

CONCORD CITY COUNCIL
REGULAR MEETING
JUNE 13, 2019

A regular meeting of the City Council for the City of Concord, North Carolina, was held on June 13, 2019, at 6:00 p.m., in the Council Room of City Hall, with Mayor William C. Dusch presiding. Council members were present as follows:

Members Present:

Mayor Pro-Tem Samuel M. Leder
Council Member W. Brian King
Council Member Ella Mae P. Small
Council Member JC McKenzie
Council Member Terry L. Crawford
Council Member Jennifer H. Parsley
Council Member John A. Sweat, Jr.

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Public Affairs and Projects Manager, Peter Franzese
Department Directors

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

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

Approval of Minutes

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to approve the minutes for the meetings of May 7 and May 9, 2019—the vote: all aye.

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A motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to add a presentation (item #5) from the Town of Mooresville—the vote: all aye.

Presentations:

1. **Mayor Dusch presented a retirement plaque to former Fire Chief, Ray Allen, for 28 years of loyal and dedicated service to the City of Concord Fire Department.**
2. **Mayor Dusch presented the SWANA (Solid Waste Association of North America – North Carolina Chapter) Second Place finish in the Roll-Off Competition to Greg Spears.**
3. **Concord-Padgett Regional Airport Aviation Director, Dirk Vanderleest, was presented with a Plaque for the implantation of the International Standard for Business Aircraft Operations Handling (IS-BAH) Stage 1 Certification.**
4. **Mayor Dusch presented a Proclamation recognizing June 19, 2019 as Juneteenth Day.**
5. **Major Chilton, Mooresville Police Department, presented the Mayor and City Council a plaque in appreciation of the City of Concord's assistance and support to the Town of Mooresville during their time of need. Fire Chief Williams and Police Chief Gacek accepted the plaque on behalf of the City Council.**

Unfinished Business

New Business

Informational Items

1. **Reigning Miss Cabarrus County, Déja Grant, made a presentation to the Council at the June 11th Work Session.**
2. **Centralina Council of Governments (COG) Executive Director, Geraldine Gardner, made a presentation to the Council at the June 11th Work Session.**

Departmental Reports

Recognition of persons requesting to be heard

Lt. Col. Chris Castro, NC Army National Guard, addressed the Council regarding the Selective Service System. Lt. Col. Castro recruits and trains local Selective Service Board members. Cabarrus and Stanly counties share a Board. He explained the duties of the Board. He stated there are currently two vacancies on the Cabarrus/Stanly County Board. He left his contact information for those individuals that may be interested in serving on the Board.

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Mr. Ronald Frawley, American Legion Post 51 Commander, addressed the Council requesting a portion of Wilshire Avenue to American Legion Drive.

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Mr. Roland Jordan addressed the Council regarding issues in his community.

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Public Hearings

1. **Conduct a public hearing pursuant to NC General Statutes Sec. 158-7.1 and consider offering a contract for a ten year / 50% tax based Downtown MSD Economic Development Incentive Grant to Concord Master Venture, LLC (Lansing Melbourne Group) for the development of a mixed use structure located at 30 Market St. SW.**

The proposed mixed use development represents a proposed \$50,000,000 investment. The proposed incentive is offered under the terms of the approved Master Developer's Agreement between the City of Concord and Concord Master Venture, LLC. A grant analysis was submitted to the Council for review.

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

Planning and Neighborhood Development Services Director, Steve Osborne, explained the grant request.

There were no speakers on this issue. Therefore, a motion was made by Council Member McKenzie, seconded by Council Member Crawford, and duly carried, to close the public hearing—the vote: all aye.

A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to offer a contract for a ten year/ 50% tax based Downtown MSD Economic Development Incentive Grant to Concord Master Venture, LLC for the development of a mixed use structure located at 30 Market St. SW—the vote: all aye.

2. **Conduct a public hearing and consider approving the submission of the FY2019-20 Action Plan for the US Department of Housing and Urban Development Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs.**

The City of Concord is required to submit an Action Plan to the US Department of Housing and Urban Development (HUD) outlining proposed projects to be accomplished using the allocated funding. The Action Plan includes CDBG and HOME activities planned for the City of Concord, as well as HOME activities for the members of the HOME consortium. Concord is the lead entity responsible for reporting for the Consortium. The City's FY19-20 total CDBG program budget is \$633,173.00 which includes the CDBG allocation of \$633,508 and \$2,665 in estimated program income. The FY19-20 HOME Consortium allocation is \$1,206,157. The consortium is projected to generate \$131,006 in program income and provide \$47,938 in match contributions. The total Consortium budget is projected to be \$1,385,101. The City's proposed HOME program budget is \$437,035 which includes the City's portion \$191,752 of the HOME allocation, \$66,339 for lead entity administration, \$131,006 in estimated program income and the required \$47,938 local match from the General Fund. The remaining funds will be allocated to other members of the HOME Consortium. Items given in the Action Plan match those in the budget for FY 19-20. A public hearing was held in the City Council Chambers on May 22, 2019 to receive comments on the proposed 2019/2020 CDBG and HOME program activities. The public hearing was advertised in The Independent Tribune on May 19th to solicit public input during the 30 day comment period. No citizens attended the public hearing. No recommended changes to the plan are expected. The Action Plan is part of the 2020-2023 Strategic Plan.

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

Planning and Neighborhood Development Services Community Development Manager, Mary Carr, stated the City of Concord is required to submit an Action Plan annually to HUD.

There were no speakers on this issue. Therefore, a motion was made by Council Member Small, seconded by Council Member Sweat, and duly carried, to close the public hearing—the vote: all aye.

A motion was made by Council Member Parsley, seconded by Council Member Sweat, and duly carried, to approve the FY2019/20 Action Plan and authorize submission to the US Department of Housing and Urban Development Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME)—the vote: all aye.

3. **Conduct a public hearing to consider designating Bell and Harris - Maxwell Brothers and Collins - Maxwell Brothers Furniture Store (29 Cabarrus Ave. E) as a local historic landmark.**

Patrick Reilly, the owner of the building and registered agent for Church Street Lofts, LLC, has applied for the designation of the property as a local historic landmark. This designation is accomplished by ordinance adopted by City Council, in accordance with the procedures set forth in Section 9.8.3. The ordinance requires a report to be generated by the Historic Preservation Commission and reviewed by the State Historic Preservation Office, per statute, as well as a review of the designation by the Planning and Zoning Commission, and public hearings to be held jointly or separately by the Historic Preservation Commission and the City Council. The HPC held their public hearing on May 8, 2019 in the City Council Chambers.

The impacts of the designation are the following: Designating the parcel as a historic landmark, results in a 50% tax deferment. There is a claw-back provision to reclaim three years' worth of the deferment if the site were to lose its landmark status. The current tax value of the parcel is \$2,489,520, which generates \$11,950 in tax revenue for the City and \$5,726 for the municipal services district (MSD). Modifications to the structure will require a Certificate of Appropriateness to the extent described in the designation ordinance subject to approval by the Historic Preservation Commission.

For the subject property, the designation includes the exterior of the building and portions of the building interior: the original character defining features identified on the exterior are the variegated-red-brick running-bond façade (south elevation) is punctuated by brick pilasters, cast-stone-coping-capped façade parapet with a stepped central section where sloping shoulders rise to a narrow flat center, cast-stone diamond-shaped medallions at the stepped parapet's center, the top of each pilaster, and in the long, rectangular, header-course-bordered brick panels that surmount each façade bay, soldier-course brick lintels and brick kneewalls in the façade two outer storefronts, paired second- and third-story window opening with soldier course lintels and slightly projecting header-course sills, north, east, and west elevations executed in seven-to-one common-bond variegated-red brick with terra-cotta –coping-capped flat parapets, uniformly spaced square-paneled steel columns, pilasters, and ceiling beams on the first floor, full-height ceilings, original stairs on each floor with straight runs of wood steps with painted risers, hardwood treads, paneled square newel posts, slender rectangular banisters, and hardwood floors. The Certificate of Appropriateness for demolition can have its effective date delayed for a year. The designation does not impact the range of permitted uses on the property.

The Planning and Zoning Commission recommended the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.3 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property at 29 Cabarrus Ave. E as a historically significant building in Concord's downtown to ensure that it will retain important elements of its historic character.

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

Planning and Neighborhood Development Services Planner, Scott Sherrill, explained the request.

Ms. Joanna Sutton was in attendance on behalf of Patrick Reilly to answer any questions the Council may have had.

There were no further comments on this issue. Therefore, a motion was made by Council Member Small, seconded by Mayor Pro-Tem Leder, and duly carried, to close the public hearing—the vote: all aye

A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to adopt the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.3 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites", and the following ordinance designating the Bell and Harris – Maxwell Brothers and Collins – Maxwell Brothers Furniture Store as a local historic landmark—the vote: all aye.

ORD. # 19-40

AN ORDINANCE OF THE CONCORD CITY COUNCIL DESIGNATING THE BELL AND HARRIS—MAXWELL BROTHERS FURNITURE STORE LOCATED AT 29 CABARRUS AVE E AS A LOCAL HISTORIC LANDMARK

WHEREAS, North Carolina General Statutes §160A-400.5 grants North Carolina local governments the authority to designate local historic landmarks upon compliance with North Carolina General Statutes §160A-400.6; and

WHEREAS, the City of Concord has complied with the required landmark designation procedures of §160A-400.6 of the North Carolina General Statutes and the local historic landmark designation procedure set forth in the Concord Development Ordinance §9.8.3; and

WHEREAS, the Concord Historic Preservation Commission conducted a public hearing on May 8, 2019 to consider the proposed designation; and

WHEREAS, the Bell and Harris—Maxwell Brothers Furniture Store was constructed between 1921 and 1924 and is a contributing buildings in the Union St. N—Cabarrus Ave. E Commercial Historic District (National Register);

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

1. That .344 +/- acres at the western quadrant of the intersection of Church St. N and Cabarrus Ave. E. is hereby designated a local historic landmark pursuant to Part 3B, Article 19, Chapter 160A of the North Carolina General Statutes. This property is more specifically described as Lying and being in Ward No. 2, Number 12 Township, Cabarrus County, North Carolina, in the City of Concord, on the West side of the Intersection of North Church Street and East Cabarrus Avenue (formerly East Depot Street) and described as follows:

Beginning at an iron stake at the corner of East Cabarrus Avenue and Church Street, said beginning point being North 81 deg. 44 min. 39 sec. West 26.04 feet from an iron stake at the carline of the intersection of East Cabarrus Avenue and Church Street, thence with the Northwest side of East Cabarrus Avenue South 51 deg. 49 min. 35 sec. West 82.80 feet to a SIP in the Northwest edge of East Cabarrus Avenue, thence with the northeast line of First Charter Real Estate Holdings, LLC, North 40 deg. West passing through a ½" iron rod at 8.50 feet and continuing on the same course 130.40 feet for a total of 138.90 feet to a mag nail at the Southwest corner of a 19.90 foot wide alley, thence with the southern edge of aid alley North 51 dg. 10 min. 20 sec. East 19.90 feet to a tack in a lead filled hole at the Southeast corner of said alley, thence with the Northern line of said alley North 39 deg. 53 min. 36 sec. West 48.00 feet to a PK Nail thence North 50 deg. 29 min. 09 sec. East 44.40 feet to a PK Nail in the west edge of the sidewalk on the West side of North Church Street, thence with the West side of the sidewalk South 39 deg. 53 min. 59 sec. East 40.00 feet to a tack in a lead filled hole in the west edge of same sidewalk, thence North 50 deg. 29 min. 09 sec. East 6.22 feet crossing the sidewalk to an iron stake in the outside edge of the concrete sidewalk on the Southwest side of North Church Street, thence with North Church Street South 40 deg. 2 min. 43 sec. East 160.60 feet to a SIP, the point of BEGINNING, containing .344 acres, more or less, as surveyed by James E. Davis, P.L.S. dated July 30, 2014.

2. The local historic landmark designation encompasses the site, building exteriors of the structure, and the original character-defining portions of the interior as described in the "Local Historic Landmark Designation Report: Bell and Harris – Maxwell Brothers and Collins – Maxwell Brothers Furniture Store 29 Cabarrus Avenue East" dated April 2019.
3. The property subject to this designation is located at 29 Cabarrus Ave. E, Concord, NC. This property is more particularly described as the property at GIS PIN 5620-98-0462 on the Cabarrus County Tax Maps.
4. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Concord Historic Preservation Commission. For the designated interior portions, a certificate of appropriateness is required for modifications that impact, affect, or obscure architectural or layout details as set forth in the landmark report and supplementary materials. An application for a Certificate of Appropriateness authorizing demolition of said property may not be denied; however, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B and amendments, thereto and hereinafter adopted. The regulations relating to Certificates of Appropriateness are found in the City of Concord Development Ordinance. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the City of Concord Historic Preservation Commission to evaluate proposed alterations and additions for this property.

5. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
6. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property. If the owner objects, the sign may be placed on a nearby public right-of-way.
7. That the owners of the property known as the Bell and Harris—Maxwell Brothers Furniture Store building be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Cabarrus County Building Services Division, Cabarrus County Register of Deeds, and the Tax Supervisor as required by law.
8. This ordinance shall become effective upon adoption.

Adopted this the 13th day of June, 2019 by the City Council of Concord, NC.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

4. Conduct a public hearing to consider designating the Hotel Concord and Concord Telephone Exchange Building (4-18 Union St. N and 11-15 Cabarrus Ave. E) as a local historic landmark.

Patrick Reilly, the registered agent for HC Landlord, LLC and owner of the property, has applied for the designation of the property as a local historic landmark. This designation is accomplished by ordinance adopted by City Council, in accordance with the procedures set forth in Section 9.8.3. The ordinance requires a report to be generated by the Historic Preservation Commission and reviewed by the State Historic Preservation Office, per statute, as well as a review of the designation by the Planning and Zoning Commission, and public hearings to be held jointly or separately by the Historic Preservation Commission and the City Council. The pre-requisite reviews and the Historic Preservation Commission's hearing have already occurred. The HPC held their public hearing on May 8, 2019 in the City Council Chambers.

The impacts of the designation are the following: Designating the parcel as a historic landmark, results in a 50% tax deferment. There is a claw-back provision to reclaim three years' worth of the deferment if the site were to lose its landmark status. The current tax value of the parcel is \$5,210,880, which generates approximately \$25,012 in tax revenue for the City and \$11,985 for the municipal services district (MSD). Modifications to the structure will require a Certificate of Appropriateness to the extent described in the designation ordinance subject to approval by the Historic Preservation Commission.

For the subject property, the designation includes the exterior of the building and portions of the building interior: the character defining features of the exterior include the limestone sheathing on the bank's two-story corner storefront, wire-cut variegated-red-brick, Flemish-bond upper stories embellished with quoins, limestone cornices, balustrades, string courses, and coping. Interior features included in the nomination are broken down by location; in the bank: the vaulted, plaster ceiling supported by pendentives embellished with paired Corinthian capitals, brass chandelier, openwork

brass ceiling medallion, wood-panel mezzanine screen, and bank vault; 6 and 10 Union Street N: plaster walls and ceilings; 18 Union Street North: plaster walls and ceilings, small, square, black-and-white mosaic tile floor in north room; Hotel Entrance Hall, lobby, and dining room: marble wall sheathing and baseboards, black-white-and-gray mosaic tile floors, marble stairs with decorative cast-iron railings, paneled wood wainscoting, plaster walls and ceilings, crystal chandeliers, classical columns, pilasters, and ceiling beams; Hotel ballroom: coffered ceiling, brass and crystal six-arm chandeliers, paneled walls and wainscoting, classical mantel, hardwood floors, bas-relief ornament on the frieze, paneled columns, ceiling beams; Hotel upper floors: double-loaded corridor plan, elevator/stair vestibules, wood door surrounds and baseboards, single-leaf wood-panel corridor doors and transoms, plaster walls and ceilings.

For the Concord Telephone Exchange Building, original character-defining features of the exterior include the wire-cut variegated,-red brick walls, eight-bay south elevation with brick pilasters, stepped limestone parapet and cornice with geometric motifs, three storefronts with soldier-course brick lintels, stuccoed kneewalls, original metal-frame display windows and multi-pane transoms, soldier courses with cast-stone corner blocks that frame each south elevation second-story bay and span window lintels, cast-stone window sills, refurbished multi-pane steel sash with hoppers; and on the interior: central stair enclosure, brick and concrete vault, plaster walls and ceilings, hardwood floors, and wood baseboards. The designation does not impact the range of permitted uses on the property.

The Planning and Zoning Commission recommended the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.3 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites." It is reasonable to extend historic preservation protections to the property at 4-18 Union St. N and 11-15 Cabarrus Ave. E as a historically significant building in Concord's downtown to ensure that it will retain important elements of its historic character.

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

Planning and Neighborhood Development Services Planner, Scott Sherrill, explained the request.

There were no speakers on this issue. Therefore, a motion was made by Council Member Sweat, seconded by Council Member Parsley, and duly carried, to close the public hearing—the vote: all aye

A motion was made by Council Member Crawford, seconded by Council Member McKenzie, and duly carried, to the following statement of reasonableness and consistency: The proposed request is consistent with Objective 3.3 of the 2030 Land Use Plan "Support historic preservation efforts within the City's historic districts and for other historic sites", and to adopt the following ordinance designating the Hotel Concord and Concord Telephone Exchange as a local historic landmark—the vote: all aye.

ORD. # 19-41

AN ORDINANCE OF THE CONCORD CITY COUNCIL DESIGNATING THE CONCORD NATIONAL BANK – HOTEL CONCORD AND CONCORD TELEPHONE EXCHANGE BUILDING LOCATED AT 4-18 UNION STREET N AND 11-15 CABARRUS AVE E AS A LOCAL HISTORIC LANDMARK

WHEREAS, North Carolina General Statutes §160A-400.5 grants North Carolina local governments the authority to designate local historic landmarks upon compliance with North Carolina General Statutes §160A-400.6; and

WHEREAS, the City of Concord has complied with the required landmark designation procedures of §160A-400.6 of the North Carolina General Statutes and the local historic landmark designation procedure set forth in the Concord Development Ordinance §9.8.3; and

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WHEREAS, the Concord Historic Preservation Commission conducted a public hearing on May 8, 2019 to consider the proposed designation; and

WHEREAS, the former Concord National Bank-Hotel Concord and Concord Telephone Exchange Building were constructed in 1926 and 1916/1928 respectively and are contributing structures in the Union Street North—Cabarrus Avenue East Commercial Historic District (National Register);

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

1. That .387+/- acres at the northern quadrant of the intersection of Union St. and Cabarrus Ave. E is hereby designated a local historic landmark pursuant to Part 3B, Article 19, Chapter 160A of the North Carolina General Statutes. This property is more specifically described as Lying and being in Ward no. 2 of the City of Concord, North Carolina, in the northerly corner of the intersection of North Union Street and East Depot Street, adjoining the property formerly owned by Joel Reed Estate, the Concord National Bank and Brown Bros., and bounded as follows:

BEGINNING at a point in the northeast edge of the northeast sidewalk of North Union Street, corner of the Concord National Bank (said corner being the center of the dividing wall between the Concord National Bank and the Hotel Concord building) and running thence with the center of the said dividing wall, N. 47 E. 143 feet to an iron stake in the line of Brown Bros., thence with their line, N. 42 W. 87.1 feet to an iron stake in the old Joel Reed Estate line; the old line of the Joel Reed Estate, S, 46 W. 142 feet to an iron stake in the northeast edge of the northeast sidewalk of North Union Street, S. 41-30 E. 84.9 feet to the BEGINNING, together with a right-of-way 13.2 feet in width leading from the northwest side of East Depot Street along the line of Brown Bros. to the property above described, said right-of-way for the free ingress and regress to and from East Depot Street to the property herein described.

AND

That certain strip or parcel of land 2-1/2 feet wide and 143 feet deep lying and being on the south side of Lot NO. 1 of the Joel Reed Homeplace as per map recorded in Map Book No. 4 at page 32 in the office of the Register of Deeds for Cabarrus County, and lying and being on the Northeast side of North Union Street in the City of Concord, and more particularly described as follows:

BEGINNING at a point on the northeast side of North Union Street, (beginning point being 127.9 feet north of the intersection of East Depot Street and North Union Street) and running thence N. 50-4/4 E. 2 inches from and parallel with the Hotel wall, 143 feet to an iron stake; thence N. 38-1/4 W, parallel with North Union Street, 2-1/12 feet to a point, new corner; thence S. 50-3/4 W., parallel with the first line, 143 feet to a point on the northeast side of North Union Street; thence with North Union Street, S. 38-1/4 E. 2-1/2 feet to the point of BEGINNING.

AND

Beginning at a point in the east edge of east sidewalk on North Union Street, the northwest corner of the Concord Realty Company's lot, and runs thence with the east edge of east sidewalk on North Union Street North 38 3/5 West five (5) feet to an iron stake, a new corner on North Union Street; thence a new line five feet from and parallel with the present Reed and Hotel or Concord Realty Company line 143 feet to a point, a new corner (said point or new corner is on a prolongation of the rear line of the present Hotel Lot) thence in a southeasterly direction five (5) feet to an iron stake, the northeast corner of the Hotel Lot, Brown's corner; thence with the Hotel Lot line about S. 51 West 143 feet to the beginning.

2. The local historic landmark designation encompasses the site, building exteriors of the structure, and original character-defining as described in the "Local Historic Landmark Designation Report: Concord National Bank – Hotel Concord 4-18 Union Street North and Concord Telephone Exchange Building 11-15 Cabarrus Avenue East" dated April 2019.
3. The property subject to this designation is located at 4-18 Union St N and 11-15 Cabarrus Ave. E. This property is more particularly described as the property at GIS PIN 5620-88-8252 on the Cabarrus County Tax Maps.
4. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Concord Historic Preservation Commission. For the designated interior portions, a certificate of appropriateness is required for modifications that impact, affect, or obscure architectural or layout details as set forth in the landmark report and supplementary materials. An application for a Certificate of Appropriateness authorizing demolition of said property may not be denied; however, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B and amendments, thereto and hereinafter adopted. The regulations relating to Certificates of Appropriateness are found in the City of Concord Development Ordinance. Owners of locally designated historic landmarks are expected to be familiar with and follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the City of Concord Historic Preservation Commission to evaluate proposed alterations and additions for this property.
5. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
6. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property. If the owner objects, the sign may be placed on a nearby public right-of-way.
7. That the owners of the property known as the Concord National Bank-Hotel Concord and Concord Telephone Exchange Building be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Cabarrus County Building Services Division, Cabarrus County Register of Deeds, and the Tax Supervisor as required by law.
8. This ordinance shall become effective upon adoption.

Adopted this the 13th day of June, 2019 by the City Council of Concord, NC.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

5. **Conduct a public hearing and consider adopting an ordinance to annex +/- 0.408 acres of property, located at 7601 Rocky River Road, and owned by Rocky River Project, LLC.**

The subject property consists of one (1) parcel of approximately 0.408 acres. The property is contiguous to the City of Concord satellite corporate limits, known as The

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Mills at Rocky River. If approved, the applicant intends to pursue a rezoning to C1-CD (Light Commercial Conditional District) for the purpose of establishing a single access drive to the commercial component of The Mill's PUD. A site plan has been submitted showing the intended street location across the lot. No other use is proposed for the property. The current County zoning is LDR (Low Density Residential). The 2030 Land Use Plan (LUP) designates the subject property as Suburban Neighborhood and C-1 (Light Commercial) and conditional district variations are corresponding zoning districts to the Land Use Category.

A motion was made by Mayor Pro-Tem Leder, seconded by Council Member Small, and duly carried, to open the public hearing—the vote: all aye.

Planning and Neighborhood Development Services Manager, Starla Rogers, explained the request.

There were no speakers on this issue. Therefore, a motion was made by Council Member Parsley, seconded by Council Member Small, and duly carried, to close the public hearing—the vote: all aye

A motion was made by Council Member Sweat, seconded by Mayor Pro-Tem Leder, and duly carried, to adopt the following annexation ordinance and set the effective date for June 13, 2019—the vote: all aye.

ORD. # 19-42

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF CONCORD, NORTH CAROLINA TO INCLUDE PROPERTY LOCATED AT 7601 ROCKY RIVER ROAD, CONCORD, NC

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 by Nicholas Parker, Amicus Engineering, on June 13, 2019 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, 2019 after due notice by The Independent Tribune on June 2, 2019; and

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

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

SECTION 1. By virtue of the authority granted by G.S. 160A-58.1, the following described territory is hereby annexed and made part of the City of Concord, as of the 13th day of June 2019:

BEING all those certain pieces, parcels or tracts of land laying in the City of Concord, Cabarrus County, North Carolina, and being identified and described as proposed Lot #1, Proposed Lot #2, Proposed Lot #3 and Proposed Lot #4, on the "Conveyance Plat, a Portion of PID #55275398040000, Rocky River Project, LLC" prepared by The Isaacs Group, dated December 10, 2018, and recorded January 23, 2019 in Plat Book 79 at Pages 54 through 58 in the Office of the Register of Deeds for Cabarrus County, North Carolina, reference to which is hereby made for a more particular description.

AND

To find the point and place of beginning, begin at NCGS monument "rocky" published coordinates (NAD 83): N-570428.892' and E-1523326.606' and proceed N39°33'18"E 1939.40' to a #4 rebar found in the common property line of NAO KHA VANG, now or formerly, (Deed Book 6489 page 117) and rocky river project, llc, now or formerly (Deed book 1996 Page-167), the true point and place of beginning; thence from said beginning point so established and with the aforesaid property line of NAO KHA VANG, now or formerly, N52°05'22"W 130.86' to a #4 rebar found in the easterly right of way margin of rocky river

road (60' public R/W); thence with the aforesaid margin of rocky river road the following two (2) courses:

N38°00'06"E 71.02' to a #4 rebar found;

With the arc of a circular curve to the left, having a radius of 730.00' (Chord bearing and distance N32°31'20"E 139.42'), an arc distance of 139.63' to an iron pin found in the common property line of said rocky river project, llc; thence with the aforesaid property line of rocky river project, llc, the following two (2) courses:

S06°33'26" E 24.46' to a #4 rebar found;

S05°06'01" E 221.31' to a #4 rebar found in the property line of said NAO KHA Vang and Rocky River Project, LLC Properties;

Thence with the aforesaid property line of NAO KHA VANG, Now or Formerly, S76°22'15" W 39.00' to the point and place of beginning.

Contains 0.408 acres more or less.

SECTION 2. Upon and after the 13th day of June 2019 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Concord and shall be entitled to the same privileges and benefits as other parts of the City of Concord. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

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

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

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ Valerie Kolczynski, City Attorney

- 6. **Conduct a public hearing to consider adopting an ordinance amending the official zoning map for property located on the southeast corner of the George Liles Parkway, NW and Coddle Market Dr, NW intersection from C-1 (Light Commercial) to C2-CD (General Commercial Conditional District).**

The subject property consists of a 1.26 acre portion of a 1.4 acre parcel, on the eastern quadrant of the intersection of Coddle Market Dr. NW and George Liles Pkwy NW. The applicant seeks to amend the zoning to establish a new General Commercial Conditional District (C-2CD) on a portion of the parcel.

The proposed conditional district site plan reflects a convenience store of 3,500 square feet with gas sales; additionally, as a condition, the applicant has offered to preclude the following uses: automobile sales, sexually oriented businesses, and psychics. In the existing zoning district (C-1), the convenience store would be limited to 2,000 square feet. The applicant has provided renderings to demonstrate the architectural

details associated with the project that would also becoming binding to the zoning if approved.

The Planning and Zoning Commission heard the above referenced petition at their April 16th, 2019 public hearing and acted to approve the request with the following conditions: **1.** The development shall proceed in accordance with the Prop. Rezoning Plan for C4 Investments, LLC with site location: George W Liles Parkway and Coddle Market Drive NW, City of Concord, Cabarrus County RZ Submittal 4 dated 04/10/19 and elevations dated March 18, 2019; **2.** The approval of the proposed site plan is contingent on securing documentation of an agreement for access to the private right of way for sidewalk installation and signage. If such documentation for an agreement is not received, site plan will need to be revised accordingly to reflect sidewalk and signage on the subject property. If the extent of changes exceeds the thresholds set forth in the Concord Development Ordinance, site plan will require re-review by the Planning and Zoning Commission; **3.** Full technical site plan approval shall be submitted in compliance with the Concord Code of Ordinances and the Conditions listed herein; **4.** Buildings shall be located as shown on the approved preliminary site plan. Minor modifications may be allowed, pursuant to Concord Development Ordinance (CDO) §5.4.10 and 3.2.8.I; **5.** The proposed structures shall follow the theme, scale, and architectural guidelines of the provided elevations. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.I; **6.** Changes in the uses shown on the site plan may require additional site plan review. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.I; **7.** Water system must be installed, tested, verified to provide the needed fire flow, and approved before vertical construction; and **8.** An 8 foot vinyl privacy fence shall be installed approximately 5 feet from the property line adjacent to the property now or formerly owned by Cheerwine, LLC and now or formerly doing business as Kids Are Kids Child care.

Condition number 8, regarding the fence installation, was requested by the Commission and agreed upon by the applicant in order to mitigate concerns expressed by the representative (Kunal Shah) from the adjacent daycare facility at 320 Coddle Market Dr. NW (Kids R Kids/Cheerwine, LLC). However, Mr. Shah still expressed opposition to the rezoning and on April, 30th 2019 submitted an appeal of the rezoning. In accordance with Concord Development Ordinance section 3.2.4 "Any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the action to the City Council. The appeal shall be filed by giving notice in writing to the Administrator as designated by the City Manager within fifteen (15) days of the decision of the Planning and Zoning Commission. The City Council shall place the item on the next available City Council agenda."

The staff opined that the request is consistent with the 2030 Land Use Plan. The Planning and Zoning Commission agreed that the request was consistent with the Land Use Plan and adopted the following Statement of Consistency: The subject property is approximately 1.4 acres, with the portion for rezoning of approximately 1.26 acres; The subject property is vacant; The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) because it results in a zoning classification which remains consistent with the Mixed Use Activity Center future land use category; and The zoning amendment is reasonable and in the public interest because it adds a second fuel location near the intersection of George Liles and Poplar Tent on the south side of Interstate 85 and provides a larger retail component than would be allowed in the C-1 zoning district. The proposed design of the project also results in a plan where the structure is located at a minimal setback on George W. Liles Parkway, which emphasizes the principal structure instead of the parking and gas pump canopy.

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

Planning and Neighborhood Development Services Manager, Starla Rogers, explained the request in detail.

Mr. Corey Baker, petitioner, spoke in favor to the request. He stated that he agreed to the condition added by the Planning and Zoning Commission to install an 8 foot vinyl fence to address concerns from the neighboring property owner.

Council Member McKenzie asked Mr. Baker if he would be open to installing brick fencing instead of vinyl to keep the fencing consistent with the surrounding area buildings. After some discussion was held regarding different materials for the fencing, Mr. Baker stated he would agree to add some brick columns to the vinyl fencing.

Ms. Mary Frances Burkett spoke in opposition to the request. She stated she worked at the daycare (adjacent property). She expressed her concerns with traffic in the area.

There were no speakers on this issue. Therefore, a motion was made by Mayor Pro-Tem Leder, seconded by Council Member Small, and duly carried, to close the public hearing—the vote: all aye

Staff requested the public hearing be reopened to address spacing between the brick columns of the fencing. Therefore, a motion was made by Council Member Parsley, seconded by Council Member Sweat, and duly carried, to reopen the public hearing—the vote: all aye.

Discussion was held as to the length between the brick columns of the fencing. It was agreed a brick column would be added every 8 feet.

There were no additional comments. Therefore, a motion was made by Council Member McKenzie, seconded by Mayor Pro-Tem Leder, and duly carried, to close the public hearing—the vote: all aye.

A motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to adopt the following “Statement of Zoning Consistency” as required by NC Gen. Stat 160A-382(b)—the vote: all aye.

- The subject property is approximately 1.4 acres, with the portion for rezoning of approximately 1.26 acres.
- The subject property is vacant.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) because it results in a zoning classification which remains consistent with the Mixed Use Activity Center future land use category.
- The zoning amendment is reasonable and in the public interest because it adds a second fuel location near the intersection of George Liles and Poplar Tent on the south side of Interstate 85 and provides a larger retail component than would be allowed in the C-1 zoning district. The proposed design of the project also results in a plan where the structure is located at a minimal setback on George W. Liles Parkway, which emphasizes the principal structure instead of the parking and gas pump canopy.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to adopt the following ordinance rezoning the subject property from C-1 (Light Commercial) to C2-CD (General Commercial Conditional District) with the addition to the condition #8 pertaining to the brick columns—the vote: all aye.

ORD. #19-68

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF CONCORD, NORTH CAROLINA
FOR PROPERTY LOCATED AT 310 CODDLE MARKET DR NW

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

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute 160A-364 through 160A-366 and 160A-381 through 160A-392 may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

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

WHEREAS, Section 3.2.4.B.5 of the Concord Development Ordinance specifies that any person aggrieved by the decision of the Planning and Zoning Commission shall have the right to appeal the decision to the City Council within fifteen days of the decision of the Planning and Zoning Commission decision by giving written notice to the Administrator; and

WHEREAS, Section 3.2.4.B.2 of the Concord Development Ordinance specifies that a final approval decision shall not be in effect until the fifteen day appeal period expires;

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

SECTION 1. That the P&Z Commission held a duly advertised public hearing on April 16, 2019. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160A-383.

- The subject property is approximately 1.4 acres, with the portion for rezoning of approximately 1.26 acres.
- The subject property is vacant.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) because it results in a zoning classification which remains consistent with the Mixed Use Activity Center future land use category.
- The zoning amendment is reasonable and in the public interest because it adds a second fuel location near the intersection of George Liles and Poplar Tent on the south side of Interstate 85 and provides a larger retail component than would be allowed in the C-1 zoning district. The proposed design of the project also results in a plan where the structure is located at a minimal setback on George W. Liles Parkway, which emphasizes the principal structure instead of the parking and gas pump canopy.

The P&Z Commission then voted to approve the map amendment by the required super-majority, subject to the following conditions, which have been offered by the petitioner and/or mutually agreed upon during the course of the hearing:

1. The development shall proceed in accordance with the Prop. Rezoning Plan for C4 Investments, LLC with site location: George W Liles Parkway and Coddle Market Drive NW, City of Concord, Cabarrus County RZ Submittal 4 dated 04/10/19 and elevations dated March 18, 2019.
2. The approval of the proposed site plan is contingent on securing documentation of an agreement for access to the private right of way for sidewalk installation and signage. If such documentation for an agreement is not received, site plan will need to be revised accordingly to reflect sidewalk and signage on the subject property. If the extent of changes exceeds the thresholds set forth in the Concord Development Ordinance, site plan will require re-review by the Planning and Zoning Commission.
3. Full technical site plan approval shall be submitted in compliance with the Concord Code of Ordinances and the Conditions listed herein.
4. Buildings shall be located as shown on the approved preliminary site plan. Minor modifications may be allowed, pursuant to Concord Development Ordinance (CDO) §5.4.10 and 3.2.8.1.
5. The proposed structures shall follow the theme, scale, and architectural guidelines of the provided elevations. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.1.
6. Changes in the uses shown on the site plan may require additional site plan review. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.1.
7. Water system must be installed, tested, verified to provide the needed fire flow, and approved before vertical construction.

8. An 8 foot vinyl privacy fence shall be installed approximately 5 feet from the property line adjacent to the property now or formerly owned by Cheerwine, LLC and now or formerly doing business as Kids Are Kids Child care.

SECTION 2. That on April 30, 2019 an aggrieved party filed a notice of appeal within the fifteen (15) day time period specified in the Ordinance.

SECTION 3. That the City Council held a duly advertised public hearing on June 13, 2019. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160A-382(b).

- The subject property is approximately 1.4 acres, with the portion for rezoning of approximately 1.26 acres.
- The subject property is vacant.
- The proposed zoning amendment is consistent with the 2030 Land Use Plan (LUP) because it results in a zoning classification which remains consistent with the Mixed Use Activity Center future land use category.
- The zoning amendment is reasonable and in the public interest because it adds a second fuel location near the intersection of George Liles and Poplar Tent on the south side of Interstate 85 and provides a larger retail component than would be allowed in the C-1 zoning district. The proposed design of the project also results in a plan where the structure is located at a minimal setback on George W. Liles Parkway, which emphasizes the principal structure instead of the parking and gas pump canopy.

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

1. The development shall proceed in accordance with the Prop. Rezoning Plan for C4 Investments, LLC with site location: George W Liles Parkway and Coddle Market Drive NW, City of Concord, Cabarrus County RZ Submittal 4 dated 04/10/19 and elevations dated March 18, 2019.
2. The approval of the proposed site plan is contingent on securing documentation of an agreement for access to the private right of way for sidewalk installation and signage. If such documentation for an agreement is not received, site plan will need to be revised accordingly to reflect sidewalk and signage on the subject property. If the extent of changes exceeds the thresholds set forth in the Concord Development Ordinance, site plan will require re-review by the Planning and Zoning Commission.
3. Full technical site plan approval shall be submitted in compliance with the Concord Code of Ordinances and the Conditions listed herein.
4. Buildings shall be located as shown on the approved preliminary site plan. Minor modifications may be allowed, pursuant to Concord Development Ordinance (CDO) §5.4.10 and 3.2.8.1.
5. The proposed structures shall follow the theme, scale, and architectural guidelines of the provided elevations. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.1.
6. Changes in the uses shown on the site plan may require additional site plan review. Minor modifications may be allowed, pursuant to CDO §5.4.10 and 3.2.8.1.
7. Water system must be installed, tested, verified to provide the needed fire flow, and approved before vertical construction.
8. An 8 foot vinyl privacy fence with brick columns dividing the panels every 8 feet shall be installed approximately 5 feet from the property line adjacent to the property now or formerly owned by Cheerwine, LLC and now or formerly doing business as Kids Are Kids Child care.

SECTION 4: That the Official Zoning Map is hereby amended by rezoning from Light Commercial (C-1) to General Commercial – Conditional District (C-2CD) the area described as follows:

9. Beginning at the northern most corner of a 1.401 acre tract as shown on a plat entitled Minor Subdivision of Elizabeth P. Cook Ltd. Family Partnership, prepared for Carpenter Commercial, Inc. by Concord Engineering & Surveying, Inc. dated March 30, 2006 and

recorded in Map Book 49, Page 27 of the Cabarrus County Registry. Being the point of beginning of the tract herein described; thence S 27°04'45" E, 211.17' to a point; thence S 62°48'50" W 259.69' to a point; thence N 27°00'26" W 214.79' to a point; thence N 63°38'45" E 260.00' to the POINT OF BEGINNING and containing 1.270 acres.

SECTION 5. That the establishment of this district and subsequent issuance of Zoning Clearance Permits are hereby authorized.

SECTION 6. That the above described property shall be perpetually bound to the uses authorized in the Concord Development Ordinance, as such may be amended from time to time and as provided for under Article 3 of the Concord Development Ordinance.

SECTION 7. That the effective date hereof is the 13th day of June, 2019

Adopted this 13th day of June, 2019

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

7. Conduct a public hearing pursuant to N.C. General Statute 159-12 to consider public comments relative to the proposed FY 2019-2020 budget for the City of Concord.

The City Manager submitted his recommended budget to the City Council for consideration. Before adopting the budget ordinance, Council must hold a public hearing. Once the Council conducts a public hearing, and considers public input, it may adopt the budget ordinance at any time before the end of June 2019.

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

The City Manager stated the proposed budget maintains the current tax rate of \$0.48. A \$2.24 monthly Solid Waste fee is proposed as well as the implantation of a Water Protection Plan fee. An increase is proposed for the motor vehicle tax from \$15 - \$30 to allow for more road resurfacing and additional sidewalk maintenance and construction.

The overall proposed budget is \$257 million, which is represents a 2.7% increase from the FY18-19 budget. A Council goal of maintaining 30-35% fund balance will continue to be met.

As discussed at the Budget Workshop, \$1.1 million in funds is proposed to be used to pay-off a Section 108 loan received by the City for the Carolina Courts development. The loan will be restructured and repaid to the City in a term of 15 years. He also stated \$3.8 million is proposed to be used for a one-time expense for greenway projects and land acquisition for a joint public safety facility.

31 full-time and 1 part-time positions are being proposed. A 1.5% pay increase is proposed for all employees effective in July 2019. An increase in the minimum wage to \$15 is proposed.

Mayor Pro-Tem Leder stated he is amazed that, with the growth within the City, City services are provided at the same level with no tax rate increase to citizens since 2013. He commended the City Manager and City staff for the proposed budget.

Council Member Sweat agreed and thanked the City Manager and staff for the proposed budget.

There were no public comments. Therefore, a motion was made by Council Member Sweat, seconded by Council Member Parsley, and duly carried, to close the public hearing—the vote: all aye.

A motion was made by Mayor Pro-Tem Leder, seconded by Council Member Parsley, and duly carried, to adopt the following FY19-20 Budget Ordinance and Capital Project Ordinance—the vote: all aye.

ORD. #19-66

2019-2020 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 2019 that the following fund revenues and departmental expenditures, together with certain restrictions and authorizations are adopted.

SECTION I. GENERAL FUND: Revenues totaling \$94,483,872 are hereby approved from the following sources:

Ad Valorem Taxes	\$56,120,901
Sales Taxes	20,191,661
Unrestricted Intergovernmental Revenue	5,963,310
Restricted Intergovernmental Revenue	4,001,380
Licenses, Permits and Fees	2,230,000
Other Revenue	3,952,155
Operating Revenues	924,465
Investment Earnings	\$1,100,000
TOTAL	\$94,483,872

A total of \$94,843,872 is hereby authorized to be expended from the departmental accounts of the General Fund as follows:

Governing Body	\$ 257,803
Public Services – Admin.	207,646
City Manager’s Office	699,370
Human Resources	836,192
Wellness Center	225,529
Finance Department	754,005
Tax	294,325
Legal Department	430,063
Non-Departmental	7,971,196
Police Department	23,333,081
Code Enforcement	1,098,840
Communications	1,940,203
Radio Shop	578,287
Fire	22,084,578
Fire – Prevention	986,566
Fire – Training	571,088
Emergency Management	183,070
Streets & Traffic	7,623,964
Powell Bill	1,597,294
Traffic Signal Division	1,200,603
Traffic Services	640,905
Solid Waste & Recycling	7,938,533
Cemeteries	785,753
Fleet Services (costs are direct billed)	0
Planning and Neighborhood Development	3,141,349
Transportation Planning	449,345
Economic Development	1,371,423
Parks and Recreation	7,062,027
Parks and Recreation - Aquatics Program	220,834

349

TOTAL \$ 94,483,872

SECTION II. SPECIAL REVENUE FUNDS: Revenues totaling \$7,510,903 are hereby approved comprising Municipal Service District Tax Revenues, Community Development Block Grant Funds and H.O.M.E. Program, Transportation Improvement Fund, \$5 Vehicle Tax – Transit Fund, Housing Assistance Voucher Program, and Market Rate Units fund.

A total of \$7,510,903 is hereby authorized to be expended from Special Revenue Funds as follows:

Municipal Service District Fund	\$96,930
Community Development Block Grant Fund	636,173
H.O.M.E. Consortium Fund	1,374,504
\$5 Vehicle Tax – Transit Fund	390,000
Housing Assistance Voucher Program Fund	4,949,729
Market Rate Units Fund	63,567
TOTAL	\$7,510,903

SECTION III. ELECTRIC FUND: Revenues are hereby approved comprised of \$85,391,443 in operating revenues, \$101,000 in non-operating revenues, and \$750,000 in investment earnings, A total of \$86,242,443 is hereby authorized to be expended from the Electric Fund as follows:

Electric Administration	\$3,785,884
Purchased Power	52,474,382
Maintenance - Power Lines	11,078,795
Tree Trimming	1,216,477
Electric Construction	16,041,457
Peak Shaving	357,482
Electric Engineering	1,067,604
Utility Locate Services	220,362
TOTAL	\$86,242,443

SECTION IV. WATER FUND: Revenues are hereby approved comprised of \$24,359,235 in operating revenue, non-operating revenue of \$53,000, and \$500,000 in investment earnings. A total of \$24,912,235 is hereby authorized to be expended from the Water Fund as follows:

Hillgrove Water Plant	\$ 4,194,715
Coddle Creek Water Plant	7,166,000
Waterlines - Operation & Maintenance	13,551,520
TOTAL	\$ 24,912,235

SECTION V. WASTEWATER FUND: Revenues are hereby approved comprised of operating revenues of \$17,547,000, non-operating revenues of \$1,000 and \$271,000 in investment earnings. A total of \$17,819,000 is hereby authorized to be expended from the Wastewater Fund as follows:

Wastewater Operations & Maintenance	\$ 17,819,000
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SECTION VI. STORMWATER FUND: Revenues are hereby approved comprised of \$5,154,340 in operating revenue, \$6,000 in non-operating revenues, and \$80,000 in investment earnings. A total of \$5,240,340 is hereby authorized to be expended from the Stormwater Fund as follows:

Stormwater Operations & Maintenance	\$ 5,240,340
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SECTION VII. AVIATION FUND: Revenues are hereby approved comprised of \$11,093,195 in operating revenue, \$474,440 in non-operating revenue, \$100,000 in investment earnings, and a transfer of \$678,089 from the General Fund. A total of \$12,345,724 is hereby authorized to be expended from the Aviation Fund as follows:

Aviation Operating	\$12,345,724
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SECTION VIII. GOLF COURSE FUND: Revenues are hereby approved comprised of \$1,739,478 in operating revenues, \$19,559 in non-operating revenues, a transfer from General Capital Reserves of \$35,200 and a transfer from the General Fund of \$941,643. A total of \$2,735,880 is hereby authorized to be expended from the Golf Course Fund as follows:

Golf Course Operating	\$2,735,880
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SECTION IX. TRANSIT FUND: Revenues are hereby approved comprised of \$309,035 in operating revenues, restricted intergovernmental revenue of \$3,292,755, transfer of \$390,000 from the \$5 Vehicle Tax – Transit Fund, and a transfer from the General Fund of \$725,276. A total of \$4,717,066 is hereby authorized to be expended from the Transit Fund as follows:

Transit System Operating Fund	\$4,717,066
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SECTION X. PUBLIC HOUSING FUND: Revenues are hereby approved comprised of \$1,369,656 in operating revenues and transfer from the General Fund of \$375,000. A total of \$1,744,656 is hereby authorized to be expended from the Public Housing Fund as follows:

Public Housing Operations	\$1,744,656
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SECTION XI. DEBT SERVICE (FIRST CONCORD): Revenues are hereby approved comprised of transfers from operating funds in the amount of \$4,281,174. A total of \$4,281,174 is hereby authorized to be expended from First Concord for debt service payments as follows:

2010 LOBS	\$923,000
2014 LOBS	\$3,358,174

SECTION XII. ENCUMBRANCES AS OF JUNE 30, 2019: Funds appropriated in the 2018-2019 budget and encumbered at June 30, 2019, shall be authorized as part of the 2019-2020 budget appropriation by adoption of this budget ordinance.

SECTION XIII. EMPLOYEE COMPENSATION: In accordance with the provisions of the current Personnel Policy for the City of Concord, a 3.5% contribution to a 401K program is included for all employees except law enforcement. Law enforcement is funded at 5%, as required. Monies have been set aside in each fund for a 1.5% market adjustment to all employees effective July 1, 2019, as well as merit increase opportunities for co-workers. An overall average merit increase of 2% of salaries is authorized in each fund for FY19-20. The range for merit increases will be from 1 to 3%, depending on performance.

SECTION XIV. TAX RATE ESTABLISHED: An Ad Valorem Tax rate of \$0.4800 per \$100 property valuation is hereby established as the official tax rate for the City of Concord for the fiscal year 2019-2020. The adopted tax rate is based on an estimated valuation of \$11,687,479,000 (including motor vehicles) and an estimated 98.0 percent collection rate.

A Municipal Service District Tax of \$0.23 per \$100 property valuation (other than personal property of public service corporations) is hereby established for revitalization and other services permitted under N.C. General Statute 160A-536 in the Downtown Municipal Service District created July 1, 1989. The adopted MSD rate reflects an estimated valuation of \$42,959,400 with an estimated 98.0 percent collection rate.

Allocation of the 2019-2020 tax rates will be as follows:

GENERAL FUND	\$ 0.4800
MUNICIPAL SERVICE DISTRICT	\$ 0.23

SECTION XV. SPECIAL AUTHORIZATION – CITY MANAGER:

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

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

SECTION XVI. RESTRICTIONS – CITY MANAGER:

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

SECTION XVII. UTILIZATION OF BUDGET AND BUDGET ORDINANCE:

This Ordinance includes the 2019-2020 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 FY 2019-2020 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 2019-2020 fiscal year. The City Manager shall administer the budget, and he 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 and the Ordinance and the appropriate statutes of the State of North Carolina.

This Ordinance is approved and adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. #19-67

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, 2019 and ending June 30, 2020.

SECTION 1: CAPITAL RESERVE PROJECTS

General Fund – Capital Reserve Fund

Transfer to Capital Projects	\$3,784,444	
Transfer to Golf Fund	35,200	
From Future Project Reserves		\$3,819,644
	\$3,819,644	\$3,819,644

Utility Fund – Capital Reserve Fund

Transfer to Capital Projects-Electric	\$3,416,725
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Future Water Projects	\$945,000	
Future Wastewater Projects	\$1,518,000	
From Future Project Electric Reserves		\$3,416,725
Transfers from Wastewater Fund		\$1,518,000
Transfers from Water Fund		\$945,000
	\$5,879,725	\$5,879,725

SECTION 2: GENERAL FUND CAPITAL PROJECTS

Recreation Projects Fund

HVAC in Gymnasiums	\$528,000	
Coddle Creek Greenway	\$566,800	
Connectivity Plan	\$350,000	
Parking Lot Improvements-Logan	\$47,000	
McEachern Greenway– Hospital	\$303,200	
From the General Reserve Fund		\$1,795,000
	\$1,795,000	\$1,795,000

General Projects Fund

Grounds Shed Expansion	\$545,000	
Parking & Access Road at BOC	\$458,000	
Fiber Network Extension	\$250,000	
Transfer from General Reserve		\$509,644
Transfer from General Fund		\$650,300
Transfer from Transit		\$2,548
Transfer from Stormwater Fund		\$5,200
Transfer from Electric Fund		\$26,826
Transfer from Water Fund		\$30,933
Transfer from Aviation Fund		\$14,472
Transfer from Wastewater Fund		\$13,077
	\$1,253,000	\$1,253,000

Fire Projects Fund

Fire Station #13	\$300,000	
Training Facility	\$1,050,000	
Transfer from General Capital Reserve Fund		\$1,350,000
	\$1,350,000	\$1,350,000

SECTION 3: OTHER FUND CAPITAL PROJECTS

Transportation Projects Fund

Pedestrian Improvements (Sidewalks)	\$500,000	
US601 & Flow Store Road Imp.	\$1,951,469	
Spring, Chestnut & Broad Intersection	\$695,000	
Virginia Street	\$450,000	
Future Transportation Projects	\$523,653	
Vehicle Licenses \$5 Fee		\$390,000
Transfer from General Fund		\$2,168,946
CMAQ		\$1,561,176
	\$4,120,122	\$4,120,122

Stormwater Projects Fund

Glen Eagle Lane Culvert	\$936,000	
Transfer from Stormwater Fund		\$936,000
	\$936,000	\$936,000

Electric Projects Fund

Copperfield Blvd Substation	\$500,000	
Delivery #4 100kV Hwy 29	\$5,109,912	
Delivery #6 Substation P East Concord	\$2,090,000	
Delivery #4 Substation Q	\$3,195,254	
100kV Tie Line Liles Blvd Sub. O	\$1,000,000	
Substation R Poplar Tent	\$500,000	
Substation S Hwy 601	\$510,000	

Transfer from Electric Fund		\$9,488,441
Transfer from Utility Reserve Fund		\$3,416,725
	\$12,905,166	\$12,905,166

Water Projects Fund

Hillgrove Bulk Storage Fluoride Tank	\$300,000	
US 29 Water Tank	\$300,000	
Hillgrove – Resurface Clearwells	\$130,000	
Hillgrove-Filter & Wastevalve	\$250,000	
TRS Midland & Mt Pleasant Tanks	\$100,000	
US Hwy 29/601 Bridge	\$20,000	
Union Cemetery Rd Realignment	\$30,000	
NC Hwy 49 Waterline Extension 24”	\$900,000	
Spring, Chestnut & Broad Line	\$280,000	
Coddle Creek Switchgear	\$1,485,000	
Coddle Creek Settling Basin	\$500,000	
GAC Contractors-Hillgrove	\$775,000	
Hillgrove Settling Basin Improvements	\$300,000	
Virginia Street Waterline	\$537,000	
Poplar Tent Waterline	\$413,000	
From Future Project Reserves		\$1,104,051
Capacity Fees		\$4,000,000
Transfer from Water Fund		\$1,215,949
	\$6,320,000	\$6,320,000

Wastewater Projects Fund

Irish Buffalo to Central Outfall	\$100,000	
Irish Buffalo to Aaron Outfall	\$155,000	
Lincoln Street to Broad Outfall	\$1,348,000	
Capacity Fees		\$1,603,000
	\$1,603,000	\$1,603,000

Golf Projects Fund

Bunker Restoration Project	\$129,800	
Transfer from General Reserve Fund		\$129,800
	\$129,800	\$129,800

SECTION 4: 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 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 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 5: 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 6: 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 2019-20. The above revenues/expenditures shall extend from year to year until each individual project is completed and closed.

This Ordinance is approved and adopted this 13th day of June, 2019.

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 renewing a nine year three hundred sixty four day lease with Darwin Sports, Inc. for property located at 124 Church Street North (PIN # 5620-89-3818) for the continued operation of a private athletic training field.**

In March 2008, the City entered into a nine year three hundred and sixty four day lease with David Darwin, owner of Darwin Sports and Core Athletics, to develop the former Armory Truck Park field into an athletic training field geared toward baseball and softball instruction. The lease rate was \$1 and Mr. Darwin committed to spending \$65,000 to make the necessary improvements to turn the field into a practice facility. The field does have existing sewer and storm water lines crossing the property and they are protected with easements. Cars enter and park off Church Street and the field is not lit. Mr. Darwin intends to keep the current configuration and does not plan to make modifications. The proposed lease is for another period of nine years and three hundred sixty four days for \$1.00.

A motion was made by Council Member Sweat, seconded by Council Member Small, and duly carried, to approve a new lease with Darwin Sports, Inc. for property located at 124 Church Street North (PIN # 5620-89-3818) for a period of nine years and three hundred sixty four days for the continued operation of a private athletic training field—the vote: all aye.

2. **Consider adopting a resolution requesting the Cabarrus County Board of Elections place a proposition "to permit the on-premises and off-premises sale of malt beverages" on the November 5, 2019 ballot.**

NCGS Chapter 18B establishes the regulation of Alcoholic Beverages in the State of North Carolina. NCGS 18B-600 outlines the approvals of alcohol sales that cities and counties may pass through referendums. Over the years, Concord City Council called for elections or state laws permitted the on and off premises sale of certain alcoholic beverages.

The City of Concord has not held a referendum to allow the on-premises sale of malt beverages (i.e. sale of beer for onsite consumption). Voter approval of a referendum permitting the on-premises sale of malt beverages would make it easier for taprooms, wineries, and other new businesses to obtain a state ABC permit to sell beer without having to classify as a restaurant, private club, or brewery.

Without approval of a referendum, Concord remains an outlier among other comparable cities and towns across North Carolina. The Concord Downtown Development Corporation, Cabarrus County Chamber of Commerce, Cabarrus Visitors Bureau, and Cabarrus Economic Development Corporation have all passed resolutions of support for the proposed referendum.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to adopt the following resolution requesting the Cabarrus County

Board of Elections place a proposition "to permit the on-premises and off premises sale of malt beverages" on the November 5, 2019 ballot—the vote: all aye.

RESOLUTION TO PERMIT ON -PREMISES AND OFF-PREMISES SALE OF MALT BEVERAGES

WHEREAS, the City of Concord is vitally interested in the economic development of the City and wishes to provide the necessary conditions to stimulate investment in the local economy and promote business; and

WHEREAS, the City of Concord has not passed a referendum to permit the on-premises sale of malt beverages; and

WHEREAS, most comparable cities across North Carolina have passed referendums to permit the on-premises sale of malt beverages; and

WHEREAS, the passage of a referendum permitting the on-premises sale of malt beverages would remove barriers to new and innovative businesses in Concord; and

WHEREAS, the Concord Downtown Development Corporation, the Cabarrus Regional Chamber of Commerce, the Cabarrus Visitors Bureau, and the Cabarrus Economic Development Corporation have passed resolutions of support for a referendum to permit the on-premises sale of malt beverages; and

WHEREAS, it is deemed appropriate that an election be held within the City of Concord upon the legal sale of on-premises malt beverages;

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

1. Pursuant to G.S. 18B-601, the Cabarrus County Board of Elections is hereby requested by the City Council of the City of Concord to call for an election to permit the on-premises and off-premises sale of malt beverages within the City of Concord on the November 5, 2019 ballot.
2. This resolution constitutes a written request of the Concord City Council to the Cabarrus County Board of Elections to call such an election pursuant to G.S. 18B-601

Adopted this 13th day of June, 2019

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

3. Consider adopting a resolution accepting an offer of \$175,000 for the sale of 12 Hawthorne Street, SW.

The City of Concord has continued to focus on housing with the development of the Hawthorne Street, SW area. Previously, the City has built and sold nine (9) homes on Hawthorne Street, which have provided much needed affordable housing for low to moderate income households.

Through the City's efforts, Hawthorne Street has become a beautiful example of how affordable housing can improve an area and encourage market growth. The City's standards for new construction include hardy plank siding, meeting SystemVision requirements and a landscaping package among other points. To ensure the viability and attractiveness of the neighborhood, covenants have been attached to all City built properties.

In October of 2018, Council approved the construction of its tenth new home on Hawthorne Street, continuing the City efforts of transforming the Hawthorne

neighborhood. That home is currently 30 days away from being complete and has generated interest from potential buyers. A purchase price was advertised via flyers on site of \$181,000 and an offer has been submitted in the amount of \$175,000. The sale of the property conforms to the 2020-2023 Strategic Plan.

A motion was made by Council Member Small, seconded by Council Member McKenzie, and duly carried, to adopt the following resolution for the sale of 12 Hawthorne Street, SW—the vote: all aye.

RESOLUTION AUTHORIZING CONSIDERATION of NEGOTIATED OFFER

WHEREAS, the City Council of Concord, North Carolina, pursuant to North Carolina General Statute 157-4.1, resolved to exercise the powers of a Housing Authority by resolution passed on December 15, 1977 and effective March 15, 1978; and

WHEREAS, North Carolina General Statute § 157-9 permits the City, acting as a Housing Authority to sell real property; and

WHEREAS, the City acquired 12 Hawthorne Street SW by North Carolina General Warranty Deed as recorded on February 7, 2002 in Deed Book 3657, Page 248 and as re-recorded in Deed Book 3771, at Page 95 of the Cabarrus County Registry for the purpose of community redevelopment; and

WHEREAS, 12 Hawthorne Street SW (“Property”) is further described as follows:

Lying and being in the City of Concord, Cabarrus County, North Carolina and being all of Lot Number One (1) of CITY VIEW SUBDIVISION, as shown on plat recorded on Map Book 77 at Page 68 of the Cabarrus County Registry; and

WHEREAS, the City caused a home to be built on the Property using HOME funds; and

WHEREAS, on May 24, 2019, the City received an Offer to Purchase the improved Property from Brandi Mosby (“Buyer”) for \$ 175,000.00.

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

1. The City Council intends to accept the offer to Purchase the improved Property from Brandi Mosby (“Buyer”) for \$ 175,000.00.
2. The Offeror has submitted one thousand dollars and no cents (\$1,000.00) as a deposit held by the City Clerk; and
3. The final sale shall include the following terms:
 - a. The City will convey 12 Hawthorne Street SW to the Buyer 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 August 5, 2019.
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 12 Hawthorne Street SW in accordance with this resolution.

Adopted this 13th day of June, 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

4. Consider awarding a bid to N.C. Quality Home Builders, LLC in the amount of \$118,650 to construct a new home at 524 Allison Street.

The City of Concord continues to focus on affordable housing with a proposed new home at 524 Allison Street. This home will be different from previous homes built by the City, as it will be approximately 932 square feet with only two bedrooms and one and half baths. This house is the result from community input requesting smaller homes to reflect single adults or small households. Four contractors bid on the project, with the two lowest bids having a difference of \$215. The lowest bid is under the estimated cost for this home. Funding for the construction will come from the City's allocation for affordable housing.

A motion was made by Council Member Parsley, seconded by Council Member Sweat, and duly carried, to award a bid to N.C. Quality Home Builders, LLC in the amount of \$118,650 for the construction of a new home at 524 Allison Street—the vote: all aye.

5. Consider authorizing the City Manager to execute an agreement with PSNC/DE to install, operate, own and maintain a new gas distribution system at Logan, Mary Chapman and Wilkinson Homes.

The City of Concord Housing Department currently owns and maintains the gas lines and gas meters on housing properties that feed the individual units in the Logan, Mary Chapman and Wilkinson communities. These lines are 60+ years old and have exceeded their useful life. The estimated cost to replace the lines is \$300,000. PSNC/Dominion Energy has agreed to install a new distribution system at no cost to the City. They will also replace existing meters with new AMR meters. PSNC/DE will be responsible for all maintenance, inspections and service of this new system, and the old City-owned system will be abandoned. This will save the City the cost of replacing the old system (\$300,000), annual inspection fees (\$6,700), and labor related to meter reading (\$1,000). This transition will net PSNC/DE additional revenue as they will collect a \$10 fee per meter (152 meters) per month.

Currently, PSNC/DE bills the City for only 3 master meters at a cost of \$200 per meter. Residents can expect an average bill increase of \$3.92 per month (when calculated using a 5 year average per unit), which will vary depending on HUD utility subsidies and owed overages.

A motion was made by Council Member McKenzie, seconded by Mayor Pro-Tem Leder, and duly carried, to authorize the City Manager to execute an agreement with PSNC/DE to install, operate, own and maintain a new gas distribution system at Logan, Mary Chapman and Wilkinson Homes—the vote: all aye.

6. Consider authorizing the City Manager to negotiate and execute a contract addendum with Waste Pro USA, Inc. for the collection of garbage, recycling, and bulky waste.

One of the core functions of the City is the collection and disposing of solid waste and recycling materials. It is the City's goal to provide quality collection services at a reasonable cost. Staff is constantly looking for ways to minimize cost while continuing to deliver service in a safe and reliable manner. The City entered into a solid waste/recycling collection contract with Waste Pro in 2011. The terms of this contract are set to expire at the end of FY 18/19.

Over the past year, staff has been investigating the market to determine whether it would be in the best interest of the City to renegotiate a contract with Waste Pro or test the competitive market. Staff's research showed that because of the volatility in recycling market along with a growing economy, contractor pricing has escalated substantially in the region over the years. The City was protected from these price increases because current contract provisions did not allow the contractor to pass cost increases along to us. Concord's current contract contains a wide array of service

provision as it relates to the different types of materials collected. These materials include E-waste, scrap metal, tires, and construction debris. These material are collected by the contractor at no cost. If our current services were priced in this volatile market, the cost would be substantial.

In order to keep the current menu of services, staff has determined that it is in the City's best interest to renegotiate the collection contract. Although there will still be a price increase, it will not be as substantial as what has been projected from the market. City staff met with Waste Pro and they have agreed to continue to provide the same menu of services for \$1.39 per unit increase. The new price and updated terms are included in attached contract addendum. The agreement with Waste Pro would expire June 30, 2022. There would be additional option years past June 30, 2022 for the renewal of two, successive one year terms. The pricing per unit increases from the current pricing of \$6.86 per unit to a negotiated rate of \$8.25 per unit, with all service provisions staying the same. Minor changes to the addendum cover the changes that have occurred in our service provision since 2011, such as the switch from scheduled bulky service to bi-weekly service (which we now provide) and the definition of a Courtesy Collection time period as 72 business hours.

The addendum also changes the Inflation Factor to the standard CPI for All Urban Consumers (CPI-U) index and deletes the fuel clause in its entirety, which should save the City money going forward. Lastly, a 15% discount will be applied under the new agreement to all City facilities who utilize Waste Pro for Designated Non-Residential cart collection service.

A motion was made by Council Member Parsley, seconded by Council Member Sweat, and duly carried, to authorize the City Manager to negotiate and execute a contract addendum with Waste Pro USA, Inc. for the collection of garbage, recycling, and bulky waste—the vote: all aye.

7. Consider authorizing the City Manager to negotiate and execute a contract with Ratzlaff Construction Company for the construction of the Open Air Learning Center on David Phillips Center property.

The project budget for this project is \$110,000. The lowest bid received by Ratzlaff was in the amount of \$128,787 (\$18,787 over the approved budget). Parks & Recreation identified cost savings in the Capital Building & Improvements account and, if approved, will utilize this cost savings to fund the project.

A motion was made by Mayor Pro-Tem Leder, seconded by Council Member McKenzie, and duly carried, to authorize the City Manager to negotiate and execute a contract with Ratzlaff Construction Company for the construction of the Open Air Learning Center, and to adopt the following operating budget ordinance for the general fund and the capital project ordinance for the recreation project fund—the vote: all aye.

ORD.# 19-43

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, 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:

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
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359

6120-5558000	Building	289,253	270,466	(18,787)
6120-5987000	Transfer to Project	458,000	476,787	18,787

Total 0

Reason: To transfer funds to cover the actual costs associated with Open Air Learning Center.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. # 19-44

CAPITAL PROJECT ORDINANCE AMENDMENT
Parks & Recreation Projects

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

SECTION 1. The projects authorized are the projects included for the Open-Air Learning Center.

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

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

Revenues

Account	Title	Current Budget	Amended (Decrease) Budget	Increase
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420-4501100					
420-4501100	From General Fund	4,032,343	4,051,130	18,787	
				18,787	

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

Expenses/Expenditures

Account	Title	Current Budget	Amended (Decrease) Budget	
	Increase			
8300-5811095				
8300-5811095	Open Air Learning Center	110,000	128,787	18,787
	Total			18,787

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

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

8. Consider declaring four (4) Caterpillar diesel Peak Shaving Generator units as surplus and accepting a bid to purchase from D.H. Griffin, Inc.

Electric Systems requested to surplus sale of 4 Peak Shaving Generator units, that were previously used to reduce peak system demands, resulting in a financial gain under the City's prior Wholesale Power Purchase Agreement (PPA). Electric Staff negotiated a guaranteed capacity credit in the current PPA, which allows for the financial gain without the need to peak shave. A request for proposals to purchase the generators was issued and bids were received. The highest responsive bid was received from D. H. Griffin Inc. in the amount of \$500,130.

A motion was made by Council Member McKenzie, seconded by Council Member Small, and duly carried, to declare four (4) Caterpillar diesel Peak Shaving Generator units as surplus and accept a bid to purchase from D. H. Griffin Inc. in the amount of \$500,130—the vote: all aye.

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

A list of Board and Commission terms and applications was submitted to the City Council prior to the meeting.

A motion was made by Council Member Crawford, seconded by Council Member Sweat, and duly carried, to make the following appointments to the following Boards and Commissions—the vote: all aye.

ABC Board

- Reappoint Gary Walker – term ending 6/30/22

P&Z

- Reappoint Kevin Killough to second 3-yr term – term ending 6/30/22
- Reassign Eric Williamson to regular member status
- Appoint John Howard as a regular member – term ending 6/30/22
- Appoint Charles Grimsley as an alternate member – term ending 6/30/22
- Appoint Maya Jones as an alternate member – term ending 6/30/22

Board of Adjustment

- Reassign Steve Bradley to regular member status
- Reassign James McDonald to regular member status
- Appoint Steve Tice as an alternate member – term ending 6/30/22
- Appoint David Niekamp as an alternate member – term ending 6/30/22

Historic Preservation Commission

- Reappoint Lea Halloway to second 3-yr term – term ending 6/30/22
- Reassign Scott Elliott to regular member status

Library Board of Trustees

- Reappoint Michael Cook to second 3-yr term – term ending 6/30/22

WSACC

- Appoint Christie Putnam as City Member – term ending 6/30/22

SMAC

- Reappoint Noelle Scott to second 3-yr term – term ending 6/30/22

CDDC Board of Directors

- Reappoint Josh Smith as City Member – term ending 6/30/20

Public Art Advisory Committee

- Appoint Julia Lawing as an Artist member
- Appoint Justin Mueller as a Downtown Building Owner member

10. **Consider authorizing the City Manager to negotiate and execute a contract with J.S. Haren Company to install Plate Settlers at Coddle Creek Water Treatment Plant.**

This item was previously approved by City Council at the April 11, 2019 meeting.

- 11. Consider authorizing the City Manager to negotiate and execute a development agreement with Laureldale, LLC. for upsized of a water line for the Villages at Skybrook Phase 3-2 project.**

The Villages at Skybrook, Phase 3-2 project requires an eight inch water connection to an existing water main in Hwy 73. The City's water master plan projects a twelve inch is needed for overall system capacity. The estimated cost difference between the two lines is \$34,640. The City would pay this upsized amount once the water main was installed, tested, certified and accepted.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to authorize the City Manager to negotiate and execute a development agreement with Laureldale, LLC—the vote: all aye.

- 12. Consider authorizing the City Manager to negotiate and execute a contract with United of Carolinas, Inc. for the replacement of the culverts on Chelwood Dr NW and Chadbourne AVE. NW.**

The Chelwood Dr. culvert replacement and Chadbourne Ave. culvert replacement projects consist of the removal of two existing sets of culverts, the construction of two double-barrel sets of culverts, and associated services that will include relocation of water mains including a fire hydrant, relocation of gravity sewer mains including the construction of temporary sewer lines, coordination with existing utilities, roadway pavement reconstruction, and other appurtenances. The project was bid under the formal bidding process. Bids were taken on May 29, 2019 and four (4) bids were received with the lowest responsible bidder being United of Carolinas, Inc. in the amount of \$1,597,975.50, which is under budget.

A motion was made by Council Member Crawford, seconded by Council Member Parsley, and duly carried, to authorize the City Manager to negotiate and execute a contract with United of Carolinas, Inc. in the amount of \$1,597,975.50 for the replacement of the stormwater culverts on Chelwood Dr NW and Chadbourne AVE. NW—the vote: all aye.

- 13. Consider a preliminary application from Sharlene Kirk.**

In accordance with City Code Chapter 62 Sharlene Kirk submitted a preliminary application to receive water service outside the City limits. The property is located at 4729 Rufus Court which is off of Piney Church Road. The parcel is currently vacant and is zoned LDR. There is only water available to this site. The applicant is proposing to build a single family home.

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

- 14. Consider a preliminary application from Niblock Homes.**

In accordance with City Code Chapter 62 Niblock Homes submitted a preliminary application to receive water service outside the City limits. The property is located at 2363 Heglar Road. The parcel is currently developed with a single family home. The developer proposes to divide the existing parcel into three lots. There is only water available to this site.

A motion was made by Council Member Crawford, seconded by Mayor Pro-Tem Leder, and duly carried, to accept the preliminary application and have the owner proceed to the final application phase excluding annexation—the vote: all aye

Consent Agenda

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

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

CONSENT AGENDA ITEM A

An interlocal agreement for access and cost sharing of mass notification services with Cabarrus County and the municipalities located within was approved.

CONSENT AGENDA ITEM B

The City Manager was authorized to negotiate and execute a three-year contract with Technologies Edge, Inc to continue providing technology services for the City of Concord.

CONSENT AGENDA ITEM C

A change of use to allow commercial aeronautical activity at Pirate Aire Aviation, LLC Hangar was approved.

CONSENT AGENDA ITEM D

The City Manager was authorized to execute a revised commercial ground lease with FlyCarolina, LLC for the purpose of leasing lot CB-6 to allow aeronautical business. The current monthly cost is \$294.93 or \$3,359.16 per year, with escalation provisions every two years based on the consumer price index.

CONSENT AGENDA ITEM E

The following ordinance was approved to amend the Precious Metal Dealer Permit charges contained in the Fees, Rates & Charges Schedule for FY ending June 2019.

ORD. # 19-45

AN ORDINANCE AMENDING FY 2018-19 APPROVED FEES, RATES AND CHARGES SCHEDULE AS ADOPTED IN THE FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1st, 2018 and ending on June 30th, 2019, as amended; and

WHEREAS, the City desires to amend the ordinance as it relates to the Schedule of Fees, Rates and Charges;

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 fees, rates and charges are hereby amended as follows:

Police

<i>Precious Metal Dealer Permit</i>	
<i>SBI Processing prints</i>	\$38.00
<i>Concord Police Fingerprinting fee</i>	\$10.00
<i>Application/Permit issuance fee</i>	\$180.00
<i>Employee Permit fee</i>	\$3.00 \$10.00
<i>Employee Permit fee renewal</i>	\$3.00
<i>Special Occasion Permit fee</i>	\$180.00
<i>Exemption Permit fee</i>	\$5.00

This Ordinance amendment shall be effective upon adoption.

Adopted this 13th day of June 2019.

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 maintenance agreements were approved and the offers of dedication on the following properties were accepted: Pendleton Bowman, LLC, PS NC III, LP and Troutman Land Investments, Inc, State Employees Credit Union, NADG NNN DD-FS (NC) LP and YFP, LLC.

CONSENT AGENDA ITEM G

The offers of dedication for utility easements and public rights-of-ways was accepted on the following plat and easements: Pendleton Phase 2 Map 3 and Wayforth.

CONSENT AGENDA ITEM H

The offers of infrastructure in the following subdivisions and sites were accepted: Ifly and Pendleton Phase 2 Map 1.

CONSENT AGENDA ITEM I

The Housing Department was authorized to apply for the 2019 Emergency Safety and Security Grant.

CONSENT AGENDA ITEM J

The following ordinances were adopted to amend the airport operating budget to adjust year end budgets to anticipated actuals.

ORD.# 19-46

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues

367

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
680-	Refer to attachment			782,684
Total				782,684

<u>Expenses/Expenditures</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4530-	Refer to attachment			782,684
Total				782,684

Reason: To adjust year end budgets to anticipated actual numbers.

Adopted this 13th day of June, 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. # 19-47

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

<u>Account</u>	<u>Title</u>	<u>Revenues</u>		<u>(Decrease) Increase</u>
		<u>Current Budget</u>	<u>Amended Budget</u>	
680-4406000	Approp.Retained Earnings	2,376,710	2,496,710	120,000
Total				120,000

Expenses/Expenditures

368

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4530-5271000	AVGAS Purchases	800,000	820,000	20,000
4530-5272000	JET A Purchases	3,700,000	3,800,000	100,000
Total				120,000

Reason: To adjust budget of fuel purchases to actual estimates.

Adopted this 13th day of June, 2019.

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 K

The following ordinances were adopted to amend the general fund operating budget to adjust year end budgets to estimated actuals.

ORD. # 19-48

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

<u>Account</u>	<u>Title</u>	<u>Revenue</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
		<u>Current Budget</u>		
See attached				
Total				228,190

Account

Expenditures		Current	Amended	(Decrease)
Account	Title	Budget	Budget	Increase
See attached				

Total 228,190

Reason: To adjust the General Fund year end budgets to actual projections.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD. # 19-49

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
Total				

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4140-5494000	Tax Collection Charges	228,000	243,000	15,000
4190-5294000	Non Dept Misc. Pay	41,574	26,574	(15,000)
Total				0

Reason: To adjust collection charges budget to actual estimated final numbers.

370

Adopted this 13th day of June, 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM L

The following ordinances were adopted to amend the general capital reserve ordinance and the general operating fund ordinance for a transfer to the capital reserve fund.

ORD. #19-69

CAPITAL RESERVE FUND ORDINANCE

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

SECTION 1. The purpose authorized is to accumulate funds for future projects and capital outlay. Funds will be accumulated until such time the City Council designates the funds for projects. The General Fund will serve as the funding source for the Capital Reserve Fund upon City Council approval and withdrawals must be approved by City Council through an ordinance.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation and amendments of the fund.

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

Fund 285 General Capital Reserve Fund

		<u>Budget</u>	<u>Amended Budget</u>	<u>Inc(Dec)</u>
285-4501100	From			
285-4501100	General			
	Fund	\$30,010,457	\$31,310,457	\$1,300,000
8150-5811082	Future	\$30,238,409	\$31,538,409	\$1,300,000
8150-5811082	Projects			

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

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

SECTION 6. The Finance Director is directed to report on the financial status of

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this fund in accordance with the existing City policy. She shall also report to the City Manager any unusual occurrences.

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day of June, 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLarie Kolczynski, City Attorney

ORD. #19-70

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
100-4370000	Appropriated Retained Earnings	\$8,201,775	\$9,501,775	\$1,300,000
	Total			<u>\$1,300,000</u>

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5981500	To General Cap Reserve	0	\$1,300,000	\$1,300,000
	Total			<u>\$1,300,000</u>

Reason: To transfer excess funds to the general capital reserve per City policy.

Adopted this 13th day of June, 2019.

CITY COUNCIL
CITY OF CONCORD

NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM M

The following ordinance was adopted to amend the Capital Grant Fund project budget to adjust year end budgets to anticipated actuals.

ORD. # 19-50

**GRANT PROJECT ORDINANCE
FY 2018 CAPITAL FUND GRANT
PROJECT NC19P00850118**

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 Capital Fund grant, which is a program to assist the Housing Department in carrying out development, capital and management activities in order to ensure that the program continues to service low-income families.

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

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

		Budget	Amended	(Dec) Inc
2018 CFP Revenue	692-4703304	\$ 316,542	\$319,405	\$2,863
	692-4703304			

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

		Budget	Amended	(Dec) Inc
Operations	9208-5800250	\$ 58,562	\$61,425	\$2,863
	9208-5800250			

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 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM N

The following ordinance was adopted to amend the Internal Service fund to adjust year end budgets to estimated year end actuals.

ORD. # 19-51

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, 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:

Expenditures/Expenses				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4200-5294000	Misc Pay-Collections	\$10,368	\$568	(\$9,800)
	Cost Alloc -			
4200-5906000	Collections	(\$483,581)	(\$473,781)	\$9,800
4210-5121000	Salaries-Data Serv	\$76,054	\$81,754	\$5,700
4210-5294000	Misc Pay-Data Serv	\$3,355	\$98	(\$3,257)
4210-5299000	Supplies-Data Serv	\$16,000	\$13,557	(\$2,443)
4215-5121000	Salaries-Billing	\$595,593	\$675,593	\$80,000
4215-5194000	Contract-Billing	\$3,661	\$94,661	\$91,000
4215-5911000	Cost Alloc - Billing	(\$1,502,499)	(\$1,673,499)	(\$171,000)
4220-5121000	Salaries-CC	\$908,399	\$891,399	(\$17,000)
4220-5294000	Misc Pay-CC	\$56,650	\$2,653	(\$53,997)
	Cost Alloc - Cust			
4220-5909000	Service	(\$1,844,314)	(\$1,773,317)	\$70,997
4250-5121000	Salaries-Pur	\$274,262	\$289,262	\$15,000
4250-5294000	Misc Pay-Pur	\$16,040	\$1,040	(\$15,000)
4250-5521000	Software-Pur	\$20,000	\$10,406	(\$9,594)
	Cost Alloc -			
4250-5916000	Purchasing	(\$553,045)	(\$543,451)	\$9,594
4230-5294000	Misc Pay-Eng	\$97,364	\$62,364	(\$35,000)
4230-5907000	Cost Alloc - Eng	(\$2,347,679)	(\$2,312,679)	\$35,000
4270-5294000	Misc Pay-B&G	\$108,423	\$62,814	(\$45,609)
4270-5912000	Cost Alloc - B&G	(\$3,980,731)	(\$3,935,122)	\$45,609
			Total	\$0

Reason: To adjust the Internal Service Fund year end budgets to actual projections.

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Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM O

The following ordinance was adopted to amend the Municipal Service District (MSD) to year end actuals.

ORD. # 19-52

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, 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:

Revenue Account	Title	Current Budget	Amended Budget	(Decrease) Increase
201-4312010	1st Prior Year	\$0	\$122	\$122
201-4312040	4th Prior Year	\$0	\$159	\$159
201-4313700	Penalty and Interest	\$0	\$183	\$183
Total				<u>\$464</u>

Expenses Account	Title	Current Budget	Amended Budget	(Decrease) Increase
5000-5470002	Concord Downtown Dev	\$91,800	\$92,264	\$464
Total				<u>\$464</u>

Reason: To adjust year end budget to year end estimates for the Municipal Service District.

Adopted this day of 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM P

The following ordinance was adopted to amend the Electric Operating budget to adjust year end budgets to actual estimates.

ORD. # 19-53

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
610-4361000	Investments	\$750,000	\$889,308	\$139,308
610-4354000	Other Income	\$60,000	\$116,805	\$56,805
610-4351000	Sale of fixed assets	-	\$73,201	\$73,201
610-4353100	Insurance	-	\$105,096	\$105,096
610-4403000	Charge out Reimbursements	\$500,000	\$60,000	(\$440,000)
610-4406000	Retained Earnings	-	\$3,230,832	\$3,230,832
	<i>Total Revenue Increase/(Decrease)</i>			<u>\$3,165,242</u>

Expenditures Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7210- 5338800	Coal Ash - Duke Power	\$0	\$3,230,832	\$3,230,832
7240- 5294000	Misc. Pay-Construction	\$306,009	\$3,439	(\$302,570)
7230- 5294000	Misc. Pay-Tree Trimming	\$27,620	\$688	(\$26,932)
7260- 5294000	Misc. Pay-Locator	\$17,862	\$491	(\$17,371)
7200- 5294000	Misc. Pay-Admin	\$2,996,539	\$2,900,295	(\$96,244)
7250- 5294000	Misc. Pay-Engineer	\$52,015	\$786	(\$51,229)
7220- 5294000	Misc. Pay-Maint & Lines	\$129,347	\$1,769	(\$127,578)
7220- 5121000	Maint & Powerline Salary	\$970,510	\$1,100,510	\$130,000
7250- 5121000	Engineer Salary	\$470,627	\$560,627	\$90,000
7240- 7240-	Materials	\$5,510,800	\$5,360,800	(\$150,000)

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5244000				
7260-				
5194000	Contract Services	\$110,648	\$160,648	\$50,000
7250-				
5198000	Engineer Services	\$41,500	\$141,500	\$100,000
7240-				
5710000	Bond Principal	\$1,451,235	\$1,453,380	\$2,145
7240-				
5492000	Bad Debt	\$0	\$334,189	\$334,189
	<i>Total Expenditure Increase/(Decrease)</i>			<u>\$3,165,242</u>

Reason: Adjust year end budgets to actual projections.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Q

The following ordinance was adopted for the Sub S Hwy 601 project.

ORD.# 19-54

CAPITAL PROJECT ORDINANCE Electric Project-Sub S HWY 601

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/amended is Sub S Hwy 601.

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:

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
6949-5801169	Sub S HWY 601	\$0	\$16,624	
6949-5801169				\$16,624
6949-5811081	Future Reserves	\$104,473	\$87,849	
6949-5811081				\$(16,624)

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 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM R

The following ordinance was adopted to amend the 2014 HOME Consortium budget to adjust to year end actuals.

ORD.# 19-55

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the HOME 2014 Grant.

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

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

Revenues

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Account	Title	Current Budget	Amended Budget	(Decrease) Increase
255-4501100				
255-4501100	Transfer from General Fund	\$34,502	\$45,592	\$11,090
255-4334600				
255-4334600	Home Federal Revenue	\$95,369	\$104,558	\$9,189
	Total			\$20,279

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
2550-5194000				
2550-5194000	Contract Services	\$2,062	\$16,395	\$14,333
2550-5299000				
2550-5299000	Supplies-Department	\$6,533	\$10,627	\$4,094
2555-5480001				
2555-5480001	Rehabilitation Expense	\$0	\$1,852	\$1,852
	Total			\$20,279

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

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM S

The following project ordinance was adopted to amend the Community Development Block Grant to year end estimates.

ORD.# 19-56

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the CDBG 2017 Grant

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

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

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
310-4355000				
310-4355000	Program Income	\$21,685	\$63,395	\$41,710
Total				\$41,710

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

Exp. Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3104-5483200				
3104-5483200	Clearwater	\$295,128	\$302,485	\$7,357
3106-5480002				
3106-5480002	Emergency Repair	\$30,000	\$10,562	\$(19,438)
3106-5481002				
3106-5481002	Acquisition of Property	\$9,980	\$0	\$(9,980)
3106-5482001				
3106-5482001	Infrastructure	\$80,027	\$52,000	(\$28,027)
3106-5483200				
3106-5483200	Clearwater	\$193,362	\$221,389	\$28,027
3108-5480002				
3108-5480002	Emergency Repair	\$28,645	\$48,083	\$19,438
3108-5480006				
3108-5480006	Code Enforcement	\$30,000	\$0	(\$30,000)
3108-5481002				
3108-5481002	Acquisition of Property	\$23,971	\$26,594	\$2,623
3108-5483200				
3108-5483200	Clearwater	\$152,761	\$182,761	\$30,000
3110-5480006				
3110-5480006	Code Enforcement	\$71,850	\$51,850	(\$20,000)
3110-5480012				
3110-5480012	Match/PI Exp	\$2,665	\$44,375	\$41,710
3110-5482001				
3110-5482001	Infrastructure	\$105,667	\$99,913	(\$5,754)
3110-5483002				
3110-5483002	Coop Christian Ministry	\$9,800	\$8,581	(\$1,219)
3110-5483015				
3110-5483015	Cab Meals on Wheels	\$5,000	\$0	(\$5,000)
3110-5483200				
3110-5483200	Clearwater	\$85,000	\$116,973	\$31,973
Total				\$41,710

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

SECTION 6. Within five (5) days after adoption, copies of this grant projects ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in

carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM T

The following ordinance was adopted to amend the HOME budget to year end estimates.

ORD.# 19-57

GRANT PROJECT ORDINANCE AMENDMENT

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

SECTION 1. The project authorized and amended are the projects included in the HOME Grant

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

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

Revenues

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
320-4501100				
320-4501100	Transfer from General Fund	\$149,997	\$172,196	\$22,199
	Total			\$22,199

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
3204-5480001	Rehab. Expense	\$45,000	\$104,782	\$59,782
3204-5480001				
3204-5480007	Down Payment Assist.	\$10,000	\$29,829	\$19,829

3204-5480007				
3204-5480011	New Construction	\$110,113	\$143,230	\$33,117
3204-5480011				
3204-5481002	Acquisition of Property	\$50,569	\$21,021	(\$29,548)
3204-5481002				
3204-5484200	Consortium Project Exp.	\$945,221	\$873,979	(\$71,242)
3204-5484200				
3206-5480012	Match/PI Exo	\$225,039	\$186,942	(\$38,097)
3206-5480012				
3206-5484200	Consortium Project Exp	\$1,069,603	\$1,117,961	48,358
3206-5484200				
Total			<u>\$22,199</u>	

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

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

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

Duly adopted by the City Council of the City of Concord, North Carolina this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM U

The following ordinance was adopted to amend the Public Housing fund to appropriate insurance proceeds.

ORD.# 19-58

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

1) NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
90-4353100	Insurance reimbursement	0	25,611	25,611
90-4701100	Wellington Rental	303,147	386,261	83,114
<i>Total Revenue Increase (Decrease)</i>				\$108,725

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
000-5540000	vehicles	0	25,611	25,611
000-5443000	materials	98,947	126,561	27,614
000-5443500	contract Cost Maint.	166,705	206,705	40,000
000-5540000	contract Cost Office	22,178	37,678	15,500
<i>Total Exp Increase (Decrease)</i>				\$108,725

Reason: To adjust year end budget numbers to actual estimates.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM V

The following ordinance was adopted to amend the Section 108/BEDI grant budget to reflect estimated year end actuals.

ORD.# 19-59

**CAPITAL PROJECT ORDINANCE AMENDMENT
HUD SECTION108/BEDI GRANT**

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

SECTION 1. The project authorized and amended is HUD Section108 loan and Bedi Grant to finance project Carolina Courts.

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 & 4. The following revenues and expenditures/expenses are anticipated to be available to the City of Concord for the project:

Revenues		Current Budget	Amended Budget	(Decrease) Increase
Account	Title			
230-4354100				
230-4354100	Contributions	\$1,247,149	\$1,343,365	\$96,216
<i>Total Revenue Increase (Decrease)</i>				\$96,216

Expenditures		Current Budget	Amended Budget	(Decrease) Increase
Account	Title			
2300-5710000	Bond/Debt			
2300-5710000	Principal	\$ 835,512	\$ 872,000	\$36,488
2300-5720000	Bond/Debt			
2300-5720000	Interest	\$ 797,698	\$ 857,426	\$ 59,728
<i>Total Exp Increase (Decrease)</i>				\$96,216

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 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGEND ITEM W

The following ordinance was adopted to amend the Voucher Program to year end actuals.

ORD. # 19-60

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that In accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

		Revenues		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
210-4702100	Interest	\$500	\$600	\$100
210-4702200	Other Income	\$0	\$436	\$436
210-4702300	Income Portable	\$475,000	\$828,669	\$353,669
210-4702310	Admin Fee Rev-Portable	\$25,000	\$51,922	\$26,922
210-4702500	Fraud Recov FU Ret-Admin	\$250	\$3,996	\$3,746
210-4702501	Fraud Recov FU Ret-HAP	\$250	\$3,996	\$3,746
210-4703200	Contr Earned HAP Payments	\$3,545,267	\$3,707,346	\$162,079
210-4703250	Contr Earned Admin Pmt	\$295,620	\$306,892	\$11,272
<i>Total Revenue Increase (Decrease)</i>		<u>\$4,341,887</u>	<u>\$4,903,857</u>	<u>\$561,970</u>

		Expenditures		
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
1500-5191000	Accounting/Audit	\$1,670	\$2,270	\$600
1500-5294000	Miscellaneous Pay	\$10,350	\$432	(\$9,918)
1500-5411000	Administrative Salaries	\$193,685	\$203,603	\$9,918
1500-5443500	Contract Cost-Office	\$9,406	\$12,606	\$3,200
1500-5459010	Admin Expense - Portable	\$3,250	\$6,690	\$3,440
1500-5471500	Housing Assistance Payment	\$2,902,308	\$2,951,679	\$49,371
1500-5471502	Project Based Vouchers	\$240,000	\$250,483	\$10,483
1500-5471503	Tenant Protection Vouchers	\$15,000	\$31,660	\$16,660
1500-5471510	HAP Portable	\$425,000	\$842,062	\$417,062
1500-5471511	HAP Portable (Port Out)	\$100,000	\$154,012	\$54,012
1500-5471900	HAP/FSS Escrow-Vouchers	\$87,216	\$94,358	\$7,142
<i>Total Exp Increase (Decrease)</i>		<u>\$3,782,180</u>	<u>\$4,344,150</u>	<u>\$561,970</u>

Reason: To adjust year end budgets to actual projections.

Adopted this 13th day of June 2019.

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 TIEM X

The following budget ordinance was adopted to reappropriate salary budgets from Streets to Powell Bill.

385

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u> Current Budget	Amended Budget	(Decrease) Increase
Total				

<u>Expenditures</u>		<u>Account</u>	Current Budget	Amended Budget	(Decrease) Increase
Account	Title				
4510-5121000	Regular Salaries		\$1,506,671	\$1,026,671	(\$480,000)
4510-5181000	FICA		\$114,397	\$74,397	(\$40,000)
4510-5182000	Retirement-General		\$115,890	\$75,890	(\$40,000)
4510-5183000	Group Insurance		\$255,764	\$170,764	(\$85,000)
4510-5187000	401K		\$52,338	\$32,338	(\$20,000)
4511-5121000	Regular Salaries		\$0	\$480,000	\$480,000
4511-5181000	FICA		\$0	\$40,000	\$40,000
4511-5182000	Retirement-General		\$0	\$40,000	\$40,000
4511-5183000	Group Insurance		\$0	\$85,000	\$85,000
4511-5187000	401K		\$0	\$20,000	\$20,000
TOTAL					\$0

Reason: To reappropriate salary budget from streets to Powell Bill.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Y

The following ordinance was adopted to amend the additional vehicle tax fund to adjust year end estimates.

386

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
292-4324250	Vehicle license	\$350,000	\$410,000	\$60,000
292-4361000	Interest	\$0	\$1,000	\$1,000
Total				\$61,000

Exp. Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8200-5982500	Transfer to Transit fund	\$350,000	\$411,000	\$61,000
Total				\$61,000

Reason: To appropriate additional funds collected on vehicle taxes which are restricted for the transit system.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Z

The following ordinance was adopted to amend the Stormwater operating budget to year end actual estimates.

ORD. # 19-63

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

387

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
600-4354000	Other Income	\$10,000	\$5,500	(\$4,500)
600-4351000	Sale of fixed assets	\$0	\$19,471	\$19,471
600-4401100	Rates & Charges	\$4,998,000	\$5,036,500	\$38,500
600-4361000	Investments	\$65,000	\$75,585	\$10,585
	Approp. Retained			
600-4406000	Earnings	\$1,773	\$0	(\$1,773)
<i>Total Revenue Increase (Decrease)</i>		<u>\$5,064,773</u>	<u>\$5,131,556</u>	<u>\$62,283</u>

Expenditures Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7100-5492000	Bad Debt Expense	\$0	\$62,283	\$62,283
<i>Total Exp Increase (Decrease)</i>		<u>\$0</u>	<u>\$62,283</u>	<u>\$62,283</u>

Reason: Adjust year end budgets to actual estimates.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM AA

The following ordinance was adopted to amend the Wastewater operating budget to year end estimates.

ORD. # 19-64

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Account	Title	<u>Revenues</u> Current Budget	Amended Budget	(Decrease) Increase
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388

640-4353100	Insurance Proceeds	245,218	255,159	9,741
640-4354000	Other Income	1,000	6,414	5,414
Total				15,155

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7420-5540000	Vehicle-Wastewater	710,473	674,144	(\$36,329)
7420-5294000	Misc. Pay	86,398	3,077	(\$83,321)
7420-5550000	Equipment	141,000	213,171	72,171
7420-5492000	Bad Debt Expense	0	62,634	62,634
Total				15,155

Reason: To adjust year end budgets to actual estimates.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM BB

The following ordinance was adopted to amend the Water operating budget to adjust to year end estimates.

ORD. # 19-65

AN ORDINANCE TO AMEND FY 2018-2019 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 14th day of June, 2018, adopt a City budget for the fiscal year beginning July 1, 2018 and ending on June 30, 2019, as amended; and

WHEREAS, it is appropriate to amend the expense/expenditures and the revenue accounts in the funds listed for the reason stated;

2) NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Concord that in accordance with the authority contained in G.S. 159-15, the following accounts are hereby amended as follows:

Revenues Account	Title	Current Budget	Amended Budget	(Decrease) Increase
620-4353100	Insurance Reimbursements	\$ -	\$ 1,842	\$ 1,842
620-4341660	Communication Fees	\$ 43,000	\$ 66,210	\$ 23,210
620-4351000	Sale of Fixed Asset	\$ -	\$ 27,533	\$ 27,533
620-4354000	Other Income	\$ 10,000	\$ 16,564	\$ 6,564
620-4402100	Tap Fees	\$ 200,000	\$ 236,503	\$ 36,503
620-4361000	Investment Earnings	\$ 300,000	\$ 400,000	\$ 100,000
<i>Total Revenue</i>				\$ 195,652

Increase/(Decrease)

Expense/Expenditure Account	Title	Current Budget	Amended Budget	(Decrease) Increase
7340-5294000	Misc. Pay	\$ 126,587	\$ 49,139	\$ (77,448)
7340-5492000	Bad Debt Expense	\$ -	\$ 88,233	\$ 88,233
7340-5710000	Bond Principal	\$ 2,012,765	\$ 2,022,045	\$ 9,280
7340-5540000	Vehicles	\$ 208,000	\$ 251,600	\$ 43,600
7330-5248000	Chemical Supplies	\$ 652,139	\$ 784,126	\$ 131,987
	<i>Total Exp</i>			<u>\$ 195,652</u>
	<i>Increase/(Decrease)</i>			<u>\$ 195,652</u>

Reason: Adjust year end budgets to actual estimates.

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM CC

The transfer of delinquent miscellaneous receivables that have been classified as uncollectible in the amount of \$7,814.19 and delinquent airport receivables deemed uncollectible in the amount of \$2,171.06 were approved to be transferred to collection losses.

CONSENT AGENDA ITEM DD

The following resolution was adopted to write-off FY19 Public Housing delinquent accounts in the amount of \$7,341,51 to collection losses

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

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

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

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

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

Account	Balance
#00022022-2	\$ 1,337.48
#00022028-10	\$ 230.85

#00033055-13	\$ 4.89
#00011036-13	\$270.70
#00011044-6	\$ 1,203.69
#00022041-5	\$ 66.00
#00011045-10	\$ 1,877.57
#00011025-6	\$ 1,908.83
#00055003-2	\$ 50.00
#00055008-5	\$ 102.50
#00022037-14	\$ 289.00
Total	\$ 7,341.51

Adopted this 13th day of June 2019.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

CONSENT AGENDA ITEM EE

An update to Article 8.4, Grievance Policy of the Personnel Policies and Procedures Manual to clarify and process edits to the policy was approved.

CONSENT AGENDA ITEM FF

An update to Article 8.15, was approved to rename the Driver Authorization Policy to Vehicle and Motorized Equipment O Policy of the Personnel Policies and Procedures Manual to update and clarify verbiage and expectations for the City.

CONSENT AGENDA ITEM GG

A change to the classification/compensation system was approved to include the following classification: Communications Specialist (Grade 210) with a salary range of \$47,106.89 (minimum), \$62,416.64 (mid-point), \$77,726.39 (maximum).

CONSENT AGENDA ITEM HH

A 3% adjustment to the Compensation Plan Grade Assignments was approved and will be effective in the fourth quarter of FY20.

CONSENT AGENDA ITEM II

The FY20 Compensation Plan Grade Assignments were adopted.

CONSENT AGENDA ITEM JJ

The first quarter water and wastewater extension report for 2019 was received.

CONSENT AGENDA ITEM KK

The semi-annual debt status report was received.

CONSTENT AGENDA ITEM LL

The monthly report on the status of investments as of April 20, 2019 was received.

CONSENT AGENDA ITEM MM

The Tax Office reports for the month of April 2019 were accepted.

CONSENT AGENDA ITEM NN

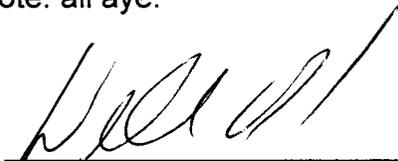
The Tax Releases/Refunds from the Tax Collection Office for the month of April 2019 were approved.

* * * * *

A motion was made by Council Member Crawford, seconded by Council Member Small, and duly carried, to conduct a closed session in accordance with N.C. General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee—the vote: all aye.

* * * * *

A motion was made by Mayor Pro-Tem Leder, seconded by Council Member Sweat, and duly carried, to adjourn the meeting—the vote: all aye.



William C. Dusch, Mayor

Kim J. Deason, City Clerk