

CONCORD CITY COUNCIL
REGULAR MEETING
JUNE 8, 2023

A regular meeting of the City Council for the City of Concord, North Carolina, was held in the 3rd floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on June 8, 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
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 Mayor Pro-Tem McKenzie and seconded by Council Member Sweat to approve the minutes for the meetings of April 18, May 9, and May 11, 2023—the vote: all aye.

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Presentations:

- 1. Mayor Dusch presented a Proclamation recognizing June 19-25, 2023 as National Pollinator Week.**
- 2. Mayor Dusch presented a Proclamation recognizing the many contributions Mrs. Ruth Brooks has made to the community.**
- 3. Mayor Dusch presented a Proclamation recognizing June 19, 2023 as Juneteenth Day.**

Departmental Reports:

1. Downtown Streetscape Update

The Planning and Neighborhood Services Department and Concord Downtown Development Corporation staff provided an update on the downtown streetscape project.

Recognition of Persons Requesting to be Heard:

Curtis Armstrong addressed the Council in regards to his new non-profit organization. He wanted to bring awareness to the organization in hopes of gaining support from the community and the City Council.

Albert Benshoff addressed the Council to express his satisfaction of City services.

Roland Jordan addressed the Council regarding community issues.

Robert Neal addressed the Council in regards to recognition of Vietnam Veterans.

Public Hearings:

1. Conduct a public hearing to consider the Raftelis Consultants System Development Fee study regarding the City's water and sewer system development fees.

A report from Raftelis Financial Consultants detailed the requested amendments to the City's water and sewer development fees. Raftelis was contracted to update and review the City's system development fees to ensure compliance pursuant to NCGS 162A, Article 8. The report represents an analysis as to how to calculate the system development fees and includes supporting documentation for the calculations. The City published the report, which included the recommended fees, on the City's web site. The law requires that the City "furnish the means" for providing public comments. The option for public comment was included in the electronic posting and the public input requirement was open for 45 days. All public comment is considered before recommending the system development fees. If the City chooses to update the current fees with the new fees, supported by a professional analysis, the fees will need to be in place by July 1, 2023. The fees will be adopted each year as part of the City's annual budget process. The study will be updated every 5 years as required by NCGS 162A, Article 8.

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

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

A motion was made by Council Member Stocks and seconded by Council Member Crawford to approve the City's water and sewer system development fees as presented in the Raftelis Consultants System Development Fee Study—the vote: all aye.

2. Conduct a public hearing, pursuant to N.C. General Statutes, Section 159-12, to receive public comments relative to the proposed FY 2023- 2024 budget for the City of Concord; following public comments, consider adopting the proposed FY2023-2024 Budget, and consider adopting the Cabarrus Arts Council portion of the External Agencies pursuant to NC General Statutes, Section 14-234.3.

The City Manager submitted his recommended budget to the City Council for consideration. Before adopting the budget ordinance, Council must hold a public hearing. Once the Council holds the public hearing, and considers input, it may adopt the budget ordinance at any time before the end of June 2023. The Cabarrus Arts Council portion of the External Agencies will be considered separately in order to comply with the requirements of NC General Statutes, Section 14-234.3.

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

Albert Benshoff addressed the Council with a suggestion that the Transportation Department eliminate the use of the current herbicide that is being used. He also stated the City could increase revenues by increasing fees for Historic District Certificate of Appropriateness's.

There were no further speakers signed in to speak in favor or in opposition to the request. Therefore, the City Manager presented the FY23/24 budget to the City Council for their consideration.

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

A motion was made by Council Member Crawford and seconded by Council Member Sweat to adopt the FY 2023-2024 budget and capital project ordinances—the vote: all aye.

2023 - 2024 BUDGET ORDINANCE

BE IT ORDAINED by the City Council of the City of Concord, North Carolina, meeting in open session this 8th day of June 2023 that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are adopted.

SECTION I. GENERAL FUND:

Revenues totaling \$126,885,078 are hereby approved from the following sources:

Ad Valorem Taxes	\$ 76,857,459
Sales Taxes	29,552,587
Unrestricted Intergovernmental Revenue	6,458,495
Restricted Intergovernmental Revenue	5,373,769
Licenses, Permits and Fees	2,376,379
Sales & Services Revenue	1,577,716
Other Revenues	3,688,673
Investment Earnings	1,000,000
Transfer from Capital Reserves	0
TOTAL	\$ 126,885,078

A total of \$126,885,078 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

Governing Body	\$ 338,368
Public Services – Admin.	211,516
City Manager’s Office	1,167,525
Human Resources	1,560,246
Wellness Center	311,399
Finance	987,051
Tax	436,973
Legal	568,972
Information Technology	3,049,571
Non-Departmental	8,462,334
Police	28,176,197
Code Enforcement	1,207,543
Communications	2,631,955
Fiber Network Management	514,943
Radio Shop	496,992
Fire	35,186,069
Fire – Prevention	1,257,834
Fire – Training	1,195,776
Emergency Management	333,346
Streets	9,723,341
Powell Bill	1,999,551
Traffic Signals	1,676,697
Traffic Services	912,419
Solid Waste & Recycling	8,451,428
Cemeteries	1,078,393
Fleet Services (costs are direct billed)	0
Planning & Neighborhood Development	2,551,616
Transportation Planning	493,389
Economic Development	732,347
Parks & Recreation	10,973,318
Parks & Recreation - Aquatics	197,969
TOTAL	\$ 126,885,078

SECTION II. SPECIAL REVENUE FUNDS:

Revenues totaling \$9,834,213 are hereby approved comprising Municipal Service District Tax Revenues, Housing Assistance Voucher Program, Community Development Block Grant Fund, H.O.M.E. Consortium Fund, Market Rate Units Fund, and Affordable Housing Revolving Fund.

A total of \$9,834,213 is hereby authorized to be expended from Special Revenue Funds as

follows:

Municipal Service District Fund	\$	236,445
Housing Assistance Voucher Program		5,808,447
Fund		
Community Development Block Grant		605,948
Fund		
H.O.M.E. Consortium Fund		1,446,529
Market Rate Units Fund		152,844
Affordable Housing Revolving Fund		1,584,000
TOTAL	\$	9,834,213

SECTION III. STORMWATER FUND:

Revenues are hereby approved comprised of \$5,673,049 in operating revenue. A total of \$5,673,049 is hereby authorized to be expended from the Stormwater Fund as follows:

Stormwater Operations & Maintenance	\$	5,673,049
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SECTION IV. ELECTRIC FUND:

Revenues are hereby approved comprised of \$105,414,000 in operating revenues. A total of \$105,414,000 is hereby authorized to be expended from the Electric Fund as follows:

Electric Administration	\$	10,203,711
Purchased Power		71,549,349
Maintenance - Power		3,378,372
Lines		
Tree Trimming		2,810,004
Electric Construction		15,465,386
Electric Engineering		1,195,103
Utility Locate Services		812,075
TOTAL	\$	105,414,000

SECTION V. WATER FUND:

Revenues are hereby approved comprised of \$28,437,724 in operating revenue and non-operating revenue of \$50,000. A total of \$28,487,724 is hereby authorized to be expended from the Water Fund as follows:

Hillgrove Water Plant	\$	4,294,411
Coddle Creek Water Plant		10,164,141
Waterlines - Operation &		14,029,172
Maintenance		
TOTAL	\$	28,487,724

SECTION VI. TRANSIT FUND:

Revenues are hereby approved comprised of \$264,208 in operating revenues, \$425,000 in licenses/permits/fees revenues, restricted intergovernmental revenue of \$4,752,701, and a transfer of \$1,508,051 from the General Fund. A total of \$6,949,960 is hereby authorized to be expended from the Transit Fund as follows:

Transit Farebox/Local	\$	2,153,471
Expense		
Transit Grant Expense		4,796,489
TOTAL	\$	6,949,960

SECTION VII. WASTEWATER FUND:

Revenues are hereby approved comprised of operating revenues of \$19,379,116. A total of \$19,379,116 is hereby authorized to be expended from the Wastewater Fund as follows:

Wastewater Operations & Maintenance	\$	19,379,116
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SECTION VIII. GOLF COURSE FUND:

Revenues are hereby approved comprised of \$2,479,349 in operating revenues. A total of \$2,479,349 is hereby authorized to be expended from the Golf Course Fund as follows:

Golf Course Operating \$ 2,479,349

SECTION IX. AVIATION FUND:

Revenues are hereby approved comprised of \$15,711,106 in operating revenue, \$115,000 in licenses/permits/ fees, and transfers of \$1,664,120. A total of \$17,490,226 is hereby authorized to be expended from the Aviation Fund as follows:

Aviation Operating \$ 17,490,226

SECTION X. PUBLIC HOUSING FUND:

Revenues are hereby approved comprised of \$490,000 in operating revenues, \$75,000 in other revenue, a Transfer from Market Rate Fund of \$39,167, a Transfer from the General Fund of \$361,446, and HUD contributions of \$1,003,865. A total of \$1,969,478 is hereby authorized to be expended from the Public Housing as follows:

Public Housing Operations \$ 1,969,478

SECTION XI. DEBT SERVICE (FIRST CONCORD):

Revenues are hereby approved comprised of transfers from operating funds in the amount of \$2,302,031. A total of \$2,302,031 is hereby authorized to be expended from First Concord for debt service payments as follows:

2014 LOBS \$ 2,302,031

SECTION XII. ENCUMBRANCES AS OF JUNE 30, 2023

Funds appropriated in the 2022-2023 budget and encumbered at June 30, 2023, shall be authorized as part of the 2023-2024 budget appropriation by adoption of this budget ordinance.

SECTION XIII. EMPLOYEE COMPENSATION:

In accordance with the provisions of the current Personnel Policy for the City of Concord, a 4.5% contribution to a 401K program is included for all employees except law enforcement. Law enforcement is funded at 5%, as required. Monies have been set aside in each fund for a 3.0% market adjustment to all employees effective July 10, 2023, as well as merit increase opportunities for co-workers. An overall average merit increase range of 1-4% of salaries depending on performance is authorized in each fund for FY 24.

SECTION XIV. TAX RATE ESTABLISHED:

An Ad Valorem Tax rate of \$0.48 per \$100 property valuation is hereby established as the official tax rate for the City of Concord for the fiscal year 2023-2024. The adopted tax rate is based on an estimated valuation of \$15,259,110,068 (including motor vehicles) and an estimated 99% collection rate.

Municipal Service District Tax of \$0.23 per \$100 property valuation (other than personal property of public service corporations) is hereby established for revitalization and other services permitted under N.C. General Statute 160A-536 in the Downtown Municipal Service District created July 1, 1989. The adopted MSD rate reflects an estimated valuation of \$57,965,040 with an estimated 99% percent collection rate.

Allocation of the 2023-2024 tax rates will be as follows:

GENERAL FUND \$ 0.4800
MUNICIPAL SERVICE DISTRICT \$ 0.2300

SECTION XV. SPECIAL AUTHORIZATION – CITY MANAGER:

- a. The City Manager (or his/her designee if sum is under \$10,000) shall, be authorized to reallocate departmental appropriations among the various objects of expenditures, as he/she believes necessary.
- b. The City Manager shall be authorized to effect interdepartmental transfers in the same fund, not to exceed 10 percent of the appropriated monies for the department whose allocation is

- reduced.
- c. Interfund transfers, which are already established in the budget document, may be accomplished without recourse to the Council.
- d. The City Manager, by designation of City Council under NC General Statute 159-13, shall be authorized to appropriate and/or transfer up to \$50,000 in Contingency funds. The transfer must be recorded by budget amendment at the next regularly scheduled City Council meeting.

SECTION XVI. RESTRICTIONS – CITY MANAGER:

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

SECTION XVII. UTILIZATION OF BUDGET AND BUDGET ORDINANCE:

This Ordinance includes the 2023-2024 Annual Operating Budget document, which is on file with the City Clerk and adopted as a part of this Ordinance is incorporated by reference as if fully re-stated herein. The 2023-2024 Schedule of User Fees, Rates and Charges is also included within the Annual Operating Budget document and is thereby adopted under this ordinance.

This Ordinance shall be the basis of the financial operation of the City of Concord during the 2023- 2024 fiscal year. The City Manager shall administer the budget and shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The Finance Department shall establish records which are in consonance with the Budget, the Ordinance, and the appropriate statutes of the State of North Carolina.

This ordinance is approved and adopted this 8th day of June 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. #23-40

City of Concord, North Carolina
CAPITAL PROJECT ORDINANCE

BE IT ORDAINED BY THE CITY OF CONCORD, NORTH CAROLINA; The following project expenditures and anticipated fund revenues are hereby appropriated for the construction of the City’s various capital projects and funds for the fiscal year beginning July 1, 2023 and ending June 30, 2024. *Specific future capital project details may be found in the City’s Capital Improvement Plan.*

SECTION I. CAPITAL RESERVE PROJECTS

General Fund Recreation Capital Reserve - Fund 280

Future Projects – Parks & Rec	\$ 1,584,000	
Transfer from General Fund (1¢)		\$ 1,584,000
	\$ 1,584,000	\$ 1,584,000

General Fund Capital Reserve - Fund 285

Transfer to General Capital Projects	\$ 8,020,076	
Future Projects Reserves	\$ (8,020,076)	
	\$ 0	\$ 0

Utility Funds Capital Reserve - Fund 282

Future Water Projects	\$ 1,000,000
Future Wastewater Projects	\$ 400,000

Future Electric Projects	\$ 3,551,314	\$ 1,000,000
Transfer from Water		\$ 400,000
Transfer from Wastewater		\$ 3,551,314
Transfer from Electric		\$ 4,951,314
	\$ 4,951,314	\$ 4,951,314

Recreation Projects - Fund 420

Poplar Tent Trailhead Park	\$1,680,000	
Caldwell Park Improvements	\$7,289,118	
J.E. Jim Ramseur Park	\$19,300,00	
Dorton Park Improvements	\$4,628,787	
Academy Recreation Center/Gibson Village	\$5,967,680	
David Phillips Activity Center Park	\$2,650,000	\$41,515,585
Development Bond Proceeds		\$41,515,585
	\$41,515,585	\$41,515,585

Fire Projects – Fund 426

Fire Station 3 – Expansion	\$ 585,000	
Fire Station 6 & David District Substation	\$ 9,780,000	
ARFF Certification	\$ 275,000	
Equipment Transfer from General Fund		\$ 860,000
Financing Proceeds		\$ 9,780,000
	\$ 10,640,000	\$ 10,640,000

General Fund Capital Projects - Fund 430

Fleet Facility	\$ 11,401,871	
Charlie District Substation Renovation	\$ 250,000	
Communications Building – Fire Station 3	\$ 2,145,000	
IT Switches Transition	\$ 460,000	
Rutherford Cemetery Expansion	\$ 138,000	
Fiber Network Expansion	\$ 525,000	
Finance/HR ERP	\$ 250,000	
Future Projects Reserves	\$ (665,000)	
Financing Proceeds		\$ 2,145,000
Transfer from General Fund		\$ 748,000
Transfer from Stormwater		\$ 353,458
Transfer from Electric		\$ 1,109,506
Transfer from Transit		\$ 14,822
Transfer from Wastewater		\$ 640,785
Transfer from Aviation		\$ 179,086
Transfer from Public Housing		\$ 21,664
Transfer from Internal Service		\$ 745,682
Transfer from General Capital Reserve		\$ 8,020,076
Transfer from Water Future Projects Reserves		\$ 526,792
	\$ 14,504,871	\$14,504,871

SECTION III. OTHER FUND CAPITAL PROJECTS

Wastewater Projects - Fund 421

Rocky River Outfall to John Q Hammonds Dr.	\$ 240,000	
Coddle Creek Outfall - US29/Rock Hill Church Rd. - (Crossbow Pump Station Elimination)	\$ 1,587,000	
Future Project Reserves	(\$ 1,827,000)	
	\$ 0	\$ 0

Transportation Projects Fund - 423

Poplar Tent Rd. at Harris Rd. Intersection Improv.	\$ 11,860,000	
Traffic Signal Central System Replacement	\$ 1,500,000	
Roberta Road Middle School - Sidewalk	\$ 370,000	
Spring St. Concrete Ph. 1	\$ 344,777	
Future Transportation Projects	\$ 1,444,500	
Future Concrete Streets	\$ 456,723	
PIP Infrastructure – Sidewalk Gaps	\$ 100,000	
Future Sidewalk Projects	\$ 30,000	
Vehicle Licenses \$5 Fee		\$ 425,000
Transfer from General Fund (2.5¢)		\$ 3,960,000
Federal Aid		\$ 10,521,000
Future Grants		\$ 1,200,000
	\$ 16,106,000	\$ 16,106,000

Water Projects - Fund 429

Hillgrove WTP GAC Contactors	\$	6,095,000	
Hillgrove WTP Settling Basin Improvements	\$	2,230,000	
Zion Church Rd. 12" Line	\$	1,597,000	
Cross Country 16" Line – Hwy 49 to Rocky River Rd.	\$	200,000	
Rocky River Rd 16" Line – Hearth Ln. to Archibald	\$	200,000	
Transfer to Capital Projects	\$	526,792	
Future Projects Reserves	(\$	2,523,792)	
Bond Proceeds			\$8,325,000

\$ 8,325,000

\$ 8,325,000

Electric Projects – Fund 473

Substation T	\$	500,000	
Transfer from the Electric Fund			\$ 500,000
	\$	500,000	\$ 500,000

Stormwater Projects – Fund 474

Farmwood Blvd. Culvert Replacement	\$	193,000	
Future Projects Reserves	(\$	193,000)	
	\$	0	\$ 0

SECTION IV. SPECIAL AUTHORIZATION – CITY MANAGER

- a. The City Manager (or his/her designee if the sum is under \$10,000) shall be authorized to reallocate departmental appropriations among the various objects of expenditures, as he believes necessary.
- b. The City Manager shall be authorized to affect interdepartmental transfers in the same fund, not to exceed 10 percent of the appropriated monies for the department whose allocation is reduced.
- c. Interfund transfers, which are already established in the capital improvement budget document, may be accomplished without recourse to the Council.
- d. Projects that are complete and inactive for at least one year may be closed without recourse to the Council.

SECTION V. RESTRICTIONS – CITY MANAGER

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

SECTION VI. UTILITIZATION OF CAPITAL IMPROVEMENTS BUDGET

This ordinance shall be the basis of the financial plan for capital improvement projects for the City of Concord during FY 2023-24. The above revenues/expenditures shall extend from year to year until each individual project is completed and closed.

This Ordinance is approved and adopted on this 8th day of June 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

A motion was made by Council Member King and seconded by Council Member Parsley-Hubbard to recuse Council Members Stocks and Crawford from voting on the Cabarrus Arts

Council portion of the External Agencies to comply with the requirements of NC General Statutes, Section 14-234.3—the vote: all aye.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Langford to adopt the following Cabarrus Arts Council portion of the External Agencies—the vote: all aye.

ORD. #23-41

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 8th day of June, 2023, adopt a City budget for the fiscal year beginning July 1, 2023 and ending on June 30, 2024, 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	
Total				

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5992000	Contingency	1,104,835	1,068,835	(36,000)
4190-5470003	Cabarrus Arts Council	0	36,000	36,000
Total				0

Reason: To transfer contingency funds to a fund an External Agency Grant to Cabarrus Arts Council.

Adopted this 8th day of June 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

Following the vote, Council Member Stocks and Crawford rejoined to the meeting.

3. Conduct a public hearing and consider adopting a request from Childress Klein Properties/Affiliates to adopt a resolution to enter into a mutual agreement with the City of Charlotte to assign planning/development regulations to 11.54 acres at 8847, 8755 and 8699 Quay Road. (PINs 4589-62-4465, 52-8820).

Sections 160D-203 and 204 of the General Statutes allow two jurisdictions to mutually agree to assign development regulations from one jurisdiction to another. Childress Klein owns a 48.21-acre parcel, 11.54 acres of which are in Concord and are zoned C-2 General Commercial. The owners received approval of a zoning petition on the Charlotte property in December of 2021 for the development of 488 multifamily units. They wish to extend the multifamily uses to the Concord portion. It should be noted that the traffic impact analysis approved with the rezoning factored in the potential development of multifamily on the Concord side (212 potential units).

Approval of the proposed resolution by Concord and Charlotte would allow the Charlotte development regulations to apply to the property, subject to rezoning of the Concord side through the Charlotte process. Should the resolution not be approved by one of the jurisdictions, or the rezoning not be approved by Charlotte, Concord development regulations would still apply to the property.

Concord C-2 zoning allows multifamily development, but only on 30% of the overall tract, and subject to a Special Use Permit, however if the resolution is approved by both jurisdictions, Charlotte zoning requirements would govern instead. If the property is developed under Charlotte Development regulations, water and sewer would be provided by Charlotte.

Emergency services and schools would be provided by Concord/Cabarrus County within Concord's city limits and by Charlotte/Mecklenburg County within their jurisdiction. The 11.54 acres would remain in Concord and the taxation status would not change. Consideration by Charlotte City Council is expected in a subsequent month.

Staff has closely coordinated with the applicant and with Charlotte staff relative to development options on the property. The owner has also been in conversations with elected officials in both jurisdictions.

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

Jeff Brown spoke in favor of the request. He explained the access points of the development and the improvements that will be made to Quay Road per the Traffic Impact Analysis that was conducted. He stated approval of the request will allow Charlotte to move forward with the rezoning of the property.

Council Member Crawford asked if the main entrance and exit to the development be located on Quay Road. Mr. Brown stated there will be two access points on Quay Road but there will be another access point on Mallard Creek Road and one in the business park.

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

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Crawford to adopt the following resolution to assign planning/development regulations to Charlotte for 11.54 acres generally located at 8847, 8755 and 8699 Quay Road. (PINs 4589-62-4465, 52-8820)—the vote: all aye.

**RESOLUTION OF CONCORD CITY COUNCIL
FOR APPLICATION OF SEC. 160D-203 & 204 SPLIT JURISDICTION AUTHORITY**

WHEREAS, Childress Klein Properties/affiliate owns a 48.21 acre parcel in the vicinity of Concord Mills Mall with 11.54 acres of such parcel being located on the south side of Quay Road (8847, 8755 and 8699 Quay Road /PINs 4589-62-4465, 52-8820) and 36.67 acres within Charlotte ETJ and zoned in December of 2021 by Pet. #2021-028 for multi-family uses;

WHEREAS, the 11.54 acre Concord portion is zoned C-2 Commercial General, which allows multi-family uses but with different land use/development regulations than Charlotte resulting in different, conflicting regulations that hinder a preferred unified development of the overall 48.21 acre parcel;

WHEREAS, the 11.54 acre Concord portion is located directly behind Concord Mills Mall with a site location orientation that is directed more seamlessly with the Charlotte 36.67 acre portion, thereby constituting an "orphan" portion of the overall 48.21 acre parcel better suited to

be governed by Charlotte for planning and development regulations without affecting taxation or other non-regulatory matters which shall stay within Concord;

WHEREAS, in December of 2021, Charlotte City Council unanimously approved the rezoning of the 36.67 Charlotte ETJ portion for multi-family uses per Rez. Pet. #2021-028, and this rezoning referenced the possible development of the Concord portion for multi-family uses and in fact accounted for a total of 700 units for the overall 48.21-acre parcel for transportation commitments purposes, and furthermore, Charlotte Water plans to provide water and sewer service to the overall 48.21-acre parcel;

WHEREAS, NC General Statutes Sections 160D-203 & 204 allow Concord and Charlotte by mutual agreement pursuant to Article 20 of Chapter 160A and with the consent of the landowner (which consent has been provided and requested) to assign exclusive planning/development regulation jurisdiction for the entire 48.21 acre parcel (to include the 11.54 acre Concord portion) to Charlotte provided that such mutual agreement shall not affect taxation or other non-regulatory matters; and

WHEREAS, pursuant to Section 160D-203 & 204, adoption of resolutions by Concord City Council and then Charlotte City Council allow a recently filed Charlotte rezoning over the overall 48.21-acre portion now to include the 11.54 acre Concord portion (Rez. Pet. #2023-028) to move through the normal rezoning process whereby Charlotte planning/development jurisdiction would vest in Charlotte upon approval of the rezoning (but not before and if not approved, Concord planning/development regulations will still apply);

NOW THEREFORE, by authority of Sections 160D-203 & 204, Concord City Council hereby adopts this resolution to allow Charlotte planning/ development regulations to apply to the 11.54 Concord portion of the overall 48.21-acre parcel in the manner and pursuant to the statements of purposes set forth above.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

4. Conduct a public hearing and consider adopting an ordinance annexing +/- 3.34 acres of road generally located at Amalia St NE and Northeast Gateway Ct. NE, PIN 5622-63-5846, owned by Copperfield, Inc.

The request is for voluntary annexation of +/- 3.34 acres on Amalia St NE and Northeast Gateway Dr. The property is currently zoned C-2 (General Commercial) in the City of Concord ETJ.

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

The City Manager and the Transportation Director explained steps that would be taken should the developer damage the road.

Council Member King asked if staff recommends approval of the request. The Transportation Director stated the applicant had addressed the deficiencies in the roadway, therefore, staff feels confident of accepting the street.

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

A motion was made by Council Member King and seconded by Council Member Parsley-Hubbard to adopt the following annexation ordinance and set the effective date for June 8, 2023—the vote: all aye.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CONCORD,
NORTH CAROLINA TO INCLUDE +/- 3.341 ACRES OF AMALIA STREET NE AND
NORTHEAST GATEWAY COURT NE, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by the City of Concord, on June 8th, 2023 to annex the area described below; and

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

WHEREAS, the City Clerk has certified the sufficiency of the petitions and a public hearing on the question of this annexation was held at Concord City Hall, 35 Cabarrus Avenue West, on June 8, 2023 after due notice by The Independent Tribune on May 28th, 2023; and

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

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 8th day of June 2023:

All those certain parcels of land, situated, lying and being in Cabarrus County, North Carolina, and more particularly described as follows:

Beginning at a calculated point, said point being located on the eastern right-of-way of Copperfield Boulevard (80' Public R/W), said point also being located N 59°23'41" E 3.00 feet from a ½" rebar, thence with the eastern right-of-way of Copperfield Blvd. (80' Public R/W), N 59°23'41" E 112.15 feet to a calculated point, said point also being the eastern most side of Amalia Street NE; thence with the eastern most side of Amalia Street NE the following fourteen (14) calls: (1) S 14°23'41" W 35.36 feet to a calculated point; (2) S 30°36'19" E 27.02 feet to a calculated point; (3) S 24°53'41" E 20.61 feet to a calculated point; (4) with a curve to the right, having a radius of 227.17 feet, and arc of 68.32 feet and a chord bearing and distance of S 16°23'28" E 68.06 feet to a calculated point; (5) with a curve to the right, having a radius of 222.50 feet, an arc of 184.59 feet and a chord bearing and distance of S 10°37'54" W 179.34 feet to a calculated point; (6) S 34°23'54" W 150.52 feet to a ½" rebar, said rebar being a common corner with now or formerly Copperfield, Inc. (Deed Bk. 618, Pg. 376); (7) with a curve to the left, having a radius of 477.50 feet, an arc of 214.39 feet and a chord bearing and distance of S 21°32'09" W 212.60 feet to a calculated point; (8) S 08°40'24" W 558.80 feet to a calculated point; (9) with a curve to the right, having a radius of 140.50 feet, an arc of 94.46 feet and a chord bearing and distance of S 27°56'03" W 92.69 feet to a calculated point; (10) S 47°11'42" W 201.66 feet to a calculated point; (11) with a curve to the left, having a radius of 277.50 feet, an arc of 50.83 feet and a chord bearing and distance of S 41°56'51" W 50.76 feet to a calculated point; (12) S 31°30'40" W 45.71 feet to a calculated point; (13) with a curve to the right, having a radius of 1048.94 feet, an arc of 78.33 feet and a chord bearing and distance of S 34°36'11" W 78.31 feet to a ½" rebar; (14) S 36°42'01" W 1013.36 feet to a ½" rebar, said rebar being located on the northeastern right-of-way of Governor's Pointe Court (50' Public R/W), said rebar being a common corner with now or formerly Governor's Point at Copperfield (Map Bk. 28, Pg. 98); thence with the northeastern right-of-way of Governor's Pointe Court (50' Public R/W) N 53°18'00" W 80.00 feet to a calculated point; thence with the western right-of-way of Amalia Street NE the following six (6) calls: (1) N 81°42'01" E 42.43 feet to a calculated point; (2) N 36°42'01" E 983.36 feet to a calculated point; (3) with a curve to the left, having a radius of 998.94 feet, an arc of 63.96 feet, and a chord bearing and distance of N 34°54'29" E 63.95 feet to a calculated point; (4) N 36°42'01" E 59.83 feet to a calculated point; (5) with a curve to the right, having a radius of 322.50 feet, an arc of 59.07 feet and a chord bearing and distance of N 41°56'51" E 58.99 feet to a calculated point; (6) N 47°11'42" E 147.84 feet to a calculated point, said point being located on the southern right-of-way of Northeast Gateway Drive NE; thence with the southern right-of-way of Northeast Gateway Drive NE the following six (6) calls: (1) with a curve to the left, having a radius of 29.50 feet, an arc of 50.84 feet and a chord bearing and distance of N 02°10'21" W 44.78 feet to a calculated point; (2) with a curve to the left, having a radius of 127.50 feet, an arc of 21.58 feet and a chord bearing and distance of N 56°23'20" W 21.56 feet to a calculated point; (3) with a curve to the left, having a radius of 131.23 feet, an arc of 51.03 feet and a chord bearing and distance of N 78°41'20" W 50.71 feet to a calculated point; (4) N 87°02'18" W 30.92 feet to a calculated point; (5) N 81°19'40" W 74.33 feet to a calculated point; (6) S 58°09'19" W 45.61 feet to a calculated point, said point being located on the eastern right-of-way of Copperfield Blvd. (80' Public R/W); thence with the eastern right-of-way of Copperfield Blvd. (80' Public R/W), with a curve to the left, having a radius of 890.00 feet, an arc

of 122.36 feet and a chord bearing and distance of N 14°39'56" E 122.26 feet to a calculated point; thence with the northern right-of-way of Northeast Gateway Drive NE the following six (6) calls: (1) S 34°49'03" E 41.29 feet to a calculated point; (2) S 81°19'40" E 67.82 feet to a calculated point; (3) S 75°37'02" E 30.47 feet to a calculated point; (4) with a curve to the right, having a radius of 182.79 feet, an arc of 57.79 feet and a chord bearing of S 68°45'06" E 57.55 feet to a calculated point; (5) with a curve to the right, having a radius of 172.50 feet, an arc of 36.45 feet and a chord bearing and distance of S 58°49'20" E 36.38 feet to a calculated point; (6) with a curve to the left, having a radius of 29.50 feet, an arc of 61.04 feet and a chord bearing and distance of N 67°57'09" E 50.72 feet to a calculated point, said point being located on the western right-of-way of Amalia Street NE; thence with the western right-of-way of Amalia Street NE the following eight (8) calls: (1) N 08°40'24" E 549.64 feet to a calculated point; (2) with a curve to the right, having a radius of 522.50 feet, an arc of 234.60 feet and a chord bearing and distance of N 21°32'09" E 232.63 feet to a calculated point; (3) N 34°23'54" E 150.52 feet to a calculated point (4) with a curve to the left, having a radius of 177.50 feet, an arc of 138.96 feet and a chord bearing and distance of N 11°58'17" E 135.43 feet to a calculated point; (5) with a curve to the left, having a radius of 175.39 feet, an arc of 60.69 feet and a chord bearing and distance of N 26°24'11" W 60.39 feet to a calculated point; (6) N 36°18'58" W 20.71 feet to a calculated point; (7) N 30°36'19" W 22.02 feet to a calculated point; (8) N 70°35'17" W 39.15 feet to the POINT AND PLACE OF BEGINNING and containing 3.341 AC.

SECTION 2. Upon and after the 8th day of June, 2023 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

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

Adopted this 8th day of June 2023.

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 and consider adopting an ordinance annexing +/- 47.52 acres at 1085 Copperfield Blvd, p/o PIN 5622-65-8770, owned by Copperfield, Inc.

Per the applicant's request, the Council acted to continue this request until the July 13, 2023 City Council meeting.

Presentations of Petitions and Requests:

1. Consider adopting a reimbursement resolution declaring the intent of the City of Concord to reimburse itself for capital expenditures incurred in connection with the financing of a fire station and communications building from the proceeds of an installment financing contract to be executed during fiscal year 2024.

The City plans to finance a fire station to be constructed at Concord-Padgett Regional Airport and a Communications Building on property behind Fire Station 3. The fire station will also include a David District substation. These projects are in the FY24 CIP. These projects may have costs before the City completes the financing. The reimbursement resolution will allow the finance director to reimburse the City for these expenditures from the proceeds of the installment financing deal.

A motion was made by Council Member Langford and seconded by Council Member Crawford to adopt the following reimbursement resolution declaring the intent of the City of Concord to reimburse itself for capital expenditures incurred in connection with the financing of a fire station and communications building from the proceeds of an installment financing contract to be executed during fiscal year 2024—the vote: all aye.

Resolution Declaring The Intent Of The City of Concord To Reimburse Itself For Capital Expenditures Incurred In Connection With the financing of A Fire Station and Communications Building From The Proceeds Of An Installment Financing Contract To Be Executed and Delivered During FISCAL Year 2024.

WHEREAS, the City Council of the City of Concord, North Carolina (the “City”) by resolution adopted on July 13, 2000 has authorized the City’s Finance Director to take such action as may be required to declare the intent of the City to reimburse itself for capital expenditures made in anticipation of the execution and delivery of tax-exempt obligations and installment financings;

WHEREAS, the City hereby finds and determines that it is in the best interests of the City to proceed with the clearing/grading the site of a new fire station and construction of the facility and associated furnishings at Concord-Padgett Regional Airport and the construction of a Communications Building on property behind Fire Station 3 (collectively, the “Project”);

WHEREAS, the City reasonably expects to receive the proceeds from an installment financing contract (the “Contract”) during fiscal year 2024 to finance the Project:

WHEREAS, the City desires to proceed with the Project and will incur additional capital expenditures (the “Capital Expenditures”) in connection therewith before the execution and delivery of the Contract; and

WHEREAS, the City will advance moneys from funds currently on hand to pay for the Capital Expenditures and the City intends, and reasonably expects, to reimburse itself for the Capital Expenditures from a portion of the proceeds from the Contract entered into by the City;

NOW, THEREFORE, BE IT RESOLVED by the City as follows:

Section 1. **Official Declaration of Intent.** The City presently intends, and reasonably expects, to reimburse itself for the Original Expenditures incurred and paid by the City on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Contract. The City reasonably expects to execute and deliver the Contract to finance all or a portion of the costs of the Project and the maximum principal amount of the Contract expected to be executed and delivered by the City to pay for all or a portion of the costs of the Project is \$11,925,000.

Section 2. **Compliance with Regulations.** This Resolution is a declaration of official intent of the City under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the City’s intent to reimburse itself for the Original Expenditures from proceeds of the Contract.

Section 3. **Itemization of Capital Expenditures.** The Finance Director of the City or her designee, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the City in determining and itemizing all of the Original Expenditures incurred and paid by the City in connection with the Project during the period commencing on the date occurring 60 days prior to the date of adoption of this Resolution and ending on the date of execution and delivery of the Contract.

Section 4. **Effective Date.** This Resolution shall become effective immediately upon the date of its adoption.

ADOPTED AND APPROVED this 8th day of June 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

2. Consider authorizing the City Manager to negotiate and execute a one year contract extension (Addendum 3) with the Town of Harrisburg for continued treated water purchases from the City of Concord.

The current water Second Contract Addendum expires July 31, 2023. The City of Concord and Harrisburg are engaged in conversations concerning a long term water purchase agreement. Several water use and water source studies are currently underway. It would be beneficial to both parties to execute a third addendum that would extend through June 30, 2024. The agreement includes a temporary raising of the water volumes allowed before incurring a higher rate and the removal of references to paid storage capacities that is no longer relevant since Harrisburg has completed their second elevated storage tank.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a one year contract extension with the Town of Harrisburg for continued treated water purchases from the City of Concord—the vote: all aye.

3. Consider approving the Concord Co-Sponsorship application for the Downtown Concord-Cabarrus Arts Council Art Walk on Union.

The event organizers are requesting assistance for police presence before and during the event, as well as transportation barricades to be provided the Friday before the event and picked up on the Monday following the event. Organizers are also requesting 4 trash cans to be provided by solid waste to be dropped off before the event and picked up after the event.

A motion was made by Council Member Crawford and seconded by Council Member Sweat to approve the Concord Co-Sponsorship application for the Downtown Concord-Cabarrus Arts Council Art Walk on Union taking place on June 24, 2023—the vote: all aye.

4. Consider approving the Concord Co-Sponsorship application for the Juneteenth Celebration on June 17, 2023 at Caldwell Park.

Event organizer and applicant, Wilma Means and the HBCU Hero Optimist Club, is requesting that the 85/15 revenue split agreement be waived for vendors on site. The applicant is also requesting resources from Concord Police and Concord Fire for a "Bike Rodeo" event during the Juneteenth celebration.

The City Manager stated the applicant had not submitted the required insurance documentation as of the meeting time. He stated if Council desired, the request could be approved contingent upon the application submitting the required insurance documentation.

A motion was made by Council Member King and seconded by Council Member Crawford to approve the Concord Co-Sponsorship application for the Juneteenth celebration at Caldwell park to be held June 17, 2023 from 10am-2pm contingent upon the required insurance documentation being submitted and approved—the vote: all aye.

5. Consider awarding a bid and authorize the City Manager to execute a contract for Williams Electric Company to provide contract labor and equipment for installation and maintenance of the City of Concord's electric infrastructure.

Six bids were received on 4/20/23 for the provision of contract labor and equipment to install and maintain electric infrastructure to meet customer demands for electric services. Bid package specifications called for hourly pricing for all individual crew positions, work equipment, and for total crew costs. The lowest responsive bid was submitted by Williams Electric Company in the evaluated amount of \$6,077.83 per hour for all possible types of crews and equipment. As a result, Electric Systems staff recommends acceptance of the Williams Electric Company bid and recommends that the City Manager execute a contract to facilitate these services.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to award a bid and authorize the City Manager to execute a contract for Williams Electric Company to provide contract labor and equipment for installation and maintenance of the City of Concord's electric infrastructure—the vote: all aye.

6. Consider authorizing the City Manager to negotiate and execute a contract with McAdams for full design services for the bond project at David Phillips Activity Center Park Area located at 946 Burrage Road NE in the amount of \$290,620.

City Council adopted the David Phillips Activity Center Park Area Master Plan in September 2020. The existing park, located at 946 Burrage Road, is approximately 10 acres. Parks and Recreation has selected the firm, McAdams, through an RFQ process for professional design services for the park. The original master plan was completed by Viz Design and staff guided the public input process. The project was identified in the General Obligation Bond funded project in group 1. This design phase will include Schematic Design, Design Development Plans, Construction Documents at 50%, 95% and 100% level, architectural services for proposed shelter on the property, and cost estimation services. The park will also serve as a trailhead for the McEachern Greenway along Three Mile Branch with future connectivity Atrium Health Cabarrus Hospital.

A motion was made by Council Member Stocks and seconded by Council Member Langford to authorize the City Manager to negotiate and execute a contract with McAdams in the amount of \$290,620 for Full Design services for the David Phillips Activity Center park area—the vote: all aye.

7. Consider authorizing the City Manager to negotiate and execute a contract with Performance Managed Construction, Inc. for the George Liles-Roberta Farm pavement repair.

In July 2022, a water pipe owned by the City ruptured under the state-owned George Liles Parkway near the intersection of Roberta Farm Ct. SW. Our city crews promptly repaired the pipe and patched the damaged Pavement. The subgrade soils became saturated due to the water spill and when traffic was allowed back on the road it caused additional pavement damage. NCDOT is requiring the City to repair an area of approximately 5,000 square feet pavement.

The project for the repair was put out for bids under the formal bidding process on April 3, 2023 and bids were received on April 24, 2023. Only one bid was received and, as required by G.S. 143- 132, staff was not able to open and the bid was returned to the bidder. The project was then put out for bids a second time on April 25, 2023 and bids were received on May 3, 2023. This time two bids were received and staff was able to open the bids as allowed by G.S.143-132. The lowest responsible bidder was Performance Managed Construction, Inc. in the amount of \$486,205.50.

A motion was made by Council Member Sweat and seconded by Council Member Stocks to authorize the City Manager to negotiate and execute a contract with Performance Managed Construction, Inc. for the repair of damaged pavement on George Liles Blvd. in the amount of \$486,205.50—the vote: all aye.

8. Consider approving the change in speed limit from 35mph to 25mph for the entire Allen Mills neighborhood in accordance with the City's Speed Limit Change Policy.

The Allen Mills neighborhood requested staff consideration for speed limit signs to be posted due to concerns of speeding along the residential streets. The roads within the Allen Mills neighborhood currently do not have posted speed limits and default to the Citywide Speed Limit of 35mph under City Code Sec. 58-165.

Transportation staff performed a traffic engineering investigation on Old Trace Rd. NW and McGruden Dr. NW. Results of the investigation showed the 85th percentile speeds were 32 and 33mph. The Manual on Uniform Traffic Control Devices (MUTCD) guidelines for speed limits state that a posted speed limit should be within +/-5mph of the 85th percentile speed. With the results of the investigation being within MUTCD guidelines and under the default speed limit, it was the recommendation of Transportation and the Traffic Safety Advisory Committee (TSAC) to not post the 35mph speed limit as posting the current speed limit would likely increase the travel speeds.

The Allen Mills HOA pursued the petition process to reduce the speed limit to 25mph under the City's Speed Limit Change Policy. The City's Policy requires at least 75% of property owners to sign support of the change. 355 of the 466 (76.2%) signed in support of the speed limit change.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Crawford to approve the change in speed limit from 35mph to 25mph for the entire Allen Mills neighborhood in accordance with the City's Speed Limit Change Policy—the vote: all aye.

9. Consider authorizing the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services relating to the intersection improvement of Poplar Tent Road and Harris Road.

At the April 14, 2022, City Council approved entering into an agreement with the North Carolina Department of Transportation for intersection improvements at Poplar Tent Road and Harris Road. In September 2022, the City received letters of interest for the engineering services for this project. Rummel, Klepper & Kahl, L.L. P. (RK&K) was selected by a review committee as the top firm to complete the work. The municipal agreement spells out the approvals required by NCDOT with one of the first ones being a pre-audit conducted by the external audit department of NCDOT of the proposed scope and fee hence the approval is contingent on NCDOT approval. The contract with RK&K would be for the first phase of work which includes roadway design, traffic analysis, NEPA permitting, natural resources & permitting, and location surveys. The contract would be a fixed fee for engineering services not to exceed \$201,840.23. The second phase of final design plans would come back to Council for approval.

A motion was made by Council Member Langford and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a contract with Rummel, Klepper & Kahl, L.L.P. for engineering services related to intersection improvements at Poplar Tent Road and Harris Road contingent on NCDOT approval—the vote: all aye.

10. Consider accepting a preliminary application from James Castonguay

In accordance with City Code Chapter 62, James Castonguay has submitted a preliminary application to receive water service outside the City limits. The property is located at 182 Central Heights Drive. This parcel is zoned county LDR and is developed with a single family house. There is both water and sewer available to the parcel so the recommendation is to require annexation as the parcel is contiguous to the existing city limit.

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

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

Attached is a list of Board and Commission appointments for the City of Concord. This list notes the members that have expiring terms and can or cannot be reappointed.

A motion was made by Council Member Stocks and seconded by Council Member Parsley-Hubbard to make the following appointments/reappointments to various Boards and Commissions and a reappointment to the CDDC Board of Directors—the vote: all aye.

ABC Board

- reappoint Scott Padgett for a 3-year term

Planning & Zoning Commission

- reassign Jim Hays to regular member and appoint Cesar Correa as Alternate #2

Board of Adjustment

- reassign Vamsi Pola and Michael Jemison to regular members and reappoint Chuck Collier and Coretta Grant; appoint Cynthia Hayes as Alternate #1 and Antwion Riley as Alternate #2

Historic Preservation Commission

- Send thank you notes to Shelby Dry and Aimee Cain (both do not wish to be reappointed); reassign Meredith Barbee to regular member; appoint Steve Bradley and John Eury as regular members; and appoint Jason Cagle as Alternate #1 and Randy Hopkins as Alternate #2

WSACC

- reappoint Jennifer Hubbard for a 3-year term

SMAC

- reappoint Barry Hawkins for a second 3-year term

CDDC Board of Directors

- reappoint Asst. City Manager, Pam Hinson, to 1-year term

Public Art Commission

- District 1 – Barbara Propst – 1 year appointment
- District 2 – Jeff Faggart – 2 year appointment
- District 3 – Doyle Bussey – 3 year appointment
- District 4 – Michael Askin – 1 year appointment
- District 5 – Deepa Prabhakar – 2 year appointment
- District 6 – Danielle Player – 3 year appointment
- District 7 – Lisa Washington – 1 year appointment
- At – Large – Richard Schmidt – 2 year appointment
- At – Large – Jonathan Ewart – 3 year appointment
- At – Large – Carter Thomas – 3 year appointment
- Liaison – Sarah Gay – ClearWater Arts Center & Studios Coordinator
- Ex officio Members
 - Montana Maurer – Parks & Recreation Dept
 - Kaylee Caton – Planning and Neighborhood Dev Services
 - Susan Sessler – Buildings and Grounds Dept

* * * * *

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

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

CONSENT AGENDA ITEM A

The following budget ordinance amendment was adopted to establish the FSS Escrow Forfeiture Fund and adopt an initial budget.

ORD. #23-43

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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>		
		Current Budget	Amended Budget	(Decrease) Increase
211-4702600	FSS Escrow Forfeitures	0	19,492	19,492
	Total			19,492

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

2110-5422000	Rec Publication Other	0	19,492	19,492
	Total			19,492

Reason: To establish fund to account for FSS Escrow Forfeitures due to HUD FSS Final Rule and establish initial budget.

Adopted this 8th day of June 2023.

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

The City Manager was authorized to negotiate and execute a contract with Wells Fargo for banking services.

CONSENT AGENDA ITEM C

The following revised resolution of intent was adopted to correct the public hearing for July 13, 2023.

RESOLUTION OF INTENT

WHEREAS, G.S. 160A-299 authorizes the City Council to close public streets and alleys; and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closure of an unopened portion of an alley parallel to Corban Avenue, SE as more specifically set forth below:

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

(1) A meeting will be held at 6:00 p.m. on the 13th day of July, 2023 at the City Hall Council Chambers, 35 Cabarrus Ave. W, Concord, NC to consider a resolution on the closure of the area described as follows:

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

Beginning at #4 rebar at property belonging to Charles Stapleton and wife Stephanie Stapleton Lot 6 MB 1 PG 36 Tract 1 DB 13064 PG 274 5630-17-2806 traveling 226.42 feet N 86° 03' 56" W to #4 rebar, thence traveling 15.27 feet N 03° 27' 03" to a stake at the corner of property Charles Stapleton and wife Stephanie Stapleton lots 14-17 MB 1 PG 36 Tracts 3 & 4 DB 13064 Pg 274 5630-180077, 5630-18-2007, thence traveling 225.18 feet S 85° 31' 42" W to a stake, thence traveling 14.97 feet S 01° 48' 50" E to the beginning # 4 rebar

(2) The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks in The Independent Tribune or other newspaper of general circulation in the area.

(3) The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of this Resolution of Intent.

(4) The City Clerk is further directed to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM D

The City Manager was authorized to execute a contract for Lewis Tree Services to provide labor and equipment for maintaining proper line clearance of City of Concord's infrastructure.

CONSENT AGENDA ITEM E

The City Manager was authorized to execute a contract for Southern Cross to provide contract labor and equipment for locating the City of Concord's infrastructure.

CONSENT AGENDA ITEM F

The Concord-Padgett Regional Airport was authorized to apply for the FY24 North Carolina Department of Transportation, Airport Infrastructure Grant.

CONSENT AGENDA ITEM G

The Concord Police Department was authorized to apply for the Fiscal Year 2023 Patrick Leahy Bulletproof Vest Partnership Grant from the United States Department of Justice: Office of Justice programs.

CONSENT AGENDA ITEM H

The City Manager was authorized to sign a Memorandum of Understanding with Cannon School for the future Coddle Creek Greenway.

CONSENT AGENDA ITEM I

The purchase of a 0.235-acre easement for the proposed Coddle Creek Greenway for \$500.00 from Cannon School was approved.

CONSENT AGENDA ITEM J

The City Manager and City Attorney were authorized to execute three (3) permanent easements with Cabarrus County at Cox Mill Elementary School for the future development of Jim Ramseur Park and Clarke Creek Greenway and neighborhood connectivity.

CONSENT AGENDA ITEM K

The City Manager was authorized to execute the 2023 Carolina Thread Trail Implementation Grant agreement and the following project amendment was adopted to appropriate the funds.

ORD. #23-44

CAPITAL PROJECT ORDINANCE AMENDMENT

Parks & Recreation Projects- Caldwell Park Project – Irish Buffalo 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 Caldwell Park – Irish Buffalo Creek Greenway within Caldwell Park with future connection to Lincoln Street and Melrose Drive

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>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
420-4603000			\$	
420-4603000	Grant Proceeds	\$2,478,114	2,548,114	\$70,000
				\$ 70,000

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

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8300-5811002			\$	
8300-5811002	Caldwell Park	\$2,138,960	2,208,960	\$ 70,000
Total				\$ 70,000

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 8th day of June, 2023.

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 2023 election filing fees were established as \$106 for the Council Member seats.

CONSENT AGENDA ITEM M

A contribution in the amount of \$2,500 from the Mayor's Golf Tournament Fund to the Cabarrus County Youth Orchestra was approved and the following budget ordinance was adopted.

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	11,791,856	11,794,356	2,500
Total				2,500

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5470043	Golf Tournaments	6,820	9,320	2,500
Total				2,500

Reason: To appropriate Mayor Golf Tournament reserves for a donation to the Cabarrus County Youth Orchestra.

Adopted this 8th day of June, 2023.

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 offers of dedication on the following plat and easements were accepted: Piper Landing Phase 3 Map 1, Annsborough Park Phase 2 Map 1, and Cannon Run Phase 1-B.

CONSENT AGENDA ITEM O

The offers of infrastructure at Kasen Bluff Subdivision, Highway 29 Mini-Storage,, Evolve Apartments, The Goddard School, Steris-Charlotte offsite reprocessing center, and Amalia Street, NE were accepted.

CONSENT AGENDA ITEM P

The following capital project ordinance amendment was adopted for the Affordable Housing Fund.

**CAPITAL PROJECT ORDINANCE AMENDMENT
Affordable Housing Fund**

BE IT ORDAINED by the City Council of the City of Concord, North Carolina that pursuant to Section 13.2 Chapter 159 of the General Statutes of North Carolina, the following 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:

<u>Revenues</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
370-4354000				
370-4354000	Other Income	\$283	\$845	\$562
370-4351500				
370-4351500	Affordable Housing Proceeds	\$330,927	\$456,277	\$125,350
				<u>\$125,912</u>

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>
3700-5194000				
3700-5194000	Contract Services	\$0	\$137,380	\$137,380
3700-5811082				
3700-5811082	Future Projects	\$512,032	\$247,360	(\$264,436)
3700-5475000				
3700-5475000	Affordable Housing Construction	\$1,629,925	\$1,882,893	\$252,968
	Total			<u>\$125,912</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 8th day of June 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Q

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

ORD. #23-47

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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
680-4401305	Fuel Sales/Avgas	1,765,877	2,165,877	400,000
680-4401309	Fuel Sales/Jet A	7,282,621	8,982,621	1,700,000
680-4401320	Lease-Tie Downs	60,000	85,000	25,000
680-4401323	Lease-Corporate	560,000	680,000	120,000
680-4401330	Airport Parking	1,800,000	1,450,000	(350,000)
680-4401343	Commercial Into-Plane Fee	110,330	70,330	(40,000)
680-4401344	Passenger Facility Charge	250,000	0	(250,000)
680-4401350	Rental Car	250,000	200,000	(50,000)
680-4406000	Retained Earnings Appr	658,225	0	(658,225)
680-4501400	Transfer from Cap Proj	1,560,580	3,798,399	2,237,819
	Total			3,134,594

		<u>Expenses/Expenditures</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4530-5212000	Uniforms	12,800	17,800	5,000
4530-5194000	Contract Services	386,836	586,836	200,000
4530-5271000	Avgas Purchases	1,377,601	1,577,601	200,000
4530-5272000	Jet A Purchases	4,529,091	6,529,091	2,000,000
4530-5321000	Telephone	32,497	142,497	110,000
4530-5331000	Utilities	337,000	587,000	250,000
4530-5351000	Maintenance-Buildings	790,929	1,330,929	540,000
4530-5352000	Maintenance-Equipment	55,560	85,560	30,000
4530-5451000	Insurance-Prop & Gen Liab	177,686	201,686	24,000
4530-5491000	Dues & Subcriptions	34,281	69,281	35,000
4530-5990001	Approp to Ret Earnings	741,685	482,279	(259,406)
	Total			3,134,594

Reason: To adjust to year end estimates.

Duly adopted by the City Council of the City of Concord, North Carolina this 8th day of June, 2023.

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 City Manager was authorized to accept and execute the grant agreement and to adopt the following budget ordinance appropriating the grant funds.

ORD. #23-48

CAPITAL 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 project ordinance is hereby ordained:

SECTION 1. The project authorized is the **Hangar TaxiLane Rehabilitation**.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation of the project within terms of a grant agreement with the Federal Aviation Administration.

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

		<u>Revenues</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
451-4357300				
451-4357300	Federal Aid	12,751,077	14,164,304	1,413,227
Total				1,413,227

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>
6300-5800442				
6300-5800442	Hangar TaxiLane Rehab	00.00	1,413,227	1,413,227
Total				1,413,227

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 11th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM S

The following ordinance was adopted to amend the Airport project budget to cleanup various project budgets.

CAPITAL 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 project ordinance is hereby ordained:

SECTION 1. The project authorized is the **Airport Projects**.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation of the project within terms of a grant agreement with the N.C. Department of Transportation – Division of Aviation.

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

		<u>Revenues</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
451-4501680	Transfer from Aviation	611,721	712,764	101,043
		Total		101,043

Section 4. The following amounts are appropriated for the project

		<u>Expenses/Expenditures</u>		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
6301-5800446	ATCT Equipment	325,751	337,017	11,266
6301-5986000	Transfer to Aviation	0	2,335	2,335
6300-5800441	North Apron Expansion	4,036,643	4,122,060	85,417
6307-5986000	Transfer to Aviation	0	3,300	3,300
6307-5800453	Runway Widening Long Term Parking	889,172	887,872	(1,300)
6306-5800449	Upgrade	2,056,051	2,054,576	(1,475)
6306-5986000	Transfer to Aviation	0	1,500	1,500
6302-5800276	Fuel Farm	412,762	381,750	(31,012)
6302-5800451	GA Wayfinding/Parking	804,268	802,268	(2,000)
6302-5986000	Transfer to Aviation	875,000	908,012	33,012
6309-5986000	Transfer to Aviation	1,158,273	1,155,025	(3,248)
6309-5800454	North Apron Roadway	1,601,952	1,605,200	3,248
		Total		101,043

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 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM T

The following two American Rescue Plan Fund grant project budget amendments and a General Fund operating budget amendment were adopted.

ORD. #23-50

**GRANT PROJECT ORDINANCE
American Rescue Plan Fund**

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

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

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

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

Account	Title	Revenues		
		Current Budget	Amended Budget	(Decrease) Increase

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

Account	Title	Expenses/Expenditures		
		Current Budget	Amended Budget	(Decrease) Increase
3300-5475100	We Build	2,777,247	0	(2,777,247)
3300-5811082	Future Projects	2,000,000	0	(2,000,000)
3300-5831000	Broadband Collections Area	700,000	0	(700,000)
3300-5832000	Renov	34,535	0	(34,535)
3300-5833000	Kiosk/Drop Box Renov	100,000	0	(100,000)
3300-5834000	AV Upgrades	110,000	0	(110,000)
3300-5835000	Wellness Cntr Covid Incr	72,000	0	(72,000)
3300-5836000	UV Lighting	64,465	0	(64,465)
3300-5837000	PD HVAC Auto Contrl Upgd	243,000	0	(243,000)
3300-5838000	Salvation Army HR Covid Mgmt	100,000	0	(100,000)
3300-5839000	System	30,625	0	(30,625)
3300-5983000	Transfer to General Fund	10,024,000	16,255,872	6,231,872
Total				\$0

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

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

SECTION 6. Within five (5) days after 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 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. #23-51

GRANT PROJECT ORDINANCE
American Rescue Plan Fund

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

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

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

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

Account	Title	<u>Revenues</u>		
		Current Budget	Amended Budget	(Decrease) Increase
330-4501100	Transfer from General Fund	0	6,231,950	6,231,950
				<u>\$6,231,950</u>

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

Account	Title	<u>Expenses/Expenditures</u>		
		Current Budget	Amended Budget	(Decrease) Increase
3300-5475100	We Build	0	2,777,247	2,777,247
3300-5811082	Future Projects	0	2,010,298	2,010,298
3300-5831000	Broadband	0	700,000	700,000
3300-5832000	Collections Area Renov	0	34,535	34,535
3300-5833000	Kiosk/Drop Box Renov	0	88,689	88,689
3300-5834000	AV Upgrades	0	111,730	111,730

3300-5835000	Wellness Cntr Covid Incr	0	72,000	72,000
3300-5836000	UV Lighting	0	64,465	64,465
3300-5837000	PD HVAC Auto Contrl Upgd	0	243,000	243,000
3300-5838000	Salvation Army	0	100,000	100,000
3300-5839000	HR Covid Mgmt System	0	29,986	29,986
Total				<u>\$6,231,950</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 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 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 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. #23-52

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
100-4501330	Transfer fm Amer Res Plan	10,000,000	16,231,950	6,231,950
Total				<u>6,231,950</u>

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4190-5987000	Transfer to Project Fund	8,510,000	14,741,950	6,231,950
Total				6,231,950

Reason: To appropriate ARPA funds used to cover salaries under expenditure category 3.2 and use freed up general fund dollars to transfer funding back to the project fund to cover projects identified to be paid for from these freed up funds.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM U

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

ORD. #23-53

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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>		
		Current Budget	Amended Budget	(Decrease) Increase
610-4370000	Retained Earnings Appr	477,155	0	(477,155)
610-4401100	Rates and Charges	87,282,614	104,282,614	17,000,000
610-4353100	Insurance	0	35,255	35,255
	Reimbursement			
610-4402600	Cut On Fees	300,000	360,000	60,000
610-4403000	Charge Out – Reimb	40,000	260,000	220,000
Total				16,838,100

Account	Title	<u>Expenses/Expenditures</u>		
		Current Budget	Amended Budget	(Decrease) Increase
7200-5121000	Regular	453,443	503,443	50,000
7210-5338100	Production Purch Power	31,327,322	36,327,322	5,000,000
7210-5338500	Duke Power – NITSA	4,066,691	5,066,691	1,000,000
	Peak Prepay Natural			
7210-5338900	Gas	23,203,316	28,203,316	5,000,000
7240-5492000	Bad Debt	0	240,000	240,000

7240-5990001	Approp to Retain Earnings	0	5,548,100	<u>5,548,100</u>
Total				<u>16,838,100</u>

Reason: To adjust to year end estimates.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM V

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

ORD. #23-54

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
100-4323100	Sales Tax Article 39	10,149,188	11,349,188	1,200,000
100-4323200	Sales Tax Article 40	4,937,877	5,537,877	600,000
100-4323300	Sales Tax Article 42	4,709,052	5,809,052	1,100,000
100-4323400	Sales Tax Article 44	3,833,640	4,933,640	1,100,000
100-4332200	Alcohol/Beverage Tax	400,000	490,530	90,530
100-4335100	Powell Bill	2,900,000	2,979,783	79,783
100-4336100	Transp Sec 104 Federal	354,600	354,551	(49)
100-4336200	Transp Sec 104 Local	55,389	66,479	11,090
100-4603100	FTA 5310 Enhncd Mobility	-	300,000	300,000
100-4324205	Gross Recpts-Rental Vehicle	220,000	250,000	30,000
100-4353100	Insurance Reimbursement	98,215	111,392	13,177
100-4354000	Other Income	75,000	105,000	30,000
100-4350400	Rental Income	17,000	37,000	20,000
100-4350410	Clearwater Artist Studio	47,000	107,000	60,000
100-4351000	Sale of Fixed Assets	139,319	218,183	78,864
100-4352000	ABC Distribution	800,000	871,000	71,000
100-4370000	Appropriated Fund Balance	16,140,193	11,791,856	(4,348,337)
Total				<u>436,058</u>

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4110-5181000	FICA	7,189	8,689	1,500
4110-5183000	Group Insurance	30,147	60,147	30,000
4110-5194000	Contract Services	185,016	235,016	50,000
4110-5280000	Tree Lighting	12,650	14,850	2,200
4110-5299000	Supplies-Departmental	3,640	9,640	6,000
4115-5331000	Utilities	205,000	255,000	50,000
4120-5194000	Contract Services	224,767	254,767	30,000
4130-5440000	Maintenance Contracts	81,707	90,307	8,600
4140-5494000	Tax Collection Charge	300,000	340,000	40,000
4150-5121000	Regular	590,541	625,541	35,000
4190-5121000	Regular	76,211	-	(76,211)
4190-5185000	Unemployment Tax	-	15,952	15,952
4190-5186000	Worker's Compensation	300,000	-	(300,000)
4190-5299200	Clearwater Studio Expense	33,390	113,390	80,000
4190-5299400	30 Church St Expenses	-	6,000	6,000
4190-5299500	66 Union St Expenses	1,555	36,555	35,000
4190-5321000	Telephone	51,369	81,369	30,000
4190-5325000	Postage	-	2,000	2,000
4190-5331000	Utilities	134,160	184,160	50,000
4190-5339000	City Street Lighting	855,000	1,055,000	200,000
4190-5351000	Maintenance-Buildings	56,500	96,500	40,000
4190-5492000	Bad Debt Expense	-	13,000	13,000
4190-5800500	FTA 5310 Enhncd Mobility	-	300,000	300,000
4190-5982500	Transfer to Transit Fund	1,254,271	1,338,831	84,560
4190-5992000	Contingency	402,043	-	(402,043)
4310-5991000	Contribution to Cab Cty	50,000	-	(50,000)
4315-5121000	Regular	1,197,920	997,920	(200,000)
4320-5121000	Regular	73,999	98,999	25,000
4320-5181000	FICA	5,661	7,161	1,500
4320-5182000	Retirement-General	8,954	12,454	3,500
4320-5183000	Group Insurance	8,608	16,608	8,000
4320-5187000	401K Contribution	2,960	3,960	1,000

4320- 5352000	Maintenance-Equipment	250,000	275,000	25,000
4340- 5991000	Contibution to Cab Cty	50,000	-	(50,000)
4341- 5121000	Regular	635,006	695,006	60,000
4341- 5126000	Part-Time - Regular	63,602	78,602	15,000
4342- 5121000	Regular	462,709	492,709	30,000
4342- 5122000	Overtime	10,000	25,000	15,000
4342- 5182000	Retirement-General	55,564	60,564	5,000
4342- 5186000	Worker's Compensation	-	20,000	20,000
4343- 5121000	Regular	86,838	92,838	6,000
4511- 5122000	Overtime	6,000	-	(6,000)
4513- 5186000	Worker's Compensation	-	95,500	95,500
4520- 5121000	Regular	2,119,747	1,919,747	(200,000)
4550- 5353000	Maintenance - Vehicles	430,107	730,107	300,000
6120- 5126000	Part-Time - Regular	465,568	290,568	(175,000)
6120- 5183000	Group Insurance	450,366	250,366	(200,000)
6120- 5197000	Athletic Services	453,309	378,309	(75,000)
6120- 5351000	Maintenance-Buildings	821,339	1,271,339	450,000
	Total			436,058

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM W

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

ORD. #23-55

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
650-4354000	Other Income	7,650	42,650	35,000
650-4401201	Green Fees	1,100,000	1,350,000	250,000
650-4401202	Cart Fees	520,000	570,000	50,000
650-4401203	Driving Range	149,000	199,000	50,000
650-4401204	Resident Card City	48,500	63,500	15,000
650-4404110	Pro-Shop	180,000	280,000	100,000
650-4404120	Food and Beverages	322,597	422,597	100,000
Total				600,000

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7501-5194100	RRGC Contract Srvcs	960,255	1,060,255	100,000
7501-5210010	RRGC Operating Exp	988,448	1,288,448	300,000
7501-5451000	Insurance-Prop & Gen Lia	68,547	268,547	200,000
Total				600,000

Reason: To adjust to year end estimates.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM X

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

ORD. #23-56

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
690-4501400	Transfer from Cap Proj	0	140,499	140,499
690-4501350	Transfer from Market Rate	3,351	10,151	6,800
Total				147,299

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
1000-5122000	Overtime	5,000	9,500	4,500
1000-5185000	Unemployment Tax	0	1,820	1,820
1000-5186000	Workers Compensation	0	1,450	1,450
1000-5433000	Gas	90,366	128,366	38,000
1000-5419060	Sundry-Miscellaneous	22,500	47,500	25,000
1000-5443000	Contract Cost – Maint	138,967	205,003	66,036
1000-5451000	Insurance	25,355	26,848	1,493
1000-5457000	Collection Loss	10,000	19,000	9,000
Total				147,299

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Y

The following ordinance was adopted to amend the Housing Vouchers budget.

ORD. #23-57

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
210-4501350	Transfer from Market Rate	3,351	2,911	(440)
210-4703200	Contr Earned HAP Pmts	4,137,121	4,838,701	701,580
210-4703250	Contr Earned Admin Pmt	376,000	442,364	66,364
Total				767,504

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
1500-5990001	Approp to Ret Earnings	2,881	0	(2,881)
1500-5443000	Contract Cost – Maint	0	10,000	10,000
1500-5186000	Workers Compensation	0	1,450	1,450
1501-5471500	Housing Assistance Pmt	3,376,476	4,228,751	852,275
1501-5471501	HAP Fam Unification Vchr	130,000	105,000	(25,000)
1501-5471502	Project Based Vouchers	248,324	209,324	(39,000)
1501-5471503	Tenant Protection Voucher	37,452	39,452	2,000
1501-5471505	Vouchers-Vash	93,367	44,367	(49,000)
1501-5471511	HAP Portable (Port Out)	195,000	206,660	11,660
1501-5471900	HAP/FSS Escrow-Voucher	98,696	104,696	6,000
Total				767,504

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Z

The following ordinance was adopted to amend the Internal Service Fund budget to year end actual projections.

ORD. #23-58

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
Total				

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4210-5121000	Regular	0	25,000	25,000
4210-5181000	FICA	0	2,000	2,000
4210-5182000	Retirement-General	0	3,000	3,000
4210-5183000	Group Insurance	0	2,000	2,000
4210-5187000	401K Contribution	0	1,000	1,000
4210-5194000	Contract Services	1,941,099	2,191,099	250,000
4210-544100	License/Relicense	540,471	740,471	200,000
4210-5908000	Cost Alloc-Data Services	(3,843,214)	(4,326,214)	(483,000)
4215-5121000	Regular	822,653	842,653	20,000
4215-5122000	Overtime	12,000	15,000	3,000
4215-5186000	Workers Compensation	0	10,000	10,000
4215-5325000	Postage	227,554	287,554	60,000
4215-5911000	Cost Alloc – Billing	(2,394,165)	(2,487,165)	(93,000)
4230-5194000	Contract Services	6,764	106,674	100,000
4230-5291000	Supplies-Data Processing	22,364	27,964	5,600
4230-5540000	Vehicle-Capital	30,198	45,998	15,800
4230-5907000	Cost Alloc-Engineering	(3,301,263)	(3,422,663)	(121,400)
4250-5121000	Regular	343,705	368,705	25,000
4250-5182000	Retirement-General	41,588	44,588	3,000
4250-5183000	Group Insurance	62,892	74,892	12,000
4250-5916000	Cost Alloc-Purchasing	(821,675)	(861,675)	(40,000)
Total				0

Reason: To adjust to year end estimates.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM AA

The following ordinance was adopted to amend the Market Rate Units Fund budget to adjust to year end estimates.

ORD. #23-59

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
350-4702200	Other Income	100	600	500
350-4702400	Rent-Hilltop	33,312	34,062	750
350-4702401	Rental Income-CityProp	33,707	93,720	60,013
Total				61,263

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3500-5194000	Contract Services	0	25,000	25,000
3500-5331000	Utilities	0	5,000	5,000
3500-5419060	Sundry-Miscellaneous	0	1,800	1,800
3500-5442000	Materials & Maint Other	16,227	6,227	(10,000)
3500-5443000	Contract Cost-Maint	13,184	6,184	(7,000)
3500-5981210	Transfer to Vouchers	3,351	2,911	(440)
3500-5988000	Transfer to Housing	3,351	10,151	6,800
3500-5701000	Provision for Oper Reserv	0	40,103	40,103
Total				61,263

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM BB

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

ORD. #23-60

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
201-4406000	Retained Earnings Approp	27,651	0	(27,651)
Total				(27,651)

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
5000-5121000	Regular	121,509	81,509	(40,000)
5000-5285000	Special Events	26,138	36,987	10,849
5000-5491000	Dues & Subscriptions	1,450	2,950	1,500
Total				(27,651)

Reason: To adjust to year end estimates.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM CC

The following ordinance was adopted to amend the Parks and Recreation project budget to clean up the J E Jim Ramseur project budget.

ORD. #23-61

**CAPITAL PROJECT ORDINANCE AMENDMENT
Parks & Recreation Projects-J E Jim Ramseur 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 J E Jim Ramseur 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:

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
420-4354000	Other Income	0	5,000	5,000
8300-5811013	J E Jim Ramseur Park	4,497,587	4,502,587	5,000

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 8th day June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM DD

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

ORD. #23-62

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
600-4351000	Sale of Fixed Assets	0	29,000	29,000
600-4406000	Retained Earnings Appr	87,089	287,089	200,000
	Total			229,000

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7100-5492000	Bad Debt Expense	0	19,000	19,000
7100-5359000	Maintenance – System (In)	236,873	136,873	(100,000)
7100-5194000	Contract Services	51,235	361,235	310,000
	Total			229,000

Reason: To adjust to year end estimates.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM EE

The following ordinance was adopted to amend the Transportation Capital Project fund budget to cleanup various project budgets.

ORD. #23-63

CAPITAL PROJECT ORDINANCE

Upfit Cab Co Facility

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 is Upfit Cab Co Facility.

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

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
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SECTION 4. The following amounts are appropriated for the project:

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8600-5811229	Traffic Mgmt Center	3,668,825	3,664,079	(4,746)
8600-5811279	Upfit Cab Co Facility	1,369,002	1,373,748	4,746
				0

SECTION 5. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 8th day of June 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM FF

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

ORD. #23-64

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
640-4406000	Retained Earnings Appr	978,825	196,508	(780,317)
640-4351000	Sale of Fixed Assets	0	29,000	29,000
640-4402150	Fees – Taps	200,000	250,000	50,000
Total				<u>(701,317)</u>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
7420-5121000	Regular	1,918,223	1,818,223	(100,000)
7420-5331000	Utilities	7,903,432	8,203,432	300,000
7420-5492000	Bad Debt Expense	0	65,000	65,000
7420-5990001	Approp to Ret Earnings	966,317	0	(966,317)
Total				<u>(701,317)</u>

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM GG

The following ordinance was adopted to amend the Wastewater project budget to cleanup various project budgets.

**CAPITAL PROJECT ORDINANCE AMENDMENT
Wastewater Future 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 projects authorized are the projects included for the Wastewater Future projects.

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

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

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
421-4402150	System Development Fees	4,617,883	5,459,027	841,144
				<u>841,144</u>

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

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8402-5811082	Future Projects	1,784,127	2,625,271	841,144
	Total			<u>841,144</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 8th day June, 2023.

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 HH

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

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th 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	
620-4353100	Insurance Reimbursements	-	5,000	5,000
620-4401100	Rates and Charges	26,723,415	27,223,415	500,000
620-4341660	Communication Fees	50,000	120,000	70,000
620-4402600	Cut-on/Admin fees	100,000	130,000	30,000
620-4406000	Retained Earnings Appr	4,687,164	5,687,164	1,000,000
620-4354000	Other Income	10,000	19,762	9,762
Total				1,614,762

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7330-5121000	Regular	810,138	835,138	25,000
7330-5122000	Overtime	10,000	15,000	5,000
7330-5182000	Retirement-General	97,352	103,352	6,000
7330-5183000	Group Insurance	128,411	138,411	10,000
7330-5189000	Group Insurance-Retirees	-	18,500	18,500
7330-5248000	Supplies-Chemicals	1,078,999	1,243,999	165,000
7330-5294000	Miscellaneous Pay	22,462	-	(22,462)
7330-5331000	Utilities	775,240	925,240	150,000
7331-5277000	Purchase - Finish Water	2,930,162	4,730,162	1,800,000
7331-5359000	Maintenance - System (In)	1,382,188	882,188	(500,000)
7331-5558000	Bldgs & Imprv - Capital	1,892,250	492,250	(1,400,000)
7331-5987000	Transfer to Project	-	1,400,000	1,400,000
7340-5121000	Regular	2,247,316	2,047,316	(200,000)
7340-5194000	Contract Services	332,229	832,229	500,000
7340-5294000	Miscellaneous Pay	62,276	-	(62,276)
7340-5586000	Infrastructure	125,000	-	(125,000)
7340-5595000	System Imprv (In) - Capt	240,000	-	(240,000)
7340-5492000	Bad Debt Expense	-	85,000	85,000
Total				1,614,762

Reason: To adjust to year end projections.

Adopted this 8th day of June, 2023.

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 II

The City's Personnel Policies and Procedures manual was amended to add Article 6.3 Leave Without Pay (Exclusive of the Family and Medical Leave Act) to the City's Personnel Policies and Procedures manual.

CONSENT AGENDA ITEM JJ

Delinquent miscellaneous receivables that have been classified as uncollectable in the amount of \$3,175.06 were approved to be transferred to collection losses.

CONSENT AGENDA ITEM KK

The following resolution was adopted to write-off the delinquent accounts in the amount of \$1,208.49.

CITY OF CONCORD HOUSING DEPARTMENT MARKET RATE PROGRAM COLLECTION LOSSES TRANSFER RESOLUTION

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Concord does hereby approve the transfer of delinquent accounts for the Market Rate Program to collections losses:

Tenant#	Net Balance
086-3	\$1,208.49

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM LL

The following resolution was adopted to write-off the Public Housing delinquent accounts in the amount of \$22,528.17.

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

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

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

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

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

Tenant#	Net Balance
00055002-5	\$399.00
00022003-9	\$2,364.30
00022009-5	\$104.80
00022010-7	\$936.64
00022013-8	\$885.61
00022026-8	\$10.51
00022043-8	\$923.73
00022044-8	\$1,608.89
00022046-4	\$241.00
00033017-6	\$15.00
00033024-11	\$705.32
00033034-12	\$2,827.96
00033048-11	\$30.00
00033049-12	\$208.41
00033055-14	\$5,550.00
00033056-9	\$3,683.74
00011001-7	\$54.00
00011021-11	\$284.80
00011024-7	\$1,097.41
00011044-7	\$597.05
TOTAL	\$22,528.17

Adopted this 8th day of June, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM MM

The Tax Office collection reports for the month of April 2023 were accepted.

CONSENT AGENDA ITEM NN

The Tax releases/refunds for the month of April 2023 were approved.

CONSENT AGENDA ITEM OO

The monthly report on investments as of April 30, 2023 was accepted.

* * * * *

A motion was made by Council Member Crawford and seconded by Council Member Sweat to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(3) to consult with the Attorney to protect the attorney-client privilege and to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action titled City of Concord v. Barber Scotia College, Inc. and N.C. General Statute 143-318.11(a)(4) to discuss the location or expansion of industries or other businesses in the area served by the public body—the vote: all aye.

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk