



City Council Agenda
Thursday, July 11, 2024
6:00 PM
City Hall

Cell phones are to be turned off or placed on vibrate during the meeting. Please exit the Council Chambers before using your cell phone.

The agenda is prepared and distributed on Friday preceding the meeting to Council and news media. A work session is then held on the Tuesday preceding the regular meeting at 4:00 pm.

- I. Call to Order
- II. Pledge of Allegiance and Moment of Silent Prayer
- III. Approval of Minutes
May 14, June 11, and June 13, 2024. **APPROVED**
- IV. Presentations
 - 1. Presentation of a Proclamation recognizing July as Parks and Recreation Month.
 - 2. Presentation of the FY 2025 Annual Budget Video. (Work Session)
- V. Unfinished Business
- VI. New Business
 - A. Informational Items
 - 1. Presentation of the City's Vision/Mission/Values Board and Strategic Plan Document. (Work Session)
 - B. Departmental Reports
 - 1. Downtown Streetscape Historic Overview (Work Session)
 - 2. Downtown Streetscape update
 - 3. Parks and Recreation Bonds update
 - C. Recognition of Persons Requesting to be Heard
 - D. Public Hearings

- 1. Conduct a public hearing and consider adopting an ordinance annexing +/- 3.383 acres at 17635 Huntersville-Concord Rd. PIN 4671-64-8074 owned by SAAD International, LLC.

Voluntary annexation petition of +/- 3.383 acres of property at the intersection of Huntersville-Concord Rd. and Poplar Tent Rd. The property is currently zoned Cabarrus County LDR (Low Density Residential).

Recommendation: Conduct a public hearing and consider a motion adopting the annexation ordinance and set the effective date for July 11, 2024. **DENIED**

- 2. Conduct a Public Hearing for case Z(CD)-23-23 and consider adopting an ordinance amending the official zoning map for +/- 2.443 acres located at 200, 202, and 206 Winecoff School Rd from C-2 (General Commercial District) to I-1-CD (Light Industrial – Conditional District) and to amend the 2030 Land Use Plan to modify the future land use designation of the parcels from “Suburban Neighborhood” to “Industrial/Employment.”

The Planning and Zoning Commission heard the above referenced petition at their June 18, 2024 meeting and voted to forward the request to City Council with a recommendation that the zoning map be amended from C-2 (General Commercial District) to I-1-CD (Light Industrial – Conditional

District) and to amend the 2030 Land Use Plan to designate the parcels as “Industrial/Employment.”

Recommendation: Conduct a Public Hearing and consider adopting an ordinance amending the official zoning map from C-2 (General Commercial District) to I-1-CD (Light Industrial – Conditional District) and to amend the 2030 Land Use Plan to designate the parcels as “Industrial/Employment.” **APPROVED**

3. **Conduct a public hearing and consider adopting an ordinance amending Article 4 “Environmental/Land-Disturbing Activities”, Section 4.7, “Floodplain Life and Property Protection,” and Article 14 “Definitions” of the Concord Development Ordinance (CDO) regarding minimum floodplain regulations.**

The City participates in the Community Rating System (CRS) program which allows citizens to purchase flood insurance if minimum requirements are met in the Ordinance. The Federal Emergency Management Agency (FEMA) also has a “model” ordinance which reflects these minimum requirements. If the City’s ordinance is more restrictive than the model, flood insurance discounts are available, and Concord’s CRS score is the highest that can be attained and savings on flood premiums are passed on to the citizens.

Both CRS and FEMA conduct audits on a regular basis, and both agencies have given the City high marks. During the last audit, FEMA recommended updating Section 4.7 to incorporate changes in the model ordinance to reflect current terminology. FEMA updates the model ordinance routinely and jurisdictions are required to adopt these changes. The CDO was last amended in 2018 to incorporate model ordinance changes.

This amendment does not result in more stringent requirements for landowners and generally involves only changes in terminology and definitions. The most visible change involves moving all flood related definitions from Article 14 to Section 4.7. The Planning Commission staff report, and complete strike-through document are included. At their June 18, 2024 meeting, the Planning and Zoning Commission unanimously recommended the amendment to Council.

Recommendation: Motion to conduct a public hearing and adopt an ordinance amending Articles 4 and 14 to adopt changes relative to Floodplain Life and Property Protection. **APPROVED**

E. Presentation of Petitions and Requests

1. **Consider adopting a resolution of intent to schedule a public hearing in the matter of closing a portion of the Evans Street NW right-of-way (+/- .39 feet) generally located near the intersection of Evans and Central Drive.**

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

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 requirement would allow the hearing to be conducted at the August 8, 2024 meeting.

Recommendation: Consider adopting a resolution of intent to schedule a public hearing for August 8, 2024. **APPROVED**

2. Consider adopting a resolution authorizing the sale of .03 acre/1,402 sf parcel on Market Street identified as PIN #5620-97-0605.

An offer to purchase Parcel Number 5620-97-0605 was submitted by Morris Building LLC. Morris Building would use the parcel for parking for its residents and guests. Morris Building, LLC owns the adjacent Morris Building parcel that is comprised of 14 residential units and the businesses of SawMill Tavern and Charros Mexican Restaurant. The parcel which was purchased by the City in 1966 is adjacent to the Union Passageway and has been used for parking. Morris Building, LLC is offering \$7,500 for the parcel and will construct a 12' wide x 9' deep x 8' tall, enclosed dumpster behind the Morris Building and make the dumpster available to any business along Market Street that is interested in cost sharing. Morris Building would manage all the billing, maintenance and cleaning of the dumpster. The City would not be involved in the service. The goal is to offer the location in an effort to eliminate additional dumpsters and roll out containers on Market Street.

The tax value of the property is \$33,510. There are electric underground service lines that cross the parcel which will remain. The City of Concord had a lease on the CESI property for an enclosed dumpster area. This lease expired last November, and the owner is not interested in renewing the lease due to possible future investment in the property.

The proposed resolution directs the City Clerk to publish the required notice under NC General Statute 160A-269 and begin the upset bid period. In the event one or more upset bids are received, this matter will be placed back on the Council agenda for approval of the final bid. In the event no upset bids are received, the proposed resolution directs the City Attorney and City staff to take all necessary steps to convey the property.

Recommendation: Consider adopting a resolution authorizing the sale of 0.03 acres parcel on Market Street to Morris Building, LLC for the construction of a new dumpster location. **TABLED UNTIL THE JANUARY 2025 REGULARLY SCHEDULED CITY COUNCIL MEETING.**

3. Consider adopting an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article II Obstructions, Section 44 and Section 50-56, and incorporating the referenced Downtown Sidewalk Design Guidelines.

The completion of the Union Streetscape project will come with wide sidewalks and opportunities for businesses within the Downtown MSD to utilize them for outdoor dining and retail merchandise display. Utilization of public spaces through an Encroachment Agreement with the City of Concord, enables sidewalk activation that creates and sustains a downtown experience that attracts new investment, visitors, residents and workers.

The proposed amendments to the City of Concord Code of Ordinances revise Chapter 50, Streets, Sidewalks, and other Public Places, to include retail merchandise display in addition to sidewalk dining through an Encroachment Agreement as well as incorporate the referenced Downtown Sidewalk Design Guidelines for businesses within the Downtown MSD.

Recommendation: Motion to adopt an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article II Obstructions, Section 44 and Sections 50-56, and incorporate the referenced Downtown Sidewalk Design Guidelines, effective July 29, 2024. **APPROVED**

4. Consider adopting an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article X Social Districts and approving the Downtown Social District signage and sticker designs.

The City of Concord's Social District Ordinance was adopted on February 8, 2024, establishing a new Downtown Concord Social District, effective August 1, 2024. The new destination brand for Downtown Concord was approved by City Council on June 13, 2024. Staff have worked with Destination by Design on the proposed signage and sticker designs for the Downtown Concord Social District to complement the new destination brand. Additionally, amendments have been made to the signage locations on the Downtown Concord Social District Map dated July 11, 2024, as part of the Ordinance. Consideration on moving the effective date from August 1, 2024, to October 1, 2024 will also be reviewed.

Recommendation: Motion to adopt an ordinance amending the City of Concord Code of Ordinances, Chapter 50, Streets, Sidewalks, and other Public Places, Article X Social Districts, effective August 1, 2024, and approve the Downtown Concord Social District signage and sticker designs. **APPROVED**

- 5. Consider approving a resolution confirming approval of a multifamily housing facility to be known as Coleman Mill Lofts and the financing thereof with multifamily housing revenue bonds in an aggregate principal amount not to exceed \$20,630,000.**

On July 13, 2023, the City held a public hearing with respect to the issuance of the Bonds to finance, in part, the Coleman Mill Lofts, and adopted a resolution approving the issuance of the Bonds as required by Section 147(f) of the Code; and under the Code, bonds approved by an elected body for purposes of Section 147(f) of the Code must be issued within one year of the date of such approval; and due to an unexpected delay in completing the financing, the closing of the Bonds has been delayed such that the Bonds will not be issued by July 13, 2024.

Recommendation: Motion to approve a resolution confirming approval of a multifamily housing facility to be known as Coleman Mill Lofts and the financing thereof with multifamily housing revenue bonds in an aggregate principal amount not to exceed \$20,630,000. **APPROVED**

- 6. Consider authorizing the City Manager to negotiate and execute a contract addendum with JD Goodrum, Inc. for the renovations of Dorton Park.**

The original construction contract for the renovations of Dorton Park included the resurfacing of the existing tennis courts, upon further evaluation of their condition it was determined that complete replacement would be the best course of action. The additional cost of the tennis courts replacement will be \$156,411. In addition, during structural fill placement on the athletics fields it was discovered that the existing storm drainpipes have collapsed and need to be replaced at an additional of \$55,490.86. The total amount of these two items is \$211,901.86. This addition will bring the total contract amount to \$5,105,093.22. The amount is below the total budgeted amount for this project is \$6,165,627.

Recommendation: Motion authorizing the City Manager to negotiate and execute a contract addendum with JD Goodrum, Inc. in the amount of \$211,901.86. **APPROVED**

- 7. Consider adopting a resolution authorizing the sale of 900 square feet/0.02 acres of Gibson Field located at 265 Misenheimer Drive NW. PIN 5620-39-4588 to Jessica R. Andreano and Vincent Andreano located at 281 Misenheimer Drive. The location is the rear of 281 Misenheimer Drive NW.**

The City acquired the property on July 30, 1986. The property is now Gibson Field and is used by City of Concord Parks & Recreation for athletic programming. This facility was part of the bond projects for Academy-Gibson. The project was to create a neighborhood park and maintain athletic programming. During survey for the park, we discovered an encroachment of a permanent structure on the Misenheimer side of the park. While communicating with the property owners on the encroachment, they asked if they could purchase the portion of the property instead of tearing down their building. Staff reviewed the survey for the 900 sq. ft. section, this area would not cause

a negative impact if sold. If the Andreano's had to move or tear down the structure, it would be a major expense. An appraisal was completed on the 900 sq. ft./0.02 acres with a value of \$7,525. The proposed Resolution directs the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents to affect the conveyance of the property and easement in accordance with this resolution pursuant to North Carolina General Statutes 160A-269.

Recommendation: Consider adopting a resolution authorizing the sale of 900 sq. ft. part of 265 Misenheimer Drive NW to Jessica R. Andreano and Vincent Andreano and directing the City Manager, City Clerk and City Attorney to take all necessary steps and to execute the necessary documents in order to affect the conveyance of the property. **APPROVED**

8. Consider recognizing the St. Andrews Place Homeowners Association in the City's Partnership for Stronger Neighborhoods program.

St. Andrew's Place is a neighborhood of 506 single family homes. The neighborhood is home to many first- time homebuyers and families. The community is supported by a volunteer HOA board made up of neighborhood homeowners who meet each month. Officers for the Association are President Justin Crowe; Vice President Christina Parkins; and Secretary/Treasurer Sonja Allison. They have submitted all the required Documentation for recognition. By approving their inclusion in the program, the City would have 80 recognized neighborhoods in the Partnership for Stronger Neighborhoods since its foundation in 2000.

Recommendation: Motion to include St. Andrew's Place Homeowners Association in the City's Partnership for Stronger Neighborhoods program. **APPROVED**

9. Consider approving Neighborhood Matching Grant awards distribution requests for FY24-25 applicants.

The review committee determined that thirteen projects best met the criteria for funding. The thirteen recommended projects, if funded, total \$30,000, using all the allocated funds in the NMG FY24-25 adopted budget.

The following allocation of grant funds are recommended:

- 1-Autumn Ridge - \$3,000 for their Playground Replacement Project.
- 2-Bedford Farms - \$3,000 for their Trail Phase 4 Project.
- 3-Carriage Downs - \$600 for their Community Nature Garden Facelift Project.
- 4-Christenbury - \$975 for their Beautification Project.
- 5-Glen Grove - \$975 for their Walking Trail Project.
- 6-Hallstead - \$1,499.59 for their Streetlights Project.
- 7-Highland Creek - \$3,000 for their Inclusive Swing Project.
- 8-Oakleaf - \$2,499 for their Pool Furniture Project.
- 9-Overbrook Manor - \$3,000 for their Decorative Signposts Project.
- 10-Parkview Estates - \$3,000 for their Improvement of Common Area Project.
- 11-Winding Walk - \$3,000 for their Disc Golf Course & Corn Hole Courts Project.
- 12-Woodbridge - \$3,000 for their irrigation/landscaping upgrade Project.
- 13-Zemosa Acres - \$2,500 for their traffic calming project.

There were two projects not recommended for funding because they did not meet eligibility requirements.

Recommendation: Motion to approve Neighborhood Matching Grant award distribution requests for FY24-25 applicants as recommended. **APPROVED**

10. Consider adopting an ordinance ordering the demolition of the structure located at 90 James St SW (PIN# 5620-85-0735) owned by Jerimiah Owens Jr.

The structure is located on a single parcel, which has a building tax value before the fire of \$44,160.00 per Cabarrus County land records. Upon inspection, the structure had massive damage due to fire and was considered to be dilapidated. Dexter Zimmerman, Code Enforcement Officer, opened the case March 15, 2024. The Finding of Fact and Order to Repair or Demolish was issued on April 02, 2024. The Order to Repair or Demolish said structure was not extended. The Order to Repair or Demolish expired on May 02, 2024. There have been no attempts to come into compliance with this case. No civil penalties have been imposed.

Recommendation: Motion to adopt an ordinance ordering the demolition of the structure located at 90 James St SW, Concord NC. **APPROVED**

11. Consider adopting an ordinance amending Chapter 42 of the City of Concord Code of Ordinances.

The proposed ordinance was created to address future requests and unauthorized drone take offs and landings on City property. The ordinance will also apply to airplanes, flying machines, balloons, parachutes, helicopters, rockets, etc. However, kite flying in open areas of city parks is permitted. Airspace laws are controlled by the FAA and cannot be regulated or enforced.

Recommendation: Motion to adopt an ordinance amending Chapter 42 of the City of Concord Code of Ordinances. **APPROVED**

12. Consider awarding bid for electric materials for 13,200 feet of 500 MCM primary feeder cable to Border States Electric.

Electric Systems staff received two bids on June 13, 2024 for electric materials for the purchase of 13,200 feet of 500 MCM primary feeder cable. Border States Electric was the lowest bidder at \$233,904 and Border States Electric was compliant in meeting the required specifications.

Recommendation: Motion to award bid for electric materials in the amount of \$233,904 to Border States Electric for the purchase of 13,200 feet of 500 MCM primary feeder cable. **APPROVED**

13. Consider authorizing the City Manager to negotiate and execute a contract with Aviation Management Consulting Group and Mead & Hunt to facilitate the development of an Airport Strategic Business Plan for Concord-Padgett Regional Airport.

In May 2024, City Council adopted a City wide Strategic Plan. Goal 3, Promote a Safe and Connected City, Section 2, is to actively evaluate, plan and invest in future mobility. Specifically, the need to create a Strategic Business Plan. The Federal Aviation Administration, Airport Sponsor Assurance #24, requires that an obligated airport be as financially self sustaining as possible given the circumstances that exist at the airport. One of the best ways to comply with Airport Sponsor Assurance #24 is to develop and implement an Airport Strategic Business Plan that demonstrates the way airport administration and policy makers are striving toward achieving of becoming, or continuing to be, financially self-sustaining.

The Airport Strategic Business Plan will utilize a comprehensive approach consistent with the Transportation Research Board, Airport Cooperative Research Plan Report 77 *Guides for Developing General Aviation Airport Business Plans (2012)* , and contemporary updates. The project will take 12 months to complete and a cost not to exceed \$247,800. The funding for the project will come from the CARE account. The fund balance currently is \$984,379.96.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with Aviation Management Consulting Group and Mead & Hunt in the amount of \$247,800 to perform professional consulting services to develop an Airport Strategic Business Plan for Concord-Padgett Regional Airport and approve budget amendment. **APPROVED**

14. Consider authorizing the City Manager to negotiate and execute Work Authorization #2402 with Talbert, Bright and Ellington, Inc. (TBE) for the purpose of performing professional consulting services associated with the construction administration (CA), quality assurance testing, and resident project representative for the fuel farm expansion at Concord-Padgett Regional Airport.

Last month, the FAA approved the City's grant application for the construction of a one (1) 20,000 gallon Jet A Tank and containment system for one (1) proposed 20,000 gallon Jet A tank. The grant also included new Inventory Management and Emergency Fuel Shut Off system and widening of the access road/new gate. The grant will be funded through the Bipartisan Infrastructure Law (BIL) legislation.

The scope of work and fees were evaluated in accordance with FAA's guidance. An independent Fee Estimate (IFE) was completed and the fees are within the 10% range of the IFE. The total cost for these services is \$274,634.

Recommendation: Motion to authorize the City Manager to negotiate and execute a contract with TBE in the amount of \$274,634 and to adopt a budget amendment. **APPROVED**

15. Consider authorizing the City Manager to negotiate and execute a contract with Southern Engineering and Testing P.C. to perform materials testing and special inspections during the construction of the proposed Fleet Building.

During the construction of the proposed Fleet Building, materials testing, and special inspections are required to ensure that materials and procedures used by the contractor comply with the project drawings and specifications.

A request for qualifications (RFQ) was advertised for qualified consulting firms to perform the materials testing and special inspections for the proposed fleet building. As required by the Mini Brooks Act, consulting engineering firms are to be selected on the basis of competence and qualifications for the type of professional services required. Nine firms submitted RFQs and were reviewed by a panel and Southern Engineering and Testing P.C. was selected for this project.

Recommendation: Motion authorizing the City Manager to negotiate and execute a contract with Southern Engineering and Testing P.C. in a not to exceed amount of \$150,000.00 for the materials testing and inspections of the proposed fleet building. **APPROVED**

16. Consider awarding the total bid for the City of Concord's annual street preservation program to Ferebee Corporation.

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. Formal bids for this work were due June 25, 2024. Only 2 submittals were received; therefore, no bids were opened.

Bid documents were readvertised and opened on July 3, 2024 with Ferebee Corporation submitting the lowest total bid in the amount of \$4,085,602.95. Work such as patching, leveling, milling, resurfacing, re-striping, re-marking, and re-installation of permanent raised pavement markings work on 19.19 lane miles of designated streets and 2,000 Tons of patching on other City infrastructure will be performed. Contract Final Completion date is 180 days from the Notice to Proceed.

Recommendation: Motion to award the total bid and authorize the City manager to negotiate and execute a contract with Ferebee Corporation in the amount of \$4,085,602.95 for the City of Concord's annual streets preservation program. **APPROVED**

17. Consider awarding the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to ALS of North Carolina, LLC.

This contract consists of providing traffic signal and associated construction/maintenance work in and adjacent to the City of Concord. This work provides for the installation, upgrade, or repair of signals on an as-needed basis and includes but is not limited to saw cutting roadway surfaces, placement of embedded loops and sealant, trenching, placement of conduit and junction boxes, installing poles, guys, span wire, cables, heads, visual detection equipment, and conduit. Quotes for this work were opened on June 25, 2024 with ALS of North Carolina, LLC submitting the lowest unit cost pricing. The contact is not to exceed \$150,000 per the FY 25 approved budget. The contract term is through June 30, 2025.

Recommendation: Motion to award the City of Concord's annual contract for the Installation of Traffic Signal Equipment and Associated Construction and Maintenance Work to ALS of North Carolina, LLC. **APPROVED**

18. Consider a revised Preliminary Application from William Jordan Hall and Margaret Hall.

In accordance with City Code Chapter 62, William Jordan Hall and Margaret Hall have submitted a preliminary application for sewer service outside the City limits. The property is located at 520 Crestmont Dr. SE, Concord, NC 28025. The property is a 4.52-acre existing single-family residential parcel located within the Cabarrus County jurisdiction and is zoned RM-1 (in ETJ). The applicant has expressed that his existing septic system is failing. City water is available to this parcel; however, the existing well is in compliance and functional and the applicant wishes to remain on well water. The applicant does not wish to be annexed. The parcel is contiguous to city of Concord limits on two sides.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase including annexation. **APPROVED**

19. Consider a revised Preliminary Application from Christopher Burren and Kelley J. Burren.

In accordance with City Code Chapter 62, Christopher Burren and Kelley J. Burren have submitted a preliminary application for sewer service outside the City limits. The property is located at 441 Scalybark Tr., Concord, NC 28027. The property is a 1.01-acre existing single-family residential parcel located within the Cabarrus County jurisdiction is zoned LDR. City water is not available to this parcel.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation. **APPROVED**

20. Consider a revised Preliminary Application from John P. and Peggy S. Furr.

In accordance with City Code Chapter 62 John P. Furr and Peggy S. Furr have submitted a preliminary application for water service outside the City limits. The property is located at 1037 Manassas Dr., Concord, NC 28027. 4.28-acre parcel located in Area B of Cabarrus County is zoned LDR. The applicant is proposing a single family home. City sanitary sewer is not available to this parcel.

Recommendation: Motion to accept the preliminary application and have the owner proceed to the final application phase excluding annexation. **APPROVED**

VII. Consent Agenda **APPROVED ALL IN ONE MOTION**

A. Consider adopting a resolution authorizing the City Manager to execute settlement documents for additional funds from as opioid litigation settlement with Kroger.

Recommendation: Motion to adopt a resolution authorizing the City Manager to execute settlement documents for additional funds from as opioid litigation settlement with Kroger.

B. Consider adopting a resolution to approve the 2021 updates to the NC Local Government Records Retention Schedules.

The NC Department of Natural and Cultural Resources has updated the General Records. This update will now be known as the General Records Retention Schedule. They have also included the Program Records Retention Schedule. When adopted, it will supersede the following standards on all local schedules published prior to October 1, 2021. Once adopted, the City Clerk will submit the required signature page to the NC Department of Natural and Cultural Resources for verification of adoption.

Recommendation: Motion to adopt a resolution approving the 2021 updates to the NC Local Government Records Retention Schedules.

C. Consider authorizing the Parks & Recreation Department to apply for a grant from the Recreational Trails Program in an amount not to exceed \$100,000 (with a City match not to exceed \$25,000) for construction of an extension of the Harold McEachern Greenway, including use as match for a Great Trails State Program grant if awarded.

The Recreational Trails Program (RTP) is a \$1.5-million federal grant program designed to help states provide and maintain recreational trails for both motorized and non-motorized recreational trail use. The program is funded by the U.S. Department of Transportation's Federal Highway Administration and administered by the NC Department of Natural and Cultural Resources. There is a September 6, 2024, submittal deadline; awards are expected early in 2025. A 25% flexible match is required—in addition to financial contribution, the use of in-kind and force account labor is permitted; the likely match for this application would be a combination of Park Reserve funds and in-kind design services provided by the Engineering Department.

This grant program is concurrent with the Great Trails State Program (GTSP); and if awarded, grant funds from the RTP would be used to support the match required for that program, for which another Council action item is being requested. Grant funds from this and the GTSP would be used to support construction of the next phase of the McEachern Greenway from its present terminus north of Wilson Street Park to Miramar Street NE—a project with an overall cost estimate of approximately \$3.61M. Site control for this phase has been acquired; and the project is currently in design by the Engineering Department.

Recommendation: Motion to authorize the City Manager to permit the Parks & Recreation Department to apply for a grant from the NC Department of Natural and Cultural Resources through the Recreational Trails Program in an amount not to exceed \$100,000 (with a City-funded match not to exceed \$25,000).

D. Consider authorizing the Parks & Recreation Department to apply for a grant from the NC Department of Natural and Cultural Resources (Div. of Parks and Recreation) through its Great Trails State Program in an amount not to exceed \$500,000 (with a City-funded match not to exceed \$500,000) for construction of an extension of the Harold McEachern Greenway.

The Great Trails State Program (GTSP) is an outgrowth of the state's 2023 Year of the Trail campaign and efforts of the NC Great Trails State Coalition, of which Concord is a public agency member. Funded by the NCGA, the one-year grant program will provide \$25 million for new trail development within the state. There is a September 3, 2024, submittal deadline; awards are

expected early in 2025. As a NC Tier 3 city, a \$1/\$1 match is required. The match may include a combination of cash, fee waivers, in-kind services, donation of assets, and/or provision of infrastructure; the likely match for this application would be a combination of Park Reserve funds and in-kind design services provided by the Engineering Department. Another potential source of matching funds is the federal Recreational Trails program, for which another Council action item is being requested.

If awarded, the grant funds would be used to support construction of the next phase of the McEachern Greenway from its present terminus north of Wilson Street Park to Miramar Street NE—a project with an overall cost estimate of approximately \$3.61M. Site control for this phase has been acquired; and the project is currently in design by the Engineering Department.

Recommendation: Motion to authorize the City Manager to permit the Parks & Recreation Department to apply for a grant from the NC Department of Natural and Cultural Resources (Div. of Parks and Recreation) through its Great Trails State Program in an amount not to exceed \$500,000 (with a City-funded match not to exceed \$500,000).

E. Consider authorizing the City Manager to negotiate and execute a contract with the Houston Galveston Area Cooperative Purchasing Program for the purchase of two Engines and Rescue unit.

By using the government to government purchasing cooperative for the purchase of fire apparatus, the city can purchase apparatus for a total cost of \$3,750,000 while providing a chassis with the latest safety features available. The purchase price, build time and discount for each unit is as follows: Engines (\$1,193,019 each / 47.5 months build time discount for two engines totals \$286,038) and Rescue (\$1,799,639 / 45 month build time discount \$149,639.00). By using the pre-paid method and being a fleet customer, the City will receive a total discount of \$435,677 for the three apparatus. The requested amount is in the approved funds in the vehicle capital account adopted in the FY 24-25 budget and is within the budgeted amount.

Recommendation: Motion to authorize the City Manager to negotiate and sign a contract for the purchase of the fire department apparatus using the Houston Galveston Area purchasing cooperative.

F. Consider authorizing the City Manager to accept \$25,000 from the NC Governor's Highway Safety Program to fund overtime expenses for traffic safety enforcement and to adopt a budget ordinance to appropriate the grant funds.

The police department received official notification of a \$25,000 grant award from the NC Governor's Highway Safety Program for the 24-25 fiscal year. The funds will be used for overtime traffic related enforcement expenses. The approval to apply was granted by City Council at their January 11, 2024, meeting. The official award documents have been received and will be presented to the City Manager for signature upon approval of acceptance of the grant funds.

Recommendation: Motion to authorize the City Manager to accept \$25,000 from the NC Governor's Highway Safety Program to fund overtime expenses for traffic safety enforcement and to adopt a budget ordinance to appropriate the grant funds.

G. Consider adopting a First Concord 2024 LOBS project budget amendment.

Staff reviewed the adopted FY2025-26 annual budget and capital project ordinances and found an error in appropriating monies to the First Concord 2024 LOBS fund. Debt service payments were included in the General Fund ordinance, but not appropriated to First Concord 2024 LOBS. This ordinance will amend the First Concord 2024 fund to appropriate monies for FY 2025 debt payments with funding already approved in the General Fund. This amendment authorizes the transfer to allow for payments to be made from the correct fund. No additional funding is required.

Recommendation: Motion to adopt a First Concord 2024 LOBS project budget amendment.

H. Consider adopting a General Capital Reserve project budget amendment and a Parks and Recreation Capital Reserve project budget amendment.

Parks and Recreation was awarded a CMAQ grant to cover some of the cost of constructing the Clarke Creek Greenway. The FY25 adopted budget provided funds from the General Capital Reserve and Parks and Recreation Capital Reserve for this project. Due to the grant award, the General Capital Reserve contribution is no longer needed and the Parks and Recreation Capital Reserve contribution can be reduced.

Recommendation: Motion to adopt a General Capital Reserve project budget amendment and a Parks and Recreation Capital Reserve project budget amendment.

I. Consider adopting a resolution to convey a driveway access easement to James Pharr Jr.

James Pharr, Jr owns a parcel located on the east side of Georgia St SW Extension and Parkview Court SW. Mr. Pharr desires to build a residential structure and requires an easement to the public right of way identified as Georgia Street. City of Concord parcel 5620823198 adjoins Mr. Pharr's parcel.

Recommendation: Motion to adopt a resolution to convey a a driveway access easement to James Pharr Jr.

J. Consider accepting an offer of infrastructure at Haven at Rock River Subdivision PH 1 Maps 1-3, Spring Meadows Subdivision PH 4 MP 1, Cypress Village Subdivision.

In accordance with CDO Article 5, improvements have been constructed in accordance with the City's regulations and specifications. The following are being offered for acceptanc: 6,374 LF of Roadway, 673 LF of 6-inch water line, 428 LF of 8-inch water line, 2 valves and 2 fire hydrants, 1018 LF of 8-inch sanitary sewer line and 7 manholes.

Recommendation: Motion to accept an offer of infrastructure at Haven at Rock River Subdivision PH 1 Maps 1-3, Spring Meadows Subdivision PH 4 MP 1, Cypress Village Subdivision.

K. Consider accepting an Offer of Dedication of utility easements and public rights-of-ways in various subdivisions.

In accordance with CDO Article 5 the following final plats and easements are now ready for approval: Upper Room Outreach International, Townhomes at Connon Run, and 4349 Roberta Road, 324 Fox Street SW Minor Subdivision. Various utility easements and public rights-of-ways are offered by the owners.

Recommendation: Motion to accept the offer of dedication on the following plat and easements: Upper Room Outreach International, Townhomes at Connon Run, and 4349 Roberta Road.

L. Consider accepting the semi-annual debt status report as of June 30, 2024.

The City's debt report as of June 30, 2024 is presented for City Council's review.

Recommendation: Motion to accept the City's semi annual debt status report as of June 30, 2024.

M. Consider acceptance of the Tax Office reports for the month of May 2024.

The Tax Collector is responsible for periodic reporting of revenue collections for the Tax Collection Office.

Recommendation: Motion to accept the Tax Office collection reports for the month of May 2024.

N. Consider Approval of Tax Releases/Refunds from the Tax Collection Office for the month of May 2024.

G.S. 105-381 allows for the refund and/or release of tax liability due to various reasons by the governing body. A listing of various refund/release requests is presented for your approval, primarily due to overpayments, situs errors and/or valuation changes.

Recommendation: Motion to approve the Tax releases/refunds for the month of May 2024.

O. Receive monthly report on status of investments as of May 31, 2024.

A resolution adopted by the governing body on 12/9/1991 directs the Finance Director to report on the status of investments each month.

Recommendation: Motion to accept the monthly report on investments as of May 31, 2024.

VIII. Matters not on the Agenda

Transportation Advisory Committee (TAC)
Metropolitan Transit Committee (MTC)
Concord/Kannapolis Transit Commission
Centralina Regional Council
Water Sewer Authority of Cabarrus County (WSACC)
WeBuild Concord
Public Art Commission
Concord United Committee

X. General Comments by Council of Non-Business Nature

XI. Closed Session (If Needed)

XII. Adjournment

*IN ACCORDANCE WITH ADA REGULATIONS, PLEASE NOTE THAT ANYONE WHO NEEDS AN ACCOMMODATION TO PARTICIPATE IN THE MEETING SHOULD NOTIFY THE CITY CLERK AT (704) 920-5205 AT LEAST FORTY-EIGHT HOURS PRIOR TO THE MEETING.