

CONCORD CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 9, 2023

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 February 9, 2023, at 6:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

**Members Present:**

- Mayor Pro-Tem JC McKenzie
- Council Member Andy Langford
- Council Member W. Brian King
- Council Member Betty M. Stocks
- Council Member Terry L. Crawford

**Members Absent:**

- 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.

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**Approval of Minutes:**

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie to approve the minutes for the meetings of January 10 and January 12, 2023—the vote: all aye.

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**Presentations:**

Mayor Dusch presented a proclamation recognizing February as Black History Month.

Mayor Dusch presented a retirement plaque to Mark Hartsell for over 30 years of loyal and dedicated service to the City of Concord.

**Unfinished Business:**

1. **Consider approving the Public Art Master Plan for Concord to serve as a guide to implementing public art throughout the City of Concord.**

Based on the growing interest of public art within Concord, the Public Art Advisory Committee and City Council's expressed desire to facilitate a Public Art Master Plan, which will direct how public art can be embedded more deeply in the life of the

community, identifies potential projects that the City could take on, outlines processes through which the City can manage public art projects, and shows how the City's efforts can catalyze resources from the community and the private sector.

The development of this plan was led by consultants Todd W. Bressi and Amina Cooper, supported by City leadership, the Cabarrus Arts Council (CAC), and guided by Concord's Public Art Advisory Committee (PAAC). The planning process involved foundational research into the City of Concord's plans, programs, policies, and priorities via review of planning documents and interviews with key City staff.

The consulting team also reviewed public art initiatives in ten communities in North Carolina, as well as elsewhere in the country, to provide context for how a city like Concord could evolve its public art activities. Through extensive community outreach, an online survey, a booth at the April Art Walk on Union, smaller community conversations with focused outreach to Concord's Black, Latino, South Asian and LGBTQ communities, as well as artists, high school students and homeowners' associations. The results are captured in the Public Art Master Plan to help guide the design and evolve Concord's public art.

Council Member Langford addressed Council's concerns regarding funding and staffing that were expressed at the January 8<sup>th</sup> Work Session.

A motion was made by Council Member Langford and seconded by Council Member Stocks to approve the Public Art Master Plan with the following clarifications:

- Approval of the Public Art Master Plan does not mandate the Council to approve any new public art costs or staff
- The plan does not obligate the City of Concord to any specific future funding or staffing related to public art.
- Funding for any future City project must go through the regular annual budget process.
- Staffing for the City is the responsibility of the City Manager and funding for staff is approved by the Council at the request of the City Manager.

Mayor Pro-Tem McKenzie stated he was not in support of the Plan as presented as there was no public/private partnership proposed with the Plan. He stated he could not support tax payers supplying funding for public art.

Council Member King thanked the committee and the consultant for their work developing the Plan. He stated there were portions of the Plan that he liked but feels that Plan cannot be approved as written.

Council Member Crawford stated he was in support of the Plan and feels the Plan is to be used as a guide. Council Member Stocks agreed.

A vote was then taken on the previously made motion by Council Member Langford and second by Council Member Stocks—the vote: Aye – Langford, Stocks, and Crawford; Nay – King and McKenzie.

## **2. Consider adopting bylaws for the newly created Public Art Commission.**

With the approval of a Master Public Art Plan, the Council was asked to recreate a Public Art Commission to lead the implementation of the Master Plan. The Bylaws are in alignment with the Master Plan recommendations.

Council Member Langford explained the Public Art Commission would work on behalf of the City Council. He stated the Commission would bring a public art annual plan to the Council each year.

Mayor Pro-Tem McKenzie and Council Member King stated they were in agreement with the creation of the Public Art Commission as long as the Commission was not being created to enforce the Public Art Master Plan.

A motion was made by Council Member Langford and seconded by Council Member Stocks to adopt the Public Art Commission Bylaws—the vote: all aye.

**Recognition of persons requesting to be heard:**

Eric Landsperger addressed the Council and spoke about his Cabarrus County Youth Orchestra program he is directing.

Wilma Means addressed the Council in regards to the Lincoln St bridge closure. The Council asked the Transportation Director to provide an update on the project. Due to the planned closure, Mayor Pro-Tem McKenzie asked if a temporary bridge could be installed for the residents in that area to use. The Transportation Director stated staff could certainly review that option if that was Council's desire. The Council directed staff to review alternatives, if any, to alleviate transportation issues during the Lincoln St bridge closure. The City Manager stated staff would consultant with the design Engineer and report back to the Council their findings and projected cost amount.

David Cornelius, Fulltime Funkytown, addressed the Council and offered their assistance with public art in the downtown area.

Katlyn Cornelius addressed the Council and spoke about why art was so important to the community.

Liz Fitzgerald thanked the Council for adopting the Public Art Master Plan. Council Member Langford recognized Ms. Fitzgerald as an ex officio member of the Public Art Commission.

**Presentations of Petitions and Requests:**

**1. Consider authorizing the City Manager to negotiate and execute a contract with Fitfields for full design services for the Academy Gibson Phase II Park Area project.**

This project includes the athletic fields and building located at Webb Field, McAllister Field and Gibson Field. The design will be based on the adopted master plan in the amount of \$303,600.

The Academy Gibson area Phase II development includes the buildings and fields at Webb, McAllister and Gibson. The first area of design will include Webb Field located at 165 Academy Ave. and McAllister Field located at 160 Crowell Dr. The design will include 2 baseball diamonds, one multi-purpose field, 2 press boxes, 1 concession stand, 2 restrooms and 3 storage buildings. The second area is Gibson Field located at 323 Misenheimer Drive and includes 1 baseball diamond, restrooms, press box/storage and concession stand.

Parks and Recreation selected the firm, Fitfields – Dodd Studios of Fort Mill, SC, through an RFQ process for professional design services for the parks. This design phase will include Schematic Design, Design Development Plans, Construction Documents at 50%, 95% and 100% level, Geotechnical site work and investigations, architectural services for existing and proposed buildings on the property, cost estimation services, and allowances for surveying and additional mapping. Full turn-key development of Phase II for the Academy Gibson Park Area is identified as a General Obligation Bond funded project.

A motion was made by Council Member King and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a contract with

Fitfields in the amount of \$303,600 for full design services for Academy Gibson Phase II Park Area project—the vote: all aye.

**2. Consider authorizing the City Manager to negotiate and execute a contract with Talbert Bright & Ellington, Inc (TBE).**

The request is for TBE to provide scope of services relating to the acquisition of six property parcels within the Misty Wood Subdivision (parcels are highlighted in blue in Exhibit 6). This acquisition is outlined in the conditionally approved Airport Layout Plan (July 18, 2019) for the Concord-Padgett Regional Airport (JQF). In addition, JQF would like to acquire a portion (3.76 acres) of parcel 4690 05 1867 0000 located at the end of Westmoreland Drive, NW (parcel is highlighted in blue in Exhibit 6 ). The cost for these professional services is not to exceed \$162,271. Funding for this project will be from Bipartisan Infrastructure Law-Airport Infrastructure Grant (AIG) and North Carolina Airport Improvement Program.

A motion was made by Council Member Stocks and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a contract with TBE for phase one land acquisition appraisals, in accordance with Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, and 49 Code of Federal Regulation Part 24-Uniform Relocation Assistance and Real Property for Federal and Federally-Assisted Programs—the vote: all aye.

**3. Consider awarding proposal of Surveying Services to prepare transmission line easement plats for a backup feed to Eli Lilly and a loop feed to Substation E to Lawrence Associates, P.A.**

Electric Systems staff received seven Requests for Qualifications (RFQ's) on December 16, 2022 for surveying services to prepare transmission line easement plats along Rockhill Church Road (from Weddington to Substation E, near Rockhill A.M. E. Church). Electric Systems staff reviewed the submitted proposals and selected Lawrence Associates, P.A. based upon their qualifications. Staff requested a proposal from Lawrence Associates, P.A. for the surveying services and received the proposal on January 16, 2023 for the not to exceed amount of \$121,900. Funding will be derived from Sub E 100 KV Interconnect project.

A motion was made by Council Member Crawford and seconded by Council Member Langford to award a proposal for surveying services to prepare transmission line easement plats for a backup feed to Eli Lilly and a loop feed to Substation E to Lawrence Associates, P.A. for the not to exceed amount of \$121,900—the vote: all aye.

**4. Consider awarding the bid for electric distribution materials for Delivery 3 to Delivery 4 Tie-line along Concord Parkway S to WESCO Distribution, Inc.**

Electric Systems staff received bids on January 19, 2023 for electric distribution materials required for the construction of distribution lines, also called under build, on the Delivery 3 to Delivery 4 Tie-line which will run parallel to Concord Parkway South and connect the two delivery stations. Material includes wood poles, conductor, switches and miscellaneous hardware that will be used in the construction of the distribution lines.

Two bids were received and evaluated for responsiveness and compliance with technical specification. Electric Staff determined that the lowest bidder, WESCO Distribution, Inc., was responsive and compliant in meeting the required specifications. Material lead time varies with the longest lead time being 39 weeks for pole-top hardware. The total bid amount from WESCO Distribution, Inc., is \$627,810.02. Funding will be derived from existing Delivery 4 & 100 KV project account.

A motion was made by Council Member Crawford and seconded by Council Member Langford to award the bid for electric distribution materials for Delivery 3 to Delivery 4

Tie-line along Concord Parkway S to WESCO Distribution, Inc. in the amount of \$627,810.02—the vote: all aye.

**5. Consider authorizing the City Manager to negotiate and execute a contract addendum with Cellco Partnership dba Verizon Wireless for an extended long term lease of equipment space on the Downtown Tank.**

Cellco partnership currently leased space on the Downtown Tank and is seeking to secure a longer term lease. The extension includes a rent escalator and several renewable terms.

A motion was made by Council Member King and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a contract addendum with Cellco Partnership dba Verizon Wireless—the vote: all aye.

**6. Consider authorizing the City Manager to negotiate and execute contract addendum #2 with McKim & Creed, Inc. for additional design services for the Hwy 29 water pump station project in the amount of \$25,000.**

Additional design work is necessary to continue to design the final exterior of the pump station as well as officially submit the 100% design plans for official review by the City and County. Addendum #1 was below the City Manager approval threshold and covered scope changes requested by staff. Addendum #2 puts the total additional request above the City Manager approval limit and requires Council approval.

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie to authorize the City Manager to negotiate and execute contract addendum #2 with McKim & Creed, Inc. for additional design services for the Hwy 29 water pump station project in the amount of \$25,000—the vote: all aye.

**7. Consider a Preliminary Application from Britt Caulder.**

In accordance with City Code Chapter 62, Britt Caulder has submitted a preliminary application to receive sewer service outside the City limits. The property is located at 5117 Roberta Road. This parcel is zoned county LDR and is developed with a single family house. The property is within Harrisburg's service limits but Harrisburg does not have utilities located in that area to service the parcel.

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

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

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

**CONSENT AGENDA ITEM A**

The following resolution was adopted authorizing the sale the Habitat for Humanity and directing the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents in order to affect the conveyance of the property.

**RESOLUTION AUTHORIZING THE SALE OF GOVERNMENTAL PROPERTY**

WHEREAS, North Carolina General Statute §157-9 authorizes the City Council in its capacity as Housing Authority ("City") to convey real or personal property by private sale to a nonprofit corporation if the city or county is authorized by law to appropriate money to the non-profit corporation; and

WHEREAS, the City owns the following property:

LYING AND BEING in Township Number Twelve (12) of the City of Concord, North Carolina, being a triangular-shaped lot located on the northeast corner of Duval Street NW and Academy Avenue NW and being more particularly described as follows:

Beginning at a set ½" rebar, said rebar being located at the intersection of the right-of-way of Academy Avenue NW (40' Public R/W) and the right-of-way of Duval Street NW (Variable Public R/W), thence with the right-of-way of Academy Avenue NW (40' Public R/W), N 47°53'50" E 27.12 feet to a found ½" rebar, said rebar being a common corner with now or formerly Habitat for Humanity Cabarrus County (Deed Bk. 11995, Pg. 269); thence with the property of now or formerly Habitat for Humanity Cabarrus County (Deed Bk. 11995, Pg. 269), S 37°47'44" E 66.71 feet to a set ½" rebar, said rebar being located on the right-of-way of Duval Street NW (Variable Public R/W); thence with the right-of-way of Duval Street NW (Variable Public R/W), N 60°29'16" W 70.10 feet to the POINT AND PLACE OF BEGINNING and containing 0.021 Acres and is shown on a map titled, "0.458 Acres – Academy Avenue NW" dated January 5, 2021 by NorStar Land Surveying, Inc. and is attached as Exhibit A for further reference.

WHEREAS, North Carolina General Statutes §157-9 authorizes the City Council, in its capacity as the Housing Authority, to sell real property or any interest therein to any person, firm, corporation, municipality, city, or government for a public use and are subject to such covenants, conditions, and restrictions as may be deemed to be in the public interest or to carry out a public purpose; and

WHEREAS, North Carolina General Statutes §157-9, the Housing Authorities Law, authorizes municipalities to make appropriations for affordable housing; and

WHEREAS, the City has negotiated with Habitat for Humanity Cabarrus County ("Buyer") to convey the Properties to the North Carolina non-profit corporation for the purpose of constructing affordable housing; and

WHEREAS, the construction of affordable housing will assist the city in meeting the needs of low- and moderate-income households; and

WHEREAS, on December 21, 2022, the City received an Offer to Purchase the Properties from the Buyer for \$2,717.28; and

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

1. The City Council accepts the offer described above pursuant to North Carolina General Statute § 157-9.
2. The final sale shall include the following terms:
  - a. The City will convey, in fee simple determinable title, 0.021 Acres and is shown on a map titled, "0.458 Acres – Academy Avenue NW" dated January 5, 2021 by NorStar Land Surveying, Inc. as stated in the Agreement for Purchase and Sale of Real Property.
  - b. The City will convey 0.021 Acres and is shown on a map titled, "0.458 Acres – Academy Avenue NW" dated January 5, 2021 by NorStar Land Surveying, Inc. subject to all existing public utility easements, restrictions, rights-of-way, protective covenants, zoning laws, conditions, and any ordinance of record, along with the contingency of the affordability restrictions and all related conditions to the sale.
  - c. The closing shall take place on or before February 28, 2023, unless otherwise agreed by the parties.
3. The consideration for the conveyance is \$2,717.28 and the following set of conditions, covenants, and restrictions, which shall be incorporated in the deed given by the City of Concord to the Habitat for Humanity Cabarrus County, Inc.:

a. Subject to the existing rights of way for Duval Street NW and Academy Avenue NW

4. The City Attorney is directed to take all necessary steps to complete the transfer of the property. The City Manager is authorized to execute the necessary instruments to effectuate the sale of 0.021 Acres and is shown on a map titled, "0.458 Acres – Academy Avenue NW" dated January 5, 2021 by NorStar Land Surveying, Inc. in accordance with this resolution.

Adopted this 9th day of February 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

**CONSENT AGENDA ITEM B**

Solid Waste Services was authorized to apply for grant funding from the NC Department of Environmental Quality aimed at reducing residential recycling contamination within the City of Concord.

**CONSENT AGENDA ITEM C**

The 2023 Family Self-Sufficiency (FSS) Grant from HUD was accepted and the following budget ordinance was adopted to appropriate the funds.

ORD. #23-09

GRANT PROJECT ORDINANCE  
2023 FAMILY SELF SUFFICIENCY PROGRAM  
GRANT

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

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

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

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

2023 FSS REVENUE	697-4703407		
697-4703407	<u>Current</u>	<u>Amended</u>	<u>Increase</u>
	\$0	\$64,000	\$64,000
Total Revenue			<b>\$64,000</b>

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

		<u>Current</u>	<u>Amended</u>	<u>Increase</u>
FICA	9109-5181000	\$0	\$3,000	\$3,000
	9109-5181000			

Retirement-General	9109-5182000	\$0	\$5,000	\$5,000
	9109-5182000			
Group Insurance	9109-5183000	\$0	\$17,800	\$17,800
	9109-5183000			
401K Contribution	9109-5187000	\$0	\$1,000	\$1,000
	9109-5187000			
Administrative Salaries	9109-5411000	\$0	\$37,200	\$37,200
	9109-5411000			
Total Expenditures				<b>\$64,000</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 grant project amendment shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this 9th day of February 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM D**

The easement acquisition of 2.60 acres for future development of Coddle Creek Greenway for \$43,700 was approved and the following ordinances were adopted to amend the Parks and Recreation Capital Reserve Fund and Recreation Capital Project Fund to complete transfers for approved property purchases including due diligence of \$5,849.10 for a total cost of \$43,700.

ORD.# 23-05

**PARKS & CAPITAL RESERVE FUND ORDINANCE  
AMENDED**

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

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

SECTION 2. The City Manager is hereby authorized to proceed with the implementation



and amendments of the project/projects within the terms of the plans and specifications for the projects.

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

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
8100-5987000	Transfer to Project	\$1,337,775	\$1,381,475	\$43,700
8100-5987000	Fund			
8100-5811082				
8100-5811082	Future Projects	\$475,128	\$431,428	\$(43,700)

SECTION 4. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the capital reserve fund and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

SECTION 5. Within five (5) days after adopted, copies of this capital reserve fund amendments/adoption shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out the purpose of this fund.

SECTION 6. The Finance Director is directed to report on the financial status of this fund in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 9th day of February, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

ORD.# 23-06

**CAPITAL PROJECT ORDINANCE AMENDMENT  
Parks & Recreation Projects-Coddle Creek Greenway**

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

SECTION 1. The projects authorized are the projects included for the Coddle Creek Greenway.

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

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

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>
420-4501280				
420-4501280	Transfer from P&R Reserve	\$3,727,883	\$3,771,583	\$43,700
8300-5811093				
8300-5811093	Coddle Creek Greenway	\$744,820	\$788,520	\$43,700

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 9th day February, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM E**

A reallocation of \$48,785.74 in Community Development Block Grant (CDBG) Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding to Big Brothers and Big Sisters in the amount of \$1,914.00, El Puente in the amount of \$28,000.00 and the remaining \$18,871.74 in administrative cost for community needs related to COVID-19 was approved.

**CONSENT AGENDA ITEM F**

A contribution of \$2,500 from the Mayor's Golf Tournament Fund to Fulltime Funkytown was approved and the following budget ordinance was adopted.

ORD. # 23-11

**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 Approp	6,637,533	6,640,033	2,500
	<b>Total</b>			<b>2,500</b>

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5470043	Golf Tournaments	4,160	6,660	2,500
	<b>Total</b>			<b>2,500</b>

Reason: To appropriate Mayor Golf Tournament reserves for a donation to Fulltime Funkytown to assist with the youth cooking summer camp program.

Adopted this 9th day of February, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM G**

The maintenance agreements were approved and the offers of dedication on the following properties were accepted: Sycamore at Christenbury, LLC.

**CONSENT AGENDA ITEM H**

The offer of dedication on the following plat and easements were accepted: Cumberland Subdivision Phase 2.

**CONSENT AGENDA ITEM I**

The offers of infrastructure at Odell Corners Residential Townhomes PH 2, Odell Corners PH 1 Commercial, Pipers Landing PH 1 MP 1, Copart Inc-Concord Speedway, City of Concord Electric Operations Center, Rooms to Go, Aviation Industrial were accepted.

**CONSENT AGENDA ITEM J**

The City Manager was authorized to execute a contract with Martin Starnes & Associates, CPAs, P.A. for the audit of City of Concord accounts for fiscal year ending June 30, 2023.

**CONSENT AGENDA ITEM K**

The following budget ordinance was adopted to amend the FY 2022/2023 Budget Ordinance for the General Fund for improvements to the Solid Waste shed.

ORD. #23-10

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	
100-4351000	Sale of Fixed Assets	33,819	73,819	40,000
<b>Total</b>				<b>40,000</b>

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
4520-5558000	Bldgs & Imprv – Capital	28,800	68,800	40,000
<b>Total</b>				<b>40,000</b>

Reason: To appropriate proceeds from the sale of fixed assets to provide funding for an elevator lift in the future solid waste shed mezzanine to ensure ADA accessibility.

Adopted this 9th day of February, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM L**

The following budget ordinance was adopted to amend the FY2022/2023 Budget Ordinance for the General Fund to appropriate insurance reimbursements received.

ORD. #23-07

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	
100-4353100	Insurance Reimbursement	62,129	98,215	36,086
<b>Total</b>				<b>36,086</b>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4550-5362000	Accident Repairs	4,970	10,126	5,156
4310-5540000	Vehicles – Police	1,127,085	1,158,015	30,930
<b>Total</b>				<b>36,086</b>

Reason: To appropriate insurance proceeds for insurance repairs and flood damage cleanup and repairs.

Adopted this 9th day of February 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM M**

The following capital project ordinance was adopted to amend the Parks and Recreation Capital Project Fund project account for the Poplar Tent Trailhead Park.

ORD.# 23-08  
CAPITAL PROJECT ORDINANCE AMENDMENT  
**Parks & Recreation Projects-Poplar Tent Trailhead Park**

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

SECTION 1. The projects authorized are the projects included for the Poplar Tent Trailhead 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 completion of the projects:

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

<u>Expenses/Expenditures</u>					
<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>	
8300-5811019	Hector Henry-Cannon				
8300-5811019	Crossing	\$898,181	\$738,181	(\$160,000)	
8300-5811105					
8300-5811105	Poplar Tent Trailhead Park	\$0	\$160,000	\$160,000	

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 9th day February, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM N**

The addition of the Information Technology compensation plan along with the associated salary ranges and job classifications to the classification/compensation system was approved.

**CONSENT AGENDA ITEM O**

The 2024 and 2025 Holiday Schedules were approved.

**CONSENT AGENDA ITEM P**

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

**CONSENT AGENDA ITEM Q**

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

**CONSENT AGENDA ITEM R**

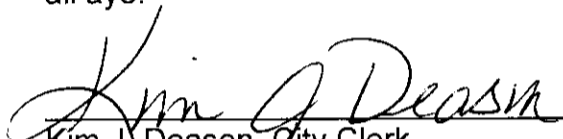
The Tax releases/refunds for the month of December 2022 were approved.

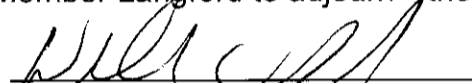
**CONSENT AGENDA ITEM S**

The monthly report on investments as of December 31, 2022 was received.

\* \* \* \* \*

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

  
Kim J. Deason, City Clerk

  
William C. Dusch, Mayor