

CONCORD CITY COUNCIL
REGULAR MEETING
JULY 14, 2022

A regular meeting of the City Council for the City of Concord, North Carolina, was held in the 3rd floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on July 14, 2022, at 6:00 p.m. with Mayor Pro-Tem Terry L. Crawford presiding.

Council members were present as follows:

Members Present:

- Council Member Andy Langford
- Council Member W. Brian King
- Council Member Betty M. Stocks
- Council Member JC McKenzie
- Council Member Jennifer Parsley-Hubbard
- Council Member John A. Sweat, Jr.

Members Absent:

Mayor William C. Dusch

Others Present:

- City Manager, Lloyd W. Payne, Jr.
- City Attorney, VaLerie Kolczynski
- City Clerk, Kim J. Deason
- Assistant City Managers
- Department Directors

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

The meeting was called to order by Mayor Pro-Tem Crawford followed by the Pledge of Allegiance and a moment of silent prayer.

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Approval of Minutes:

A motion was made by Council Member Langford and seconded by Council Member Stocks to approve the minutes for the meetings of May 24, June 7, June 9, and June 28, 2022—the vote: all aye.

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Recognition of persons to be heard:

Craig Craver, 555 Lake Lynn Rd, Concord, addressed the City Council in regards to sewer allocation for his project in Copperfield.

Jocelyn Watkins, 1320 Rosehill Ct, SW, Concord, addressed the City Council in regards to blasting being conducted on a site located behind her home. She stated she had not received notification of the blasting. The City Manager requested the Fire Chief, Jake Williams, speak with Ms. Watkins.

Roland Jordan addressed the City Council in regards to several issues in the community he feels should be addressed.

Zac Moretz addressed the City Council in regards to sewer allocation for his client's project on Pitts School Road.

Public Hearings:**1. Conduct a public hearing to approve the submission of the FY2022-23 Action Plan for the US Department of Housing and Urban Development's 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 FY22-23 total CDBG program budget is \$665,654, which includes the CDBG allocation of \$663,654 and \$2,000 in estimated program income. The FY22-23 HOME Consortium allocation is \$1,454,997. Concord is projected to generate \$131,006 in program income. As a result, the total Consortium budget is projected to be \$1,586,003. The City's proposed allocation of the total HOME program budget will be \$527,194 which includes; the City's allocation of \$298,267 of the project funds, \$97,921 for program administration and lead entity administration, and \$131,006 in estimated program income. 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 22-23. A virtual public hearing was held from February 20th - March 28th to receive comments on the proposed 2022/2023 CDBG and HOME program budget/activities. The public hearing notice was advertised in The Independent Tribune on February 20th, 23rd, and 27th along with the link being provided on the City website. Staff received 128 responses and noted those within the plan. When HUD released the final allocation in May, a second comment period was opened June 5th to notify the public of the change in allocation.

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

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

A motion was made by Council Member Langford and seconded by Council Member Stocks to approve the submission of the FY2022-23 Action Plan for the US Department of Housing and Urban Development's Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) programs—the vote: all aye.

2. Conduct a public hearing and consider adopting a resolution closing the right-of-way of an unopened 10-foot alley running parallel to Hawthorne Street SW.

The proposal includes the abandonment of the right-of-way for a 10-foot alley that runs behind 29 Hawthorne Street SW. Joseph Maizonet and Marline Maizonet filed the application and Carolina Oil Company of Concord, Inc. owns the land on the other side of the alley. Each property owner will receive half of the portion of the alley being abandoned. The General Statutes require that the City 1) post signs in two (2) places along the right-of-way, 2) send copies of the approved resolution of intent to all neighboring owners after adoption, and 3) advertise in the newspaper once a week for four (4) consecutive weeks. The notice requirements have been met to proceed with the public hearing.

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

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

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to adopt the following resolution closing the portion of the alley parallel to Hawthorne St. SW—the vote: all aye.

A RESOLUTION ORDERING THE CLOSING OF A PORTION OF AN ALLEY
PARALLEL TO HAWTHORNE ST SW

WHEREAS, on the 9th day of June, 2022, the City Council for the City of Concord directed the City Clerk to publish the Resolution of Intent of the City Council to consider the closing a portion of an alley parallel to Hawthorne St SW in the Independent Tribune newspaper once each week for four successive weeks, such resolution advising the public that a meeting would be conducted in the City Hall at 35 Cabarrus Avenue, West, Concord, N.C., on July 14, 2022.

WHEREAS, the City Council on the 9th day of June, 2022, ordered the City Clerk to notify all persons owning property abutting on that portion of the right-of-way, as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Resolution of Intent; and

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

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

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect to the closing of said street in the public hearing held on the 14th day of July, 2022; and

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

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

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

Beginning at an existing iron pin being the southeast corner of the Joseph Maizonet property (recorded in deed book 13446, page 242), thence along the western edge of the existing 10' alleyway N. 17-30-13 W. 99.30' to a point; thence N. 72-46-08 E. 10.00' to a point; thence S. 17-30-13 E. 99.25' to a point; thence S. 72-30-00 W. 10.00' to the point and place of beginning containing 993 square feet (+/-0.023 AC) according to a survey by Don Allen & Associates, PA dated March 31st, 2022.

The Mayor and the City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street or alley, such title, for the width of the abutting land owned by them, to extend to the centerline of the

herein closed street (with provision for reservation of easements to the City of Concord for utility purposes) in accordance with the provision of G.S. 160A-299(c).

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

This the 14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch Mayor

ATTEST: /s/ Kim Deason, City Clerk

3. Conduct a public hearing for case Z(CD)-07-21 and consider adopting an ordinance amending the official zoning map for +/- 54.8519 acres located northeast corner of International Drive and Highway 73, generally addressed as 4208 and 4515 Davidson Hwy from MX-CC2 (Mixed-Use Commercial Center Large) to I-1-CD (Light Industrial Conditional District) and C-2 (General Commercial).

This case was tabled from the June 9th City Council meeting. The Planning and Zoning Commission heard the above referenced petition at their April 19th, 2022 public hearing and acted to deny the request. In accordance with Concord Development Ordinance section 3.2.4-B, "The Commission may grant final approval of a zoning map amendment by a vote of at least three-fourths (3/4) of the members of the Commission present and not excused from voting. If the approval is by a vote of less than three-fourths, or if the Commission renders a recommendation of denial, the request shall be forwarded to the City Council for hearing at their next available meeting and the City Council shall have the authority to make a final decision on the zoning map amendment." According to the applicant, an office, warehouse, distribution and light industrial business park are the possible uses for the I-1-CD (Light Industrial Conditional District) area of the development and no specific plans have been provided for the C-2 (General Commercial) portion of the site.

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

Following a brief overview of the staff report from the Deputy Planning and Neighborhood Development Services Director, Kevin Ashley, Council Member King asked if there would be a way to limit the hours of operation on the proposed operation. The Deputy Planning and Neighborhood Development Services Director stated that would have to be a condition that is agreed upon by the applicant.

Council Member McKenzie asked if or how the entrance to the proposed operation would affect the Hwy 73 expansion. The Transportation Director, Phillip Graham, stated the NCDOT does not have finalized plans for Hwy 73 at this time. He stated each intersection would have to be analyzed before moving forward.

The City Attorney reviewed the list of speakers signed in to speak in favor and in opposition to the request. She stated each side, proponent and opponent, would receive 21 minutes total to address the City Council.

Proponents signed in to speak in favor of the request:

John Carmichael, Developer, stated the purpose of the rezoning request is to accommodate the office, warehouse, and distribution facility. He introduced Tyler Jones who provided an overview of the project.

Mr. Carmichael also provided the site plan that had been submitted for the project. He stated the site plan had been revised to increase the required buffer that is located directly behind Cambridge Commons to 100 feet. The buffer will taper down from there to 50 feet.

Council Member Stocks asked Mr. Carmichael if Cambridge Commons residents had sent him a letter regarding the project. Mr. Carmichael said he did receive a letter the evening before the Council meeting. She asked if any other communication between the developer and the community had been held prior to receiving the letter. Mr. Carmichael stated that a community meeting was previously held and a couple individuals attended. Council Member Stocks asked if there was any possibility of the developer working with Cambridge Commons residents to try to reach some solutions to their concerns. Mr. Carmichael stated he did reach out to the Cambridge Commons Homeowner's Association (HOA) President, John Gerrity, and suggested they meet to discuss the issues.

Joe Wilson provided the results from the Traffic Impact Analysis. He also showed the proposed entrances for the project (existing and after the Hwy 73 widening project is complete).

Council Member McKenzie asked how the number of cars versus the number of trucks was established. Mr. Jones explained how that was determined. Council Member McKenzie asked how many dock doors would there be. Mr. Jones stated there would approximately 75 dock doors.

Opponents signed in to speak in opposition to the request:

John Gerrity, President of Cambridge Commons Homeowner's Association, stated the expansion of the buffer answered one area of the resident's concerns. He stated another concern is that of the semi-trucks coming in the main entrance. He stated the residents did send a letter to Mr. Carmichael with their suggestion for the truck entrance. Mr. Gerrity asked the Council to table the request to allow the Cambridge Commons community the opportunity to meet with the developer to see if a resolution could be agreed upon.

Sam Morris stated he is concerned with the truck traffic and feels that a different entrance should be used.

Cindy McLain stated she is concerned with noise, traffic, and safety.

There were no further speakers signed in to speak in favor or opposition to the request.

Council Member Parsley-Hubbard asked what could be developed by right on the property with the current zoning classification. The Deputy Planning and Neighborhood Development Services Director stated with the current zoning classification 250,000 square feet, or less, of commercial and office space is permitted.

Council Member McKenzie asked if residential would be allowed under the current zoning classification. The Deputy Planning and Neighborhood Development Services Director stated residential uses would not be allowed under the current zoning classification.

Council Member Stocks stated she understood the community would like to discuss options with the developer. She stated, in her opinion, the Council should respect and honor that request.

Mr. Carmichael stated he would be happy to discuss concerns with the Cambridge Commons residents but he didn't think the entrances for building A and building B could be changed and the entrance off of Hwy 73 could not be changed. He also stated he would be happy to meet with his engineer to try to configure another entrance if the Council would like to table the request.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to table the request until the August 11th City Council meeting—the vote: all aye.

Presentations of Petitions and Requests:

1. Consider awarding a bid to NC Quality Home Builders, LLC in the amount of \$245,220 to construct a new home at 314 Sycamore Ave. SW.

The City of Concord continues to focus on affordable housing with a proposed new home at 314 Sycamore Ave. SW.

This three-bedroom, two-bath home is 1,080 square feet in size. By using solar board roof sheathing, which deflects the radiant heat of the sun, the house will stay cooler in the summer, thus reducing utility costs while prolonging the life of HVAC equipment. In addition, by sealing all the joints to prevent air leakage, the cost to operate the HVAC is reduced. Incorporating a conditioned crawl spaces creates a healthier living environment by reducing drafts, moisture and humidity in the crawlspace which would eventually leach into the main living area. High performance windows have been added along with a passive radon remediation system to prevent future issues for homeowners. Raised heel trusses are used to allow the full amount of attic insulation even over the outer walls. The appliances are all Energy Star rated and typically rate high in consumer reviews in regards to minimal maintenance. Additional wall insulation has been added to further increase the energy efficiency of the home. These components work together to allow the home to be affordable long after the initial purchase.

Staff solicited bids from nine contractors. A re-bid was required as only one bid was initially received. The lowest responsible bid from the re-bid was from NC Quality Home Builders, LLC for \$245,220. Funding for the construction will come from the City's HOME funds.

A motion was made Council Member Parsley-Hubbard and seconded by Council Member Sweat to award a bid to NC Quality Home Builders, LLC in the amount of \$245,220 to construct a new home at 314 Sycamore Ave. SW—the vote: all aye.

2. Consider awarding a bid to NC Quality Home Builders, LLC in the amount of \$237,120 to construct a new home at 318 Sycamore Ave. SW.

The City of Concord continues to focus on affordable housing with a proposed new home at 318 Sycamore Ave. SW. This three-bedroom, two and a half-bath concrete slab home is 1,248 square feet in size. Quality of the materials is always a focus for City new construction. By using solar board roof sheathing, which deflects the radiant heat of the sun, the house will stay cooler in the summer, thus reducing utility costs while prolonging the life of HVAC equipment. In addition, by sealing all the joints to prevent air leakage, the cost to operate the HVAC is reduced. High performance windows have been added along with a passive radon remediation system to prevent future issues for homeowners. Raised heel trusses are used to allow the full amount of attic insulation even over the outer walls. The appliances are all Energy Star rated and typically rate high in consumer reviews in regards to minimal maintenance. Additional wall insulation has been added to further increase the energy efficiency of the home. These components work together to allow the home to be affordable long after the initial purchase. Staff solicited bids from nine contractors. A re-bid was required as only one bid was initially received. The lowest responsible bid from the re-bid was from NC Quality Home Builders, LLC for \$237,120. Funding for the construction will come from the City's HOME funds.

A motion was made Council Member Stocks and seconded by Council Member Sweat to award a bid to NC Quality Home Builders, LLC in the amount of \$237,120 to construct a new home at 318 Sycamore Ave. SW—the vote: all aye.

3. Consider awarding a bid to Carolina Siteworks, Inc. for site-work and grading at 7437 Ruben Linker Rd. for future construction of Substation V.

Considerable site work and grading is necessary for planned construction of Substation V. This station will be a 6-circuit distribution voltage station serving the Weddington Rd. and Pitts School Rd. areas, along with the future commercial development on the Bonds Family properties. Civil engineering was completed and formal bids were received on June 23, 2022, with three respondents submitting proposals. All bids were evaluated for compliance with the specifications and for relevant project experience. The lowest bidder, Carolina Siteworks, Inc., at \$523,979, was determined to be a responsible and responsive bidder. They recently completed the Delivery 4 project and performed very well there. Upon completion of a contract, the work is expected to take 180 days to complete. Full completion and commissioning of Substation V is scheduled for 2nd quarter of 2024.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to award a bid for \$523,979 to Carolina Siteworks, Inc. for site-work and grading at 7437 Ruben Linker Rd. for future construction of Substation V—the vote: all aye.

4. Consider awarding the total bid for the City of Concord's annual street preservation program to JT Russell & Sons, Inc. and adopt a budget ordinance to appropriate funds from reserve funds.

One of Council's continuing goals is to improve the service levels and delivery of the City's annual street preservation program. Powell Bill receipts and General Fund revenues are being used to fund this work by contracted forces. This contract is to complete streets that were remaining from a prior contract. Formal bids for this work were opened on June 7, 2022 with JT Russell & Sons, Inc. submitting the lowest total bid in the amount of \$1,141,521,98. Work such as patching, leveling, milling, resurfacing, re-striping, re-marking, and re-installation of permanent raised pavement markings work on approximately 5 lane miles of designated streets will be performed. Contract Final Completion date is 120 days from the Notice to Proceed.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to award the total bid and authorize the City manager to negotiate and execute a contract with to JT Russell & Sons, Inc. in the amount of \$1,141,521,98 for the City of Concord's annual streets preservation program and adopt the following budget ordinance to appropriate funds from reserve funds—the vote: all aye.

ORD. #22-89

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

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

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

Account	Title	Revenues		(Decrease) Increase
		Current Budget	Amended Budget	
100-4370000	Fund Balance Approp	0	1,141,522	1,141,522
	Total			1,141,522

		<u>Expenses/Expenditures</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
4511-5241000	Resurfacing PB	1,381,104	2,522,626	1,141,522
Total				<u>1,141,522</u>

Reason: To appropriate Powell Bill reserves for resurfacing contract to complete streets that were remaining from prior contract.

Adopted this 14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

5. Consider adopting a resolution to convey a 20' Water Line easement to Cabarrus County.

Cabarrus County has an existing water line easement across City property located on Rubens Road. With the Barn replacement project at Frank Liske Park, the County is having to upsize the water service and a number of conflicts exist along the current easement. Staff has reviewed the proposed new alignment and has no issues.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member McKenzie to adopt the following resolution to convey a 20' Water Line easement to Cabarrus County contingent on the County abandoning the existing easement—the vote: all aye.

RESOLUTION GRANTING AN EASEMENT

WHEREAS, the City of Concord is owner of a parcel of land having a parcel identification number of 5519-81-1588; and

WHEREAS, Cabarrus County has an existing easement across said parcel for a water line to serve Frank Liske Park; and

WHEREAS, Cabarrus County is constructing improvements at Frank Liske Park and desires to upsize and relocate the water service;

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

1. That an easement as shown on Exhibit "A" is hereby ordered granted contingent on the County abandoning the existing easement.
2. The easement shall be conveyed by the City Attorney and other necessary staff or the Mayor to Cabarrus County.

- 3. The City Attorney and other City staff are hereby directed to take all necessary steps to enforce this resolution.

Adopted this 14th day of July 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

6. Consider accepting a Preliminary Application from Avery Turner.

In accordance with City Code Chapter 62, Avery Turner has submitted a preliminary application to receive water service outside the City limits. The property is located at 1455 Simplicity Road. This parcel is currently vacant and zoned county LDR. The applicant is planning one single family home. Sewer is not available to the parcel.

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

7. Consider accepting a Preliminary Application from Teresa Roberts.

In accordance with City Code Chapter 62, Teresa Roberts has submitted a preliminary application to receive water service outside the City limits. The property is located at 9560 Poplar Tent Road. This parcel is currently developed with a single family home and the applicant indicates that the water service is for a storage building that is being renovated into a tiny home. Sewer is not available to the parcel.

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

8. Consider accepting a Preliminary Application from Michael Cipriani.

In accordance with City Code Chapter 62, Michael Cipriani has submitted a preliminary application for water service outside the City limits. The property is located at 903 Silver Fox Road. The property is currently zoned LDR and the applicant is proposing a single family home. City sanitary sewer is not available to this parcel.

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

9. Consider accepting a Preliminary Application from Flint McDonald.

In accordance with City Code Chapter 62, Flint McDonald has submitted a preliminary application to receive water service outside the City limits. The request is for water service to 5 lots along Archibald Road. The lots are zoned LDR and proposed development would be 5 single family homes. Sewer is available to three of the five lots however the request is for water only.

A motion was made by Council Member King and seconded by Council Member McKenzie to deny the request.

After some discussion, Council Member King retracted his motion and Council Member McKenzie retracted his second for denial.

Council Member McKenzie stated he would like for the City Council and staff have a discussion about these types of requests at the October 25th 2nd Work Session.

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

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

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

CONSENT AGENDA ITEM A

A hangar sub lease agreement between Pelican Holdings, LLC and Victory Lane Aviation was approved.

CONSENT AGENDA ITEM B

The City Manager was authorized to sign and execute a one-year agreement with Technologies Edge, Inc for professional services

CONSENT AGENDA ITEM C

A 30-foot greenway easement with Tarleton Place, LLC for the future extension of Clarke Creek Greenway was accepted.

CONSENT AGENDA ITEM D

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

CONSENT AGENDA ITEM E

The City Manager was authorized to enter into a contract with NCDOT and execute all agreements and contracts with NCDOT, Public Transportation Division to receive Section 5303 Federal Transit Administration funds for Metropolitan Planning for Transit.

CONSENT AGENDA ITEM F

Planning and Neighborhood Development Services staff was authorized to submit a grant application for \$10,000 in funding from the Cabarrus Arts Council under the Project Assistance Grant for expanded marketing efforts at ClearWater Arts Center and Studios.

CONSENT AGENDA ITEM G

The Housing Department was authorized to submit an application for the ROSS (Resident Opportunity and Self-Sufficiency) Services Coordinator Program FY2022 grant.

CONSENT AGENDA ITEM H

The City Manager was authorized to negotiate and enter into an agreement with the Mooresville Housing Authority to oversee their 106 project base vouchers.

CONSENT AGENDA ITEM I

The Police Department was authorized to apply for the FY2022 Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation.

CONSENT AGENDA ITEM J

The City Manager was authorized to accept the \$25,000 from the NC Governor's Highway Safety Program to fund overtime expenses for traffic safety enforcement and the following budget ordinance was adopted to appropriate the grant funds.

ORD. #22-90

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

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

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

Account	Title	<u>Revenues</u>		(Decrease) Increase
		Current Budget	Amended Budget	
100-4603200	Police Grants	\$355,313	\$380,313	\$25,000
Total				\$25,000

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
4310-5122000	Overtime	\$379,485	\$404,485	\$25,000
Total				\$25,000

Reason: To appropriate the NC Governor's Highway Safety Program overtime grant awarded in the amount of \$25,000.

Adopted this 14th day of July, 2022.

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 maintenance agreements were approved and the offers of dedication were accepted on the following properties: Ascendum Machinery, Inc., Concord-Oriole Properties, LLC, and Niblock Homes, LLC.

CONSENT AGENDA ITEM L

The offer of dedication was accepted on the following plat and easements: Oaklawn Development Phase 2, Spring Meadow Phase 2B Map 1, and Harris Teeter Fuel #68 Poplar Tent.

CONSENT AGENDA ITEM M

The offer of infrastructure was accepted in the following subdivisions and sites: Roberta Ridge Subdivision, Hunton Forest Subdivision Phase 2, City of Concord Fire Station 12, Woodsprings Suites, and Hendrick Storage Building.

CONSENT AGENDA ITEM N

The following amended FY2022-2023 Budget Ordinance was adopted.

CONSENT AGENDA ITEM O

The following budget ordinance was adopted to amend the FY2022/2023 General Fund to appropriate contingency funds to cover supplies to support the CHA Public Health Conference.

ORD. #22-91

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

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

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Account	Title	Revenues		(Decrease) Increase
		Current Budget	Amended Budget	
Total				

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5992000	Contingency	403,443	402,043	(1,400)
4120-5299000	Supplies-Departmental	9,675	11,075	1,400

Total

0

Reason: To transfer contingency funds for supplies related to CHA Public Health Conference.

Adopted this 14th day of July 2022.

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 American Rescue Plan fund grant project ordinance, a General Fund Capital Project fund ordinance, and a General Fund operating ordinance was adopted to reflect changes to how the American Rescue Plan funds will be spent.

ORD. #22-92

AN ORDINANCE TO AMEND FY 2022-2023 BUDGET ORDINANCE

WHEREAS, the City Council of the City of Concord, North Carolina did on the 9th day of June, 2022, adopt a City budget for the fiscal year beginning July 1, 2022 and ending on June 30, 2023, as amended; and

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

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

Account	Title	Revenues		(Decrease) Increase
		Current Budget	Amended Budget	
100-4501330	Transfer fm Amer Res Plan	0	10,000,000	10,000,000
Total				<u>10,000,000</u>

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
4190-5987000				
4190-5475100	Transfer to Project Fund WeBuild (CFEA)	0	8,000,000	8,000,000
		0	2,000,000	<u>2,000,000</u>

Total

10,000,000

Reason: To appropriate revenue replacement ARPA funds used to cover salaries and use freed up general fund dollars to transfer \$8,000,000 to the Fleet services project and \$2,000,000 to WeBuild for affordable housing projects.

Adopted this 14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

ORD. #22-93

**GRANT PROJECT ORDINANCE
American Rescue Plan Fund**

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

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

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

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

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

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

<u>Expenses/Expenditures</u>				
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
3300-5475000	Affordable Housing Const	1,277,247	0	(1,277,247)
3300-5475100	We Build (CFEA)	3,500,000	2,777,247	(722,753)
3300-5983000	Transfer to General Fund	24,000	10,024,000	10,000,000
3300-5987000	Transfer to Project Fund	8,000,000	0	(8,000,000)
Total				<u>\$0</u>

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

SECTION 6. Within five (5) days after adoption, copies of this grant projects

ordinance shall be filed with the City Manager, Finance Director, and City Clerk for direction in carrying out this project.

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

Duly adopted by the City Council of the City of Concord, North Carolina this
14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

ORD. #22-94

CAPITAL PROJECT ORDINANCE
General Capital Projects

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

SECTION 1. The projects authorized are General Capital Projects for Fleet Services Facility.

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

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

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
430-4501330				
430-4501330	From Amer Res Plan	8,000,000	0	(8,000,000)
430-4501100				
430-4501100	From General Fund	5,750,289	13,750,289	8,000,000
Total				0

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

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
Total				_____

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 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
14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM Q

The following ordinance was adopted to reflect the actual CDBG 2022 grant awarded.

ORD. #22-95

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 2022 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:

		<u>Revenues</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
310-4334559				
310-4334559	CDBG 2022	\$648,000	\$663,654	\$15,654
		Total		\$15,654

SECTION 4. The following amounts are appropriated for the project

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

		Budget		
3118-5194000				
3118-5194000	Contract Services	\$9,000	\$11,000	\$2,000
3119-5483200				
3119-5483200	Clearwater	\$186,586	\$200,240	\$13,654
Total		\$15,654		

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
14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM R

The following project ordinance was adopted to reflect the actual HOME 2022 grant awarded.

ORD. #22-96

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 2022 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
320-4334609 320-4334609	HOME 2022	\$1,200,000	\$1,454,997	\$254,997
Total				\$254,997

SECTION 4. The following amounts are appropriated for the project

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
3215-5194000				
3215-5194000	Contract Services	\$7,000	\$8,975	\$1,975
3215-5370000				
3215-5370000	Advertising	\$0	\$4,360	\$4,360
3215-5312000				
3215-5312000	Travel & Training	\$1,350	\$3,350	\$2,000
3215-5299000				
3215-5299000	Supplies-Departmental	\$2,564	\$8,000	\$5,436
3215-5484100				
3215-5484100	Consortium Admin Exp	\$68,850	47,579	(\$21,271)
3216-5480011				
3216-5480011	New Construction	\$60,500	\$190,767	130,267
3216-5484200				
3216-5484200	Consortium Project Exp	\$879,000	\$1,011,230	\$132,230
Total				\$254,997

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 14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA
/s/ William C. Dusch, Mayor

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

/s/ VaLerie Kolczynski, City Attorney

CONSENT AGENDA ITEM S

The following resolution was adopted to ratify an amendment to the Centralina Regional Council's Charter.

A RESOLUTION RATIFYING THE UPDATED CHARTER OF
CENTRALINA REGIONAL COUNCIL

WHEREAS, the City of Concord is a member of Centralina Regional Council (Centralina), a council of governments serving the needs of the nine-county region that includes Anson, Cabarrus, Gaston, Lincoln, Iredell, Mecklenburg, Rowan, Stanly and Union counties; and

WHEREAS, on February 9, 2022, the Centralina Board of Delegates adopted a resolution amending the organization's Charter to add language prohibiting private entities from benefitting from or having an interest in the organization's earnings or assets; and

WHEREAS, each member government must endorse the Charter as Centralina's governing document.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Concord hereby ratifies the amended Centralina Regional Council Charter.

This the 14th day of July, 2022.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

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

CONSENT AGENDA ITEM T

The City's semiannual debt status report as of June 30, 2022 was accepted.

CONSENT AGENDA ITEM U

The Tax releases/refunds fore the month of May 2022 were approved.

CONSENT AGENDA ITEM V

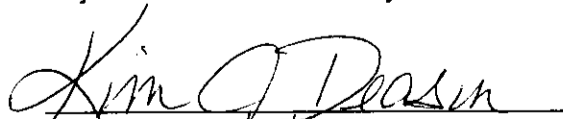
The Tax Office collection reports for the month of May 2022 were accepted.

CONSENT AGENDA ITEM W

The monthly report on investments as of May 31, 2022 was accepted.

* * * * *

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


Kim J. Deason, City Clerk

Terry L. Crawford, Mayor Pro-Tem

CONCORD CITY COUNCIL
SPECIAL 2nd WORK SESSION MEETING
JULY 19, 2022

The City Council for the City of Concord, North Carolina, held a special City Council 2nd Work Session in the 3rd floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on July 19, 2022, at 11:00 a.m. with Mayor Pro-Tem Terry L. Crawford presiding.

Council members were present as follows:

Members Present:

Council Member Andy Langford
Council Member W. Brian King
Council Member Betty M. Stocks
Council Member JC McKenzie
Council Member Jennifer Parsley-Hubbard
Council Member John A. Sweat, Jr.

Members Absent:

Mayor William C. Dusch

Others Present:

Assistant City Manager, LeDerick Blackburn
Assistant City Manager, Pam Hinson
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason

* * * * *

Preliminary Wastewater allocation

Mayor Pro-Tem Crawford explained how the meeting would be conducted and the Council would be making their allocations per category.

The City Council members proposed the following projects for allocation approval:

Non-residential

Starbucks – 720 gpd
Slim Chickens Restaurant – 1,960 gpd
4525 Fortune Avenue – 2,600 gpd
5318 Langford Avenue – 8,000 gpd
DairiO – 3,000 gpd
Copperfield Market 8 – 622 gpd
Davidson Hwy Apartments & Retail – 2,900 gpd
Stough Road – McGrath – 250 gpd
Tim Marburger Dealership – 3,750 gpd
Penske Concord – 1,050 gpd
Outback Steakhouse – 7,480 gpd
Meadows Corporate Park – Eastern – 6,424 gpd
Gibson Mill Entertainment Complex – 3,250 gpd
84 Lumber Yard Expansion – 275 gpd
The Springs Business Park Phase 3 – 7,350 gpd
Red Rocks Music Park – 2,500 gpd
Poplar Crossing III – restaurant – 7,200 gpd