

CONCORD CITY COUNCIL  
REGULAR MEETING  
AUGUST 11, 2022

A regular meeting of the City Council for the City of Concord, North Carolina, was held in the 3<sup>rd</sup> floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on August 11, 2022, at 6:00 p.m. 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 W. Brian King  
Council Member Betty M. Stocks  
Council Member JC McKenzie  
Council Member Jennifer Parsley-Hubbard  
Council Member John A. Sweat, Jr.

**Others Present:**

City Manager, Lloyd Wm. Payne, Jr.  
City Attorney, VaLerie Kolczynski  
City Clerk, Kim J. Deason  
Assistant City Managers  
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 Mayor Pro-Tem Crawford and seconded by Council Member Sweat to approve the minutes for the meetings of June 21, July 12, and July 14, 2022—the vote: all aye.

\* \* \* \* \*

**Presentations:**

Mayor Dusch presented a Certificate of Appreciation to Chad Oxendine for his 23 years of teaching tennis at Myers Park for the Parks and Recreation Department.

Mayor Dusch presented the City of Concord Deputy Finance Director, Kristin Roe, on behalf of the Finance Department the Certificate of Achievement for Excellence in Financial Reporting for period ending June 30, 2021. The City has received this award for 33 consecutive years.

**Persons requesting to be heard:**

Darla Carballo, 2566 Sunberry Lane, NW, addressed the Council in reference to damages to her home she claims was due to flooding when the City's infrastructure failed.

Bradley Dilks, 3820 Zemoso Lane, NW, addressed the Council in regards to the tabled rezoning request. He asked the Council to consider denying the request and gave his

reasons why.

Harris Morrison, 556 Hermitage Dr, asked the Council to consider approving the easements for the Lakeshore Corporate Park.

**Public Hearings:**

**1. Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a one year / 85% tax based Economic Development Incentive Grant to Keysteel Corp. to locate at 4758 Poplar Tent Rd., Concord, NC.**

Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. Keysteel Corp. proposes to develop an approximately 70,000 SF manufacturing plant for construction related products made from steel wire. Their process manufactures welded wire reinforcement products. Keysteel's proposed investment represents a total \$10,000,000 - \$12,000,000 investment in real and personal property. The project expects to create 10-15 new full time jobs with average wages of \$48,000.00. The total value of the City's one year grant is estimated to equal \$39,168 dependent on the actual investment. The City of Concord would still collect a 1-year net revenue of \$6,912 after the incentive payments. See attached grant analysis for additional details.

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

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Crawford to offer a contract for a one year / 85% tax based Economic Development Incentive Grant to Keysteel Corp to locate at 4758 Poplar Tent Rd., Concord, NC—the vote: all aye.

**2. Conduct a public hearing to consider designating the P.M. Morris Building located at 48-56 Union St S and 41 Market St SW as a local historic landmark.**

Justin Mueller, the registered agent for Morris Building, LLC, the owner of the building, applied for designation of the property as a local historic landmark. This designation is accomplished by ordinance adopted by City Council, in accordance with the procedures set forth in Section 9.8.3. The ordinance requires a report to be generated by the Historic Preservation Commission and reviewed by the State Historic Preservation Office, per statute, as well as a review of the designation by the Planning and Zoning Commission, and public hearings to be held jointly or separately by the Historic Preservation Commission and the City Council. The pre-requisite reviews and the Historic Preservation Commission's hearing have already occurred.

The impacts of the designation are the following: Designating the parcel as a historic landmark, results in a 50% tax deferral. There is a claw-back provision to reclaim three years' worth of the deferral if the site were to lose its landmark status. The current tax value of the parcel is \$509,240. The property incurs a \$0.48 standard City tax rate as well as a \$0.23 MSD (Municipal Service District) tax rate. With the 50% deferral, the property owner will save \$1,807.81 (City impact).

The improvements were approved by the Department of Interior and the building is currently under extensive renovation. Modifications to the structure will require a Certificate of Appropriateness to the extent described in the designation ordinance subject to approval by the Historic Preservation Commission. For the subject property, the designation includes the exterior of the building and portions of the building interior. The original character defining features identified on the exterior are the entire exterior

façade and the parking lot on Market St SW. The original character defining features identified on the interior are the plaster walls and ceilings, tongue-and-groove wood floors and ceilings, molded wood cornices and chair rails, baseboards capped with molded trim, molded door and window surrounds, three-panel and five-horizontal-panel doors surmounted by square glazed transoms, wood stair railings with square balusters, molded handrails, and square paneled newels. The Certificate of Appropriateness for demolition can have its effective date delayed for a year. The designation does not impact the range of permitted uses on the property.

The Planning and Zoning Commission recommended the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.2 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property at 48-56 Union St S and 41 Market St SW as a historically significant building in Concord's downtown to ensure that it will retain important elements of its historic character.

A motion was made by Council Member Stocks 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-Hubbard 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 Sweat to adopt the following Statement of Consistency—the vote: all aye.

The proposed request is consistent with Objective 3.2 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property located at 48-56 Union St, S and 41 Market St, SW as historically significant buildings and structures in Concord to ensure that the site will remain important elements of its historic character.

A motion was made by Council Member McKenzie and seconded by Council Member King to adopt the following ordinance designating the P.M. Morris Building located at 48-56 Union St S and 41 Market St SW as a local historic landmark—the vote: all aye.

ORD.# 22-97

AN ORDINANCE OF THE CONCORD CITY COUNCIL DESIGNATING THE P.M.  
MORRIS BUILDING LOCATED AT 48-56 UNION ST. S. and 41 MARKET ST. SW.  
AS A LOCAL HISTORIC LANDMARK

WHEREAS, North Carolina General Statutes §160D-945 grants North Carolina local governments the authority to designate local historic landmarks upon compliance with North Carolina General Statutes §160D-946; and

WHEREAS, the City of Concord has complied with the required landmark designation procedures of §160D-946 of the North Carolina General Statutes and the local historic landmark designation procedures set forth in the Concord Development Ordinance §9.8.3; and

WHEREAS, the Concord Historic Preservation Commission conducted a public hearing on July 13, 2022 to consider the proposed designation; and

WHEREAS, the P.M. Morris Building, constructed in 1904, was one of the largest and most sophisticated commercial buildings in the downtown central business district of the City of Concord, and displays character-defining elements of late-nineteenth and early- to mid-twentieth-century commercial design;

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

1. That 0.47 +/- acres located between Union St. S. and Market St. SW. and northwest of Barbrick Ave. SW., (Cabarrus County Parcel Number: 5620-97-1613) is hereby designated a local historic landmark pursuant to Part 45, Article 9, Chapter 160D of the North Carolina General Statutes. This property is more specifically described as follows:

Lying and being situate in Cabarrus County, North Carolina, and being more particularly described as follows:

Lying and Being in Ward Number Four (4) of the City of Concord, Number Twelve (12) Township of Cabarrus County, North Carolina on the Southwest side of Union Street, South, and on the Northeast side of Market Street, Southeast, and Being that property shown on a physical survey by Billy B. Long, R.L.S., dated April 19, 1988, and being more fully described as the follows:

BEGINNING at a point at the center of the building at or near the Southwestern edge of the concrete sidewalk that runs parallel with Union Street, South (said Beginning point also being a corner of the property of the City of Concord (Deed Book 569, Page 313)) and runs thence with the line of the City of Concord South 47-36-20 West 183.92 feet to a p.k. nail in the Northeastern edge of the concrete sidewalk that runs parallel with Market Street, Southeast; thence North 41-59-57 West 106.16 feet to an iron stake at the Southern edge of a 8.0 foot alley; thence with the Southern edge of the alley and the Northern exterior surface of the building, North 47-44-10 East 183.42 feet to the corner of the building in the Southwestern portion of the concrete sidewalk that runs parallel with and lies to the Southwest of Union Street, South; thence South 42-16-10 East 105.74 feet to the point of BEGINNING.

2. The local historic landmark designation encompasses the site, parking lot, building exteriors of the structures, and the following portion of the interior: plaster walls and ceilings, tongue-and-groove wood floors and ceilings, molded wood cornices and chair rails, baseboards capped with molded trim, molded door and window surrounds, three-panel and five-horizontal-panel doors surmounted by square glazed transoms, wood stair railings with square balusters, molded handrails, and square paneled newels as indicated in the designation parameters on page 26 of the Local Historic Landmark Designation Report for the P.M. Morris Building.
3. The property subject to designation is located at 48-56 Union St. S. and 41 Market St. SW., Concord, North Carolina. This property is more particularly described as the property at GIS PIN 5620-97-1613 on the Cabarrus County Tax Maps.
4. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Concord Historic Preservation Commission. For the designated interior portions, a Certificate of Appropriateness is required for modifications that impact, affect, or obscure architectural or layout details as set forth in the landmark report and supplementary materials. An application for a Certificate of Appropriateness authorizing demolition of said property may not be denied; however, the effective date of such a Certificate may be delayed in accordance with Chapter 160 D, Article 9, Part 45 and amendments, thereto and hereinafter adopted. The regulations relating to Certificates of Appropriateness are found in the City of Concord Development Ordinance. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation*, the standards used by the City of Concord Historic Preservation Commission to evaluate proposed alterations and additions for this property.
5. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof. Nothing

herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

- 6. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property. If the owner objects, the sign may be placed on a nearby public right-of-way.
- 7. That the owners of the property known as the P.M. Morris Building be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Cabarrus County Building Services Division, Cabarrus County Register of Deeds, and the Tax Supervisor as required by law.
- 8. That the City Council adopted the following statement of reasonableness and consistency in support of the request: the proposed request is consistent with Objective 3.2 of the *2030 Land Use Plan* "Support historic preservation efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property located at 48-56 Union St S and 41 Market St SW as historically significant buildings and structures in Concord to ensure that the site will retain important elements of its historic character.
- 9. This ordinance shall become effective upon adoption.

Adopted this 11th day of August, 2022 by the City Council of Concord, North Carolina.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**3. Conduct a public hearing for case Z-06-22 and consider adopting an ordinance amending the official zoning map for +/-1.12 acres located at 760 Pitts School Road from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Rural to Industrial Employment.**

The property was annexed by City Council on March 31, 1991. The Planning and Zoning Commission heard the above referenced petition at their July 19, 2022 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to designate the parcel as Industrial Employment. The site is proposed to be an expansion of the Meadows Corporate Park across Pitts School Rd. and was allocated sewer on July 19, 2022.

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

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

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

- The subject property is approximately +/-1.12 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed into the City on March 31, 1991 and rezoned to City of Concord C-2 (General Commercial) at that time.
- The proposed zoning is not consistent with the 2030 Land Use Plan as I-1 (Light Industrial) is not a corresponding zoning classification to the "Rural" Land Use Category. However, the subject property is located adjacent to other properties zoned industrial, commercial uses, and vacant parcels as well as being in close proximity to the I-85 highway corridor. This zoning would be compatible with the adjacent I-1 (Light Industrial) zoning to the south and southwest and the C-2 (General Commercial) zoning to the north and west. The proposed I-1 (Light Industrial) zoning will allow for flex industrial uses on the property similar to parcels to the south and southwest.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property and the adjacent industrial uses. The proposed zoning will allow for industrial uses to locate in the vicinity of I-85 and the highway corridor.

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to adopt the following ordinance amending the official zoning map from C-2 (General Commercial) to I-1 (Light Industrial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Rural to Industrial Employment—the vote: all aye.

ORD. #22-98

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF THE CITY OF CONCORD, NORTH CAROLINA  
FOR PROPERTY LOCATED AT 760 PITTS SCHOOL ROAD, CONCORD, NORTH  
CAROLINA

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

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute 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, Chapter 160A, Art. 19, Session Laws of 1993, Chapter 247, House Bill 575 and Section 3.2.4.B.2 of the Concord Development Ordinance does hereby allow the Planning and Zoning Commission to be final approval authority for zoning changes of land, provided that at least three-fourths of the members present vote in the affirmative, and no appeal of the decision is taken; and

WHEREAS, NCGS 160D-501 and 160D-605 require that comprehensive plan map amendments be considered in a legislative fashion consistent with the manner in which text amendments are considered, and this authority has not been delegated to the City of Concord Planning and Zoning Commission; and

NOW, THEREFORE BE IT ORDAINED by the Planning and Zoning Commission of the City of Concord, North Carolina:

SECTION 1. That the P&Z Commission held a duly advertised public hearing on July 19, 2022. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160D-605.

- The subject property is approximately +/-1.12 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed into the City on March 31, 1991 and rezoned to City of Concord C-2 (General Commercial) at that time.
- The proposed zoning is not consistent with the City of Concord's 2030 Land Use Plan (LUP) as I-1 (Light Industrial) is not a corresponding zoning classification to the "Rural" Land Use Category. However, the subject property is located adjacent to other properties zoned industrial, commercial uses, and vacant parcels as well as being in close proximity to the I-85 highway corridor. This zoning would be compatible with the adjacent I-1 (Light Industrial) zoning to the south and southwest and the C-2 (General Commercial) zoning to the north and west. The proposed I-1 (Light Industrial) zoning will allow for flex industrial uses on the property similar to parcels to the south and southwest.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property and the adjacent industrial uses. The proposed zoning will allow for industrial uses to locate in the vicinity of I-85 and the highway corridor.

The P&Z Commission then voted to unanimously recommend approval of the map amendment to I-1 (Light Industrial) and designate the property I-E (Industrial Employment) in the 2030 land use plan. Since the rezoning would result in a comprehensive plan amendment, it is forwarded to City Council for hearing with a recommendation from the Planning and Zoning Commission.

SECTION 2. That the City Council held a duly advertised public hearing on August 11, 2022. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160A-382(b).

- The subject property is approximately +/-1.12 acres and is zoned City of Concord C-2 (General Commercial).
- The subject property was annexed into the City on March 31, 1991 and rezoned to City of Concord C-2 (General Commercial) at that time.
- The proposed zoning is not consistent with the 2030 Land Use Plan as I-1 (Light Industrial) is not a corresponding zoning classification to the "Rural" Land Use Category. However, the subject property is located adjacent to other properties zoned industrial, commercial uses, and vacant parcels as well as being in close proximity to the I-85 highway corridor. This zoning would be compatible with the adjacent I-1 (Light Industrial) zoning to the south and southwest and the C-2 (General Commercial) zoning to the north and west. The proposed I-1 (Light Industrial) zoning will allow for flex industrial uses on the property similar to parcels to the south and southwest.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning adjacent to the subject property and the adjacent industrial uses. The proposed zoning will allow for industrial uses to locate in the vicinity of I-85 and the highway corridor.

The City Council then voted to **APPROVE** the map amendment by the required supermajority.

SECTION 3: That the Official Zoning Map is hereby amended by rezoning from City of Concord C-2 (General Commercial) to City of Concord I-1 (Light Industrial) the area described as follows and that the future land use designation of I-E (Industrial Employment) is applied in the 2030 Land Use Plan:

The certain tract or parcel of land situated, lying and being Cabarrus County, North Carolina, and being more particularly described as follows:

COMMENCING at a Control Point "HV-5" having NAD83 coordinates of North: 604,872.354, East: 1,494,313.470; thence North 24°55'43" East a ground distance of 450.45 feet to NCGS Monument "7 JS 9" having coordinates of North: 605,280.62, East: 1,494,503.36; thence South 42°44'21" East a ground distance of 624.50 feet to a 3/4" pipe located on the southwestern corner of property owned by Cline Dirt, LLC (now or formerly, as described in Deed Book 1 1000, Page 338 of the Cabarrus County Public Registry (the "Registry"), and having PIN# 4690550351 ), and the northeastern corner of property owned by Fortius-Richardson, LLC (now or formerly, as described in Deed Book 13135, Page 206 of the Registry, and having PIN # 4690440279), said pipe having NAD83 coordinates of N: 604,822.23, East: 1,494,927.10, and being the point and place of BEGINNING; thence with the common line with the aforesaid Fortius-Richardson Property South 82°55'03" West a distance of 349.67 feet to a 1/2" rebar; thence with the arc of a curve to the right having a radius of 440.00 feet and an arc distance of 346.53 feet (chord bearing North 46°54'24" East and chord distance of 337.64 feet) to a right-of-way disk; thence North 75°31'59" East a distance of 61.90 feet to a 1/2" rebar set on the northwestern corner of the aforesaid Cline Dirt Property; thence with the common line with the Cline Dirt Property South 11°17'04" East a distance of 207.02 feet to the point and place of BEGINNING; containing approximately 1.119 acres, more or less, as shown on that certain survey prepared for Fortius Capital Partners, prepared by NorStar Land Surveying, Inc., dated December 2, 2019 (NLS No. 19207).

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

SECTION 5. That the above-described property shall be perpetually bound to the uses authorized in the Concord Development Ordinance, as such may be amended from time to time and as provided for under Article 3 of the Concord Development Ordinance.

SECTION 6. That the effective date hereof is the 11<sup>th</sup> day of August, 2022.

Adopted this 11<sup>th</sup> day of August 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**4. Conduct a public hearing and consider approving an ordinance to adopt the George W. Liles Small Area Plan**

The 2030 Land Use Plan Implementation Work Plan established the need for an update to the 2005 Concord Parkway/Roberta Church Rd Small Area Plan with a new Mixed-Use Corridor Plan for the George W. Liles Pkwy. Staff will present an overview of the George W. Liles Pkwy Small Area Plan including a review of the market analysis, public input, existing conditions, the vision for the Small Area Plan, scale comparisons for the area, key recommendations for the two study areas within the plan, future implementation, and a review of what was heard during the public comment period.

The draft plan was made available to the public for review through the City's Public Input page from June 23rd through July 14th. Staff received 21 responses from participants and the project page received 1,555 views. The plan was presented to the Planning & Zoning Commission on July 19th where they passed the motion to recommend to City



Council that the George W. Liles Pkwy Small Area Plan be adopted. The public hearing notice was advertised in The Independent Tribune on July 31st and August 7th.

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

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

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

- The proposal is consistent with the 2030 Land Use Plan as a Mixed-Use Activity Center as indicated at the George W. Liles Parkway/Concord Parkway intersection and the plan sets forth a framework for development of this area.
- The proposal is reasonable in that the development of the Plan has included substantial outreach to property owners, stakeholder, and the general public.

A motion as made by Council Member McKenzie and seconded by Council Member Parsley-Hubbard to adopt the following ordinance adopting the George W. Liles Small Area Plan—the vote: all aye.

ORD.# 22-99

AN ORDINANCE ADOPTING THE GEORGE W. LILES PARKWAY SMALL AREA PLAN (GLSAP) 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-501 shall adopt and maintain a comprehensive plan that sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction; and

WHEREAS, the City may prepare and adopt other such plans as deemed appropriate, which may include small area plans and neighborhood plans; and

WHEREAS, the adopted 2030 Land Use Plan recommends the preparation of a plan for the general area of the George W. Liles Parkway, and the City has obtained property owner and public input in the development of the plan; and

WHEREAS, the Planning and Zoning Commission has unanimously recommended approval of the plan on July 19, 2022.

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

SECTION 1: That the George W. Liles Parkway Small Area Plan as indicated on Attachment A is adopted.

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

Adopted in this August 11, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**5. Conduct a public hearing for case Z(CD)-34-21 and consider adopting an ordinance amending the official zoning map for +/- .507 acres located at p/o 10435 Poplar Tent Rd from Huntersville ETJ Rural (R) to City of Concord Residential Village-Conditional District (RV-CD) and to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood.**

The property was annexed by City Council on June 9, 2022, and is located in Mecklenburg County, which is why it was not previously included in the 2030 Land Use Plan. The Planning and Zoning Commission heard the above referenced petition at their July 19th meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from Huntersville ETJ Rural to City of Concord RV-CD (Residential Village-Conditional District) and concurrently to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood.

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

Scott Moore, representing the applicant, was in attendance in support of the request.

There were no further speakers signed in to speak in opposition or in favor of 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 as made by Council Member McKenzie and seconded by Council Member Sweat to adopt the following Statement of Consistency—the vote: all aye.

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9<sup>th</sup>, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.
- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility

between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member McKenzie to adopt the following ordinance approving the request with the conditions as listed—the vote: all aye.

ORD. #22-100

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND FUTURE LAND USE MAP OF THE CITY OF CONCORD, NORTH CAROLINA FOR PROPERTY LOCATED AT P/O 10435 POPLAR TENT RD, CONCORD, NC

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

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute 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, Chapter 160A, Art. 19, Session Laws of 1993, Chapter 247, House Bill 575 and Section 3.2.4.B.2 of the Concord Development Ordinance does hereby allow the Planning and Zoning Commission to be final approval authority for zoning changes of land, provided that at least three-fourths of the members present vote in the affirmative, and no appeal of the decision is taken; and

WHEREAS, NCGS 160D-501 and 160D-605 require that comprehensive plan map amendments be considered in a legislative fashion consistent with the manner in which text amendments are considered, and this authority has not been delegated to the City of Concord Planning and Zoning Commission; and

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

SECTION 1. That the P&Z Commission held a duly advertised public hearing on July 19<sup>th</sup>, 2022. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160D-605.

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9<sup>th</sup>, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of

Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.

- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are

classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

The P&Z Commission then voted to RECOMMEND FOR APPROVAL the map amendment to Residential-Village Conditional District (RV-CD) and to incorporate the property into the 2030 Future Land Use Plan with the designation of "Suburban Neighborhood". Since the rezoning would result in a comprehensive plan amendment, it is forwarded to City Council for hearing with a recommendation from the Planning and Zoning Commission.

SECTION 2. That the City Council held a duly advertised public hearing on August 11, 2022. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160A-382(b).

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9<sup>th</sup>, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.
- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is

zoned for moderate density single-family detached. While the residential uses are classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

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

The petitioner has consented to the following conditions:

1. Compliance with Sheets RZ-1 and RZ-2 of the "Rezoning Case # Z(CD)-34-21(A) Skybrook Corners Expansion," with revision date of 4/12/22.
2. The subject plan is not designed to preliminary plat standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.
3. Driveway separation shall be a minimum of 10ft and all required Transportation improvements shall be adhered to in accordance with the TSM.
4. No more than 3 units shall be developed as part of the current phase of the project.
5. The .507 acres indicated in Mecklenburg County is the only property included within this portion of the rezoning approval.
6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

SECTION 3: That the Official Zoning Map is hereby amended by rezoning from Town of Huntersville ETJ R (Rural) to Residential Village – Conditional District (RV-CD) the areas described as follows and that the future land use designation of Suburban Neighborhood is applied in the 2030 Land Use Plan:

Commencing at (POINT OF BEGINNING) a found rebar, being further described as the South-Eastern corner of a tract of land owned Now or Formerly by Skybrook LLC, as recorded in Deed Book 7075, page 32 of the Cabarrus County Register of Deeds, also being located S55-58-03W 30.31' distant of the centerline of Poplar Tent Road (SR #2424), thence from the Point of Beginning N55-58-03E 30.31' to a point at the centerline of Poplar Tent Road (SR #2424), thence with the centerline of Poplar Tent Road S24-44-33E 170.15' to a point, thence leaving the centerline of Poplar Tent Road S52-20-48W 274.60' (Passing through a found angle iron at station 0+31.75) to a found rebar, the southeast corner of Ambercrest Court NW, the Larry E. Stinson and Myra A. Stinson property previously annexed into the City of Concord, Thence S52-20-48W 50.00' to a re bar found; Thence with the southern line of the Larry E. Stinson and Myra A. Stinson property S52-20-48W 297.02' to a point on the Cabarrus County Mecklenburg County line, the POINT OF BEGINNING;

Thence with the southern line of the Larry E. Stinson and Myra A. Stinson property S52-20-48W 101.69' to rebar found, the southwest corner of the Larry E. Stinson and Myra A. Stinson property; Thence with the western line of the Larry E. Stinson and Myra A. Stinson property N22-46-54W 217.78' to a bolt found, the northwestern corner of the Larry E. Stinson and Myra A. Stinson property;

Thence with the northern line of the Larry E. Stinson and Myra A. Stinson property N55-

58-03E 109.86' to a point on the Cabarrus County Mecklenburg County line; Thence with the Cabarrus County AND Mecklenburg County line S20-14-27E 213.32' to a point on the Cabarrus County Mecklenburg County on the southern line of the Larry E. Stinson and Myra A. Stinson property, the Point of Beginning.

Being Tract 3 and containing 0.507 acres in Mecklenburg County

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

SECTION 5. That the above-described property shall be perpetually bound to the uses authorized in the Concord Development Ordinance, as such may be amended from time to time and as provided for under Article 3 of the Concord Development Ordinance.

SECTION 6. That the effective date hereof is the 11<sup>th</sup> day of August, 2022.

Adopted this 11<sup>th</sup> day of August 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ Valerie Kolczynski, City Attorney

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Crawford to amend the 2030 Land Use Plan to incorporate the parcel as Suburban Neighborhood—the vote: all aye.

**6. Conduct a public hearing for case Z(CD)-01-22 and consider adopting an ordinance amending the official zoning map for +/- 2.553 acres located at 7995 Old Holland Rd. from unzoned to City of Concord Residential Compact-Conditional District (RC-CD) and to amend the 2030 Land Use Plan to change the designation from Commercial to Urban Neighborhood.**

The property was annexed by City Council on March 10, 2022. The Planning and Zoning Commission heard the above referenced petition at their July 19th meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from unzoned to City of Concord RC-CD (Residential Compact-Conditional District) and concurrently to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Commercial to Urban Neighborhood. The parcel was previously zoned Cabarrus County Limited Industrial prior to zoning expiring when more than 60 days elapsed between annexation and rezoning.

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

John Carmichael was in attendance in support of the request.

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

A motion as made by Council Member Parsley-Hubbard and seconded by Mayor Pro-Tem Crawford to adopt the following Statement of Consistency—the vote: Aye: Langford, King, Stocks, Crawford, Parsley-Hubbard, and Sweat; Nay: McKenzie.

- The subject property is approximately +/- 2.553 acres and is currently unzoned.
- The subject property was annexed on March 10, 2022, and is currently occupied by a single family detached dwelling and assorted accessory structures.
- The proposed zoning amendment is not consistent with the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas developing as multi-family residential and is a component of a larger multi-family residential project that crosses the county line with Mecklenburg County. The proposed development would be consistent with the City of Concord's Urban Neighborhood designation as RC (Residential Compact) and conditional district variations are considered corresponding zoning classifications to the "Urban Neighborhood" Land Use Category. The proposed zoning is comparable to existing and proposed surrounding land uses.
- The zoning amendment is reasonable and in the public interest as it would link existing and proposed developments without compatibility concerns. The casita housing type is not currently found within the general vicinity and thus the proposal would increase housing type options, and is a reasonable use of a wedge-shaped parcel with limited access options that would otherwise be caught between two larger multi-family projects on a limited amount of land.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to adopt the following ordinance approving the request with the conditions as listed—the vote: Aye: Langford, King, Stocks, Crawford, Parsley-Hubbard, and Sweat; Nay: McKenzie.

ORD.# 22-100

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND FUTURE LAND  
USE MAP OF THE CITY OF CONCORD, NORTH CAROLINA  
FOR PROPERTY LOCATED AT P/O 10435 POPLAR TENT RD, CONCORD, NC

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

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute 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, Chapter 160A, Art. 19, Session Laws of 1993, Chapter 247, House Bill 575 and Section 3.2.4.B.2 of the Concord Development Ordinance does hereby allow the Planning and Zoning Commission to be final approval authority for zoning changes of land, provided that at least three-fourths of the members present vote in the affirmative, and no appeal of the decision is taken; and

WHEREAS, NCGS 160D-501 and 160D-605 require that comprehensive plan map amendments be considered in a legislative fashion consistent with the manner in which text amendments are considered, and this authority has not been delegated to the City of Concord Planning and Zoning Commission; and

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

SECTION 1. That the P&Z Commission held a duly advertised public hearing on July 19<sup>th</sup>, 2022. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160D-605.

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9<sup>th</sup>, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.
- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are

classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

The P&Z Commission then voted to RECOMMEND FOR APPROVAL the map amendment to Residential-Village Conditional District (RV-CD) and to incorporate the property into the 2030 Future Land Use Plan with the designation of "Suburban Neighborhood". Since the rezoning would result in a comprehensive plan amendment, it is forwarded to City Council for hearing with a recommendation from the Planning and Zoning Commission.

SECTION 2. That the City Council held a duly advertised public hearing on August 11, 2022. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160A-382(b).

- The subject property is approximately +/- .507 acres and is currently zoned Town of Huntersville ETJ R (Rural).
- The subject property was annexed on June 9<sup>th</sup>, 2022, and is currently vacant.
- The proposed zoning amendment is not addressed by the City of Concord's 2030 Land Use Plan; however, the property is adjacent to areas designated Suburban Neighborhood. In the Town of Huntersville 2040 Community Plan, the area is designated as Rural Conservation, which would recommend density no greater than .9 units per acre. The proposed zoning amendment would not be consistent



with the Town of Huntersville Rural Conservation area, but would be more consistent with the City of Concord's Suburban Neighborhood designation as RV (Residential Village) and conditional district variations are considered corresponding zoning classifications to the "Suburban Neighborhood" Land Use Category. The proposed zoning is a comparable extension of RV-CU (Residential Village Conditional Use) zoning to the east. Access to the property is provided from Concord only and not through land designated Rural by the Town of Huntersville. Rezoning the subject property to RV-CD (Residential Village Conditional District) would permit an expansion of an infill single-family attached housing option not found within the general vicinity, implementing guidance detailed in Objective 1.6 of the 2030 Land Use Plan related to providing a variety of housing options.

- The zoning amendment is reasonable and in the public interest as it would permit infill development of single-family attached dwellings with similar dimensional standards to the developing adjacent townhome development to the east and northeast. No access is proposed or possible from the Huntersville jurisdiction. The townhome housing type is not currently found within the general vicinity and thus the proposal would increase housing type options. Property to the south is zoned for moderate density single-family detached. While the residential uses are classified differently, the conditional nature of the proposed zoning would limit the construction of buildings higher than two-stories ensuring visual compatibility between the single and two-story single-family homes to the south. The proposal permits the development of a piece of land that would otherwise not be accessible or developable.

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

The petitioner has consented to the following conditions:

1. Compliance with Sheets RZ-1 and RZ-2 of the "Rezoning Case # Z(CD)-34-21(A) Skybrook Corners Expansion," with revision date of 4/12/22.
2. The subject plan is not designed to preliminary plat standards and therefore, any intended or perceived deviation from technical standards resulting from the somewhat conceptual nature of the plan shall not constitute approval to deviate from, or negate, technical standards within the Concord Development Ordinance, Technical Standards Manual, or any other regulatory document.
3. Driveway separation shall be a minimum of 10ft and all required Transportation improvements shall be adhered to in accordance with the TSM.
4. No more than 3 units shall be developed as part of the current phase of the project.
5. The .507 acres indicated in Mecklenburg County is the only property included within this portion of the rezoning approval.
6. Technical site plan review and approval is required including all approvals from outside local, state and federal agencies.

SECTION 3: That the Official Zoning Map is hereby amended by rezoning from Town of Huntersville ETJ R (Rural) to Residential Village – Conditional District (RV-CD) the areas described as follows and that the future land use designation of Suburban Neighborhood is applied in the 2030 Land Use Plan:

Commencing at (POINT OF BEGINNING) a found rebar, being further described as the South-Eastern corner of a tract of land owned Now or Formerly by Skybrook LLC, as recorded in Deed Book 7075, page 32 of the Cabarrus County Register of Deeds, also

being located S55-58-03W 30.31' distant of the centerline of Poplar Tent Road (SR #2424), thence from the Point of Beginning N55-58-03E 30.31' to a point at the centerline of Poplar Tent Road (SR #2424), thence with the centerline of Poplar Tent Road S24-44-33E 170.15' to a point, thence leaving the centerline of Poplar Tent Road S52-20-48W 274.60' (Passing through a found angle iron at station 0+31.75) to a found rebar, the southeast corner of Ambercrest Court NW, the Larry E. Stinson and Myra A. Stinson property previously annexed into the City of Concord, Thence S52-20-48W 50.00' to a re bar found; Thence with the southern line of the Larry E. Stinson and Myra A. Stinson property S52-20-48W 297.02' to a point on the Cabarrus County Mecklenburg County line, the POINT OF BEGINNING;

Thence with the southern line of the Larry E. Stinson and Myra A. Stinson property S52-20-48W 101.69' to rebar found, the southwest corner of the Larry E. Stinson and Myra A. Stinson property; Thence with the western line of the Larry E. Stinson and Myra A. Stinson property N22-46-54W 217.78' to a bolt found, the northwestern corner of the Larry E. Stinson and Myra A. Stinson property;

Thence with the northern line of the Larry E. Stinson and Myra A. Stinson property N55-58-03E 109.86' to a point on the Cabarrus County Mecklenburg County line; Thence with the Cabarrus County AND Mecklenburg County line S20-14-27E 213.32' to a point on the Cabarrus County Mecklenburg County on the southern line of the Larry E. Stinson and Myra A. Stinson property, the Point of Beginning.

Being Tract 3 and containing 0.507 acres in Mecklenburg County

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

SECTION 5. That the above-described property shall be perpetually bound to the uses authorized in the Concord Development Ordinance, as such may be amended from time to time and as provided for under Article 3 of the Concord Development Ordinance.

SECTION 6. That the effective date hereof is the 11<sup>th</sup> day of August, 2022.

Adopted this 11<sup>th</sup> day of August 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ Valerie Kolczynski, City Attorney

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Sweat to amend the 2030 Land Use Plan to modify the future land use designation from Commercial to Urban Neighborhood—the vote: Aye: Langford, King, Stocks, Crawford, Parsley-Hubbard, and Sweat; Nay: McKenzie.

**7. Conduct a public hearing for case TA-07-22 and consider adopting an ordinance amending the Concord Development Ordinance (CDO) Section 8.3.4.G.5.**

This text amendment was generated by a citizen request. David Kossove submitted an application for a text amendment requesting that multi-family and mixed use buildings be added to the list of permitted uses within a 1,000 ft. buffer of the Convention Center.

The Planning and Zoning Commission recommended draft language that includes mixed use buildings but did not feel that multi-family buildings were consistent with the

purpose of the supplemental standards: "The purpose and intent of this section is to ensure that future development within close proximity of the convention center will contain uses that are compatible and complimentary, and promote pedestrian as well as tourist activities." Multi-family structures in the General Commercial (C-2) zoning district are limited in use and density to 30% of the parcel and would be subject to a special use permit. Within the area encompassed by the 1,000 buffer of the Convention Center, there are 6 undeveloped parcels, encompassing +/- 15.0991 acres that would be subject to the limitation: at the 30% limit the maximum number of multi-family units would be 67 units, if they were not included in a mixed use building.

The owner of the largest parcel (5.5972 acres), and associated with the text amendment application, is seeking to develop a mixed use building and a standalone multi-family building at 5350 John Q Hammon Dr. NW. Both the mixed use and multi-family components of the project were selected for sewer allocation on July 19, 2022 by City Council. This text amendment would be a prerequisite for the project to proceed and Council would need to consider amending the text amendment to include multi-family for the standalone multi-family component to proceed.

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

Craig Davis was in attendance in support of the request.

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

A motion as made by Council Member Sweat and seconded by Mayor Pro-Tem Crawford to adopt the following Statement of Consistency—the vote: all aye.

- The proposed text amendment is consistent with the 2030 Land Use Plan in that it fosters an attractive and functional mix of living, working, shopping and recreational uses within Mixed-Use Activity Centers and Village Centers (Objective 1.5) and Providing a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord (Objective 1.6).
- The request is reasonable and in the public interest in that it increases the ability to develop residential uses in close proximity to a major commercial node, and supports the goal of the Convention Center overlay/buffer to ensure that future development within close proximity of the convention center will contain uses that are compatible and complementary, and promote pedestrian as well as tourist activities.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Parsley-Hubbard to adopt the following ordinance amending CDO Section 8.3.4.G.5—the vote: all aye.

ORD.# 22-102

ORDINANCE AMENDING THE ZONING ORDINANCE  
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 following section of Concord Development Ordinance (CDO) Article 8 "Use Regulations", Section 8.3.4.G. "Convention Center", 5. "Location" be amended in relevant part:

Only the following permitted uses from Table 8.1.8 shall be allowed to locate within one thousand (1000) feet from any convention center property unless the use is separated by an existing public right-of-way of 120 ft. or greater. This does not include property whose use(s) would become non-conforming at the date of adoption. For purposes of this section, a property for which a site plan has been approved shall be considered to be a convention center property.

- ...
- Miniature Golf Course
- Mixed Use Building
- Motel
- Multifamily Dwelling
- ...

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

Adopted in this August 11<sup>th</sup>, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ Valerie Kolczynski, City Attorney

**8. Conduct a public hearing for case TA-08-22 and consider adopting an ordinance amending the Concord Development Ordinance Article 14 definition of Building, Mixed Use.**

This text amendment is staff-initiated. Staff review of the definition Building, Mixed Use determined that the definition in the CDO is not a common typology for mixed use buildings, particularly where it references that they are "similar in appearance to a large single-family detached house." This text amendment recommends removing this descriptor and the specific example of "bed and breakfast inn": a recommendation from the Planning and Zoning Commission as typically not a common use in a mixed use building.

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

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

A motion as made by Council Member King and seconded by Council Member Sweat to adopt the following Statement of Consistency—the vote: all aye.

- The proposed text amendment is consistent with the 2030 Land Use Plan in that it fosters an attractive and functional mix of living, working, shopping and recreational uses within Mixed-Use Activity Centers and Village Centers (Objective 1.5) and Providing a diverse mix and range of housing options throughout the City that will accommodate the current and future needs of the citizens of Concord (Objective 1.6).
- The request is reasonable and in the public interest in that it increases the ease of developing mixed use buildings, and clarifies the definition to make it align more closely with how mixed use buildings are typically developed.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member King to adopt the following ordinance amending CDO Article 14, definition of Building, Mixed Use—the vote: all aye.

ORD.# 22-103

ORDINANCE AMENDING THE ZONING ORDINANCE  
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 following section of Concord Development Ordinance (CDO) Article 14 “Definitions”, Section 14.1.2. “Word Usage” be amended in relevant part:

**BUILDING, MIXED USE** - A vertically integrated mixed-use building, ~~similar in appearance to a large single-family detached house that is regulated in form but flexible in use.~~ The building is able to accommodate a wide variety of uses, including apartments for sale or rent, ~~bed and breakfast inn~~, small professional offices, ground floor retail or restaurant.

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

Adopted in this August 11<sup>th</sup>, 2022.

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 adopting a resolution authorizing an eminent domain action for property located at 2711 Concord Parkway, South.**

This property is currently owned by JRNC Investments, LLC. Certain easements, both permanent and temporary, are required by the Electric Department in order to construct a 100Kv transmission line to Substation T. The total appraised tax value of the property is listed at \$1,356,080. The Engineering department calculated the value of the easements to be \$18,607.71. The property owner's representative rejected the offer and refused to make a counteroffer. An appraisal of the easement value is underway, and the City Attorney will attempt to open negotiations based on that information once acquired; however, having an eminent domain resolution in place will help move the matter forward in the event negotiations are unsuccessful.

A motion was made by Council Member King and seconded by Mayor Pro-Tem Crawford to adopt the following resolution authorizing an eminent domain action for property located at 2711 Concord Parkway, South—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 a real property parcel identified and defined, as follows:

**Permanent Utility Easement:**

Lying and being in the City of Concord, Cabarrus County, North Carolina and being more particularly described as follows:

BEGIN at an existing iron rod having N.C. Grid Coordinates of N:596671.89 E:1506672.78, thence run North 57° 16' 24" East 308.33' to a point, thence run South 19° 31' 25" West 51.86' to a point, said point lying and being on the arc of a curve, said curve having a chord bearing and distance of South 38° 15' 29" West 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run South 56° 59' 34" West 280.77' to a point, thence run North 03° 59' 59" East 47.86' to an existing iron at the place and point of beginning. Containing 11,214 square feet or 0.257 acres as shown on the maps titled, "100KV Transmission Line to Sub T Easement Acquisition Plat," Sheets 1 and 2, by Stewart and is attached as Exhibit A and B.

**Temporary Construction Easement:**

Lying and being in the City of Concord, Cabarrus County, North Carolina and being more particularly described as follows:

COMMENCING at an existing iron rod having N.C. Grid Coordinates of N:596671.89 E:1506672.78, thence run North 57° 16' 24" East 308.33' to a point, said point being the point and place of beginning, thence continue North 57° 16' 24" East 32.67', thence run South 19° 31' 25" West 84.47' to a point, said point lying and being on the arc of a curve, said curve having a chord bearing and distance of South 38° 15' 30" West 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run South 56° 59' 34" West 302.62' to a point, thence run North 03° 59' 59" East 25.05' to a point, thence run North 56° 59' 34" East 280.77' to a point, said point lying and

being on the arc of a curve, said curve having a chord bearing and distance of North 38° 15' 29" East 16.06' and a radius of 25.00', thence run along the arc of said curve 16.35' to a point, thence run North 19° 31' 25" East 51.86' to a point at the place and point of beginning. Containing 7,537 square feet or 0.173 acres as shown on the maps titled, "100KV Transmission Line to Sub T Easement Acquisition Plat," Sheets 1 and 2, by Stewart and is attached as Exhibit A and B.

BEING the same property conveyed to JRNC Investments, LLC by deed recorded in Deed Book 8456, at Page 142 of the Cabarrus County Registry. The above-described Permanent Utility Easement and Temporary Construction Easement is a Part of PIN 5509-75-4953, Tax ID No. 02-036-0003.00, Cabarrus County.

WHEREAS, the real property parcel, currently owned by JRNC Investments, LLC, is being acquired for the purpose of the construction and permanent utility easement for a 100 KV electrical infrastructure, along with all fixtures and appurtenances; 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 11th day of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

**2. Consider awarding bid for sixty-six (66) steel transmission poles, and 795 kcmil wire and hardware to CHM Industries, Inc and WESCO Distribution, Inc.**

Electric Systems staff received bids on July 21, 2022 for sixty-six (66) steel transmission poles, 795 kcmil wire and miscellaneous hardware required for interconnection of Delivery Point #4 (Bootsmead property), Substation W (Eli Lilly Property) and Substation T (Concord Parkway S.) The poles and hardware are required to extend current 100KV transmission facilities from the Delivery 4 site Southward to Substation W and further South to Substation T just past the west side bypass.

Seven bids were received and evaluated for responsiveness. Electric staff determined that the lowest bidder for the 66 poles outlined in Schedule I, CHM Industries, was responsive and compliant in meeting the required specifications. For wire and hardware outlined in Schedule II, the lowest bidder, WESCO Distribution, Inc, was responsive and compliant. Funding will be derived from existing Delivery 4 & 100 KV project account with a standing balance of \$6,677,794. Bid totals are: Schedule I (Sixty-six (66) steel transmission poles) - CHM Industries, Inc. \$1,973,189.31 and Schedule II (795 kcmil wire and miscellaneous hardware) - WESCO Distribution, Inc, \$696,479.70. The two schedules combined total \$2,669,669.01.

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to award a bid for sixty-six (66) steel transmission poles, and 795 kcmil wire and hardware to CHM Industries, Inc and WESCO Distribution, Inc—the vote: all aye.

**3. Consider awarding the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to Watson Electrical Construction Co, LLC.**

This contract consists of providing traffic signal and associated construction/maintenance work in and adjacent to the City of Concord. This work provides for the installation, upgrade, or repair of signals on an as-needed basis and includes, but is not limited to: saw cutting roadway surfaces, placement of embedded loops and sealant, trenching, placement of conduit and junction boxes, installing poles, guys, span wire, cables, heads, visual detection equipment, and conduit. Quotes for this work were received on July 14, 2022 with Watson Electrical Construction Co, LLC submitting the lowest unit cost pricing. The contact is not to exceed \$150,000 per the FY 23 approved budget. The contract term is through June 30, 2023.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Sweat to award the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to Watson Electrical Construction Co, LLC—the vote: all aye.

**4. Consider authorizing the City Manager to negotiate and execute a contract with Barton Contracting for the Province Green Pump Station Elimination.**

The Province Green Pump Station Elimination consists of the installation of 2,964 linear feet of 12-inch PVC sewer line, a stream crossing, and the elimination of the existing pump station. The project was bid under the formal bidding process and two bids were received on July 20, 2022. The bids were returned unopened to the bidders and the project was re-advertised as required by GS 143-132. Bids were received a second time on July 28, 2022 and again two bids were received. Staff was able to open the bids as allowed by GS 143-132. The lowest responsible bidder was Barton Contracting in the amount of \$1,597,074.33.

A motion was made by Council Member King and seconded by Council Member Sweat to authorize the City Manager to negotiate and execute a contract with Barton Contracting in the amount of \$1,597,074.33 for Province Green Pump Station Elimination—the vote: all aye.

**5. Consider authorizing the City Manager to negotiate and approve a contract with Shield Engineering, Inc. for continued environmental assessment activities at the Les Myers Park pre-regulatory landfill site and to approve the attached budget transfer.**

The site where Les Myers Park is located was constructed in 1967 above a municipal landfill. The landfill was in operation from the 1940's until the park was constructed in 1967 prior to the State of North Carolina enacting landfill regulations and is considered a Pre-Regulatory Landfill (PRL).

The City has been working with Shield Engineering, Inc. under a cost reimbursement program with the Pre-Regulatory Landfill Unit of the State to perform a remedial investigation of the site. The State has requested an additional assessment that includes the contaminant delineation and media sampling activities needed to continue the remedial investigation (RI) at the site in general accordance with the North Carolina Department of Environmental Quality Inactive Hazardous Sites Program's Guidelines for Addressing Pre-regulatory Landfills and Dumps (NCDEQ Guidelines), as administered by the Pre-regulatory Landfill Unit (PRLU). The estimated cost of this assessment is \$113,822.70. A budget amendment is needed to allocate additional funds to cover the cost of the environmental assessment at the site.



A motion was made by Council Member Parsley-Hubbard and seconded by Council Member King to authorize the City Manager to negotiate and execute a contract with Shield Engineering, Inc. in the amount of \$113,822.70 for continued environmental assessment activities at Les Myers Park and to adopt the following budget amendment to allocate additional funding to cover the cost of the environmental assessment—the vote: all aye.

ORD.# 22-104

**CAPITAL PROJECT ORDINANCE**  
**General Capital 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 are General Capital Projects for Les Myers Park.

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

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

**Revenues**

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
430-4334200				
430-4334200	State Shared Revenue	0	113,910	113,910
<b>Total</b>				<b>113,910</b>

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

**Expenses/Expenditures**

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
8804-5811001				
8804-5811001	Les Myers Park	220,000	333,910	113,910
<b>Total</b>				<b>113,910</b>

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 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 11th day of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**6. Consider authorizing the City Manager to negotiate and execute a contract with C Design for architectural and engineering services for the new Fleet Services Facility.**

Council previously approved a contract with C Design for pre-design services on the Fleet Services Facility. The predesign work is complete and a conceptual site plan and building plan developed. The next phase of work includes schematic design, design development, construction documents, cost estimating, permitting & bidding, contract administration, building system commissioning, industrial equipment design and specification, fueling system and equipment design and specification, vehicle wash system and equipment design, security design and specification, audio/visual design and specification, furniture consultation and specification, and closeout. The fee including estimated reimbursable expenses is \$1,763,300.

A motion was made by Council Member Stocks and seconded by Mayor Pro-Tem Crawford to authorize the City Manager to negotiate and execute a contract with C Design for architectural and engineering services on the new Fleet Services Facility—the vote: all aye.

**7. Consider authorizing the City Manager to negotiate and execute a contract with Edifice General Contractors for preconstruction services on the Fleet Services Facility.**

The Fleet Services Facility is an approved capital improvement project slated for design this fiscal year. A request for qualifications was posted for CMR services. After interviews were held and references called, the selection committee chose Edifice General Contractors for the project. Edifice has worked on numerous projects with fleet maintenance components. Preconstruction services will include design review, estimating, value engineering review, product and system analysis and recommendations, constructability review, preparation of bid packages, trade contractor's prequalification, public bidding, and finalization of a GMP. The preconstruction services fee will not exceed \$153,700. The final GMP will be brought back to Council.

A motion was made by Mayor Pro-Tem Crawford and seconded by Council Member Parsley-Hubbard to authorize the City Manager to negotiate and execute a contract with Edifice General Contractors for preconstruction services on the Fleet Services Facility—the vote: all aye.

**8. Consider adopting a resolution to convey a temporary grading easement to Lakeshore Corporate Park, LLC.**

Lakeshore Corporate Park, LLC is developing Lakeshore Corporate Park on Moose Road in Kannapolis. The City owns the site adjacent to their parcel which is Lake Fisher. Lakeshore Corporate Park, LLC is requesting temporary grading easements in order to construct fill slopes on City property.

Staff has reviewed and, if approved, the following conditions should apply: conditions of approval must be placed on approved plans, no easement granted in the non-disturbed buffer, stormwater discharge should be redirected, a 3:1 slope should be achieved where significant trees are not impacted, the areas graded and/or disturbed shall be fully

vegetated with trees being replaced at a one-to-one ratio and the plan being submitted to the City for approval and an agreement is required to establish liability and maintenance responsibilities of the storm pipe and slopes that are on City property.

A motion was made by Council Member King and seconded by Council Member Sweat to adopt the following resolution to convey a temporary grading easement to Lakeshore Corporate Park, LLC including the outlined conditions—the vote: all aye.

#### RESOLUTION GRANTING AN EASEMENT

WHEREAS, the City of Concord is owner of a parcel of land having a parcel identification number of 145 005 in the Rowan County Registry; and

WHEREAS, Lakeshore Corporate Park, LLC is requesting temporary grading easements on said lot to serve Lakeshore Corporate Park; and

WHEREAS, staff has reviewed the proposed plan and offers conditions upon granting requested easement: 1) conditions of approval must be placed on approved plans. 2) Concord will not approve disturbance in the non-disturbed buffer, only in the 20' vegetated buffer. 3) Stormwater discharge shall be redirected as offered. 4) In areas where a 3:1 slope can be achieved without impacting significant trees, the grading area shall be revised. 5) the areas graded and/or disturbed in the easement shall be fully vegetated after impact. Trees shall be replaced at a one-to-one ratio. A plan denoting the existing vegetation and the species of replacements and ground cover shall be submitted to the City of Concord for approval. 6) an agreement will be required to establish liability and maintenance responsibilities of the storm pipe and slopes located on City of Concord property;

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

1. That easements as generally shown on Exhibit "A" is hereby ordered granted contingent upon the conditions listed above.
2. The easement shall be conveyed by the City Attorney and other necessary staff or the mayor.
3. The City Attorney and other City staff are hereby directed to take all necessary steps to enforce this resolution.

Adopted this 11<sup>th</sup> day of August 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

#### 9. Consider accepting a Preliminary Application from Richard Ratcliff.

In accordance with City Code Chapter 62, Richard Ratcliff has submitted a preliminary application to receive water service outside the City limits. The property is located at 3999 Stough Road. This parcel is zoned county OI and developed with several buildings. The applicant indicates that the water service is for a wash down pad. Sewer is not available to the parcel.

A motion was made by Council Member King and seconded by Council Member McKenzie to deny the preliminary application—the vote: all aye.

**10. Consider accepting a Preliminary Application from Charlotte Water.**

Charlotte Water withdrew their application.

\* \* \* \* \*

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

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

**CONSENT AGENDA ITEM A**

A donation of \$2,500 from the Mayor's Golf Tournament fund to Multi-Cultural Community Student Union was approved and the following budget ordinance was adopted appropriating the donation amount.

ORD.#22-105

**AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE**

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9<sup>th</sup> day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, 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	
100-4370000	Fund Balance Approp	5,465,623	5,468,123	2,500
	<b>Total</b>			<b>2,500</b>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5470043	Golf Tournaments	0	2,500	2,500
	<b>Total</b>			<b>2,500</b>

Reason: To appropriate Mayor Golf Tournament reserves for a donation to the Multi-Cultural Community Student Union to assist with providing academic, emotional, and social support to children in the Logan Community and Cabarrus County.

Adopted this 11th day of August, 2022.

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 B**

It was approved to co-sponsor the Concord International Festival on October 1, 2022.

**CONSENT AGENDA ITEM C**

The following ordinance was adopted to temporarily close Cabarrus Ave (SR 1002) between Market St., SW and Church St., S for the Concord International Festival to be held October 1, 2022.

ORD.# 22-106

AN ORDINANCE TO TEMPORARILY CLOSE CERTAIN STATE-MAINTAINED ROADS FOR A SPECIAL EVENT ORGANIZED BY THE CITY OF CONCORD, NC

WHEREAS, North Carolina General Statute 20-169 authorizes local authorities to regulate by ordinance the use of a highway within their jurisdiction by processions, assemblages or anything that may be construed as a procession or assemblage, and

WHEREAS, the City of Concord will consult with the local NCDOT Division office to verify that a proposed event will not 1) interfere with other planned special events and 2) impact or be impacted by planned maintenance or other activities., and

WHEREAS, the City of Concord will co-sponsor with El Puente Hispano and hold The Concord International Festival on October 1, 2022; and

WHEREAS, this event will require the temporary closing of Cabarrus Ave (SR 1002) between Market St., SW and Church St., S.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Concord, North Carolina, that Cabarrus Ave (SR 1002) between Market St., SW and Church St., S be closed to vehicular traffic on October 1, 2022 between the hours of 8:00 A.M. and 8:00 P.M.

City will place signage as appropriate advising the Public of the closing.

A copy of this Ordinance shall be forwarded to the local NCDOT division Office.

Adopted this 11<sup>th</sup> day of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM D**

A sole source exemption for the purchase of the towing equipment from Lektro was approved and the following budget amendment to cover the additional cost of the equipment was adopted.

ORD.# 22-107

## AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9<sup>th</sup> day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, 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
680-4501400	Transfer from Cap Proj	1,158,273	1,191,248	32,975
	<b>Total</b>			<u>32,975</u>

		<u>Expenses/Expenditures</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4530-5550000	Equipment – Capital	330,360	363,335	32,975
	<b>Total</b>			<u>32,975</u>

Reason: To cover overage on purchase of new tug.

Adopted this 11th day of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

### CONSENT AGENDA ITEM E

The City Manager was authorized to negotiate and execute a contract with Ward and Smith, P.A. for state government relations services.

### CONSENT AGENDA ITEM F

The City Manager was authorized to negotiate and sign a contract for the purchase of the Pierce apparatus using the Houston Galveston Area purchasing cooperative.

**CONSENT AGENDA ITEM G**

The submission to the Mariam & Robert Hayes Charitable Trust for a grant request of \$23,600 to purchase a pugmill/mixer, pallet jack, Kai Vac floor cleaner, slab roller, and 30 movable metal shelving units to complete the interior work space within ClearWater Arts Center & Studios' Ceramics Center was approved.

**CONSENT AGENDA ITEM H**

It was approved to reallocate \$30,000 in HOME Investment Partnership (HOME) funds previously allocated to Habitat Cabarrus for the construction of one (1) new home at 330 Broad Drive SW to 251 Shannon Drive SW.

**CONSENT AGENDA ITEM I**

The maintenance agreements were approved and the offers of dedication were accepted on the following properties: Mini Storage Depot on Union St.

**CONSENT AGENDA ITEM J**

The offer of dedication was accepted on the following plat and easements: Upper Room Outreach International, Sherwood Hills, and Addison Eighty 50 easement.

**CONSENT AGENDA ITEM K**

The following ordinance was adopted ordering the demolition of the structure located at 25 Liske Ave NW (PIN# 5620-05-9946) owned by Earle R. Ganas & Estate of Earle R. Ganas.

ORD.# 22-108

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

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

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

WHEREAS, the owner of said dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with G.S. 160A-443 (5) pursuant to an order issued by the Housing Code Enforcement Officer on February 4, 2020 and the owner having failed to comply with the order;

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

Section 1. The Housing Code Enforcement Officer is hereby authorized and directed to place a sign containing the legend, "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL." on the buildings owned by Earle R.

Ganas and Estate of Earle R. Ganas and located at the following address: 25 Liske Ave NW, Concord, NC 28027.

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

Section 3: It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

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

Section 5: This ordinance shall become effective the 11<sup>th</sup> day of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM L**

The following ordinance was adopted ordering the demolition of the structure located at 38 Carolina Ave NE, Concord NC.

ORD.# 22-109

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

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

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

WHEREAS, the owner of said dwelling has been given a reasonable opportunity to bring the dwelling up to the standards of the Housing Code in accordance with G.S. 160A-443 (5) pursuant to an order issued by the Housing Code Enforcement Officer on April 5, 2022 and the owner having failed to comply with the order;

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



# 344

Section 1. The Housing Code Enforcement Officer is hereby authorized and directed to place a sign containing the legend, "THIS BUILDING IS UNFIT FOR HUMAN HABITATION; THE USE OR OCCUPANCY OF THIS BUILDING FOR HUMAN HABITATION IS PROHIBITED AND UNLAWFUL." on the buildings owned by Adam R. Allman and Terry S. Allman and located at the following address: 38 Carolina Ave NE, Concord NC 28025

Section 2: The Housing Code Enforcement Officer is hereby authorized and directed to proceed to vacate, close, demolish and remove the above-described dwelling in accordance with his order to the owner thereof dated the 27<sup>th</sup> day of April, 2022 and with the Housing Code and G.S. 160A-443.

Section 3: It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

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

Section 5: This ordinance shall become effective on the 11<sup>th</sup> of August, 2022.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

## **CONSENT AGENDA ITEM M**

The following ordinance was adopted to amend the FY 2022/2023 Budget Ordinance for the General Fund to appropriate unspent FY 2022 funds for facade grants.

ORD.#22-110

### AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9<sup>th</sup> day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, 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	Revenues		(Decrease) Increase
		Current Budget	Amended Budget	
100-4370000	Fund Balance Appropriated	0	26,228	26,228
	<b>Total</b>			<b>26,228</b>

# 345

		<u>Expenses/Expenditures</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4920-5399000	Other Services	95,336	121,564	26,228
<b>Total</b>				<b>26,228</b>

Reason: To appropriate fund balance for unspent FY22 funds allocated for facade grants.

Adopted this 11th day of August, 2022.

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**

The following Electric Capital Project fund ordinance was adopted to establish a budget for Substation W.

ORD.# 22-111

**CAPITAL PROJECT ORDINANCE  
Electric Project-Sub W Project Lilly**

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 Sub W Project Lilly.

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:

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
473-4343352				
473-4343352	Developer Contributions	0	6,240,250	6,240,250
6949-5801183				
6949-5801183	Sub W Project Lilly	0	6,995,500	6,995,500
6949-5801152				
6949-5801152	Delvry #4 & 100KV Ph1	15,675,166	14,919,916	(755,250)

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 11th day of August, 2022.

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 project ordinance amendment was adopted for the CDBG 2021 grant to reflect actual program income receipts and moving unused admin funds to Clearwater project.

ORD.# 22-112

**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 2021 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:

Account	Title	<u>Revenues</u> Current Budget	Amended Budget	(Decrease) Increase
310-4355000				
310-4355000	Program Income	\$106,658	\$109,212	\$2,554
<b>Total</b>				<b>\$2,554</b>

SECTION 4. The following amounts are appropriated for the project

Account	Title	<u>Expenses/Expenditures</u>		
		Current Budget	Amended Budget	(Decrease) Increase
3116-5480012				
3116-5480012	Match/PI Exp	\$2,000	\$4,554	\$2,554
3115-5194000				
3115-5194000	Contract Services	\$14,749	\$10,400	(\$6,349)
3115-5294000				
3115-5294000	Miscellaneous Pay	\$2,163	\$0	(\$2,163)
3115-5299000				
3115-5299000	Supplies-Departmental	\$6,929	\$2,127	(\$4,802)
3115-5312000				
3115-5312000	Travel & Training	\$3,500	\$1,073	(\$2,427)
3115-5370000				
3115-5370000	Advertising	\$1,000	\$902	(\$98)
3115-5491000				
3115-5491000	Dues & Subscriptions	\$1,000	\$914	(\$86)
3115-5183000				
3115-5183000	Group Insurance	\$10,744	\$10,420	(\$324)
3115-5121000				
3115-5121000	Regular	\$77,499	\$83,210	\$5,711
3115-5181000				
3115-5181000	FICA	\$5,928	\$6,299	\$371
3115-5182000				
3115-5182000	Retirement-General	\$8,796	\$9,511	\$715
3115-5187000				
3115-5187000	401K Contribution	\$2,712	\$2,925	\$213
3115-5321000				
3115-5321000	Telephone	\$0	\$360	\$360
3116-5483200				
3116-5483200	Clearwater Artist Studios	\$403,825	\$412,704	\$8,879
<b>Total</b>				<b>\$2,554</b>

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 11<sup>th</sup> day of August, 2022.

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 project ordinance amendment to the Affordable Housing revolving fund was adopted to reflect actual rental income.

ORD.# 22-113

**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**

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
370-4350400				
370-4350400	Rental Income	\$16,665	\$20,675	\$4,010
				<u>\$4,010</u>

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

**Expenses/Expenditures**

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
3700-5811082				
3700-5811082	Future Projects	\$465,724	\$469,734	\$4,010
<b>Total</b>				<u>\$4,010</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 11th day

August, 2022.

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 project ordinance amendment to the HOME 2021 grant to reflect actual program income receipts was adopted.

ORD.# 22-114

**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 2021 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:

		<u>Revenues</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
320-4355000				
320-4355000	Home Program Income	\$1,057,861	\$1,045,154	(\$12,707)
<b>Total</b>				<b><u>(\$12,707)</u></b>

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>
3214-5480012				
3214-5480012	Match/PI Exp	\$131,006	\$118,299	(\$12,707)
<b>Total</b>				<b><u>(\$12,707)</u></b>

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 11th day of August, 2022.

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 addition of the Signal Technician II (Grade 209) with a salary range of \$47,224.76 (minimum) - \$62,572.80 (midpoint) - \$77,920.85 (maximum) was approved.

**CONSENT AGENDA ITEM S**

The second quarter water and wastewater extension report for 2022 was received.

**CONSENT AGENDA ITEM T**

The Tax Office collection reports for the month of June 2022 were accepted.

**CONSENT AGENDA ITEM U**

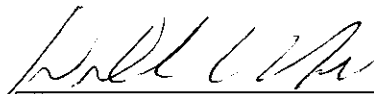
The Tax releases/refunds for the month of June 2022 were approved.

**CONSENT AGENDA ITEM V**

The monthly report on status of investments as of June 30, 2022 was accepted.

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There being no further business to be discussed, a motion was made by Council Member Parsley-Hubbard, seconded by Council Member Stocks, and duly carried, to adjourn—the vote: all aye.

  
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William C. Dusch, Mayor

  
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Kim J. Deason, City Clerk

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