

CONCORD CITY COUNCIL
REGULAR MEETING
JUNE 13, 2024

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 13, 2024, at 6:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

Members Present:

Mayor Pro-Tem Jennifer Parsley-Hubbard
Council Member Andy Langford
Council Member Lori A. Clay
Council Member Betty M. Stocks
Council Member John A. Sweat, Jr.

Members Absent:

Council Member JC McKenzie
Council Member Terry L. Crawford

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim Deason
Assistant City Managers
Department Directors

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Call to Order, Pledge of Allegiance, and Moment of Silent Prayer:

The meeting was called to order by Mayor Dusch followed by the Pledge of Allegiance and a moment of silent prayer.

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Approval of Minutes:

A motion was made by Council Member Langford and seconded by Council Member Sweat to approve the minutes for the meetings of April 23, May 7, and May 9, 2024—the vote: all aye.

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Presentations:

- 1. Mayor Dusch presented a retirement plaque to Captain Jason Howell for 29 years of service with the City of Concord.**
- 2. Mayor Dusch presented a Proclamation recognizing June 19, 2024 as Juneteenth.**

Informational Items:

- 1. Receive the results of the 2023 City of Concord Citizen Survey from ETC Institute Inc. (Work Session).**

Jason Morado, Vice President and Director of Community Research, ETC Institute Inc. presented the survey results to the Mayor and City Council at the June 11, 2024 Work Session.

- 2. Presentation of the Cabarrus/Iredell/Rowan HOME Consortium Housing Needs Assessment by Bowen National Research.**

The Community Development Manager, Mary Carr, introduced Patrick Bowen with Bowen National Research.

Mr. Bowen presented the Housing Needs Assessment for the Consortium's three county region. He stated the objective of the study is to provide readers with an analysis of household affordability throughout all population segments of the community by: (1) a better understand the region's evolving housing market, (2) establish housing priorities, (3) modify, expand, or introduce local government housing policies, and (4) enhance and/or expand the region's housing market to meet current and future housing needs. The assessment highlights expected demographic trends, future demands for housing, regulations, and obstacles preventing the market from effectively responding to this demand.

Departmental Reports:

1. Parks and Recreation Bond update

The Parks and Recreation Director provided an update on the Parks and Recreation Bond projects.

2. 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:

- The following spoke in regards to sewer allocation for each of their projects:

John Parker

Dan Gualtieri

Larry Shaver, Zach Almond & Bob Bennett

Thomas Haapapuro

Jud McAdams & Chase Irvin

Dino Palella

Brent Edmiston

- Sandra Cusack, 909 Allison Mews Pl, Concord, addressed the Council in regards to reducing property taxes.

Public Hearings:

1. Conduct a public hearing and consider adopting an ordinance annexing +/- 12.16 acres at 2014 NC HWY 49 S. PIN 5518-94-6683 owned by the Charlotte-Mecklenburg Hospital Authority.

The authorized petitioner for the annexation is R- S Matco, LLC. The request is for voluntary annexation petition of approximately 12.16 acres of property at the intersection of NC Highway 49 S and Stough Rd. The property is currently zoned Cabarrus County LI (Limited Industrial).

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

Suzanne Hyde spoke in favor of the request.

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

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat to adopt the following annexation ordinance and set the effective date for June 13, 2024—the vote: all aye.

ORD.# 24-42

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CONCORD, NORTH CAROLINA TO INCLUDE +/- 12.16 ACRES OF PROPERTY LOCATED AT 2014 NC HWY 49 S, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-31 by the City of Concord, on June 13th, 2024 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 13, 2024 after due notice by The Independent Tribune on June 2nd, 2024; and

WHEREAS, the City Council finds that the petitions meet requirements of G.S. 160A-31;

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-31, the following described territory is hereby annexed and made part of the City of Concord, as of the 9th day of May 2024:

Lying and being in Number One Township, Cabarrus County, North Carolina and being more particularly described as follows:

BEGINNING at a Control Corner located at the point of intersection of the westerly margin of the right-of-way of NC Highway 49 (right-of-way varies) and the southerly margin of the right-of-way of Stough Road (a 60 foot public right-of-way) which Control Corner is NC State Plan Coordinates N(Y) = 584,131.54 feet E(X) = 1,520,666.39 feet combined factor = 0.99985066; thence along and with the westerly margin of the right-of-way of NC Highway 49 in five calls as follows: (1) S.37-08-18 W.167.66 feet to a right-of-way disk found; (2) thence S.38-25-33 W.304.94 feet to a right-of-way disk found; (3) thence S.42-09-16 W.86.92 feet to a right-of-way disk found; (4) thence S.45-54-31 W.304.95 feet to a right-of-way disk found; and thence (5) S.47-11-33 W.157.80 feet to an iron pin found, which iron pin marks the easternmost corner of the property of Dimitris Karampourniotis and wife (now or formerly) as such property was conveyed to them by deed recorded in Book 4151, Page 288 in the Cabarrus County Public Registry; thence along and with the northeasterly line of the Karampourniotis' property (now or formerly) N.50-35-36 W., passing an iron pin found at 407.10 feet, a total distance of 480.08 feet to a point in Coddle Creek; thence N. 05-07-48 E.40.90 feet to another point located in Coddle Creek, a corner of Stough F .Glenn (now or formerly) as such property was conveyed to him by deed recorded in Book 622 at Page 391 in the Cabarrus County Public Registry; thence along and with the property line of Stough F. Glenn (now or formerly) in two called, as follows: (1) N.47-08-43 E.276.20 feet to an iron pin found; and thence (2) N.46-23-44 E.152.24 feet to an iron pin found which marks the southerly corner of the property of Laurent D. Beaudry (now or formerly), as such property was conveyed by deed recorded in Book 4132 at Page 70 in the Cabarrus County Public Registry; thence along and with the easterly property line of Beaudry (now or formerly) N.37-17-16 E.555.78 feet to an iron pin (bent) found located in the southerly margin of the right-of-way of Stough Road; thence with the southerly margin of the right-of-way of Stough Road in two calls as follows: (1) S.57-18-31 E.420.89 feet to a right-of-way disk found; and thence (2) S.26-10-01 E.107.85 feet to a right-of-way disk found at the Control Corner referred to above, marking the point and place of BEGINNING and containing 529,700 square feet or 12.1602 acres, all as shown on survey prepared by A.G. Zoutewelle Surveyors dated April 30, 2007, last revised July 3, 2007 and recorded in Map Book 53 at Page 17 of the Cabarrus County Public Registry.

SECTION 2. Upon and after the 13th day of June, 2024 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-31.

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 13th day of June 2024.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

2. Conduct a public hearing to consider adopting an ordinance amending the Historic Handbook, including the Approval Requirement Needs Table and Chapters 1-8, the addition of Chapter 9, updates and clarifying language related to State Land Use Law (160D), and other clerical amendments.

The proposed amendments provide updates to the current handbook including a new layout, changes and updates to the Approval Requirement Needs Table and Chapters 1-8, the addition of Chapter 9, updates and clarifying language related to State Land Use Law (160D), and other clerical amendments. The Historic Preservation Commission and the Planning and Zoning Commission unanimously recommended the amendment to Council at their respective meetings.

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

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

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

- The proposal is consistent with the 2030 Land Use Plan in that Goal 3, Objective 3.2, states that the City should “support historic preservation efforts with in the City’s historic districts and for other historic sites.” Additionally, Section 9.8 of the Concord Development Ordinance (CDO) references the Historic Handbook, and it is considered a supplement to the CDO.
- The proposal is reasonable in that it provides clarifying language and clerical amendments to the Historic Handbook as it is intended to serve as a supplement to the CDO and as a guide and reference manual for the Historic Preservation Commission in their deliberations.

A motion was made by Council Member Langford and seconded by Council Member Clay to adopt the following ordinance amending the Historic Handbook effective July 1, 2024—the vote: all aye.

ORD.# 24-43

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

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

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

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

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

SECTION 1: That the Historic Handbook, incorporated in to the Concord Development Ordinance by reference (CDO Article 9.8), be amended and adopted in the form of the attached document.

SECTION 2: That this Ordinance be effective July 1, 2024.

Adopted on this 13th day of June 2024.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

3. Conduct a public hearing, pursuant to N.C. General Statutes, Section 159-12, to receive public comments relative to the proposed FY 2024- 2025 budget for the City of Concord; following public comments, consider adopting the proposed FY2024-2025 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. 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 Sweat and seconded by Mayor Pro-Tem Parsley-Hubbard to open the public hearing—the vote: all aye

The City Manager explained the revaluation process. He stated the City-wide budget totals \$353,849,526 for all funds, including utilities and special revenue funds. The City’s tax rate is proposed at 42¢ per \$100 of valuation, which is a decrease of 6¢ from the current tax rate.

He stated no residential or commercial base rate increases are anticipated for Water, Stormwater, or Wastewater funds, despite an increase in our wastewater treatment cost from the Water and Sewer Authority of Cabarrus County (WSACC). A small increase to the Solid Waste Fee is proposed.

He stated the proposed budget includes funding for 3 additional full-time staff positions and 8 position reclassifications for FY 2025. It also includes a 3% cost of living adjustment provided to all employees effective July 2024. The proposed budget also includes merit increases to range from 1% to 4%, depending upon performance. Through the career development program, a 1.5% salary increase is proposed upon completion of an employee’s annual career development requirements.

Following his presentation, each Council Member took an opportunity to thank the City Manager and staff for their work on the proposed budget.

A motion was made by Council Member Sweat and seconded by Council Member Langford to adopt the following FY 2024 2025 budget ordinances—the vote: all aye.

ORD. #24-72

2024 - 2025 BUDGET ORDINANCE

BE IT ORDAINED by the City Council of the City of Concord, North Carolina, meeting in open session this 13th day of June 2024 that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are adopted.

SECTION I. GENERAL FUND:

Revenues totaling \$150,303,310 are hereby approved from the following sources:

Ad Valorem Taxes	\$ 97,226,285
Sales Taxes	29,778,739
Unrestricted Intergovernmental	7,195,810

Revenue	
Restricted Intergovernmental Revenue	5,769,222
Licenses, Permits and Fees	2,405,490
Sales & Services Revenue	1,600,792
Other Revenues	3,826,972
Investment Earnings	2,500,000
TOTAL	\$ 150,303,310

A total of \$150,303,310 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

Governing Body	\$ 321,370
Public Services – Admin.	223,521
City Manager’s Office	1,346,583
Human Resources	1,767,843
Wellness Center	338,462
Finance	1,142,857
Tax	459,208
Legal	668,140
Information Technology	3,214,768
Non-Departmental	18,605,140
Police	31,263,313
Code Enforcement	1,326,988
Communications	2,758,909
Fiber Network Management	300,036
Radio Shop	653,608
Fire	40,235,781
Fire – Prevention	1,589,577
Fire – Training	1,007,913
Emergency Management	213,543
Streets	10,383,803
Powell Bill	3,000,248
Traffic Signals	1,788,910
Traffic Services	777,855
Solid Waste & Recycling	9,846,692
Cemeteries	945,739
Fleet Services (costs are direct billed)	0
Planning & Neighborhood Development	3,033,641
Transportation Planning	471,775
Economic Development	769,765
Parks & Recreation	11,379,073
Parks & Recreation - Aquatics	209,124
ClearWater	259,125
TOTAL	\$ 150,303,310

SECTION II. SPECIAL REVENUE FUNDS:

Revenues totaling \$9,983,232 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 \$9,983,232 is hereby authorized to be expended from Special Revenue Funds as follows:

Municipal Service District Fund	\$ 287,396
Housing Assistance Voucher Program Fund	5,891,255
Community Development Block Grant Fund	529,389
H.O.M.E. Consortium Fund	1,322,704
Market Rate Units Fund	152,488
Affordable Housing Revolving Fund	1,800,000
TOTAL	\$ 9,983,232

SECTION III. STORMWATER FUND:

Revenues are hereby approved comprised of \$5,692,428 in operating revenue appropriated. A total of \$5,692,428 is hereby authorized to be expended from the Stormwater Fund as follows:

Stormwater Operations & Maintenance \$ 5,692,428

SECTION IV. ELECTRIC FUND:

Revenues are hereby approved comprised of \$99,600,000 in operating revenues, \$6,648,939 in retained earnings appropriated, and \$1,000,000 in investment earnings. A total of \$107,248,939 is hereby authorized to be expended from the Electric Fund as follows:

Electric Administration	\$	6,315,634
Purchased Power		65,214,279
Maintenance - Power Lines		4,125,956
Tree Trimming		2,750,305
Electric Construction		26,748,149
Electric Engineering		1,327,872
Utility Locate Services		766,744
TOTAL	\$	107,248,939

SECTION V. WATER FUND:

Revenues are hereby approved comprised of \$28,522,785 in operating revenue, investment earnings of \$500,000, and non-operating revenue of \$50,000 appropriated. A total of \$29,072,785 is hereby authorized to be expended from the Water Fund as follows:

Hillgrove Water Plant	\$	4,634,497
Coddle Creek Water Plant		8,966,986
Waterlines - Operation & Maintenance		15,471,302
TOTAL	\$	29,072,785

SECTION VI. TRANSIT FUND:

Revenues are hereby approved comprised of \$264,209 in operating revenues, \$435,000 in licenses/permits/fees revenues, restricted intergovernmental revenue of \$5,988,236, and a transfer of \$1,960,444 from the General Fund. A total of \$8,647,889 is hereby authorized to be expended from the Transit Fund as follows:

Transit Farebox/Local Expense	\$	2,767,995
Transit Grant Expense	\$	5,879,894
TOTAL	\$	8,647,889

SECTION VII. WASTEWATER FUND:

Revenues are hereby approved comprised of operating revenues of \$19,584,353, investment earnings of \$800,000 and \$1,200,000 in transfers appropriated. A total of \$21,584,353 is hereby authorized to be expended from the Wastewater Fund as follows:

Wastewater Operations & Maintenance \$ 21,584,353

SECTION VIII. GOLF COURSE FUND:

Revenues are hereby approved comprised of \$2,618,152 in operating revenues. A total of \$2,618,152 is hereby authorized to be expended from the Golf Course Fund as follows:

Golf Course Operating \$ 2,618,152

SECTION IX. AVIATION FUND:

Revenues are hereby approved comprised of \$14,130,680 in operating revenue, \$140,000 in licenses/permits/ fees, and transfers of \$2,250,269. A total of \$16,520,949 is hereby authorized to be expended from the Aviation Fund as follows:

Aviation Operating \$ 16,520,949

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 \$40,414, a Transfer from the General Fund of

\$417,171, and HUD contributions of \$1,093,224. A total of \$2,115,809 is hereby authorized to be expended from the Public Housing Fund as follows:

Public Housing Operations	\$ 2,115,809
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SECTION XI. DEBT SERVICE (FIRST CONCORD):

Revenues are hereby approved comprised of transfers from operating funds in the amount of \$2,267,531. A total of \$2,267,531 is hereby authorized to be expended from First Concord for debt service payments as follows:

2014 LOBS	\$ 2,267,531
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SECTION XII. DEBT SERVICE FUND (GO BOND):

Revenues are hereby approved comprised of transfers from operating funds in the amount of \$6,886,269. A total of \$6,886,269 is hereby authorized to be expended from Debt Service GO Bond for debt service payments as follows:

Debt Service GO Bond	\$ 6,886,269
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SECTION XIII. ENCUMBRANCES AS OF JUNE 30, 2024

Funds appropriated in the 2023-2024 budget and encumbered at June 30, 2024, shall be authorized as part of the 2024-2025 budget appropriation by adoption of this budget ordinance.

SECTION XIV. EMPLOYEE COMPENSATION:

In accordance with the provisions of the current Personnel Policy for the City of Concord, a 5% contribution to a 401K program is included for all employees. Monies have been set aside in each fund for a 3.0% market adjustment to all employees effective July 8, 2024, 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 25.

SECTION XV. TAX RATE ESTABLISHED:

An Ad Valorem Tax rate of \$0.42 per \$100 property valuation is hereby established as the official tax rate for the City of Concord for the fiscal year 2024-2025. The adopted tax rate is based on an estimated valuation of \$23,171,790 (including motor vehicles) and an estimated 99% collection rate. Per G.S. 159-11e, the revenue neutral rate is calculated at \$0.3441.

Municipal Service District Tax of \$0.16 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 \$149,024,000 with an estimated 99% percent collection rate. The revenue neutral rate for MSD is calculated at \$0.1461.

Allocation of the 2024-2025 tax rates will be as follows:

GENERAL FUND	\$ 0.4200
MUNICIPAL SERVICE DISTRICT	\$ 0.1600

SECTION XVI. 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 XVII. RESTRICTIONS – CITY MANAGER:

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

SECTION XVIII. UTILIZATION OF BUDGET AND BUDGET ORDINANCE:

This Ordinance includes the 2024-2025 Annual Operating Budget document, which is on file with the City Clerk and adopted as a part of this Ordinance and is incorporated by reference as if fully re-stated herein. The 2024-2025 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 2024- 2025 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 13th day of June 2024.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. #24-73

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, 2024 and ending June 30, 2025. *Specific future capital project details may be found in the City's Capital Improvement Plan.*

SECTION I. CAPITAL RESERVE PROJECTS

Parks & Recreation Capital Reserve - Fund 280

Transfer to Recreation Projects Fund	\$2,663,558	
Future Projects – Parks & Rec	(\$863,558)	
Transfer from General Fund		\$1,800,000
	\$1,800,000	\$1,800,000

Utility Funds Capital Reserve - Fund 282

Transfer to Water Capital Projects	\$1,000,000	
Future Wastewater Projects	\$400,000	
Transfer from Water		\$1,000,000
Transfer from Wastewater		\$400,000
	\$1,400,000	\$1,400,000

General Fund Capital Reserve - Fund 285

Transfer to Parks and Recreation Projects	\$ 387,288	
Future Projects Reserves	(\$ 387,288)	
	\$ 0	\$ 0

SECTION II. GENERAL CAPITAL PROJECTS

Recreation Projects - Fund 420

Clarke Creek Greenway Development	\$3,050,846	
Parking Improvements at Logan Multipurpose Center	\$230,029	
Transfer from General Capital Reserve		\$387,288
Transfer from Parks & Recreation Reserve		\$2,663,558
Transfer from Stormwater Future		\$230,029

Projects Reserve

\$3,280,875

\$3,280,875

Transportation Projects Fund - 423

Major Corridor Resurfacing	\$1,300,000	
Weddington Bridge Repair	\$130,000	
White Street Bridge Repair	\$100,000	
Roundabout Weddington at Rock Hill Church Rd.	\$100,000	
Future Transportation Projects	\$1,805,000	
Future Concrete Streets	\$900,000	
PIP Infrastructure – Sidewalk Gaps	\$100,000	
Future Sidewalk Projects	\$400,000	
Vehicle Licenses \$5 Fee		\$435,000
Transfer from General Fund		\$4,400,000
	\$4,835,000	\$4,835,000

Fire Projects – Fund 426

Fire Station #13	\$300,000	
Financing Proceeds		\$300,000
	\$300,000	\$300,000

SECTION III. OTHER FUND CAPITAL PROJECTS

Wastewater Projects - Fund 421

Transfer to Sewer	\$1,200,000	
Future Projects – System Development Fees	(\$1,200,000)	
	\$0	\$0

Water Projects - Fund 429

AMI Project	\$6,000,000	
Union Cemetery Rd. Realignment	\$100,000	
Old Charlotte Rd. Water line	\$1,000,000	
Future Projects Reserves	(\$6,100,00)	
Transfer from Utility Capital Reserve		\$1,000,000
	\$1,000,000	\$1,000,000

Aviation Projects – Fund 451

Community Hangar	\$1,000,000	
Transfer to Aviation	\$876,776	
Future Projects Reserves	(\$876,776)	
Mistywood Land Acquisition	\$1,965,000	
Vehicle Gate Replacements	\$180,000	
Transfer from Aviation		\$93,000
Future Grants		\$3,052,000
	\$3,145,000	\$3,145,000

Electric Projects – Fund 473

Delivery #4 and Sub E	\$2,000,000	
Delivery #1	\$300,000	
AMI Project	\$500,000	
Delivery #3 Replacements	\$850,000	
100 kV Tie Line – George Liles Blvd. to Sub O	\$200,000	

Sub N	\$4,500,000	
Transfer from the Electric Fund		\$ 8,350,000
	\$8,350,000	\$8,350,000

Stormwater Projects – Fund 474

Farmwood Blvd. Culvert Replacement	\$1,500,000	
Transfer to Parks & Recreation Capital Fund	\$230,029	
Future Projects Reserves	(\$1,730,020)	
	\$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 budget unit 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 2024-25. 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 13th day of June 2024.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

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

ORD. #24-74

AN ORDINANCE TO AMEND FY2024 - 2025 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2024, adopt a City budget for the fiscal year beginning July 1, 2024 and ending June 30, 2025, 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	
Total				
<hr/>				
Account	Title	Current Budget	Amended Budget	(Decrease)
4190-5992000	Contingency	943,764	911,764	(32,000)
4190-5470003	Cabarrus Arts Council	-	32,000	32,000
Total				-

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

This ordinance is adopted this 13th day of June 2024.

CITY COUNCIL
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/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

Presentations of Petitions and Requests

1. Consider approving a new destination brand for Downtown Concord.

The City contracted with Destination by Design to develop a new destination brand for Downtown Concord. Destination by Design (DbD) is a multi-disciplinary economic development firm based out of Boone, NC, that specializes in helping communities plan, develop, brand, and promote destination-quality recreation and tourism assets. A Steering Committee that consisted of City staff from Public Affairs and the Planning Department, including the Downtown team, along with Downtown Concord merchants and property owners and a local historian, worked closely with the DbD team of experts on the new Downtown Concord destination brand. Matt Wagoner, Art Director with Destination by Design, will present the new Downtown Concord brand visuals to the Mayor and City Council. A copy of the final Brand Strategy, which describes the brand approach, brand pillars, goals, purpose, and brand promise, along with key messaging, is included in the agenda packet.

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat to approve the new destination brand for Downtown Concord—the vote: aye – Stocks, Parsley-Hubbard and Sweat; nay – Langford and Clay.

2. Consider approving a Memorandum of Understanding between the City of Concord and Concord Downtown Development Corporation (CDDC) to provide services in the downtown Municipal Service District (MSD) as required under the authority of NC G.S. 160A-536(d).

The purpose of the Memorandum of Understanding is to work in good faith to further the redevelopment of downtown, spur economic development in the context of historic preservation, and effectively market the downtown area to include businesses, venues, events, and available real estate. The last Memorandum of Understanding with the CDDC and the City of Concord was

adopted on January 10, 2021 when the CDDC requested the City of Concord to absorb the duties and responsibilities of CDDC staff as a result of financial difficulties and instability due to the pandemic.

A motion was made by Council Member Sweat and seconded by Mayor Pro-Tem Parsley-Hubbard to approve a Memorandum of Understanding between the City of Concord and Concord Downtown Development Corporation (CDDC) to provide services in the downtown Municipal Service District (MSD) as required under the authority of NC G.S. 160A-536(d)—the vote: all aye.

3. Consider adopting an ordinance amending the City of Concord Code of Ordinances, Section 10, Animals; Subsection 10.1, Keeping cattle, sheep, goats, domestic fowl, or swine.

The proposed text amendment is needed to clarify the distance in which properties can be declared a public nuisance when in violation of this code. This item was discovered during the recent CDO text amendment process to allow the keeping of domestic fowl in residential districts. Section 10.1(c) of the City Code references that the animal ordinance is effective for a distance of one mile from the City limits. This distance appears to have been added to the Code when the City's Extraterritorial Jurisdiction (ETJ) for zoning extended that one mile distance in an effort to match the zoning requirements. The City has no authority to extend this Code requirement outside of its corporate limits, therefore the reference to the one mile needs to be removed.

A motion was made by Council Member Langford and seconded by Council Member Sweat to adopt the following ordinance amending the City of Concord Code of Ordinances, Section 10, Animals; Subsection 10.1—the vote: all aye.

ORD.# 24-44

ORDINANCE TO AMEND CHAPTER 10, ANIMALS, OF THE CITY OF CONCORD CODE OF ORDINANCES

WHEREAS, the City Council of the City of Concord, North Carolina, has adopted a Code of Ordinances; and

WHEREAS, the City desires to amend the ordinance to address Traffic Impact Analyses (TIAs),

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord, North Carolina, after due consideration and in the best interests of its citizens and property of Concord, that the Concord Code of Ordinances be amended as follows:

SECTION 1. Chapter 10 "Animals," Subsection 10.1 "Keeping cattle, sheep, goats, domestic fowl, or swine" be amended to remove a portion of Section 10-1.c" to read as follows:

Sec. 10-1 – Keeping cattle, sheep, goats, domestic fowl, or swine.

(c) Property (s) in violation of this section shall be declared a public nuisance. Any owner of a property within the city whose property shall be declared a public nuisance as provided in section 30-1 of this Code shall be subject to an administrative fee of \$175.00 (as adopted by the annual budget ordinance in addition to any costs incurred in obtaining service of the public nuisance notice including legal publication and civil penalties).

SECTION 2. That all remaining Sections of Chapter 10 remain as written.

SECTION 3. This Ordinance be effective immediately upon adoption.

Adopted this 13th day of June 2024.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

4. Consider awarding a bid and authorize the City Manager to execute a contract for Broadlinx Telecom Inc. to provide labor services for installation and maintenance of the City of Concord's Fiber Optic Network.

This work provides for the installation, removal, upgrade and maintenance of fiber optic lines on an as-needed basis and includes but is not limited to installing/removing strand lash fiber, installing/removing down guys and anchors, installing aerial storage loops, pulling fiber and installing locate wires in conduit.

Bids were received on May 23, 2024 with Broadlinx Telecom Inc. submitting the lowest responsive bid. The contract term will run July 1, 2024 through June 30, 2025 and is not to exceed \$400,000 as approved in the FY25 budget.

A motion was made by Council Member Stocks and seconded by Mayor Pro-Tem Parsley-Hubbard to award a bid and authorize the City Manager to execute a contract for Broadlinx Telecom Inc. to provide labor services for installation and maintenance of the City of Concord's fiber optic network not to exceed \$400,000—the vote: all aye.

5. Consider authorizing the City Manager to negotiate and execute a one year contract extension (Addendum 4) with the Town of Harrisburg for continued treated water sales to the Town of Harrisburg.

In lieu of a full contract renegotiation, Addendum 3 provided a one year extension of the water sales contract to allow Harrisburg time to have discussions with Charlotte Water. The expiration of Addendum 3 is June 30, 2024. All three jurisdictions have worked to facilitate the sale of water from Charlotte Water to Harrisburg and lower the amount Harrisburg requires from Concord. Significant progress has been made but more time is needed to finalize details and new contracts. We are proposing this additional one year extension to allow us more time to complete these negotiations.

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat to authorize the City Manager to negotiate and execute a one year contract extension (Addendum 4) with the Town of Harrisburg for continued treated water sales to the Town of Harrisburg—the vote: all aye.

6. Consider authorizing the City Manager to negotiate and execute a contract with Richard D. Suggs Construction, Inc. for the construction of the Old Charlotte Rd. water line replacement.

A 1,500 feet long section of the existing 12-inch waterline on Old Charlotte Rd. beginning north of Manassas Dr. to the intersection with Hwy 49 has reached the end of its useful life and needs to be replaced. The project was bid under the formal bidding process. Bids were taken on May 15, 2024 and four (4) bids were received. The lowest responsible bidder was Richard D. Suggs Construction, Inc. in the amount of \$1,510,918.20.

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat authorizing the City Manager to negotiate and execute a contract with Richard D. Suggs Construction, Inc. in the amount of \$1,510,918.20 for the Old Charlotte water line replacement—the vote: all aye.

7. Consider authorizing the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc. for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal.

As water is treated to produce safe drinking water, waste is also generated and stored in lagoons. Over time, these lagoons fill up with waste that has to be removed and taken to the landfill. This contract is for the removal of 3,350 tons of waste from the lagoons and delivering it to the landfill.

The project was bid under the formal bidding process. Bids were received on April 3, 2024, and one bid was received. As required by GS143-132, three bids are required before they can be opened. The bid was returned unopen to the bidder, and the project was re-advertised. Bids were received a second time on May 3, 2024, and two bids were received. As allowed by NCGS 143-132, the bids were opened. The lowest responsible bidder was Bio-Nomic Services, Inc. in the amount of \$394,810.90.

A motion was made by Council Member Langford and seconded by Council Member Stocks to authorize the City Manager to negotiate and execute a contract with Bio-Nomic Services, Inc. in the amount of \$394,810.90 for the Coddle Creek Water Treatment Plant Lagoons Sludge Removal—the vote: all aye.

8. Consider authorizing the City Manager to negotiate and enter into an agreement with Republic Services, Inc, for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge.

The cost of the disposal of the sludge at the Republic landfill is \$82.50 per ton. It is estimated approximately 3,500 tons will be removed at a cost of \$288,750.

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat to authorize the City Manager to enter into an agreement with Republic Services, Inc. for the disposal of the Coddle Creek Water Treatment Plant Lagoons Sludge—the vote: all aye.

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

A motion was made by Council Member Langford and second by Council Member Sweat 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:

Brian Hiatt - reappointed

Planning and Zoning Commission:

Phil Jones and Brittany Evans - reappointed

Deann Haney to regular member - reassigned

J. King as an alternate - appointed

Historic Preservation Commission:

Meredith Barbee, Mary Margaret Underwood, and Jim Firth - reappointed

Randy Hopkins to regular member - reassigned

Syndey Yih as regular member - appointed

Eric Williamson and Jason Goldstein as alternates - appointed

Stormwater Management Advisory Committee:

Jonathan Gruber, Emily Burkhart, and Kristin Roland - reappointed

Don Seitz to Group 2 - reappointed

Emily Dollberg to Group 3 - appointed

Jack Lambert as At-large member - appointed

CDDC Board of Directors:

Josh Smith - reappointed

Public Art Commission:

Barbara Propst (District 1) - reappointed

Michael Askin (District 4) - reappointed

Bodunrin Ladele (At-large) - appointed

Consent Agenda:

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

CONSENT AGENDA ITEM A

The FY25-FY26 Rider Transit Service Provider Contract Rate Amendment was approved.

CONSENT AGENDA ITEM B

The following resolution supporting membership in the Catawba-Wateree Water Management Group was adopted.

CONSENT AGENDA ITEM C

The following ordinance amending portions of Chapter 26, Article II, Emergency Management, of the City of Concord Code of Ordinances was adopted.

CONSENT AGENDA ITEM D

The following ordinance amending the City Code of Ordinance, Chapter 59, Sec. 46 and Chapter 59, Sec. 62 was adopted.

CONSENT AGENDA ITEM E

The offers of dedication on the following plat and easements was accepted: Cannon Run Phase 2-B, Red Hill Phase 2 Map 1, Red Hill Phase 2 Map 2.

CONSENT AGENDA ITEM F

The maintenance agreements were approved and the offers of dedication were accepted for the following properties: MP I-85 Bonds Industrial, LLC.

CONSENT AGENDA ITEM G

Offers of infrastructure were accepted at Midland Crossing Subdivision Phase 1, Cannon Run Phase 3, AMC 250-The Rock Phase 1 Commercial Site, Cabarrus County Charter High School, Cabarrus County Courthouse.

CONSENT AGENDA ITEM H

The following ordinances were adopted to amend the General Fund operating budget and the General Capital Reserve Fund to complete the year end transfer for future projects listed in the City's Capital Improvement Plan.

CONSENT AGENDA ITEM I

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

CONSENT AGENDA ITEM J

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

CONSENT AGENDA ITEM K

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

CONSENT AGENDA ITEM L

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

CONSENT AGENDA ITEM M

The following ordinance was adopted to amend the Electric Project Fund project budget.

CONSENT AGENDA ITEM N

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

CONSENT AGENDA ITEM O

The following ordinance was adopted to amend the Fire project budget.

CONSENT AGENDA ITEM P

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

CONSENT AGENDA ITEM Q

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

CONSENT AGENDA ITEM R

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

CONSENT AGENDA ITEM S

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

CONSENT AGENDA ITEM T

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

CONSENT AGENDA ITEM U

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

CONSENT AGENDA ITEM V

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

CONSENT AGENDA ITEM W

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

CONSENT AGENDA ITEM X

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

CONSENT AGENDA ITEM Y

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

CONSENT AGENDA ITEM Z

The following ordinance was adopted to amend the Capital Project ordinance for the First Concord 2024 LOBS - Fire Station 6 Project.

CONSENT AGENDA ITEM AA

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

CONSENT AGENDA ITEM BB

The following grant project ordinance was adopted to establish the budget for the Motorsports directed grant.

CONSENT AGENDA ITEM CC

The following grant project ordinance was adopted to establish the budget for the NASCAR directed grant.

CONSENT AGENDA ITEM DD

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

CONSENT AGENDA ITEM EE

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

CONSENT AGENDA ITEM FF

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

CONSENT AGENDA ITEM GG

The following resolution was adopted to write-off the Public Housing delinquent accounts in the amount of \$13,965.96.

CONSENT AGENDA ITEM HH

The following resolution was adopted to write-off the delinquent accounts in the amount of \$5,012.49.

CONSENT AGENDA ITEM II

The addition of the HR Analyst II (Grade 61) with a salary range of \$81,877.53 (minimum) - \$108,487.73 (midpoint) - \$135,097.93 (maximum) was approved.

CONSENT AGENDA ITEM JJ

The addition of the HR Generalist (Grade 59) with a salary range of \$70,196.79 (minimum) - \$93,010.74 (midpoint) - \$115,824.70 (maximum) was approved.

CONSENT AGENDA ITEM KK

The addition of the Utility Billing Specialist II (Grade 57) with a salary range of \$60,182.43 (minimum) - \$79,741.72 (midpoint) - \$99,301.01 (maximum) was approved.

CONSENT AGENDA ITEM LL

The addition of the CAD Supervisor (Grade 60) with a salary range of \$75,812.53 (minimum) - \$100,451.60 (midpoint) - \$125,090.67 (maximum) was approved.

CONSENT AGENDA ITEM MM

The Tree Specialist (Grade 55) with a salary range of \$51,596.73 (minimum) - \$68,365.67 (midpoint) - \$85,134.61 (maximum) was approved.

CONSENT AGENDA ITEM NN

The Grounds Maintenance Worker (Grade 52) with a salary range of \$40,959.15 (minimum) - \$54,270.87 (midpoint) - \$67,582.60 (maximum) was approved.

CONSENT AGENDA ITEM OO

The 3% adjustment to the Compensation Plan Grade Assignments for FY25 (effective June 9, 2025) was adopted.

CONSENT AGENDA ITEM PP

The first quarter water and wastewater extension report for 2024 was accepted.

CONSENT AGENDA ITEM QQ

The Tax Office collection reports for the month of April 2024 were accepted.

CONSENT AGENDA ITEM RR

The Tax releases/refunds for the month of April 2024 were approved.

CONSENT AGENDA ITEM SS

The monthly report on investments as of April 30, 2024 was accepted.

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

William C. Dusch, Mayor

Kim J. Deason, City Clerk