

CONCORD CITY COUNCIL  
REGULAR MEETING  
JANUARY 12, 2023

A regular meeting of the City Council for the City of Concord, North Carolina, was held in the 3<sup>rd</sup> floor City Hall Council Chambers located at 35 Cabarrus Ave, W, on January 12, 2023, at 6:00 p.m. with Mayor William C. Dusch presiding.

Council members were present as follows:

**Members Present:**

- Mayor Pro-Tem JC McKenzie
- Council Member Andy Langford
- Council Member W. Brian King
- Council Member Betty M. Stocks
- Council Member Terry L. Crawford
- Council Member Jennifer Parsley-Hubbard
- Council Member John A. Sweat, Jr.

**Others Present:**

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

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

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

\* \* \* \* \*

**Approval of Minutes:**

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie to approve the minutes for the meetings of November 22, December 6, December 8, and December 20, 2022—the vote: all aye.

\* \* \* \* \*

A motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member Crawford to add the following additional item to the Consent Agenda—the vote: all aye.

**ADDITIONAL CONSENT AGENDA ITEM:**

Consider approving a change to the classification/compensation system to include the following classification: Downtown Development Coordinator.

\* \* \* \* \*

**Presentations:**

Mayor Dusch presented the Distinguished Budget Award from the Government Finance Officers Association of the United States and Canada to the Budget Manager, Lesley Reder. This year marks the 21<sup>st</sup> consecutive year the City has been awarded this recognition.

**Informational Items:**

**1. Presentation from Corporate Christian Ministries (CCM) Executive Director, Ed Hosack.**

Mr. Hosack presented his information to the Mayor and Council at the Tuesday, January 10<sup>th</sup> Work Session.

It was the consensus of the Council to discuss the proposal further at the January 21<sup>st</sup> 2<sup>nd</sup> Work Session.

**Recognition of persons requesting to be heard:**

Mr. Roland Jordan addressed the Council in regards to community issues he feels needs to be addressed.

**Public Hearings:**

**1. Conduct a public hearing pursuant to North Carolina General Statutes Sec. 158-7.1 to consider granting a three-year/85% tax-based economic development grant to HSREI, LLC, (Hendrick Motorsports Manufacturing) to locate at 5301 Stowe Lane, Charlotte, North Carolina 28262 (Concord city limits) having an investment of approximately \$14,900,000 in real and personal property.**

HSREI, LLC, proposes to develop an approximately 155,000 SF advanced manufacturing facility to allow for the expansion of the existing manufacturing operations and specifically for the fabrication of metal structures, prototyping, and assembly. HSREI, LLC, proposes to invest approximately \$14,900,000 in real and personal property. The project expects to create approximately 50 new full-time jobs (in addition to retaining 75 existing jobs) with average wages of \$62,000.

The total value of the City's three-year grant is estimated to equal \$176,868 depending on the actual investment. The City of Concord would still collect a three-year net revenue of \$31,212 after the incentive payments.

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

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

A motion was made by Council Member Crawford and seconded by Council Member Parsley-Hubbard to offer a contract for a three-year/85% tax-based Economic Development Incentive Grant to HSREI, LLC, to locate at 5301 Stowe Lane, Charlotte, North Carolina 28262 (Concord city limits)—the vote: all aye.

**2. Conduct a public hearing for case Z-21-22 and consider adopting an ordinance amending the official zoning map for +/- 3.125 acres located at 494 Corban Ave SE from RM-1 (Residential Medium Density) to C-2 (General Commercial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from "Suburban Neighborhood" to "Commercial".**

The Planning and Zoning Commission heard the petition at their December 20, 2022, meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from RM- 1 (Residential Medium Density) to C -2 (General Commercial) and to amend the 2030 Land Use Plan to designate the parcel as "Commercial". The property is the site of the Berry Auto Clinic and has been in use as an auto repair facility by the applicant since 1989.

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

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

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie to adopt the following Statement of Consistency—the vote: all aye.

- The subject property is approximately +/- 3.215 acres and is zoned City of Concord RM-1 (Residential Medium Density)
- The subject property was annexed into the City on May 14<sup>th</sup> 1975 and zoned to R-1) Residential at that time. The zoning was later converted to RM-1 (Residential Medium Density)
- The subject property has been an established commercial use since 1989. The proposed C-2 (General Commercial) zoning will allow for continued operation and expansion of the commercial use on the property. The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is not a corresponding zoning classification to the Suburban Neighborhood land use category. The subject property and surrounding properties, however, are all developed as commercial uses, therefore this would be consistent with a Commercial land use category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning surrounding the subject property and the adjacent commercial uses.

A motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member Parsley-Hubbard adopt the following ordinance amending the official zoning map from RM-1 (Residential Medium Density) to C -2 (General Commercial) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from "Suburban Neighborhood" to "Commercial"—the vote: all aye.

ORD. #23-04

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CONCORD, NORTH CAROLINA FOR PROPERTY GENERALLY LOCATED AT 494 CORBAN AVE SE, CONCORD, NC

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 160D-601 through 160D-605, 160D-701 through 160D-706, 160D-801 through 160D-808 and 160D-901 through 160D-951, may from time to time as necessary amend, supplement, change, modify or repeal certain of its zoning regulations and restrictions and zone boundaries; and

WHEREAS, the City of Concord, North Carolina, pursuant to the authority conferred by North Carolina General Statute, 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 Planning and Zoning Commission of the City of Concord, North Carolina:

SECTION 1. That the P&Z Commission held a duly advertised public hearing on December 20, 2022. At the close of the public hearing, the P&Z Commission adopted the following "Statement of Zoning Consistency" as required by NC Gen Stat 160D-605.

- The subject property is approximately +/- 3.215 acres and is zoned City of Concord RM-1 (Residential Medium Density)
- The subject property was annexed into the City on May 14<sup>th</sup> 1975 and zoned to R-1) Residential at that time. The zoning was later converted to RM-1 (Residential Medium Density)
- The subject property has been an established commercial use since 1989. The proposed C-2 (General Commercial) zoning will allow for continued operation and expansion of the commercial use on the property. The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is not a corresponding zoning classification to the Suburban Neighborhood land use category. The subject property and surrounding properties, however, are all developed as commercial uses, therefore this would be consistent with a Commercial land use category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning surrounding the subject property and the adjacent commercial uses.

The P&Z Commission then voted unanimously to recommend approval of the map amendment for PIN 5630-59-7682 and p/o 5630-68-0867 from RM-1 (Residential Medium Density) to C-2 (General Commercial), and designate the property C (Commercial) in the 2030 Land Use Plan. Since the rezoning would result in a comprehensive plan amendment, it is forwarded to City Council for hearing with a recommendation from the Planning and Zoning Commission.

SECTION 2. That the City Council held a duly advertised public hearing on January 12, 2023. At the close of the public hearing, the City Council adopted the following "Statement of Zoning Consistency" as required by NC Gen. Stat 160D-605.

- The subject property is approximately +/- 3.215 acres and is zoned City of Concord RM-1 (Residential Medium Density)
- The subject property was annexed into the City on May 14<sup>th</sup> 1975 and zoned to R-1) Residential at that time. The zoning was later converted to RM-1 (Residential Medium Density)
- The subject property has been an established commercial use since 1989. The proposed C-2 (General Commercial) zoning will allow for continued operation and expansion of the commercial use on the property. The proposed zoning is not consistent with the 2030 Land Use Plan (LUP) as C-2 (General Commercial) is not a corresponding zoning classification to the Suburban Neighborhood land use category. The subject property and surrounding properties, however, are all developed as commercial uses, therefore this would be consistent with a Commercial land use category.
- The zoning amendment is reasonable and in the public interest as it is consistent with the existing zoning surrounding the subject property and the adjacent commercial uses.

The City Council then voted to APPROVE the map amendment.

SECTION 3: That the Official Zoning Map is hereby amended by rezoning from City of Concord RM-1 (Residential Medium Density) to City of Concord C-2 (General Commercial) the area described as follows and that the future land use designation of C (Commercial) is applied in the 2030 Land Use Plan:

Being a 3.215 acres tract, and being Lot 1, Map Book 94, Page 19, City of Concord, Cabarrus County, North Carolina and described as follows:

Beginning at an existing 5/8" rebar in the southern edge of the right of way of NC HWY 73, said rebar being S 86°37'26" E, 331.27 feet from NCGS Monument "Fish House" and being in the line of JETK LLC, Deed Book 13640, Page 152; thence within the right of way of NC HWY 73, the following five (5) courses and distances; 1) N 33°26'24" W, 23.16 feet to a point; 2) N 79°26'15" E, 20.06 feet to a point; 3) N 20°10'45" W, 18.25 feet to a point; 4) N 79°26'30" E, 458.15 feet to a point; 5) S 9°23'25" E, 38.52 feet to a set 1/2" rebar in the southern edge of the right of way of NC HWY 73 and in the line of Juan Vasquez, Deed Book 12099, Page 87; thence with the line of Vasquez, the following four (4) courses and distances; 1) S 9°23'25" E, 209.10 feet to a set 1/2" rebar; 2) S 80°36'35" W, passing a set 1/2" rebar at 100.00 feet, 140.00 feet to a point; 3) S 22°56' 43" E, 114.33 feet to a point; 4) S 27°10'35" E, 50.76 feet to a point a corner of Lot 2, Map Book 94, Page 19; thence with the common line of Lots 1 and 2, S 79°04'03" W, passing a set 1/2" rebar at 40.00 feet, 209.78 feet to an existing 3/4" iron in the line of F & J enterprises Inc, Deed Book 1416, Page 184, thence with the line of F & J Enterprises LLC, the following two (2) courses and distances; 1) N 30°03'26" W, 69.93 feet to an existing concrete monument; 2) N 33°25'43" W, 208.65 feet to an existing 1/2" rebar in the line of JETK LLC, Deed Book 13640, Page 152; thence with the line of JETK LLC, N 33°26'24" W, 118.20 feet to an existing 5/8" rebar in the southern edge of the right of way of NC HWY 73 and being the Point and Place of Beginning and containing 3.215 acres more or less.

SECTION 4. 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 5. That the effective date hereof is the 12<sup>th</sup> day of January, 2023.

Adopted the 12<sup>th</sup> day of January, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**3. Conduct a public hearing for case TA-10-22 and consider adopting an ordinance amending the Concord Development Ordinance Table 7.6.2.A. to amend the height limit for multi-family in the O-I (Office-Institutional) zoning District.**

This text amendment is administrative in nature and serves to correct an omission from TA-06-22, which raised height limits for multi-family to four stories for multi-family in the RV and RC zoning districts. The Planning and Zoning Commission recommended the amendment and the statement of reasonableness and consistency as depicted in the staff presentation on December 20, 2022.

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

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

A motion was made by Council Member Crawford and seconded by Council Member Parsley-Hubbard to adopt the following Statement of Reasonableness and Consistency—the vote: all aye.

- The height limit change for the Office-Institutional zoning district is reasonable and in the public interest because it brings greater consistency across other zoning districts where multi-family is a permissible use as adopted in TA-06-22. The topic is not specifically addressed in the 2030 Land Use Plan, except via compatibility language between adjacent land uses. Multi-family in the O-I district are only permissible as incidental to an institutional use, such as a church or school.

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie adopt the following ordinance amending the CDO Table 7.6.2.A—the vote: all aye.

ORD.# 23-01

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

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

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

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

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

**SECTION 1:** That the following section of Concord Development Ordinance (CDO) Article 7 “Base Zoning Districts”, Table 7.6.2.A. “Dimensional Standards” be amended in relevant part as set forth below:

	A	B	C	D	E	F	G
<b>Zoning District</b>	<b>Min. Lot Size (sq. ft.)</b>	<b>Max. Density (per acre)</b>	<b>Impervious Surface Ratio (2)</b>	<b>Min. Public Street Frontage (feet)</b>	<b>Min. Lot Width (feet)</b>	<b>Min. Lot Depth (feet)</b>	<b>Max. Building Height (feet)</b>

0-1	-	-	0.7	-	-	-	35 (5)
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**SECTION 3:** That this Ordinance be effective immediately upon adoption.

Adopted in this January 12<sup>th</sup>, 2023.

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 authorizing the City Manager to negotiate and execute a contract with WithersRavenel for full design services for the Academy Gibson Area adjacent to the Clearwater Arts Center & Studio.**

City Council adopted the new master plan for the renovation and redevelopment of Academy Gibson Area on September 8, 2022. The Academy Gibson area part of Phase I development includes the open space at the corner of Kerr and Cedar adjacent to the existing Village Greenway and the open space area adjacent to Clearwater. Also, the area at the corner of Kerr and Academy for redevelopment for community space with a parking area.

Parks and Recreation staff selected the firm, WithersRavenel through an RFQ process for professional design services for the park. The original master plan was completed by WithersRavenel and staff guided the public input process.

This design phase will include Schematic Design, Design Development Plans, Construction Documents at 50%, 95% and 100% level, Geotechnical site work and investigations, architectural services for existing and proposed buildings on the property, cost estimation services, and allowances for surveying and additional mapping. Full turn-key development of Phase I for the Academy Gibson Park Area is identified in the General Obligation Bond funded project.

A motion was made by Council Member Langford and seconded by Council Member King to authorize the City Manager to negotiate and execute a contract with WithersRavenel in the amount of \$513,800 for Full Design services for Academy Gibson Phase I Park Area—the vote: all aye.

**2. Consider approving the Public Art Master Plan for Concord to serve as a guide to implementing public art throughout the City of Concord.**

Action was taken on this item at the Tuesday, January 10<sup>th</sup>, Work Session.

**3. Consider adopting bylaws for the newly created Public Art Commission.**

Action was taken on this item at the Tuesday, January 10<sup>th</sup>, Work Session.

**4. Consider authorizing Rider Transit to enter into an MOU with the Cabarrus Reentry Program for pilot project to provide participants program related trips as needed.**

The Cabarrus Reentry Program approached Rider Transit to discuss transportation support for program participants facing transportation challenges, often one of the leading causes of reentry failures.

Program Director, Dennis Brown, presented their initial request at the November 30, 2022 Concord Kannapolis Transit Commission meeting. The request centered around a pilot program that would involve 6 individuals that have been working with the Reentry Program to receive training, certification and job placement in the Logistics industry prior to their reentry in early February.

Rider Transit would like to support the Cabarrus Reentry Program's request and provide program related trips for participants, particularly work-related trips. The Concord Kannapolis Transit Commission unanimously approved entering into the partnership as a pilot project at their November 30, 2022 meeting, which will be monitored, data compiled, and revisited 6 months after initial implementation to determine next steps.

A motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member Stocks to authorize Rider Transit to enter into an MOU with the Cabarrus Reentry Program to provide participants program related trips as needed—the vote: all aye.

**5. Consider abandoning a sewer right-of-way across property at 308 Concord Parkway N (PIN 5620 05 5851).**

There is a sewer right-of-way recorded in Deed Book 625 Page 655 to the City of Concord. As this property has developed, this right-of-way is not necessary.

A motion was made by Council Member Crawford and seconded by Council Member Parsley-Hubbard to adopt the following resolution authorizing the Abandonment of Sewer right-of-way—the vote: all aye.

**RESOLUTION RELEASING SEWER RIGHT OF WAY**

WHEREAS, a sewer right-of-way was granted in Deed Book 625 Page 655 recorded in the Cabarrus County Registry to the City of Concord for sanitary sewer; and

WHEREAS, as a result of development on the property which results in the right-of-way for the sewer no longer needed, the developer request that said right-of-way be abandoned; and

WHEREAS, the release of the right-of-way would not be contrary to the public interest;

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

1. That the 10' sewer right-of-way recorded in Deed Book 625 Page 655 and more particularly shown on Exhibit "A" is hereby ordered abandoned, and all rights and interest of the City are released.
2. The City's property rights in the released right-of-way shall be conveyed by the City Attorney and other necessary staff or the mayor to the property owners of record.
3. The City Attorney and other City staff are hereby directed to take all necessary steps to enforce this resolution.

Adopted this 12<sup>th</sup> day of January 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor



ATTEST: /s/ Kim Deason, City Clerk

**6. Consider appointing a single voting delegate to cast the City of Concord's vote on the proposed legislative goals from the North Carolina League of Municipalities (NCLM).**

Action was taken on this item at the Tuesday, January 10<sup>th</sup>, Work Session.

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

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

**CONSENT AGENDA ITEM A**

The current Concord ABC Board Travel Policy was approved.

**CONSENT AGENDA ITEM B**

The Police Department was authorized to apply for the grant funding from the NC Governor's Highway Safety Administration aimed at preventing traffic related deaths and injuries on streets and highways in the City of Concord.

**CONSENT AGENDA ITEM C**

The City Manager was authorized to provide a Letter of Support to the Carolina Thread Trail for the grant application and staff was authorized to participate in the study, and to provide the financial support to Carolina Thread Trail in the amount of \$2,000 from the Connectivity Project account for the City's portion of the overall supporting match.

**CONSENT AGENDA ITEM D**

The City Manager was authorized to negotiate and execute a contract with NCDOT through the Cabarrus-Rowan MPO for the acceptance of the Federal (CMAQ) Congestion Mitigation and Air Quality Program grant in the amount of \$1,549,154 for construction and to adopt a capital project ordinance amendment.

**CONSENT AGENDA ITEM E**

Offers of infrastructure were accepted at Red Hill Subdivision, Spring Meadow Subdivision PH2A MP1, Dollar Tree Union Street, S.

**CONSENT AGENDA ITEM F**

The maintenance agreements were approved and the offers of dedication were accepted on the following properties: M/I Homes of Charlotte, LLC – 345 Odell School Road and 2850 Rock Hill Church Road, EC Emery, LLC., and Mini Storage Depot on Concord Parkway, LLC.

**CONSENT AGENDA ITEM G**

The offer of dedication on the following plat and easements was accepted: Cannon Run Phase 1-A, Piper Landing Phase 2 Map 1, Emery Apartments, Amhurst Phase 2, and Faith Drive Townhomes.

**CONSENT AGENDA ITEM H**

The following capital project ordinance was adopted to amend the Stormwater Projects Fund.

ORD.# 23-02

## CAPITAL PROJECT ORDINANCE AMENDMENT Stormwater Projects

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

SECTION 1. The projects authorized and amended are Brookwood Ave Improvements and Mall North Culvert.

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

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

		<u>Revenues</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
Total				0

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

		<u>Expenses/Expenditures</u>		
<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
7103-5811290	Brookwood Ave Imprv	480,000	0	(480,000)
7103-5811291	Mall North Culvert	652,500	1,000,000	347,500
7103-5811082	Future Projects	2,073,175	2,205,675	132,500
Total				0

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 12th day of January, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

**CONSENT AGENDA ITEM I**

The following resolution was adopted to designate allowed depositories for the City.

RESOLUTION FINANCIAL INSTITUTION

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

Section 1. All pooling financial institutions (list attached), the *Financial Institutions*, are designated as a depository for the funds of the City, *the Corporation*, and to provide other financial accommodations indicated in this resolution.

Section 2. This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Corporation and certified to the Financial Institution as governing the operation of this Corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.

Section 3. The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as an Agent of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.

Section 4. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of the resolution are hereby ratified, approved and confirmed.

Section 5. The Corporation agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Corporation. The Corporation authorizes the Financial Institution, at any time, to charge the Corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.

Section 6. The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

Section 7. The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation's private key used to create a digital signature

and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Section 8. Corporation Agents

<u>NAME</u>	<u>TITLE</u>
Jessica Jones	Finance Director
Kristin Roe	Deputy Finance Director
Madison Forte	Accounting Operations Manager

Section 9. This resolution shall be effective as of adopted date.

Adopted this 12<sup>th</sup> day of January, 2023.

CITY COUNCIL  
CITY OF CONCORD  
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

**CONSENT AGENDA ITEM J**

The following delinquent utility accounts were transferred to collection losses: Electric \$344,039.33; Water \$115,321.70; Wastewater \$89,546.32; Stormwater \$19,011.22; and Environmental Services \$10,867.84.

**CONSENT AGENDA ITEM K**

The addition of the Downtown Development Coordinator (Grade109) with a salary range of \$55,511.12 (minimum) - \$73,552.22 (midpoint) - \$91,593.36 (maximum) was approved.

**CONSENT AGENDA ITEM L**

The City's semiannual debt status report as of December 31, 2022 was accepted.

**CONSENT AGENDA ITEM M**

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

**CONSENT AGENDA ITEM N**


The Tax releases/refunds for the month of November 2022 were approved.


**CONSENT AGENDA ITEM O**

The monthly report on investments as of November 30, 2022 was accepted.

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

  
Kim J. Deason, City Clerk

  
William C. Dusch, Mayor