21-78

## CAPITAL PROJECT ORDINANCE Water 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 ordained:

SECTION 1. The projects authorized and amended are Water Projects-Smart Grid.



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
8700-5801134			\$9,515,000	
8700-5801134	Smart Grid	\$7,615,000		\$1,900,000
429-4501620			\$37,023,98	
429-4501620	From Water Fund	\$35,123,981	1	\$1,900,000

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 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 8th day of July, 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

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At the July 6, 2021 Work Session action was taken to remove Consent Agenda Items A-D and place them on the regular agenda as items 8-11.

**8. Consider adopting a resolution authorizing an eminent domain action for property located at 220 Georgia Street.**

Title to this property is currently in the name of All Heirs Known and Unknown of Fannie Marie Reid. An attempt to transfer the title to Mr. Kalvin Lewis Reid was made on or about October 2, 2018; however, several flaws in the deed appear to void that transaction. The tax value of the property is listed at \$32,930. There are judgments against several of the known heirs of Fannie Marie Reid in the total amount of \$8,776.32. Property taxes for the year 2020 are delinquent in the amount of \$420.57. This eminent domain action is requested by the City's Planning Department for the purpose of affordable housing.

A motion was made by Council Member King and seconded by Mayor Pro-Tem Crawford to adopt the following resolution authorizing n eminent domain action for property located at 220 Georgia Street—the vote: all aye.

RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire the property interest identified and defined, as follows:

Property Description: (Old Description)

LYING and being in Ward No. 4 (4) of the City of Concord, on the West side of South Georgia Avenue and being Lot No. 9 in Block "B" of LIBERTY VIEW, as surveyed and platted by Reece I. Long, a copy of which plat is filed in the Office of the Register of Deeds for Cabarrus County;

BEGINNING at an iron stake on the West side of South Georgia Avenue, a corner of Lot No. 8 and runs thence with the line of Lot No. 8, S. 87.5 W. 120 feet to an iron stake, a corner of Lots Nos. 8, 16, and 17; thence with the back line of Lot No. 16, S. 2.5 E 50 feet to an iron stake, a corner of Lots No. 16, 15, and 10; thence with the line of Lot No. 10, N. 87.5 E. 120 feet to an iron stake in the West edge of South Georgia Avenue, a corner of Lot No. 10; thence with the West edge of South Georgia Avenue, N. 2.5 W. 50 feet to the BEGINNING, AND IS THE LOT CONVEYED TO Viola Foster by A.F. Hartsell by deed dated December 18, 1925 and recorded in Deed Book 108, Page 196, Cabarrus County Registry.

BEING the same property conveyed by Viola Foster Davis to Emmanuel Reid and wife, Fannie Marie Reid by deed recorded in Deed Book 278, Page 79, Cabarrus County Registry. Parcel ID No: 5620-84-5253

WHEREAS, the fee simple acquisition of PIN 5620-84-5253 is currently owned by Calvin Lewis Reid and All Heirs Known and Unknown of Fannie Marie Reid and is being acquired for the purpose of construction of affordable housing; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 8<sup>th</sup> day of July, 2021.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**9. Consider adopting a resolution authorizing an eminent domain action for property located at 196 Mahan Street.**

Title to this property is currently in the name of Lillie Garvin Barrett (20% Interest), All Heirs Known and Unknown of Huey H. (Henry) Garvin (20% Interest), Sadie Gavin (Garvin) Thompson (20% Interest), All Heirs Known and Unknown of Samuel L. Garvin (20% Interest) and All Heirs Known and Unknown of Lenell (Lonell) Garvin (20% Interest). The tax value of the property is listed at \$49,840. Property taxes for the year 2020 have been paid. This eminent domain action is requested by the City's Planning Department for the purpose of affordable housing.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Parsley to adopt the following resolution authorizing an eminent domain action for property located at 196 Mahan Street—the vote: all aye.

**RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY**

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire the property interest identified and defined, as follows:

Property Description: (Old Description)

LYING and being in Ward No. 4 of the City of Concord, NC on the West side of Mahan Street, and being Lot No. 3 in Block "A" in the subdivision of HILTON as surveyed and platted by Quint E. Smith in 1906, said map being duly filed in the Office of the Register of Deeds for Cabarrus County, NC in Map Book No. 1, at Page 11 and described as follows:

BEGINNING at an iron stake in the Northwest intersection of Mahan Street and Branch Streets, and running thence with the Northern edge of Branch Street, S. 84.5 W. 115 feet to an iron stake, the Southeast corner of Lot No. 4; thence with the East line of said Lot No. 4, N. ¼ W. 50 feet to an iron stake, corner of Lots Nos. 2 and 3; thence with the dividing line of Lots Nos. 2 and 3, N. 84.5 E. 116.5 feet to a stake in the West side of Mahan Street; thence with the West side of Mahan Street, S/ ¼ W. 50 feet to the BEGINNING and is the land conveyed by Robert Lee Honeycutt and other to James Henry Hasty and wife, Minnie Hill Hasty by deed dated November 19, 1946, recorded in Deed Book 183, at Page 286, Cabarrus County Registry.

BEING the same property conveyed by Preston O. Baucom and wife, Frances H. Baucom to Sampson Garvin and wife, Lillie W. Garvin by deed recorded in Deed Book 239, Page 12, Cabarrus County Registry. Parcel ID No: 5620-94-0913

WHEREAS, the fee simple acquisition of PIN 5620-94-0913 is currently owned by the following: Lillie Garvin Barrett, All Heirs Known and Unknown of Huey H. (Henry) Garvin, Sadie Gavin (Garvin) Thompson, All Heirs Known and Unknown of Samuel L. Garvin, and All Heirs Known and Unknown of Lenell (Lonell) Garvin and is being acquired for the purpose of the construction of affordable housing; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 8th day of July, 2021.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**10. Consider adopting a resolution authorizing an eminent domain action for property located at 23 Powder Street, NW.**

Title to this property is currently in the name of Misty Shea Newell and Stewardship-Bridgepoint Group. An attempt to transfer the title from Ms. Newell to Stewardship-Bridgepoint Group was made on or about July 28, 2009; however, several flaws in the deed appear to void that transaction. The tax value of the property is listed at \$54,150.00. Property taxes for the year 2020 have been paid. This eminent domain action is requested by the City's Planning Department for the purpose of affordable housing.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Sweat to adopt the following resolution authorizing an eminent domain for property located at 23 Powder Street, NW—the vote: all aye.

RESOLUTION AUTHORIZING NEGOTIATED PURCHASE  
OR EMINENT DOMAIN TO ACQUIRE PROPERTY

WHEREAS, the City Council for the City of Concord, North Carolina, hereby determines that it is necessary and in the public interest to acquire the property interest identified and defined, as follows:

Property Description: (Old Description)

BEING Lot No. 14 as shown on Map 6, CANNON HOLDING CORPORATION, a map of said property being on file in the Office of the Register of Deeds in Map Book 19, at Page 58 and being known as 23 Powder Street, Concord, North Carolina.

BEING the same property conveyed by James Scott Newell and wife, Laurie M. Newell to Misty Shea Newell by deed recorded in Deed Book 4409, Page 56, Cabarrus County Registry. Parcel ID No: 5620-55-9784

WHEREAS, the fee simple acquisition of PIN 5620-55-9784 is currently owned by the following Misty Shea Newell and Stewardship-Bridgepoint Group and is being acquired for the purpose of the construction of affordable housing; and

WHEREAS, representatives of the City of Concord are in negotiation with the above stated owners to acquire the above-described properties by negotiated conveyance.

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

The City of Concord will acquire by condemnation or negotiated conveyances for the purposes stated above the property and interest therein described above to the Resolution.

The City Attorney is authorized and directed to acquire by negotiated offer or, in the alternative, institute the necessary proceedings under Chapter 40A of the North Carolina General Statutes, to acquire the properties described above.

Adopted this 8th day of July, 2021.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**11. Consider adopting a resolution authorizing an eminent domain action for property located off of Melrose Drive, SW and known as lots 72 and 73 of Anneva Terrace.**

Title to this property is currently in the name of Elizabeth G. Long. This property is landlocked with no direct access to Melrose Drive and has no improvements. The tax value of the property is listed at \$900. Property taxes for the year 2020 have been paid. This eminent domain action is requested by the City's Parks and Recreation Department for the purpose of constructing a greenway and access to the greenway.

The City Attorney requested this request be removed from the agenda.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member McKenzie to remove the request from the agenda—the vote: all aye.

**Consent Agenda:**

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

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

**CONSENT AGENDA ITEM A**

A grant of easement from Cabarrus County for a water meter to serve the Novi Rise project on Barbrick Avenue was accepted.

**CONSENT AGENDA ITEM B**

The following resolution was adopted to authorize the lease of a portion of PIN 5539-34-7439, which includes 246 General Services Drive, 243 Betsy Carpenter Place and 244 Betsy Carpenter Place to Cabarrus County.

**RESOLUTION AUTHORIZING LEASE OF PROPERTY**

WHEREAS, the City Council of the City of Concord and the County of Cabarrus wish to enter into a lease of real property described below; and

WHEREAS, General Statute 160A – 274 authorizes the City to lease real property to the County.

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

The City Council finds that the leased premises will not be needed by the City for the term of the lease; and

The City Manager and the City Attorney are hereby authorized to take all necessary steps and execute the necessary documents in order to affect the lease of the real property described below, and to deliver and receive the appropriate documents:

Being part of PIN 5539-34-7439, which includes 246 General Services Drive, 243 Betsy Carpenter Place and 244 Betsy Carpenter Place.

Adopted this 8<sup>th</sup> day of July 2021.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**CONSENT AGENDA ITEM C**

The revised policies and procedures manual for the City of Concord's Uniform Relocation Assistance (URA) Policy and the Residential Anti-Displacement and Relocation Plan was approved.

**CONSENT AGENDA ITEM D**

The Police Department was authorized to apply for the COPS FY2021 Community Policing Development Accreditation Program grant.

**CONSENT AGENDA ITEM E**

The Police Department was authorized to apply for the FY2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation.

**CONSENT AGENDA ITEM F**

The City Manager was authorized to accept \$25,000 from the NC Governor's Highway Safety Program to fund overtime expenses for traffic safety enforcement and the following budget ordinance was adopted to amend the FY 21-22 budget to appropriate the funds.

ORD.# 21-79

AN ORDINANCE TO AMEND FY 2021-2022 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 10<sup>th</sup> day of June, 2021, adopt a City budget for the fiscal year beginning July 1, 2021 and ending on June 30, 2022, as amended; and

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

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

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
100-4603200	Police Grants	\$359,640	\$384,640	\$25,000
<b>Total</b>				<b>\$25,000</b>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4310-5122000	Overtime	\$379,485	\$404,485	\$25,000
<b>Total</b>				<b>\$25,000</b>

Reason: To appropriate the NC Governor's Highway Safety Program overtime grant awarded in the amount of \$25,000.

Adopted this 8th day of July, 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 G**

The maintenance agreements were approved and the offers of dedication were accepted on the following properties: Oaklawn Project I, LLC and Table Rock RE Investments, LLC.

**CONSENT AGENDA ITEM H**

The offers of infrastructure were accepted in the following subdivisions and sites: Slatebrooks Drive in Midland, Campbell Farms PH 1 MP 2, and The Wayforth at Concord PH 1, 2, and 3.

**CONSENT AGENDA ITEM I**

The following budget ordinance was adopted to appropriate the Emergency Housing Vouchers from the American Rescue Plan Act of 2021 in the amount of \$223,308 received.

ORD.#21-80

AN ORDINANCE TO AMEND FY 2021-2022 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 10<sup>th</sup> day of June, 2021, adopt a City budget for the fiscal year beginning July 1, 2021 and ending on June 30, 2022, 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>
215-4703210	EHV Funding	\$0	\$223,308	223,308
<i>Total Revenue Increase (Decrease)</i>				223,308

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

2150-5471506	EHV Expenditure	\$0	\$223,308	223,308
<i>Total Exp Increase</i>				
<i>(Decrease)</i>				223,308

Reason: For the award of Emergency Housing Vouchers.

Adopted this 8<sup>th</sup> day of July, 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 J**

The City's semiannual debt status report as of June 30, 2021 was accepted.

**CONSENT AGENDA ITEM K**

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

**CONSENT AGENDA ITEM L**

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

**CONSENT AGENDA ITEM M**

The monthly report on status of investments as of May 31, 2021 was received.

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There being no further business to be discussed, a motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Parsley to recess the meeting until 11:45 on Tuesday, July 13, 2021 at the Cabarrus Center (57 Union Street, S)—the vote: all aye.


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Upon reconvening in open session on Tuesday, July 13, 2021 at the Cabarrus Center, a special economic development announcement was made.

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Following the announcement, a motion was made by Council Member Parsley and seconded by Mayor Pro-Tem Crawford to adjourn the meeting—the vote: all aye.

  
Kim J. Deason, City Clerk

  
William C. Dusch, Mayor