

CONCORD CITY COUNCIL
REGULAR MEETING
MARCH 9, 2023

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 March 9, 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.

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Approval of Minutes:

A motion was made by Council Member King and seconded by Council Member Crawford to approve the minutes for the meetings of January 20, January 24, February 7, and February 9, 2023—the vote: all aye.

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Presentations:

Mayor Dusch presented a retirement plaque to Captain Rick Gilleland for 29 years of service with the City of Concord Fire Department.

Mayor Dusch presented a Proclamation recognizing the month of March as Women's History Month in the City of Concord.

Departmental Reports:

Planning and Neighborhood Development Services staff and Concord Downtown staff provided an update on the downtown streetscape project.

Recognition of persons requesting to be heard:

Mr. Charles Hodge addressed the Council in regards to sewer allocation for his project.

Mr. Kyle Hoyt addressed the Council in regards to sewer allocation for his project.

Public Hearings:

- 1. Conduct a public hearing pursuant to North Carolina General Statutes Sec. 158- 7.1 to consider granting a one-year/85% tax-based economic development industrial spec grant to HSREI, LLC, to locate at 7301 Hendrick Auto Plaza NW, Concord, North Carolina 28027.**

The area is directly south of Hendrick Auto Plaza at the Kia and Volkswagen dealerships and will have an investment of approximately \$23,700,000 in real and personal property. Under the North Carolina General Statutes, City Council may offer incentives to stimulate private sector expansion of new facilities. HSREI, LLC, proposes to develop an Advanced Manufacturing Center (AMC) on 30 acres adjacent to Hendrick Motorsports Campus. This building design will be an approximately 269,500 SF advanced manufacturing facility and will attract a premier advanced manufacturing tenant. It will be among the finest facilities of its type in the region and create a place where high-quality careers expand for decades. HSREI, LLC, proposes to invest approximately \$23,700,000 in real and personal property. The total value of the City's one-year/85% grant is estimated to equal \$96,696 depending on the actual investment. The City of Concord would still collect a one-year net revenue of \$17,064 after the incentive payments. Please see attached grant analysis for additional details.

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 favor or in opposition to the request. Therefore, a motion was made by Council Member King and seconded by Council Member Crawford to close the public hearing—the vote: all aye.

A motion was made by Council Member Crawford and seconded by Council Member Stocks to offer a contract for a one-year/85% tax-based Economic Development Spec Grant to HSREI, LLC, to locate at 7301 Hendrick Auto Plaza NW, Concord, North Carolina 28027—the vote: all aye.

- 2. Conduct a public hearing to consider adopting an ordinance amending Article 8, Table 8.1.8, Use Table; Article 8.3, Supplemental Regulations for Certain Uses; Article 7.8.2, Multifamily Design Standards; and Article 14, Definitions, of the Concord Development Ordinance (CDO) to adopt regulations to permit tiny and cottage homes and to amend the minimum spacing requirements for single story structures within multifamily developments.**

The City has received an increasing number of inquiries regarding the development of smaller homes either on smaller lots or within one overall parcel. Staff has researched the tiny home ordinances in other jurisdictions and has developed a set of design standards. These standards have been tested on several parcels within the City to ensure that development can be accomplished. Additionally, the proposed ordinance has been reviewed by a local architect with tiny home/infill experience and those comments have been incorporated.

The proposal includes two levels of smaller homes, which are “tiny homes” and the slightly larger “cottage homes,” which would still be smaller than a conventional single-family home. The amendment also includes a slight tweak to the multifamily design standards to ensure that spacing between buildings is consistent across building types, and to correct a cross-reference regarding to unit threshold for the multifamily standards.

An executive summary explaining the proposed changes in detail is attached. The proposal was posted on the City's website for comment on February 19, and numerous comments have been received. Most are positive in nature and staff will provide a summary at the hearing. At their February 21st meeting, Planning and Zoning Commission recommended the amendment to Council with minor modifications to the text.

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 favor or in opposition to the request. Therefore, a motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member Sweat to close the public hearing—the vote: all aye.

Following discussion by Council, a motion was made by Council Member Parsley-Hubbard and seconded by Council Member King to table the request until a future meeting date to give the Council additional time to review the proposed amendment—the vote: all aye.

Mayor Pro-Tem McKenzie suggested the Council discuss the proposed amendment further at the March 21st 2nd Work Session.

3. Conduct a Public Hearing for case Z(CD)-20-22 and consider adopting an ordinance amending the official zoning map for +/- 48.347 acres located at 2601 Eva Dr NW from O-I (Office-Institutional), RM-2 (Residential Medium Density), and RC-CD (Residential Compact-Conditional District) to RC-CD (Residential Compact-Conditional District) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcel from Suburban Neighborhood and Commercial to Urban Neighborhood.

The Planning and Zoning Commission heard the above referenced petition at their February 21, 2023 meeting and unanimously voted to forward the request to City Council with a recommendation that the zoning map be amended from O-I (Office-Institutional), RM-2 (Residential Medium Density), and RC-CD (Residential Compact-Conditional District) to RC-CD (Residential Compact-Conditional District) and to amend the 2030 Land Use Plan to designate the parcels as “Urban Neighborhood”. The property is an expansion of the Cumberland Subdivision.

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

The petitioner, William Niblock, spoke in favor of the request.

There were no further speakers signed in to speak in favor or in opposition to the request. Therefore, a motion was made by 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 King and seconded by Council Member Crawford to adopt the following Statement of Consistency—the vote: all aye.

- The subject property is approximately 48.347 acres, of which 7.551 acres is an addition to an approved subdivision. Portions of the previously approved subdivision are already developed as residential, and the expansion is vacant of development.
- The subject property was involuntarily annexed effective December 31, 1995.
- The overall request for rezoning is inconsistent with the 2030 Land Use Plan (LUP) as RC (Residential Compact) is not considered a corresponding zoning district to the Suburban Neighborhood land use category or the Commercial land use category and the proposed development cannot occur without the subject parcels located within the Suburban Neighborhood land use category. The request does meet the intent for the Suburban Neighborhood land use category in accordance with Land Use Plan Policy Guidance 1.6, as the request is for smaller lot infill development which could provide a new variety of housing in the area. It also furthers the Land Use Plan's intent by setting aside open space in excess of the minimum. The stream crossing makes a unified commercial development that would reach to Poplar Tent unlikely, and the extension of the Cumberland Neighborhood would be consistent with the Urban Neighborhood Future Land Use category.

- The zoning amendment is reasonable and in the public interest as it demonstrates compatibility with several aspects of the 2030 Land Use Plan such as maximizing open space and providing a variety of housing type in the area. Furthermore, the proposal would allow for a transition between the lower density/larger lot single-family detached to the north and the commercial thoroughfare to the south.

A motion was made by Council Member Parsley-Hubbard and seconded by Council Member Sweat to amend the official zoning map from O- I (Office-Institutional), RM-2 (Residential Medium Density), and RC-CD (Residential Compact-Conditional District) to RC-CD (Residential Compact -Conditional District)—the vote: all aye.

A motion was made by Council Member Crawford and seconded by Mayor Pro-Tem McKenzie to amend the 2030 Land Use Plan to designate the parcels as Urban Neighborhood—the vote: all aye.

4. Conduct a Public Hearing for case Z-24-22 and consider adopting an ordinance amending the official zoning map for +/-3.7 acres located at 2508 Poplar Tent Rd. from RM-2 (Residential Medium Density) to C-2 (General Commercial).

Action was taken at the Tuesday, March 7th, Work Session to table the request until the April 13, 2023 City Council meeting.

Presentations of Petitions and Requests:

1. Consider approving the new benefit plan rates for the City of Concord for FY24 and authorize the City Manager to negotiate, conclude, and execute contracts with plan providers.

After FY22 ended 2.5% above FY21, FY23 medical plan is running 11.6% lower than FY22 through 6 months. Costs in FY23 are running lower than any year since FY15 except for FY21 which was greatly impacted due to COVID. For FY24, staff is projecting no increase to the medical budget with no changes at all. The recommendation for FY24 is to leave coworker contributions unchanged from FY23.

A motion was made by Council Member Stocks and seconded by Council Member Langford to approve the new plan design for the City of Concord benefit plans for FY24 and authorize the City manager to negotiate, conclude, and execute contracts with plan providers—the vote: all aye.

2. Consider authorizing the City Manager to negotiate and execute contract addendum #2 with Talbert Bright & Ellington, Inc. (TBE) for additional design services for fuel farm in the amount of \$38,079.

Additional design work is necessary for exterior lightening enhancement, additional Jet A pump for redundancy and easy switch over, catwalks for tanks that don't have them, widening pavement for wider gate and a new wider gate to replacing existing gate. Addendum #1 was below the City Manager approval threshold and covered scope changes requested by staff. Addendum #2 puts the total additional request above the City Manager approval limit and requires City Council approval.

A motion was made by Council Member Crawford and seconded by Council Member Parsley-Hubbard to authorize the City Manager to negotiate and execute contract addendum #2 with TBE for additional services for the fuel farm improvements in the amount of \$38,079—the vote: all aye.

3. Consider awarding a bid for \$5,945,075.10 for construction of 100 kV Transmission Tie-line from Substation T to Delivery 4 to Power Grid Services.

This transmission line will provide the infrastructure necessary to make a tie between our two 100 kV Delivery stations offering valuable resiliency to the City's electric grid. This transmission line will also provide the dual feeds to Substation W feeding the Lilly plant. Electric Systems staff received bids on February 16, 2023, for construction of 100 kV

transmission tie-line. Five bids were reviewed for compliance with the specifications and relevant project experience. The low bid was submitted by Power Grid Services in the amount of \$5,945,075.10. City staff recommends accepting the low bid from Power Grid Services. Funding will be derived from the existing Delivery 4 & 100 kV project account.

A motion was made by Council Member Parsley-Hubbard and seconded by Mayor Pro-Tem McKenzie to award a bid for \$5,945,075.10 for construction of 100 kV Transmission Tie-line from Substation T to Delivery 4 to Power Grid Services—the vote: all aye.

4. Consider abandoning a construction easement across property at 388 Camden St NW (PIN 5611 91 4713 0000).

There is a construction easement recorded in Deed Book 583 Page 221 dated November 1984 to the Board of Light and Water Commissioners. The construction of the sewer line across this parcel occurred in 1987. The construction easement is no longer necessary.

A motion was made by Mayor Pro-Tem McKenzie and seconded by Council Member Sweat to adopt the following resolution authorizing the Abandonment of Construction easement—the vote: all aye.

RESOLUTION RELEASING SEWER RIGHT OF WAY

WHEREAS, a construction easement was granted in Deed Book 583 Page 221 recorded in the Cabarrus County Registry to the Board of Light and Water Commissioners for the construction of a sanitary sewer; and

WHEREAS, the sanitary sewer was constructed in 1987 and the construction easement is no longer needed, and the prospective purchaser request that said construction easement be abandoned; and

WHEREAS, the release of the construction easement 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' construction easement recorded in Deed Book 583 Page 221 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 construction easement 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 9th day of March 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

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

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

CONSENT AGENDA ITEM A

The 2023 City Council Schedule of Meetings was amended and the City Clerk was directed to post the amended Schedule.

CONSENT AGENDA ITEM B

The policies and procedures manual for Concord’s HOME Investment Partnerships Program (HOME) was amended to include specific developer language.

CONSENT AGENDA ITEM C

The Concord Police Department was authorized to apply for the 2023 Law Enforcement Mental Health and Wellness Act (LEMHWA) Program grant from the United States Department of Justice COPS office.

CONSENT AGENDA ITEM D

The offer of dedication on the following plat and easements was accepted: The Salvation Army Center of Hope.

CONSENT AGENDA ITEM E

Offers of infrastructure at Poplar Tent Water Line Extension, City of Concord Traffic Management Center, Robert Wallace Park Public Water Extension, Emery Apartments, Sycamore at Christenbury Commons Apartments, The Pointe @ St. Andrews Subdivision were accepted.

CONSENT AGENDA ITEM F

The following budget amendment was adopted for Aviation Department transfer funds from Project CARES to Maintenance -Building account.

ORD.# 23-14

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:

<u>Revenues</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
680-4501400	Transfer from Capital Project	1,191,248	1,560,580	369,332
	Total			369,332

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

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4530-5351000	Maintenance—Buildings	421,597	790,929	369,332
	Total			369,332

Reason: To allocate transfer from Project CARES fund to cover the purchase of security cameras.

Duly adopted by the City Council of the City of Concord, North Carolina this 9th day of March, 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 G

The following Aviation Capital Project amendment was adopted.

ORD.# 23-15

CAPITAL 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 project ordinance is hereby ordained:

SECTION 1. The project authorized is the **Airport Projects**.

SECTION 2. The City Manager is hereby authorized to proceed with the implementation of the project within terms of a grant agreement with the N.C. Department of Transportation – Division of Aviation.

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

<u>Revenues</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
680-4501680	Transfer from Aviation	459,891	611,721	151,830
	Total			151,830

Section 4. The following amounts are appropriated for the project

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
6302-5800726				
6302-5800726	Fuel Farm	0	412,762	412.762
6302-5800451				
6302-5800451	GA Wayfinding/Parking	1,065,200	804,268	(260,932)
6309-5800454				
6309-5800454	North Apron Roadway	348,695	1,601,952	1,253,257

6309-5811082				
6309-5811082	Future Projects	1,253,257	0	(1,253,257)
	Total			151,830

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 9th day of March, 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 H

The following Electric Project Fund project budget amendment and Utility Capital Reserve Fund project budget amendment were adopted.

ORD.# 23-16

**CAPITAL PROJECT ORDINANCE
Utility Project Reserves**

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

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

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

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

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
8120-5811081	Future Electric Projects	\$8,068,293	\$5,561,248	\$(2,507,045)
8120-5987000	Transfer to Proj Fund	\$1,200,00	\$3,707,045	\$2,507,045

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 9th day of March, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD.# 23-23

CAPITAL PROJECT ORDINANCE
Electric Project- Delivery #4 & 100KV Ph1

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 Delivery #4 & 100KV Ph1.

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:

<u>Account</u>	<u>Title</u>	<u>Current Budget</u>	<u>Amended Budget</u>	<u>(Decrease) Increase</u>
473-4501282	Transfer fm Util Cap Res	36,585,011	39,092,056	2,507,045
6949-5801152	Delivery #4 & 100KV Ph1	16,919,916	19,426,961	2,507,045

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 9th day of March, 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 FY 2022/2023 Budget Ordinance was adopted to amend the General Fund.

ORD.# 23-17

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:

<u>Revenues</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
100-4351000	Sale of Fixed Assets	73,819	139,319	65,500
Total				65,500

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
4520-5558000	Bldgs & Imprv – Capital	68,800	134,300	65,500
Total				65,500

Reason: To appropriate proceeds from the sale of fixed assets to provide additional funding to replace the solid waste cart shed cover.

Adopted this 9th day of March, 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 J

The following Golf Project Fund project budget amendment and Golf Fund operating budget amendment were adopted.

ORD.# 23-18

**CAPITAL PROJECT ORDINANCE
Clubhouse Renovations**

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 Clubhouse Renovations.

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

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
7550-5811405	Clubhouse Renovations	\$940,000	\$1,340,000	\$400,000
475-4501650	Transfer from Golf Fund	\$0	\$399,532	\$399,532
475-4501100	Transfer frm Gen Fund	\$0	\$468	\$468

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 9th day of March, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

ORD.# 23-19

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	
650-4406000	Retained Earnings Appr	45,430	166,271	120,841
	Total			120,841

Account	Title	Expenses/Expenditures		(Decrease) Increase
		Current Budget	Amended Budget	
7501-5990001	Approp to Ret Earning	278,691	0	(278,691)
7501-5987000	Transfer to Project Fund	0	399,532	399,532
	Total			120,841

Reason: To appropriate retained earnings to fund a transfer to the golf project fund for needed improvements to the golf course property.

Adopted this 9th day of March, 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 K

The following Additional Vehicle Tax Fund operating budget amendment and a Transit Fund project budget amendment were adopted.

ORD.# 23-21

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	
292-4324250	Vehicle License-Addl \$5	400,000	0	(400,000)
Total				(400,000)

Account	Title	<u>Expenses/Expenditures</u>		(Decrease) Increase
		Current Budget	Amended Budget	
8200-5982500	Transfer to Transit Fund	400,000	0	(400,000)
Total				(400,000)

Reason: To remove budget from fund 292. Activity previously recorded in this fund will now be recorded directly in the transit fund.

Adopted this 9th day of March, 2023.

CITY COUNCIL
CITY OF CONCORD
NORTH CAROLINA

/s/ William C. Dusch, Mayor

ATTEST: /s/ Kim Deason, City Clerk

/s/ VaLerie Kolczynski, City Attorney

CAPITAL 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 projects authorized and amended are the projects included for CK Rider Transit System.

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
630-4501292	Transfer fm Addtl \$5 Veh	2,761,637	2,361,637	(400,000)
630-4324250	Vehicle License-Addl \$5	0	400,000	400,000
				<u>0</u>

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

Exp. Account	Title	Current Budget	Amended Budget	(Decrease) Increase

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. 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 9th day of March, 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 L

A Transportation Capital Project Fund project budget amendment was adopted.

ORD.# 23-20

**CAPITAL PROJECT ORDINANCE
US601/Flowes Store Imprv**

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 is US601/Flowes Store Imprv.

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

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

<u>Revenues</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
423-4501100	Transfer from Gen Fund	23,458,289	23,451,896	(6,393)
				(6,393)

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

<u>Expenses/Expenditures</u>				
Account	Title	Current Budget	Amended Budget	(Decrease) Increase
8600-5811269	B Smith/Weddngn Intrscn	36,427	0	(36,427)
8600-5811257	US601/Flowe Store Imprv	2,340,343	2,349,333	8,990
8600-5811073	Future Transp Projects	5,068,479	5,089,523	21,044
				(6,393)

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 9th day of March 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 M

Article 3.4(E), Bilingual Increases, in the Personnel Policies and Procedures manual was amended.

CONSENT AGENDA ITEM N

The Tax Office collection reports for the month of January 2023 were accepted.

CONSENT AGENDA ITEM O

The Tax releases/refunds for the month of January 2023 were approved.

CONSENT AGENDA ITEM P

The monthly report on investments as of January 31, 2023 was received.

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


Kim J. Deason, City Clerk


William C. Dusch, Mayor