

CONCORD CITY COUNCIL  
REGULAR MEETING  
AUGUST 8, 2024

A regular meeting of the City Council for the City of Concord, North Carolina, was held in the 3<sup>rd</sup> floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on August 8, 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 JC McKenzie  
Council Member Terry L. Crawford  
Council Member John A. Sweat, Jr.

**Others Present:**

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

\* \* \* \* \*

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

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

\* \* \* \* \*

**Approval of Minutes:**

A motion was made by Council Member Crawford and seconded by Council Member Sweat to approve the minutes for the meetings of June 25, July 9, and July 11, 2024—the vote: all aye.

\* \* \* \* \*

**Presentations:**

1. Mayor Dusch presented a Certificate of Appreciation to out-going Commission Member William Isenhour (HPC).
2. During the Tuesday, August 6<sup>th</sup>, Work Session, Mayor Dusch presented a retirement plaque to Joseph “Joey” Burleson for over 25 years of dedicated service with the City of Concord.
3. During the Tuesday, August 6<sup>th</sup>, Work Session, Mayor Dusch presented a retirement plaque to Captain Clint Little for 29 years of service with the City of Concord.

**4. Mayor Dusch and Mayor Pro-Tem Parsley-Hubbard made a presentation to the Leder family in honor of former City Council Member, Sam Leder, on the fifth anniversary of his death.**

#### **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.

**2. Parks and Recreation Bond update**

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

#### **Recognition of Persons Requesting to be Heard:**

The following speakers addressed the Council in regards to sewer allocation for their proposed projects:

Larry Shaheen for Royscroft Development  
Zac Almond for Skybrook Development  
Scott Moore, Skybrook HOA President, for Skybrook Development  
Al Benshoff for CF Smith Properties

Veronica Hall, Laurel Park Subdivision, addressed the Council in regards to recent complaints of Food Truck Fridays in Laurel Park. She stated she is in favor of Food Truck Fridays and doesn't understand why the food trucks are not allowed within residential neighborhoods.

#### **Public Hearings:**

**1. Conduct a public hearing to consider adopting a resolution closing a portion of the Evans Street NW right-of-way located near the intersection of Evans and Central Drive.**

The proposal includes the abandonment of the right-of-way for a portion of the Evans Street NW right-of-way generally located near the intersection of Evans and Central Drive.

The existing residential structure is located at 636 Central Drive and is an older home that was built partially within the 50-foot right-of-way along Evans Street. The house was originally developed as part of the Luringood Park development and +/- 62.3 sf. of the structure lies within the right-of-way. Erica Fulton and Jermaine Lawrence filed the application and are the owners of the house.

Staff noticed the petitioner and all adjacent property owners in accordance with the requirements of the General Statutes. All City departments reviewed the petition, and there were no objections to the petition.

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

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

A motion was made by Council Member McKenzie and seconded by Council Member Crawford to adopt the following resolution on the matter of closing a portion of the Evans Street NW right-of-way located near the intersection of Evans and Central Drive—the vote: all aye.

#### A RESOLUTION ORDERING THE CLOSING OF A PORTION OF THE EVANS STREET NW RIGHT-OF-WAY

WHEREAS, on the 11<sup>th</sup> day of July 2024, the City Council for the City of Concord directed the City Clerk to publish the Resolution of Intent of the City Council to consider the closing a portion of the Evans Street NW right-of-way in the Independent Tribune newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the City Hall at 35 Cabarrus Avenue, West, Concord, N.C., on August 8, 2024.

WHEREAS, the City Council on the 11<sup>th</sup> day of July 2024, ordered the City Clerk to notify all persons owning property abutting on that portion of the right-of-way, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

WHEREAS, the City Clerk has advised the City Council that she sent a letter to each of the abutting property owners advising them of the day, time and place of the meeting, enclosing a copy of the Resolution of Intent, and advising the abutting property owners that the question as to closing that portion of the street would be acted upon, said letters having been sent by registered or certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable street(s) as required by G.S. 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on the 8<sup>th</sup> day of August 2024; and

WHEREAS, it now appears to be to the satisfaction of the City Council that the closing of said portion of street is not contrary to the public interest and that no individual owning property, either abutting the street or in the vicinity of the street, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE, the area described below is hereby ordered closed, and all right, title, and interest that may be vested in the public to said area for street purposes is hereby released and quitclaimed to the abutting property owner in accordance with the provisions of N.C.G.S. §160A-299;

BEGINNING at a calculated point in the western margin of the deeded right-of-way recorded in Book 399 at Page 242, said point being N53°05'31"E 25.15 feet from an existing iron rod marking the northwestern-most corner of the aforementioned deeded right-of-way; thence following the right-of-way N53°05'31"E 44.33 feet to a calculated point, said point being S53°05'31"W 80.83 feet from an existing iron rod marking the northeastern most corner of the deeded right-of-way; thence S35°05'55"E 2.03 feet to a calculated point within the deeded right-of-way; thence S54°41'56"W 44.30 feet to a calculated point within the deeded right-of way; thence

N35°05'55"W .78 feet to the point of BEGINNING, being 62.3 sq. ft., more or less, as surveyed by Billy B. Long, Jr. on May 28, 2024.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed street (with provision for reservation of easements to the City of Concord for utility purposes) in accordance with the provision of G.S. 160A-299(c).

The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Cabarrus County a certified copy of this resolution and order.

This the 8<sup>th</sup> day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**2. Conduct a public hearing and consider adopting an ordinance annexing +/- 5.8 acres at 2892 Zion Church Rd. PIN 5529- 85-8725 owned by Russell and Jennifer Moose.**

The authorized petitioner for the annexation is Cabarrus County. The request is for voluntary annexation approximately 5.8 acres of property located on Zion Church Rd. The property is currently zoned Cabarrus County GI (General Industrial). Cabarrus County is proposing to annex the property into Concord and zone it as I-2 (General Industrial) for the construction of an animal shelter. The subject parcel is located within the Industrial Employment (IE) Land Use Category of the 2030 Land Use Plan where I-2 is listed as a corresponding zoning district.

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

Cabarrus County Planning Director, Kelly Sifford, stated sewer allocation for the proposed project is not being requested at this time.

There were no others 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 Sweat to close the public hearing—the vote: all aye.

A motion was made by Council Member Crawford and seconded by Council Member McKenzie to adopt the following annexation ordinance and set the effective date for August 8, 2024—the vote: all aye.

ORD.# 24-88

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CONCORD,  
NORTH CAROLINA TO INCLUDE +/- 5.8 ACRES OF PROPERTY LOCATED AT 2892 ZION  
CHURCH RD, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-31 by the City of Concord, on August 8<sup>th</sup>, 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 August 8, 2024 after due notice by The Independent Tribune on July 27<sup>th</sup>, 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 8<sup>th</sup> day of August 2024:

Lying and being in No. 11 Township, Cabarrus County, N.C., on the west side of Zion Church Road and adjoining the property of John Furr, Reed and Callie Lee Moose and bounded as follows:

BEGINNING at a point on the east edge of Zion Church Road, an old corner of Callie Lee Moose and John Furr, and runs thence with the line of Furr N. 43-49 W. 808.5 feet to an iron stake, an old corner of Moose and Furr and Reed; thence with the line of Reed N 36-42 E, 526.9 feet to a point in the Zion Church Road; thence three new lines with said road as follows: 1<sup>st</sup>, S. 23-34 E. 459.6 feet; 2<sup>nd</sup>, S 10-19 E. 300 feet; 3<sup>rd</sup> S. 3-53 E. 300 feet to the BEGINNING, containing 5.80 acres more or less.

SECTION 2. Upon and after the 8<sup>th</sup> day of August, 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 8<sup>th</sup> day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**3. Conduct a public hearing and consider approving an ordinance to adopt The Boulevards of Concord – Concord Mills Blvd. & Bruton Smith Blvd. Corridor Study.**

The 2030 Land Use Plan Implementation Work Plan established the need for a Corridor Plan on Concord Mills Boulevard – Bruton Smith Boulevard Corridor between Derita Road and Concord Parkway. Andrew Babb with Bolton & Menk will present an overview of The Boulevards of Concord, which includes Concord Mills Blvd., Bruton Smith Blvd and The Corridor Study project overview. The presentation will include stakeholder & public engagement, the corridor vision, and plan recommendations.

The draft plan was made available to the public for review through the City's Public Input page from June 21 through July 12, 2024. Staff received 62 comments from participants and the project page received over 800 views. The plan was presented to the Planning & Zoning Commission on July 16 where they passed the motion to recommend to City Council that The Boulevards of Concord – Concord Mills Blvd & Bruton Smith Blvd Corridor Study be adopted. A public hearing notice was advertised in The Independent Tribune on July 27 and August 3, 2024.

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

The Planning and Neighborhood Development Services Director, Steve Osborne, recognized staff members and community leaders that assisted with the Study. He then introduced Andrew Babb.

Mr. Babb presented the project overview, the process, the vision, and the recommendations. He explained the implementation approach.

Following the presentation, Council Member Stocks asked what would be the first step in the implementation. Mr. Babb stated the first step would be creating a Municipal Service District (MSD). He stated staff would need to review the area to determine what surrounding areas would be included in the MSD.

Council Member Stocks asked if this project would be phased. The City Manager stated it would be. She also asked what communication efforts would be taken to keep the stakeholders up to date on the progress. Mr. Babb stated there are very few residents in this area. He stated the Concord Visitors Bureau (CVB) has done a great job with keeping businesses up to date.

The City Attorney reminded the Council adoption of the Study is not a commitment for development.

Donna Carpenter, CVB, spoke in favor of the request on behalf of the business corridor.

Roberto Medina, Hendrick Motor Sports, spoke in favor of the request.

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

A motion was made by Council Member Crawford and seconded by Council Member McKenzie to adopt the following statement of reasonableness and consistency in support of adoption of the plan—the vote: all aye.

- The proposal is consistent with the 2030 Land Use Plan as the development of the corridor study is an identified implementation action within the 2030 Land Use Plan. This item states that “the corridor plan should address land use changes necessary for retail and other uses to remain viable; multi-modal connectivity along the corridor and other challenges identified within the Land Use Element of this Plan.” Furthermore, the 2030 Land Use Plan states that the development of this corridor plan is consistent with numerous goals and objectives within the Land Use Plan.
- The proposal is reasonable in that the development of the Plan has included substantial outreach to property owners, stakeholders, and the general public.

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem Parsley-Hubbard to adopt the following ordinance adopting The Boulevards of Concord – Concord Mills & Bruton Smith Blvd Corridor Study—the vote: all aye.

ORD.# 24-89

AN ORDINANCE ADOPTING THE BOULEVARDS OF CONCORD – CONCORD MILLS BLVD  
& BRUTON SMITH BLVD CORRIDOR STUDY OF THE CITY OF CONCORD, NORTH  
CAROLINA

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

WHEREAS, the City of Concord, North Carolina pursuant to the authority conferred by North Carolina General Statute §§160D-501 shall adopt and maintain a comprehensive plan that sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction; and

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

WHEREAS, the adopted 2030 Land Use Plan recommends the preparation of a plan for the general area of the Concord Mills Blvd and Bruton Smith Blvd corridor, and the City has obtained property owner, stakeholders and public input in the development of the plan; and

WHEREAS, the Planning and Zoning Commission has unanimously recommended approval of the plan on July 16, 2024.

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

SECTION 1: That the City Council adopted the following statement of reasonableness and consistency in support of adoption of the plan:

- The proposal is consistent with the 2030 Land Use Plan as the development of the corridor study is an identified implementation action within the 2030 Land Use Plan. This item states that “the corridor plan should address land use changes necessary for retail and

other uses to remain viable; multi-modal connectivity along the corridor and other challenges identified within the Land Use Element of this Plan.” Furthermore, the 2030 Land Use Plan states that the development of this corridor plan is consistent with numerous goals and objectives within the Land Use Plan.

- The proposal is reasonable in that the development of the Plan has included substantial outreach to property owners, stakeholders and the general public.

SECTION 2: That The Boulevards of Concord – Concord Mills Blvd & Bruton Smith Blvd Corridor Study as indicated on Attachment A – Inventory and Attachment B – Implementation Plan is adopted.

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

Adopted on this day August 8, 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

### **Presentations of Petitions and Requests:**

#### **1. Consider adopting a resolution to sell 314 Sycamore Avenue SW to home buyer Dara Woolfolk for \$232,800.**

HUD has designed the HOME program to create strong, sustainable, inclusive communities with quality affordable homes. Concord follows this mission with the creation of each new home. Community Development built 314 Sycamore Avenue SW with the vision to improve the lives of the homeowners while also strengthening the community.

Each home is planned to not just be affordable initially, but for the life of the home. Built with energy efficiency in mind, all homes are constructed with energy efficient windows and doors along with R-15 wall insulation in the exterior wall cavities and R-3 rigid foam board under the hardy plank siding for added insulation. Roof trusses are selected to allow optimal attic insulation coverage while reflected roof sheathing helps lowers the cost to heat and cool the home. The conditioned crawlspace along with a passive radon system will prevent future air quality issues for occupants. For the interior, higher grade cabinets are selected with granite countertops, energy star rated appliances are installed throughout, and high efficiency HVAC systems and controls are selected to ensure limited maintenance cost for the homeowner. These efforts meet and exceed SystemVision requirements.

Another key feature of the home is the outbuilding constructed by the carpentry class at Concord High School. The City provided the material and the students received hands-on experience in construction.

Council previously approved the sale of the 1,080 sq. ft. home to another buyer but she was unable to complete the purchase. Ms. Woolfolk has met all HUD requirements to purchase. The listed purchase price was \$232,800, and the City received the full asking price.

A motion was made by Council Member Stocks and seconded by Council Member Crawford to adopt the following resolution to sell 314 Sycamore Avenue SW to home buyer Dara Woolfolk for \$232,800—the vote: all aye.

RESOLUTION AUTHORIZING CONSIDERATION of NEGOTIATED OFFER

WHEREAS, North Carolina General Statute § 157-9 permits the City Council of the City of Concord in its role as Housing Authority to sell real property by negotiated offer after the receipt of an Offer to Purchase Property; and

WHEREAS, the City acquired 314 Sycamore Avenue SW by North Carolina General Warranty Deed as recorded on December 21, 2020 in Deed Book 14770, Page 47 of the Cabarrus County Registry for the purpose of community redevelopment;

WHEREAS, 314 Sycamore Avenue SW (“Property”) is further described as follows:

Lying and being in the City of Concord, Cabarrus County, North Carolina and being all of Tract 2, Block C of Underwood Park as shown on plat recorded on June 24, 2021 Map Book 80 at Page 90 of the Cabarrus County Registry; and

WHEREAS, on Friday, July 19th, the City received an Offer to Purchase the Property from Dara Woolfolk (“Buyer”) for \$232,800.00.

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

1. The City Council intends to accept the offer described above.
2. The Offeror shall submit one thousand dollars and no cents (\$1,000.00) as a deposit to be held by the City Clerk; and
3. The final sale shall include the following terms:
  - a. The City will convey 314 Sycamore Avenue SW to the Offeror, by North Carolina Warranty Deed.
  - b. The City will convey the property subject to any and all existing public utility easements, restrictions, rights-of-way, protective covenants, zoning laws, conditions, and any ordinance of record.
  - c. The closing shall take place on or before September 30, 2024.
4. The City Attorney is directed to take all necessary steps to complete the sale. The City Manager is authorized to execute the necessary instruments to effectuate the sale of 314 Sycamore Avenue SW in accordance with this resolution.

Adopted this 8th day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**2. Consider approving an owner-occupied reconstruction of 363 Lincoln Street SW for Ms. Wynona Bost through a partnership with Habitat for Humanity Cabarrus in the amount of \$139,200.**

The City of Concord's mission within the HOME program is to provide assistance to low and moderate-income residents who need major housing rehabilitation. One avenue that staff uses to assist homeowners when repairs are so extensive and cost prohibitive is to demolish the existing home and construct a new home of roughly the square footage. Limited changes are allowed if the current home is determined to be inadequate per the local building code. Under the CDBG program, which is the funding source to be used for this project, the reconstruction must occur on the current footprint of the home.

Ms. Bost's home is 876 square feet with significant foundation issues, no closets, lead-based paint, broken and damaged windows, inadequate bath facilities and kitchen. To meet code requirements, the house size would increase to 960 square feet including the porches. Staff will partner with Habitat for Humanity Cabarrus to reconstruct the home as their use of volunteers will reduce the cost. Ms. Bost is under 30% of AMI, she would pay 25% of the cost at 0% interest. A deed restriction will be placed on the property for 40 years. Ms. Bost requested to stay with her daughter during construction. Based on current projects, the reconstruction cost is estimated to be \$139,200, and CDBG funds would be used.

A motion was made by Council Member Stocks and seconded by Council Member McKenzie to award an owner-occupied reconstruction of 363 Lincoln Street SW for Ms. Wynona Bost through a partnership with Habitat for Humanity Cabarrus in the amount of \$139,200—the vote: all aye.

### **3. Consider the sale of structure located at Ramseur Park to WeBuild, Inc.**

The City acquired an A-frame dwelling structure as part of the acquisition of the property located at Cabarrus County Tax PIN 46803324860000 and having a physical address of 1252 Cox Mill Road, Concord, NC 28027. During the design of the park, staff investigated whether the house could be used as a community room in its current location. Based on the A-frame style house containing 3 floors and a basement, it was deemed too expensive to retrofit the house for public use. The house was planned to be demolished at a cost of approximately \$40,000.

WeBuild has offered to purchase the house for one dollar (\$1.00) and pay all expenses related to moving the house off-site to a location suitable for residential development. WeBuild would then, at their expense, renovate and sell the property at market rate, using any net proceeds from the sale to help fund the Corban Street senior housing development project (an affordable housing project targeting individuals with an average age of 65 years and older earning at or below 80% AMI).

A motion was made by Mayor Pro-Tem Parsley-Hubbard and seconded by Council Member Sweat to adopt the following resolution to sell and purchase agreement for the structure located at Ramseur Park to WeBuild, Inc—the vote: all aye.

#### **RESOLUTION AUTHORIZING THE SALE OF CITY OF CONCORD SURPLUS PERSONAL PROPERTY TO DH GRIFFIN.**

WHEREAS, the City of Concord owns certain personal property described as: Six (6) Caterpillar 3516 Diesel Generators (the "Property"); and

WHEREAS, the Property is located at Electric Generation Plant #2, Manor Ave.

WHEREAS, the City has no use for the Property; and

WHEREAS, sealed bids were received for the purchase of all six (6) generators as one lot; and

WHEREAS, North Carolina General Statute §160A-265 allows cities to dispose of any personal property including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused.

NOW THEREFORE, BE IT RESOLVED, that the City of Concord City Council does hereby declare that:

1. The Property herein described is surplus to the needs of the City;
2. The Property shall be sold to DH Griffin in accordance with N.C. General Statutes §160A-265; and
3. The City Manager is authorized to execute the necessary documents to achieve this donation.

Adopted this 8th day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**4. Consider approving the Co-Sponsorship application, submitted by the Logan Community Association, for the Logan Community Reunion.**

This event is scheduled to be held at Barber-Scotia College, and the applicant is requesting the following in-kind services from the City of Concord: Solid Waste - Providing additional trash collection bins and pick up of those bins. Police - Requesting 1 Police Officer to be dedicated to the event between the hours of 1-6pm.

A motion was made by Council Member Crawford and seconded by Council Member Stocks to approve the Co-Sponsorship application for the Logan Community Reunion—the vote: all aye.

**5. Consider adopting a resolution authorizing the sale of six (6) Caterpillar 3516 diesel Peak Shaving Generator units.**

Staff is requesting to sale six (6) surplus Peak Shaving Generator units, nearing their “end of life cycle”, that were previously used to reduce peak system demands, resulting in a financial gain under the City’s prior Wholesale Power Purchase Agreement. Electric Staff negotiated a guaranteed capacity credit in the current power purchase agreement, which allows for financial gain without the need to peak shave. Sale of the generators is coupled with extensive decommissioning efforts for the site, including removal of; two (2) 10,000-gallon fuel tanks, three (3) 1,000-gallon tanks, cooling equipment, exhaust stacks, structure venting system, associated electrical switchgear and fuel/oil piping and filtration systems. A request for proposals to purchase the generators and perform the decommissioning work was issued, and one bid was received from DH Griffin in the amount of \$87,400 net proceeds to the City.

A motion was made by Council Member Clay and seconded by Council Member McKenzie to adopt the following resolution authorizing the sale of six (6) Caterpillar 3516 diesel Peak Shaving Generator units and accept the bid to purchase the units and decommission the site from DH Griffin in the amount of \$87,400—the vote: all aye.

RESOLUTION AUTHORIZING THE SALE OF CITY OF CONCORD SURPLUS PERSONAL  
PROPERTY TO DH GRIFFIN.

WHEREAS, the City of Concord owns certain personal property described as: Six (6) Caterpillar 3516 Diesel Generators (the "Property"); and

WHEREAS, the Property is located at Electric Generation Plant #2, Manor Ave.

WHEREAS, the City has no use for the Property; and

WHEREAS, sealed bids were received for the purchase of all six (6) generators as one lot; and

WHEREAS, North Carolina General Statute §160A-265 allows cities to dispose of any personal property including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused.

NOW THEREFORE, BE IT RESOLVED, that the City of Concord City Council does hereby declare that:

1. The Property herein described is surplus to the needs of the City;
2. The Property shall be sold to DH Griffin in accordance with N.C. General Statutes §160A-265; and
3. The City Manager is authorized to execute the necessary documents to achieve this donation.

Adopted this 8th day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**6. Consider adopting a resolution authorizing the sale of five (5) station power transformers.**

Two (2) transformers fed the generation plant that is being decommissioned, and the other three (3) were taken out of service due to old age and/or maintenance issues.

The highest responsive bid was received from ANB System Solutions, LLC in the amount of \$129,302.

A motion was made by Council Member McKenzie and seconded by Council Member Sweat to adopt the following resolution authorizing the sale of five (5) station power transformers and to accept the bid to purchase the units from ANB System Solutions, LLC in the amount of \$129,302—the vote: all aye.

RESOLUTION AUTHORIZING THE SALE OF CITY OF CONCORD SURPLUS PERSONAL  
PROPERTY TO ANB SYSTEM SUPPLIES, LLC.

WHEREAS, the City of Concord owns certain personal property described as: Five (5) Station Power Transformers (the "Property"); and

WHEREAS, the Property is located at 211 Manor Ave SW, 402 S Central Drive NW, and 801 Florence Ave.

WHEREAS, the City has no use for the Property; and

WHEREAS, sealed bids were received for the purchase of all five (5) transformers as one lot; and

WHEREAS, North Carolina General Statute §160A-265 allows cities to dispose of any personal property including supplies, materials, and equipment, that the governing board deems to be surplus, obsolete, or unused.

NOW THEREFORE, BE IT RESOLVED, that the City of Concord City Council does hereby declare that:

1. The Property herein described is surplus to the needs of the City;
2. The Property shall be sold to ANB System Supplies, LLC in accordance with N.C. General Statutes §160A-265; and
3. The City Manager is authorized to execute the necessary documents to achieve this donation.

Adopted this 8th day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

**7. Consider authorizing the City Manager to negotiate a contract with Conner Construction Corporation for the McInnis Aquatic Center Pool Renovations.**

The purpose of this project is to renovate the McInnis Aquatic Center pool. It will include the addition of play features and a “zero entry pool”. The installation will include new plaster, tiled swim lane, the addition of a pump for the new water features and other appurtenances.

The project was bid under the formal bidding process, bids were received on June 27, 2024, and no bids were received. The project was re-advertised, and bids were received a second time on July 11, 2024. This time four (4) bids were received, and the lowest responsible bidder was Conner Construction Corporation in the amount of \$493,680.

A motion was made by Council Member Stocks and seconded by Council Member Crawford to authorize the City Manager to negotiate and execute a contract with Conner Construction Corporation in the amount of \$493,680 for the McInnis Aquatic Center Pool Renovations—the vote: all aye.

**8. Consider authorizing the City Manager to negotiate and execute a contract not to exceed \$649,000 with Musco Sports Lighting, LLC for the purchase and installation of Musco Light-Structure System LED lighting fixtures, poles, re-use of existing poles, and related equipment for the Caldwell Park renovation project.**

This project includes the installation of pre-cast concrete bases with integrated lightning grounding, galvanized steel poles, factory wired and tested remote electrical component enclosures, factory assembled wire harnesses, factory wired and UL-listed pole top LED

luminaire assemblies, the re-use of six lighting poles currently in the park, and related equipment.

The on-field performance light levels are guaranteed for 25 years with LED lighting, which includes both quality and quantity of light as specified. LED lighting provides a reduction of energy usage over typical HID lighting; and the Environmental Light Control system provides glare control, benefiting neighbors and the surrounding environment. The proposal covers all maintenance for 25 years, including all materials and labor.

Final design is currently underway; installation includes support, product assurance and a warranty program covering 100% of maintenance costs including materials and onsite labor. This equipment will be provided by Musco Sports Lighting LLC as a longtime sole source provider. The installation will be performed by a certified North Carolina WBE installer resulting in a 34% MWBE participation for this project. The City currently maintains 10 facilities with sports lighting, all with Musco lighting. In order to operate efficiently by reducing the amount of staff training and stocking of parts, the City proposes to purchase the light fixtures from Musco Lighting under the sole-source exception #199030 allowed by N.C. Gen. Stat. 143-129 (e) Exceptions (6) when "(iii) Standardization or compatibility is the overriding consideration." This project will be funded from the 2022 parks general obligation bond program.

A motion was made by Council Member Stocks and seconded by Mayor Pro-Tem Parsley-Hubbard to authorize the City Manager to negotiate and execute a contract with Musco Sports Lighting, LLC for the purchase and installation of Musco Light-Structure System lighting fixtures, galvanized steel poles and the reuse of existing galvanized poles at Caldwell Park for a fee not to exceed \$649,000—the vote: all aye.

**9. Consider authorizing the City Manager to negotiate and execute a contract with Kompan, Inc. for equipment to purchase and installation for the inclusive and accessible playground at Caldwell Park in the amount of \$597,614.66.**

City Council adopted the master plan for the renovation and redevelopment of the 24-acre Caldwell Park in June of 2020 and approved the design contract with Alfred Benesch & Company in March 2022. Construction drawings for the overall park project are complete, and documents are being finalized in preparation for bidding. The playground project was subject to an RFP process conducted by Benesch; and Kompan, Inc. is part of the Omnia Partners cooperative purchasing agreement utilized by the City. Staff requests authorization for the negotiation and execution of a contract to purchase and install the playground equipment from Kompan, Inc. in a contract separate from the overall contract for construction of the overall park renovation.

The approximately 13,593 square foot playground has been specifically designed for Caldwell Park featuring inclusive and accessible features; Kompan is considered a market leader in providing inclusive playground designs and equipment on a global basis. Major features include a main 2-12 year old play structure with ramps, towers, slides, and transfer stations; two swing sets featuring various seating types; a turfed hillside area with a wide inclusive slide; a universal carousel; and a number of communication boards and other play features. The playground also includes an approximately 20' x 20' foot turfed and shaded sensory play area with features permitting sensitive users to enjoy the playground; this area was specifically requested by a focused citizen committee made up of advocates for all-abilities children.

A portion of the cost for this playground will come from the City's 2022 Land and Water Conservation Fund grant. The total amount of the LWCF award provided by the North Carolina Department of Natural and Cultural Resources was \$498,960 (matched at 50% by the City);

funds are to be utilized to offset city costs for renovation and provision of the inclusive playground, basketball courts, shade canopy, ball field relocation, multi-purpose field, irrigation, demolition, site preparation and landscaping. The remainder of the project cost will be provided by funds generated by the 2022 park general obligation bond program.

A motion was made by Council Member Crawford and seconded by Council Member Sweat to authorize the City Manager to negotiate and execute a contract with Kompan, Inc. in the amount of \$597,614.66 for equipment to purchase and installation of the inclusive and accessible playground at Caldwell Park—the vote: all aye.

**10. Consider adopting an ordinance amending Chapter 46, Solid Waste, of the City's Code of Ordinances, Section 46:1 (Definitions), Section 46:2 (Compliance enforcement, removal costs and civil penalties), Section 46:33 (Pre-collection practices and public nuisance), Section 46:34 (Prohibited materials not collected by city and handling prohibitions), Section 46:37 (Collection practices and schedule), Section 71 (Container requirements and specifications), and Section 46:74 (Evening and early morning use of refuse collection equipment prohibited) relative to the collection of solid waste materials in the City of Concord.**

In preparation for new user fees to be implemented (adopted as part of the FY24-25 Operating Budget) for collection of yard waste and limb piles over 6 cubic yards, staff has revised ordinance language to be consistent with the implementation of the fee and its application as well as minor cleanup of language and wording. All references to specific fines, fees, and penalties throughout the ordinance have been replaced pointing to the current/adopted Schedule of Fees and Charges and an entry regarding commercial cardboard programming has been eliminated with the program ending in December 2023.

A motion was made by Council Member McKenzie and seconded by Mayor Pro-Tem Parsley-Hubbard to adopt the following ordinance amending Chapter 46, Solid Waste, of the City's Code of Ordinances regarding the collection of solid waste materials—the vote: all aye.

ORD.# 24-90

AN ORDINANCE AMENDING PORTIONS OF CHAPTER 46 OF  
THE CITY CODE FOR CONCORD, NORTH CAROLINA

WHEREAS, the City Council of the City of Concord is authorized from time to time to amend the Concord Code of Ordinances of the City of Concord; and

WHEREAS, the City Council of the City of Concord recognizes the need to amend and add to the Concord Code of Ordinances of the City of Concord and hereby adopts the following changes to the Code.

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:

Section 1. That Chapter 46. - SOLID WASTE, ARTICLE I. – IN GENERAL, Sec. 46-1 - Definitions is amended as written:

*Waste tires* means any worn out or discarded vehicle tires, as once operated on an automobile, truck, passenger van, motorcycle, golf cart or all-terrain vehicle. Tires as

previously used on commercial vehicles, race cars, construction equipment, or tractors are excluded from this definition.

Section 2. That Chapter 46. - SOLID WASTE, ARTICLE I. – IN GENERAL, Sec. 46-2 – Compliance, enforcement, removal costs, and civil penalties. subsection (a) Notice; failure to comply; removal; cost. (4) Penalties. (a) is deleted and replaced by the following:

- (a) Violations of this chapter, except for violations of 46-33(b)(1), are subject to penalties as indicated in the City's adopted Schedule of Fees and Charges if such violation is not corrected within 48 hours after receiving notification from the solid waste services department.

Section 3. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-33 – Pre-collection practices and public nuisance., subsection (a) Pre-collection practices. Items (8) Recyclables., (15) Yard Waste – Grass trimmings, and leaves. and (17) Yard Waste – Limbs. are deleted and replaced by the following:

- (8) *Recyclables*. All recyclables shall be drained of all liquids and rinsed to remove food residuals before being placed into the approved rollout cart. All recyclables shall be placed into the cart; sorting or separation not required. Recyclable items should not be bagged (including backyard collection services). All cardboard should be cut or folded to fit in the recycle cart for collection.
- (15) *Yard waste—Grass, trimmings, and leaves*. Grass, trimmings less than 12 inches in length, and leaves shall be placed in untied paper biodegradable bags weighing no more than 35 pounds each or what one person can lift and carry with one hand without dragging. Bagged materials are collected weekly on the scheduled waste collection day. Unbagged loose leaves are collected according to the published loose-leaf collection schedule.
- (17) *Yard waste—Limbs*. Limbs must be less than 12 inches in diameter, cut to a length of six feet or less, and stacked neatly at the curb so as not to obstruct the sidewalk or the roadway nor create an unsafe condition to the traveling public. Limb piles in excess of 6 cubic yards in volume will be collected for a fee as indicated in the City's adopted Schedule of Fees and Charges. Assessment/collection of user fees may be suspended for limb piles in excess of 6 cubic yards in instances of storm/tree debris cleanup as approved by the department. Penalties as established in Section 46:2 will apply if limb piles remain at the curb without payment of fees. It is unnecessary to bag any limbs greater than one-inch diameter and greater than 12 inches length. These limbs should be stacked at curb with other limbs for collection.

Section 4. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-33 – Pre-collection practices and public nuisance., subsection (b) Placement and storage. Items (1) Cart placement. and (6) Backyard garbage and recycling service. are deleted and replaced by the following:

- (1) Approved rollout carts shall be placed near the edge of the street as practical for the scheduled day of collection. Carts shall be at the curb by 6:00 a.m. on collection day and shall not be curbside before 5:00 p.m. of the evening prior to collection day and shall be removed no later than 9:00 p.m. the evening of collection day. Solid door hanger violation notices will be issued for such violations. Any residence receiving 3 notices of violations within one calendar year are subject to fines as indicated in the City's adopted Schedule of Fees and Charges.

- (6) Backyard garbage and recycling service to elderly, disabled, or handicapped persons will be provided when there is no one in residence in the household physically capable of transporting the approved rollout cart curbside. A statement signed by a physician currently treating the householder may be required to substantiate the existence of disability. A special inconspicuous identifying marker will be placed in the yard of residents requiring such service. All garbage and trash must be placed into tied plastic bags before placement into approved rollout cart. All recyclables must be placed loosely into recycling rollout carts.

Section 5. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-34 – Prohibited materials not collected by city and waste handling prohibitions., subsection (a) [Prohibited materials.], item (9) is deleted and replaced as shown below:

- (9) Yard waste placed in any type or color of plastic bags, nonbiodegradable paper bags or individual bags weighing more than 35 pounds each. (see also subsection (b)).

Section 6. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-37 – Collection practices and schedule., subsection (d) Commercial cardboard be deleted and not replaced:

- (d) Commercial cardboard and office paper recycling will be collected weekly.

Section 7. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-71 – container requirements and specifications., subsection (c) item (4) is deleted and restated as follows:

- (4) Anyone in possession of unauthorized multiple carts that are not accessible for retrieval, shall be notified in writing that they are in violation of the City Code of Ordinances. A deadline shall be set to surrender the cart(s). After that date, the cart fee will be added to their utility bill and remain in effect for each month hereafter until the cart(s) are surrendered to city personnel. The civil penalty for this infraction is indicated in the City's adopted Schedule of Fees and Charges.

Section 8. That Chapter 46. - SOLID WASTE, ARTICLE II. – ADVANCED PREPARATION, COLLECTION, DISPOSAL AND CONTAINERS, Sec. 46-74 – Evening and early morning use of refuse collection equipment prohibited., subsections (b) and (c) are deleted and restated as follows:

- (b) Any person in violation of this section shall be guilty of a misdemeanor and upon conviction shall be fined as allowed in the City's adopted Schedule of Fees and Charges.
- (c) Any firm or corporation in violation of this section shall be liable for civil penalties for the first occurrence of any subsequent occurrences as allowed in the City's adopted Schedule of User Fees and Charges. Said penalties shall bear an additional penalty as allowed in the City's adopted Schedule of User Fees and Charges for each day in excess of 14 calendar days from notice by certified mail or personal service that said penalties remain unpaid.

**Section 9.** This Ordinance shall be effective upon adoption.

Adopted this 8<sup>th</sup> day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**11. Consider authorizing the City Manager to negotiate and execute an addendum to the contract with Edifice General Contractors for the construction of the Fleet Services Facility.**

Edifice General Contractors is currently under contract for pre-construction services related to the design and construction of the Fleet Services Facility. Edifice has submitted a guaranteed maximum price (GMP) for construction services which includes furnishing and delivering all materials and performing all work in the manner and form as provided by the approved design drawings and specifications from the pre-construction phase. The guaranteed maximum price is made up of the following costs: cost of the work, builders contingency, general requirements cost, bonds and insurance and design builder fee. MWBE/HUB participation is over 14%, or \$3.28M and with 14 subcontractors participating on the project. The GMP submitted by Edifice General Contractors is \$24,103,451.

A motion was made by Council Member Sweat and seconded by Mayor Pro-Tem Parsley-Hubard to authorize the City Manager to negotiate and execute an addendum to the contract with Edifice General Contractors for the construction of the Fleet Services Facility—the vote: all aye.

**12. Consider adopting a resolution granting a temporary construction easement to Dominion Energy.**

Dominion Energy is installing a system expansion from Kannapolis to Concord. They are requiring a temporary construction easement on a City of Concord parcel (56306407460000), which is at the intersection of Branchview Drive SE and Crestside Drive SE. Staff has reviewed and discussed this request with the City Arborist and Risk Management. If Council approves, the following conditions will apply: (1) restore the area to desired grades, (2) certain insurance requirements, and (3) market price compensation for the easement area and tree loss and damages with a reforestation allowance estimated to be 7,500.

A motion was made by Council Member Langford and seconded by Mayor Pro-Tem Parsley-Hubard to adopt the following resolution granting a temporary construction easement to Dominion Energy—the vote: all aye.

RESOLUTION AUTHORIZING THE CONVEYANCE OF A TEMPORARY CONSTRUCTION  
EASEMENT

WHEREAS, North Carolina General Statute § 160A-273 permits the City of Concord to have authority to grant easements over, through, under, or across any city property or the right-of-way of any public street or alley that is not a part of the State highway system; and

WHEREAS, the City of Concord ("City") acquired a real property parcel identified as PIN 5630-64-0746 and is located off of Crestside Drive SE, near Mountainbrook Subdivision by Sides Realty Company on November 30, 2009 in Deed Book 8981 at Page 41 ("Property"); and

WHEREAS, Dominion Energy Services, Inc., a Virginia corporation ("Dominion"), is expanding its public utility services by installing new infrastructure between the Cities of Kannapolis; and the City of Concord; and

WHEREAS, Dominion has requested a temporary construction easement from the City for the purpose of installing new gas utility infrastructure near PIN 5630-64-0746; and

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

1. The City Council of the City of Concord will grant a temporary construction easement to Dominion Energy Services, Inc. on PIN 5630-64-0746, located off Crestside Drive, as outlined in North Carolina General Statute § 160A-273.
2. Dominion Energy Services, Inc. agrees to pay the City of Concord, market price for the temporary construction easement along with additional funds for the purpose of reimbursement for tree loss, damages, and a re-forestation allowance in the total amount of \$7,500.00; and
3. Upon completion, Dominion Energy Services, Inc will restore the area to a desirable grade.
4. Prior to beginning, Dominion Energy Services, Inc. will provide the City of Concord proof of insurance showing the City of Concord as a beneficiary.
5. The City Attorney is directed to take all necessary steps to complete conveyance of the temporary construction easement to Dominion Energy Services, Inc. The City Manager is authorized to execute the necessary instruments to effectuate conveyance of the temporary construction easement in accordance with this resolution.

Adopted this 8th day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

### **Consent Agenda:**

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

### **CONSENT AGENDA ITEM A**

The updated 2024 Concord Emergency Operations Plan (EOP) was adopted.

**CONSENT AGENDA ITEM B**

The following resolution was adopted to authorize the Accounting Operations Manager to execute pre-audit certificates.

RESOLUTION – FINANCE SIGNATURE AUTHORITY

WHEREAS, the General Statutes allow the Governing Board authority to authorize the Deputy Finance Director to perform certain Finance Director duties if designated; and

WHEREAS, N.C.G.S. 159-25 provides that the Finance Director or a properly designated deputy finance officer signs all checks and drafts; and

WHEREAS, N.C.G.S. 159-28 provides that the Finance Director or a properly designated deputy finance officer executes pre-audit certificates; and

WHEREAS, the City's Purchasing Manager is designated as a deputy finance officer only to execute to execute purchase orders; and

WHEREAS, the City's Accounting Operations Manager is designated a deputy finance officer only to execute pre-audit certificates;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Concord, North Carolina, does hereby approve/authorize the following:

1. The Deputy Finance Director has the authority to sign checks and drafts.
2. The Deputy Finance Director has authority to execute pre-audit certificates, requisitions and purchase orders.
3. The Deputy Finance Director may execute other documents that the Finance Director approves when the Finance Director is absent.
4. The Purchasing Manager may only execute purchase orders as a Deputy Finance Director.
5. The Accounting Operations Manager may only execute purchase orders as a Deputy Finance Director.
6. This Resolution shall become effective immediately upon adoption.

Adopted this 8<sup>th</sup> day of August 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

**CONSENT AGENDA ITEM C**

The 2024 Community Project Funding Grant administered by HUD, awarded to the McGill Reuse Project in the amount of \$656,000 was accepted.

ORD.# 24-91

GRANT PROJECT ORDINANCE  
FY2024 Economic Development Initiative-Community Project Funding

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

SECTION 1. The project authorized is the McGill Project.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation of the project within terms of a grant agreement with the United States Department of Housing and Urban Development Office of Community Planning and Development.

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
430-4357300	Federal Aid	0	656,000	656,000
	<b>Total</b>			<b>656,000</b>

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

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8804-5811190	McGill Project	20,000	676,000	656,000
	<b>Total</b>			<b>656,000</b>

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

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 8<sup>th</sup> day of August, 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM D**

The SEMAP Certification for Fiscal Year ending June 30, 2024 was approved.

**CONSENT AGENDA ITEM E**

The following ordinance was adopted to amend the Stormwater Project Fund budget to allocate investment earnings.

ORD.# 24-92  
CAPITAL PROJECT ORDINANCE AMENDMENT  
**Stormwater Projects**

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

- SECTION 1. The project authorized and amended is 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 project:

<u>Revenues</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
474-4361000	Investment Earnings	0	179,979	179,979
Total				179,979

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

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

7103-5811082	Future Projects	(117,354)	62,625	<u>179,979</u>
Total				<u>179,979</u>

SECTION 4. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 8th day of August 2024.

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 F**

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

ORD.# 24-93

CAPITAL PROJECT ORDINANCE  
**Water Projects**

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

SECTION 1. The projects authorized and amended are various Water 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/expenditures are anticipated to be available to the City of Concord for the project:

<b>Account</b>	<b>Title</b>	<b>Current Budget</b>	<b>Amended Budget</b>	<b>(Decrease) Increase</b>
429-4361000	Investment Earnings	0	380,795	380,795
429-4402150	System Dev Fees	6,759,785	7,142,254	382,469
429-4501282	Transf fm Util Cap Resv	1,000,000	1,510,918	510,918
8700-5801134	Smart Grid	5,630,000	5,611,143	(18,857)
8700-5811310	Old Charlotte Wtrline	1,000,000	1,510,918	510,918
8700-5811082	Future Projects	6,389,802	7,171,923	782,121

SECTION 4. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 8th day of August, 2024.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

### **CONSENT AGENDA ITEM G**

The following ordinance was adopted to amend the Utility Capital Reserve Fund project budget.

ORD.# 24-94

### **CAPITAL PROJECT ORDINANCE Utility Project Reserves**

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

ordinance is hereby ordained:

SECTION 1. The project authorized and amended is utility project reserves.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the project/projects within the terms of the plans and specifications for the projects. The purpose authorized is to accumulate funds for future projects and capital outlay that are listed in the Capital Improvement Plan listing or the City's Operating Budget. Funds will be accumulated until such time the City Council designates the funds for projects. The Electric/Water/Wastewater Funds will serve as the funding source for the Utility Capital Reserve Fund upon City Council approval and withdrawals must be approved by City Council through an ordinance.

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

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
282-4361000	Investment Earnings	\$809,864	\$1,136,441	\$326,577
282-4501620	Transfer from Water	\$6,180,440	\$6,293,638	\$113,198
282-4501640	Transfer from Sewer	\$2,368,000	\$2,373,517	\$5,517
8120-5811081	Future Elec Projects	\$9,112,562	\$9,229,316	\$116,754
8120-5811088	Future Water Projects	\$5,208,119	\$4,963,559	\$(244,560)
8120-5811089	Future Sewer Projects	\$2,378,520	\$2,440,700	\$62,180
8120-5987000	Transfer to Proj Fund	\$1,000,000	\$1,510,918	\$510,918

SECTION 4. Accounting records are to be maintained by the Finance Department of the City of Concord in such manner as (1) to provide all information required by the grant agreement and other agreements executed or to be executed with the various parties involved with the project; and (2) to comply with the Local Government Budget and Fiscal Control Act of the State of North Carolina.

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 8th day of August, 2024.

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 H**

The addition of the Project Manager (Grade 62) with a salary range of \$91,080.57 (minimum) - \$120,681.75 (midpoint) - \$150,282.93 (maximum) was approved.

**CONSENT AGENDA ITEM I**

The addition of the Inspections Coordinator (Grade 61) with a salary range of \$84,333.86 (minimum) - \$111,742.37 (midpoint) - \$139,150.87 (maximum) was approved.

**CONSENT AGENDA ITEM J**

The addition of the Safety, Health & Risk Analyst (Grade 60 with a salary range of \$78,086.91 (minimum) - \$103,465.15 (midpoint) - \$128,843.39 (maximum) was approved.

**CONSENT AGENDA ITEM K**

The addition of the Business Systems Analyst (Grade I61) with a salary range of \$84,333.86 (minimum) - \$111,742.37 (midpoint) - \$139,150.87 (maximum) was approved.

**CONSENT AGENDA ITEM L**

The addition of the Sr. Business Systems Analyst (Grade I63) with a salary range of \$98,367.01 (minimum) - \$130,336.29 (midpoint) - \$162,305.57 (maximum) was approved.

**CONSENT AGENDA ITEM M**

The Tax Office collection reports for the month of June 2024 were approved.

**CONSENT AGENDA ITEM N**

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

**CONSENT AGENDA ITEM O**

The monthly report on investments as of June 30, 2024 was received.

\* \* \* \* \*

Council Member Stocks thanked staff members that worked to make National Night Out such a great success.

\* \* \* \* \*

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem Parsley-Hubbard to conduct a closed session in accordance with NCGS 143-318.11(a) (3) to consult with the attorney to protect the attorney-client privilege 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 this

public body—the vote: all aye.

\* \* \* \* \*

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

---

William C. Dusch, Mayor

---

Kim J. Deason, City Clerk